

ASHLAND PLANNING DIVISION

FINDINGS & ORDERS

PLANNING ACTION: PA-2018-00241
SUBJECT PROPERTY: 114 Granite Street
OWNER/APPLICANT: Mardi Mastain
DESCRIPTION: A request for a Tree Removal Permit to remove a 27-inch DBH (diameter at breast height) Maple Tree in the Northwest Corner of the property. This is a modification to a previous planning approval (PA-2017-00235) that proposed to retain this tree. The application states the discovery of percolating water will require more excavation, further jeopardizing the health of the tree and presenting a foreseeable danger of property damage.
COMPREHENSIVE PLAN DESIGNATION: Single-Family Residential; **ZONING:** R-1-7.5;
ASSESSOR'S MAP: 39 1E 09BC; **TAX LOT #:** 3401

SUBMITTAL DATE:	February 1, 2018
DEEMED COMPLETE DATE:	February 8, 2018
STAFF APPROVAL DATE:	April 11, 2018
DEADLINE TO APPEAL (4:30 p.m.):	April 25, 2018
FINAL DECISION DATE:	April 26, 2018
APPROVAL EXPIRATION DATE:	October 26, 2019

DECISION

Application PA-2018-00241 requests to remove a tree at 114 Granite Street. The tree is in front of the proposed building site. In PA-2017-00235, the 27-inch DBH Big Leaf Maple tree was identified as tree #5 on the tree protection plan and retained. According to the application, the discovery of percolating water and the need to over-excavate near the tree's critical root zone has prompted the application for its removal.

The application included reports from an arborist that noted "the maple will not likely survive much change of grade around it" and that the tree "will lose approximately 70 percent of its root system." The arborist did not consider the tree to be an immediate hazard, but expected its health to decline and require a more expensive removal at a later date.

The Ashland Tree Commission reviewed this request at their regular meeting on March 8, 2018. The Tree Commission felt they did not have enough information on the extent on the excavation and recommended denial. The Tree Commission reviewed this request at their regular meeting again on April 5, 2018. The Tree Commission felt they had more information with the Tree Risk Assessment form filled out and applicant and arborist present at the meeting. The Commission recommended approval of the application as proposed.

Upon recognizing the hazard posed to property and taking the Tree Commission recommendation into consideration, Staff finds the application with attached conditions has sufficiently demonstrated compliance with all applicable approval criteria.

The criteria for Tree Removal Permit approval are described in AMC section 18.5.7.040.B as follows:

1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*
 - b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

Planning Action #2018-00241 is a request to remove a tree at 114 Granite Street.

The application with the attached conditions complies with all applicable City ordinances for a tree removal permit. Planning Action #2018-00241 is therefore **approved**. The following are the conditions and they are attached to the approval. If any of the following conditions are found not to be true, then Planning Action #2018-00241 is denied:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified here.

Bill Molnar, *Director*
Department of Community Development

Date