



# CITY OF ASHLAND



## TREE COMMISSION MINUTES July 12, 2018

<b>Commissioners Present:</b>	<b>Parks Liaison</b>
Christopher John	Peter Baughman - Absent
Russell Neff - Arrived 10 min late	
Asa Cates	<b>Staff Present:</b>
	Nathan Emerson

### **CALL TO ORDER**

Chair Christopher John called the meeting to order at 6:17 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

### **APPROVAL OF MINUTES**

Cates/John m/s to approve the minutes of May 3, 2018. Voice vote. ALL AYES. Motion passed

### **ANNOUNCEMENTS & LIAISON REPORTS**

- **Council Liaison**

A council liaison has been recently assigned but did not attend this meeting.

- **Parks & Recreation Liaison**

Peter Baughman was absent from the meeting.

- **Community Development Liaison**

Emerson shared that Councilor, Steve Jensen, has been selected as Tree Commission Liaison.

### **PUBLIC FORUM**

Planning Consultant, Amy Gunter, Rogue Planning & Development Services, 33 N Central, Medford Oregon, used public forum to speak about Street Trees. Ms. Gunter was seeking direction regarding Street Tree removal criteria. Current applications list the only reasons for removal as Emergency, Hazardous, or Dead. Ms. Gunter inquired as to "What if the Tree being removed does not fall under one of those categories?" Ms. Gunter is working on a project where an approved driveway is blocked by a tree in the public right of way. None of the Street tree criteria are applicable. Ms. Gunter wanted to inform the commission of this issue and raise awareness.

## TYPE I REVIEWS

**PLANNING ACTION:** PA-TREE-2018-00014

**SUBJECT PROPERTY:** 1730 Greenmeadows Wy

**APPLICANT/OWNER:** Mountain RCH Property Owner's Association

**DESCRIPTION:** A request for a hazard tree removal of two trees in the Mountain Ranch common area (addressed as 1730 Greenmeadows Wy). The trees, both weeping willows, have a history of limb failure and recently caused damage to an adjacent property. The applicant submitted photos and an arborist report recommending removal and replacement of the trees. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 23BB; **TAX LOT:** 1300.

City Assistant Planner Emerson gave the staff report.

Commissioner John acknowledged he had been asked some time ago to look at these trees and give his opinion but was not hired and no money was ever exchanged. The Commissioners agreed it was not necessary for him to recuse himself.

Doug Kay, representing the Mountain Ranch Home Owners Association (HOA), stated that he views the trees as a hazard and leaving them would be whistling past the graveyard. The HOA will mitigate the trees. Mr. Kay was able to determine the age of the tree to be approximately 43 years old.

Paul and Patrice Lowes of 2345 Lupine Drive spoke in favor of retaining the trees. The trees are near their backyard and it was their fence that was destroyed by a downed limbed. They had an arborist examine the trees previously and were concerned about the habitat value of those trees. The Lowes also suggested that the applicant have a core test done to determine the exact age and health of the tree.

John asked for clarification as to why the tree was before this Commission. Emerson responded that it's an R-1 zone that is not occupied by a single family zone and thus doesn't meet the exemption requirements.

It was stated by Cates that no worked can be done within 100 ft. of nesting birds until November.

The Commissioners had a long discussion as to the hazard nature of the tree and whether the presented materials were sufficient. Part of a hazard assessment is to determine what damage the tree could do. John cited the rules of order mid discussion to limit side conversations between attendees.

*John/Cates m/s to **deny** the removal of trees and recommend that the applicant seek a second opinion from a qualified tree professional, work with the neighbors, and perform a quantitative risk assessment. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** PA-TREE-2018-00007

**SUBJECT PROPERTY:** 303 – 349 Ravenwood Pl

**APPLICANT:** Rosemary Murphree

**OWNER:** Ravenwood HOA

**DESCRIPTION:** A request for a hazard Tree Removal permit to remove three trees at 303 – 349 Ravenwood Place (the common area has the address 341 Vista St). The trees include two ponderosa pines, each approximately 70' to 80' tall, and an Italian cypress of 8" diameter at breast height and approximately 40' tall. The application states that the ponderosas are dying while the cypress is within 5' of dwellings on both sides, representing a fire hazard.

**COMPREHENSIVE PLAN DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09BD; **TAX LOT:** 11300

Emerson gave the staff report.

Rosemary Murphree of the Ravenwood HOA attended and stated that fire hazard is the main concern. Murphree worked with the Fire Adapted Communities Coordinator, Alison Lerch, to identify fire hazards.

The Commissioners noted that tree #1 appears totally dead. They believe that tree #2, a ponderosa pine, may survive and should not be removed. John noted that the cypress location was inappropriate.

*Cates/John m/s to **approve** the removal of trees #1 and #3 with tree #2 to be preserved, watered and have the dead wood pruned. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** TREE-2018-00013

**SUBJECT PROPERTY:** 647 Siskiyou Blvd

**APPLICANT/OWNER:** Bill Heimann

**DESCRIPTION:** A request for a Street Tree Removal Permit to remove a 30" DBH (diameter at breast height) silver maple in the park row. Per the application, a dead limb threatens Siskiyou Blvd and the tree is decayed and dying. **COMPREHENSIVE PLAN**

**DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2

Commissioner John recused himself.

The applicant, Bill Heimann, was present and spoke briefly about the status of the tree. Neff noted the tree was in poor condition. Cates noted that lots of maples in the city are in declining health.

*Cates/Neff m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** PA-T1-2018-00006  
**SUBJECT PROPERTY:** 396 Helman Street  
**APPLICANT:** Rogue Development Services, LLC  
**OWNER:** Helman Street Properties  
**DESCRIPTION:** A request for a Minor Land Partition to divide the property at 396 Helman into two properties –a 6,579 square-foot and a 16,791 square-foot flag lot. The tree protection plan and the trees proposed for removal as part of these lots' development will be reviewed by Tree Commission at their next meeting.  
**COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential;  
**ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 04CA; **TAX LOT:** 4900

Commissioner John recused himself.

Emerson gave the staff report.

Planning Consultant, Amy Gunter was present on behalf of the owners. Only the large cottonwood is subject to tree removal standards. Electric department will be running new utilities under the tree. Commissioners asked about ability to relocate electric utilities. Gunter had asked Electric about this possibility and told no. Ms. Gunter said they applicant is asking to leave the driveway unpaved. The Commissioners agreed that not paving the driveway will help the trees in the future to received more water.

*Cates/Neff m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** TREE-2018-00013  
**SUBJECT PROPERTY:** 770 Oak St  
**APPLICANT:** Rogue Planning & Development Services, LLC  
**OWNER:** Innovative Property Solutions, LLC  
**DESCRIPTION:** A request for a Street Tree Removal Permit to remove a 22" DBH (diameter at breast height) oak in the park row. Per the application the tree is dead and has no living foliage. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-5

The applicant, Amy Gunter, spoke of the tree's condition. Ms. Gunter reported that when the house was constructed no tree protection was used during construction.

The commissioners noted the tree was obviously dead. It was noted that the tree appeared to have died very quickly due to high stress.

*Cates/John m/s to **approve** and recommend replanting with an oak of healthy stature suitable for the region and that the tree be irrigated sufficiently to ensure survivability. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** PA-T1-2018-00011  
**SUBJECT PROPERTY:** 294 Skycrest Dr  
**APPLICANT:** Piper Von Chamier  
**OWNER:** Brian and Diane Smith  
**DESCRIPTION:** A request for a Physical and Environmental Constraints Permit to construct a 2,760 square-foot residence in Hillside and Severe Constraints Land. This application includes Tree Removal for two trees (one Black Oak and one Madrone) in or near the building footprint, a Variance to surpass the allowed lot coverage because of the existing flag driveway that serves the property to the North and a Minor Modification to build the garage partly outside of the originally approved building envelope to minimize the driveway length and disturbance.  
**COMPREHENSIVE PLAN DESIGNATION:** Low-Density Residential;  
**ZONING:** RR-.5; **ASSESSOR'S MAP:** 39 1E 05DC; **TAX LOT:** 2802

Emerson gave the staff report.

Commissioners noted it was hard to identify specific trees on site. There are a lot of trees. Emerson clarified which trees on the planning application were subject to this removal request.

There was a short discussion as to why more trees were not subject to a tree removal permit. Those trees were approved to be removed with the original lot partition and did not need to return to the tree commission, explained Emerson.

*John/Cates m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** PA-TREE-2018-00005  
**SUBJECT PROPERTY:** 2299 Siskiyou Blvd  
**APPLICANT:** Canopy LLC  
**OWNER:** Creekside Cottages  
**DESCRIPTION:** A request for a hazard Tree Removal permit to remove one tree located at 2299 Siskiyou Blvd (the tree is behind the unit addressed as 2293 Siskiyou Blvd). The tree, a black cottonwood, has a three main trunks measure 14.5", 11.5", and 14.5" DBH (diameter at breast height) respectively and stands approximately 50 feet tall. The application states that the tree is potentially hazardous and that removal would have minimal impact to canopies and tree density.  
**COMPREHENSIVE PLAN DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 14CB; **TAX LOT:** 90000

Commissioner John recused himself.

Emerson gave the staff report.

Commissioner Cates noted that the species does not deal well with cuts. It was agreed that co-dominant cottonwoods are dangerous.

*Cates/Neff m/s to **approve** and recommend that the tree be mitigated with a longer lived tree of the owner's choice. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** TREE-2018-00011

**SUBJECT PROPERTY:** 64 Fourth St

**APPLICANT:** Canopy LLC

**OWNER:** Thomas Raymond

**DESCRIPTION:** A request for a Street Tree Removal Permit to remove a dead tree near the light pole at 64 Fourth St. The tree, a maple, is approximately 9" DBH (diameter at breast height).

**COMPREHENSIVE PLAN DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2

Commissioner John recused himself.

Neff/Cates m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.

**PLANNING ACTION:** PA-TREE-2018-00015

**SUBJECT PROPERTY:** 803 N Main St

**APPLICANT/OWNER:** Skinner Investment LLC

**DESCRIPTION:** A request for a tree removal at 803 N Main St. The tree, an Italian cypress, was recommend for removal by the City of Ashland Electric Department because of interference with an electric line. The applicant has indicated that the tree will be replaced in a more appropriate location.

**COMPREHENSIVE PLAN DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 05AC; **TAX LOT:** 200

Emerson gave the staff report.

*John/Neff m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** PA-TREE-2018-00017

**SUBJECT PROPERTY:** 170 Fork St

**APPLICANT/OWNER:** Adderson Builders

**DESCRIPTION:** A request for a hazard tree removal at 170 Fork St. The tree, an incense cedar (*Calocedrus decurrens*), is 18 inches diameter at breast height and approximately 70 feet tall. An arborist report submitted with the application indicates that the tree is in decline with significant deadwood, bifurcates twice, and has poor unions.

**COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential;

**ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 09BC; **TAX LOT:** 7805

Emerson gave the staff report.

John noted another tree on site, an incense cedar, that was in bad shape. Cates suggested cabling might be appropriate, but after a short discussion commissioners noted the health of the tree was poor and agreed with the applicant's arborist report.

*John/Neff m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

## **TYPE II REVIEWS**

None

## **STREET TREE REMOVAL PERMITS**

**PLANNING ACTION:** TREE-2018-00009

**SUBJECT PROPERTY:** Ashland Plaza/20 E Main St

**APPLICANT/OWNER:** City of Ashland

**DESCRIPTION:** A request for a Street Tree Removal Permit to remove a dying tree in downtown Ashland near the plaza. Per the application the tree is at least 75% dead and beyond recovery. **COMPREHENSIVE PLAN DESIGNATION:** Commercial

Commissioners noted that tree was definitely dead and had a short discussion about the status of irrigation in the downtown area.

*Cates/John m/s to **approve** and recommend mitigating the tree with a disease resistant American elm or a tree appropriate for an urban space of the City's choice. Voice vote. ALL AYES. Motion passed.*

**PLANNING ACTION:** TREE-2018-00010

**SUBJECT PROPERTY:** Triangle Park

**APPLICANT/OWNER:** City of Ashland

**DESCRIPTION:** A request for a Street Tree Removal Permit to remove a dying tree in the Triangle Park parkrow next to Siskiyou Blvd. The tree, a cutleaf weeping birch, is 16" DBH (diameter at breast height). Per the application the tree is 75% dead, infested with bronze birch borer, and dropping deadwood onto the sidewalk and street.

**COMPREHENSIVE PLAN DESIGNATION:** Low Density, Multi-Family Residential; **ZONING:** R-2

The commissioners noted that the tree density in the area was very high and they did not believe that replacement was required.

*Neff/John m/s to **approve** as presented. Voice vote. ALL AYES. Motion passed.*

## **DISCUSSION**

### 1. Dead Trees

Emerson shared a prepared memo and gave context for why the issue of dead trees has come up. The City is receiving a large number of complaints about dead trees. The way Ashland Municipal Code is written makes it difficult to enforce without a professional determination that the trees are hazardous.

The Commissioners discussed how difficult it can be to determine if a tree is truly dead and/or hazardous and it does not make sense for a layperson, such as a code compliance officer, to try and make that determination.

The Commissioners did believe that softwoods are generally more hazardous than hardwoods. Any tree with a severe lean, obvious cracks, sloughing bark, or great height will present a greater hazard.

## **ADJOURNMENT**

The meeting was adjourned at 8:37 p.m. Emerson noted that the next regular meeting would be held on Thursday, August 9, 2018 at 6:00 pm. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

*Respectfully submitted by,  
Carolyn Schwendener*