



CITY OF
ASHLAND
TREE COMMISSION AGENDA
November 3, 2016



I. CALL TO ORDER

6:00 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

II. APPROVAL OF MINUTES

Approval of October 6, 2016 meeting minutes.

III. ANNOUNCEMENTS & LIAISON REPORTS

- City Council Liaison
- Parks & Recreation Liaison
- Community Development Liaison

IV. PUBLIC FORUM

Welcome Guests

V. TYPE I REVIEWS

PLANNING ACTION: PA-2016-01842

SUBJECT PROPERTY: 2855 Ashland Street

APPLICANT: Secure Storage

DESCRIPTION: This is a request to remove two potentially unhealthy Birch trees from the front of the Secure Storage property. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 12 **TAX LOT:** 320.

PLANNING ACTION: PA-2016-01890

SUBJECT PROPERTY: 662 South Mountain Avenue

APPLICANT: Amy Gunter/Rogue Planning & Development Services

DESCRIPTION: This is a request to remove four non-hazardous Pondarosa Pine trees greater than 18-inches in diameter at breast height on a vacant property located at 662 South Mountain Avenue. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 16 AA **TAX LOT:** 9001.

PLANNING ACTION: PA-2016-01843

SUBJECT PROPERTY: 119-131 East Hersey

APPLICANT: Oak View Homeowners Association

DESCRIPTION: This is a request to remove one potentially hazardous approximately 24" diameter-at-breast-height Cottonwood tree. Approval to remove the tree was previously granted in 2014 however, the approval has since expired. The applicant has proposed to mitigate the removal by planting four new trees on the property. **COMPREHENSIVE PLAN DESIGNATION:** Multi-family Residential; **ZONING:** R-2;

ASSESSOR'S MAP: 39 1E 04 CD **TAX LOT:** 513.

PLANNING ACTION: PA-2016-01857

SUBJECT PROPERTY: 475 Waterline

APPLICANT: Stark

DESCRIPTION: This is a request to remove one non-hazardous Madrone tree from the front yard of 475 Waterline. The tree is located on slopes greater than 25% requiring a Physical and Environmental Constraints Permit. This application also involves a compliance component resulting from the unpermitted removal of three trees from the rear of the property, which were also located on slopes in excess of 25%.

COMPREHENSIVE PLAN DESIGNATION: Low-density Residential; **ZONING:** RR-.5;

ASSESSOR'S MAP: 39 1E 16 BA **TAX LOT:** 702.

PLANNING ACTION: PA-2016-01990

SUBJECT PROPERTY: 435 Lori Lane

APPLICANT: Dermot and Sally O'Brien

DESCRIPTION: This is a request to remove one multi-stemmed, approximately 100-year old potentially hazardous Almond tree from the Lori Lane Cottages hotel property. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1;

ASSESSOR'S MAP: 39 1E 05 DA **TAX LOT:** 2801.

PLANNING ACTION: PA-2016-01848

SUBJECT PROPERTY: 725 Indiana Street

APPLICANT: Beatrice J. Berry

DESCRIPTION: This is a request to remove one hazardous Douglas Fir tree from the property at 725 Indiana Street. The tree is located on slopes greater than 25% requiring a Physical and Environmental Constraints Review Permit. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39

1E 15 BA **TAX LOT:** 7600.

VI. DISCUSSION

Roberts Rules of Order. Does the Commission wish to request formal training?

Plaza Tree Installation. Does the Tree Commission wish to discuss the proposal in greater detail, either by clarifying the standing vote of support or providing a formal letter of recommendation to the Council?

Tree Commission Goals. Review overlap and solidify goals.

VII. ADJOURNMENT

Next Meeting: December 8, 2016



**CITY OF
ASHLAND**
TREE COMMISSION MINUTES
October 6, 2016



CALL TO ORDER

Chair Christopher John called the meeting to order at 6:04 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

Commissioners Present:	Council Liaison:
Maureen Batistella	Carol Voisin, absent
Mike Oxendine	
Russell Neff	Parks Liaison:
	Peter Baughman, absent
Commissioners Absent:	
Christopher John	Staff Present:
Casey Roland	Cory Darrow, <i>Assistant Planner</i>

APPROVAL OF MINUTES

Batistella/Neff m/s to approve the minutes of the September 8, 2016 Tree Commission meeting with one correction. Voice Vote: All Ayes, motion passed unanimously.

ANNOUNCEMENTS & LIAISON REPORTS

City Council Liaison – Voisin was absent, no report.

Parks & Recreation Liaison – Baughman was absent, no report.

Community Development Liaison – Darrow reported that there has been a discussion with the City of Ashland legal department about when trees are removed in violation of the ordinance does the fine go to the property owner or the contractor/arborist? The decision was made that the fines will be levied against the professional. Darrow brought attention to the fact that earlier this month three trees on Waterline Road were removed without having gone through the property procedure and a \$500.00 fine for each of the three trees will be levied against Beaver Tree Service.

The Commission agreed they would appreciate a monthly update from Darrow regarding any enforcement actions that have taken place.

The Commissioners asked Darrow to research the removal of a row of Leland Cypress trees along Tolman Creek Road close to East Main Street.

Darrow explained that trees located at 85 Winburn Way have orange fencing surrounding them. There is not an approved tree protection fencing, stated Darrow but the owner is hoping to be able to retain those trees.

PUBLIC FORUM

Dave Sherr, lives on Strawberry Lane Ashland resident since 1995 had concerns regarding the Ashland Plaza Restoration Project. He expressed his desire to see more mature shade trees planted in the plaza area. He and others are offering to fund those trees in order to get the ball rolling. See exhibit "A" at the end of the minutes.

MINISTERIAL REVIEWS

PERMIT NUMBER: PW-2016-01816

SUBJECT PROPERTY: 15 S. Pioneer

OWNER: Oregon Shakespeare Festival

DESCRIPTION: Two existing street trees are proposed for removal during the Oregon Shakespeare Festival Courtyard Project (The Bricks) in order to accommodate accessibility requirements and new utility installation. The applicant has proposed to mitigate the removal by crating enlarged tree-wells within the right-of-way, planting 2" Trident Maples and utilizing structural soil and automated irrigation. **COMPREHENSIVE PLAN DESIGNATION:** Commercial - Downtown; **ZONING:** C-1-D; **ASSESSOR'S MAP:** 39 1E 09 BB **TAX LOT:** 14200.

Darrow gave his staff report. All the Commissioners did a site visit.

Landscape Architect for the project, Chelsea McCann, 8570 SW Cecilia Terrace Portland Oregon 97233, explained the proposal. Ms. McCann explained OSF is doing a redesign of the bricks to help with a lot of the slopes and accessibility issues.

After a discussion the Commissioners made the following recommendation.

Neff/Oxendine m/s to approve with the recommendation to consider an alternative species for the Street trees and larger caliper trees. Voice Vote; All Ayes, motion passed unanimously.

TYPE I REVIEWS

PLANNING ACTION: PA-2016-01815

SUBJECT PROPERTY: 15 S. Pioneer

APPLICANT: Oregon Shakespeare Festival

DESCRIPTION: A request to remove one non-hazardous tree to allow for the re-development of the Oregon Shakespeare Festival Courtyard (The Bricks). The applicant has proposed to mitigate the removal by planting a 2" Trident Maple in an enlarged tree-well utilizing structural soil and automated irrigation. **COMPREHENSIVE PLAN DESIGNATION:** Commercial - Downtown; **ZONING:** C-1-D; **ASSESSOR'S MAP:** 39 1E 09 BB **TAX LOT:** 14200

Ms. McCann explained the tree protection plan.

After their discussion the Commissioners made the following recommendation.

Oxendine/Batistella m/s to approve the tree protection plan recommending that the applicants submit a full tree protection plan including in the specifications for the demolition that any work done within that tree protection zone will be done with a consulting arborist on site.

Voice Vote; All Ayes, motion passed unanimously

PLANNING ACTION: PA-2016-01644

SUBJECT PROPERTY: Tax Lot # 1210 on Roca Street

OWNER: Edward Alpern

APPLICANT: Suncrest Homes

DESCRIPTION: A request for a Physical and Environmental Constraints Review Permit to allow for the construction of a new single-family residence on slopes greater than 25 percent.

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-10.

Darrow gave his staff report explaining the Commissioners are being asked to review the tree protection plan for adequacy.

Charlie Hamilton, Suncrest Homes, 328 Talent Avenue, explained the tree protection plan for the large Oak tree located in the corner of the property. Impact should be very minimal, stated Hamilton.

After a discussion the following motion was made.

Oxendine/ Neff m/s to approve with the recommendation that the tree protection zone be increased to sixteen feet except at the location closest to where the building is going to be. Voice Vote: Commissioners Oxedine, Neff approved, Batistella opposed, motion passed.

DISCUSSION

Plaza tree installation. Is the Tree Commission in favor of a private donor funding a new tree for the Plaza? Does the Tree Commission have a location or species recommendation?

The Commissioners discussed the removing and planting of a tree in the Plaza area.

Oxendine/Neff m/s that the Tree Commission supports the planting of a larger tree on the Plaza Area. Another large Oak tree (maybe even a Willow Oak) was suggested. Voice Vote; All Ayes; motion passed unanimously.

The Tree Commission defers to discuss potential locations until they have an application to review.

ADJOURNMENT

Meeting adjourned at 7:17 p.m.

Exhibit A

To the Ashland Tree Commission:

We all know the Plaza redo was created in record time, and with a considerable sense of urgency on the part of several commissions in 2012. Perhaps it was these time constraints, or budgetary limitations, which led the city administrator to cap the amount spent on replacement trees for the Plaza. Whatever the reasons for the smaller replacement trees, there have been thousands of comments from the public since 2013, asking for more mature trees to be planted on the Plaza. Larger trees provide much more immediate shade, and create ambience, something the Plaza sadly lacked until just recently when more greenery and planters were added this spring. Still much work remains to bring the Plaza back to life.

With this thought in mind, several people have pooled their resources, and wish to make the following proposal to the ATC:

Approx. \$2,000 is immediately available from private funding, for donation of a more mature shade tree, of the Ashland Tree Commission's choosing, to be planted as a new or replacement tree, on the Ashland Plaza. If possible, the tree could be planted this fall, and that is our hope.

The commission may even wish to expand its recommendations to the council for additional mature shade trees for our Plaza. It is likely that a recommendation by the Ashland Tree Commission for one or more mature trees on the Plaza, with a positive response from the council, will encourage more citizens to donate additional funds for mature trees on our Plaza.

Yours sincerely,

David Sherr
Ashland resident since 1995

Editor
The Ashland Plaza Restoration Project on Facebook
<https://www.facebook.com/TheAshlandPlazaRestorationProject/>

10-6-2016 Tree Commission



NOTICE OF APPLICATION

PLANNING ACTION: PA-2016-01842

SUBJECT PROPERTY: 2855 Ashland Street

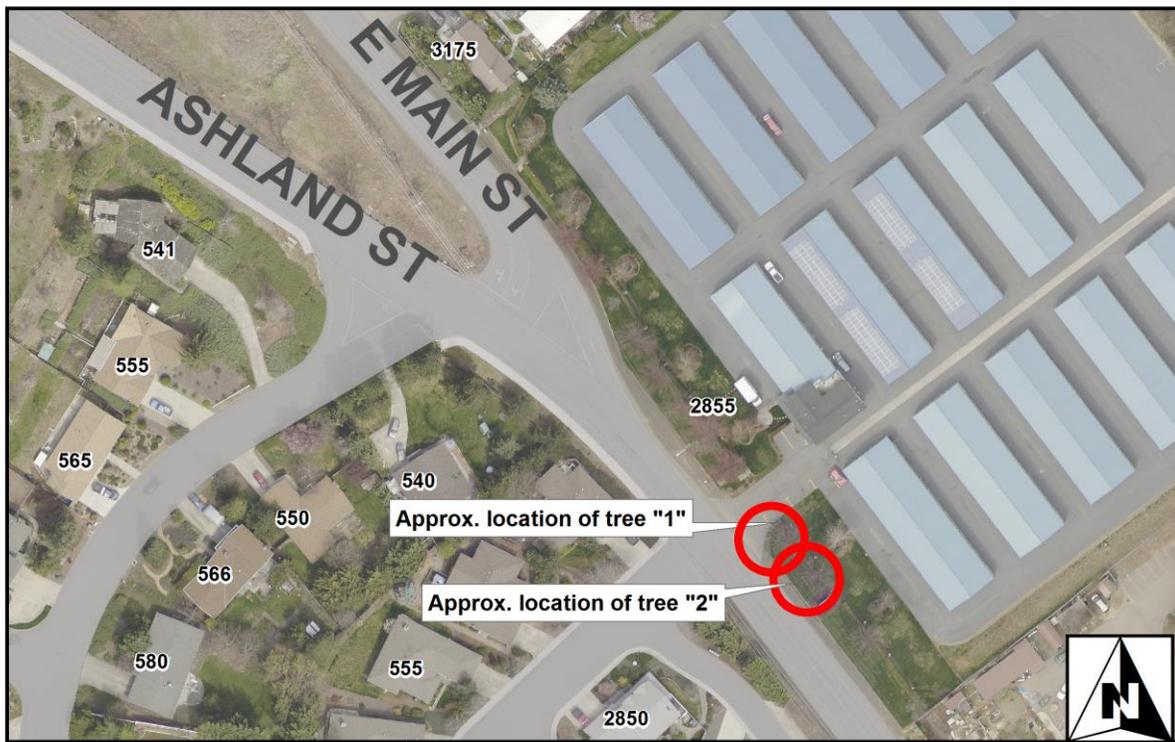
OWNER/APPLICANT: Secure Storage

DESCRIPTION: This is a request to remove two potentially unhealthy Birch trees from the front of the Secure Storage property. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 12 **TAX LOT:** 320.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, November 3, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: October 21, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: November 4, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

TREE REMOVAL PERMIT

18.5.7.040.B

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.
2. **Tree That is Not a Hazard.** A Tree Removal Permit for a tree that is not a hazard 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 tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
 - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
 - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

9/30/16

Planning Dept:

RECEIVED

SEP 30 2016

City of Ashland

We are planning on removing 3 dead, or dying, Birch trees on the Secure Storage property.

Arborist Casey Poland has suggested replanting with more disease tolerant varieties. We are working with him and Plant Oregon to pick out the trees.

Carol's colors is involved in the project also.

The trees are located inside of our fence, on the lawn above our storage buildings.

Matt Walker,
Manager

RECEIVED

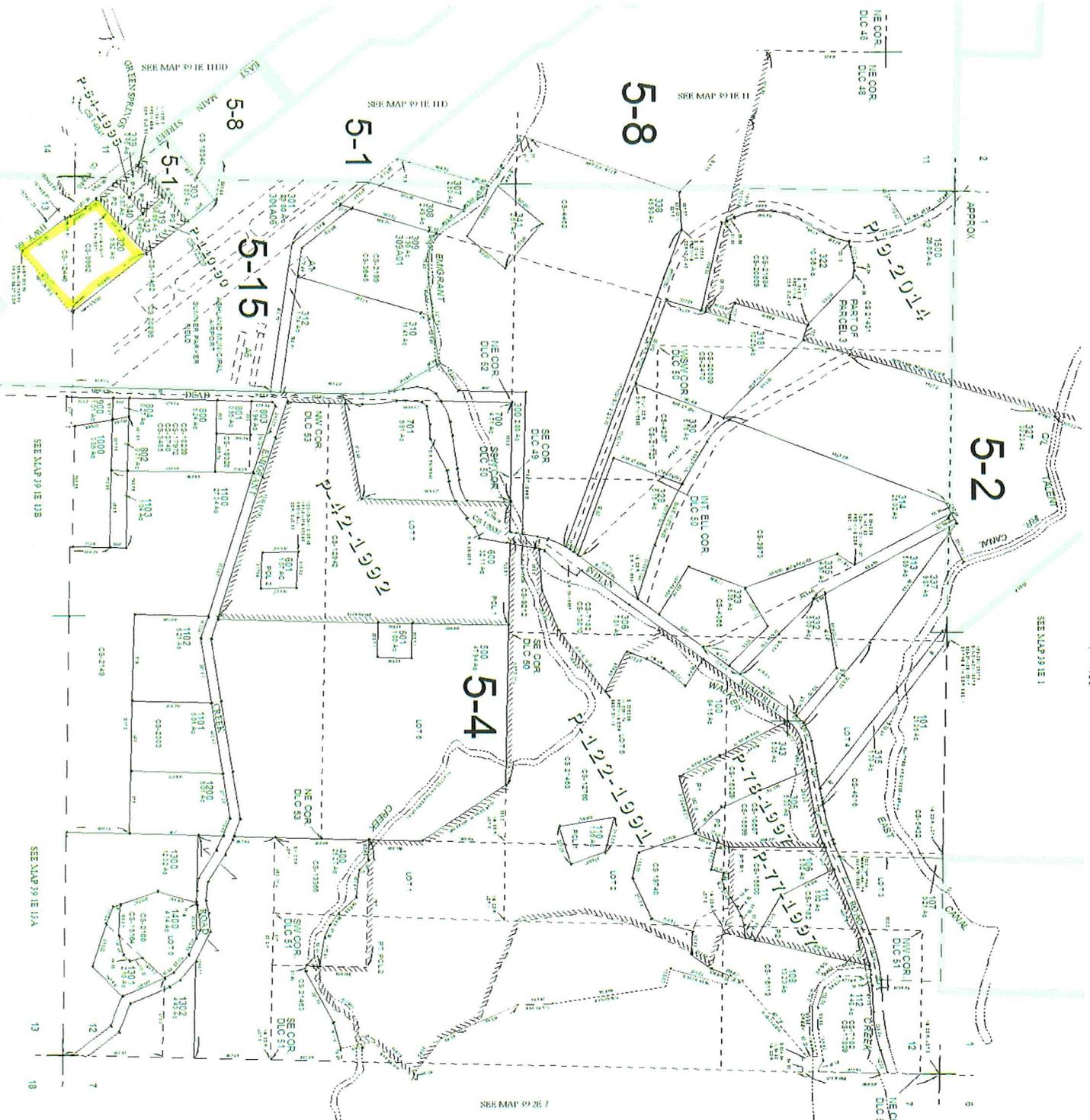
SEP 30 2016

City of Ashland

FOR ASSESSMENT AND
TAXATION ONLY

SECTION 12, T.39S., R.1E., W.M.
JACKSON COUNTY
1" = 400'

39 1E 12
ASHLAND



CANCELLED TAX
LOT NUMBERS:
100 TO 104
100 RELAPSED TO 39E07
101, 102 RELAPSED TO 39E10
103, 104 RELAPSED TO 39E11
105 ADDED TO 101
106 RELAPSED TO 39E10
107, 108 RELAPSED TO 39E10
109 RELAPSED TO 39E10
110 RELAPSED TO 39E10
111, 112 RELAPSED TO 39E11
113 ADDED TO 101
114 RELAPSED TO 39E10
115, 116 RELAPSED TO 39E10
117 RELAPSED TO 39E10
118, 119 RELAPSED TO 39E10
120 RELAPSED TO 39E10
121
122
123
124 RELAPSED TO 39E10
125 RELAPSED TO 39E10
126

RECEIVED

City of Ashland

Knoll Dr

Momentum River Expeditions

23

Secure Storage

Hello GoodBuy

23

2 birches



RECEIVED

SEP 30 2015

City of Ashland



Google

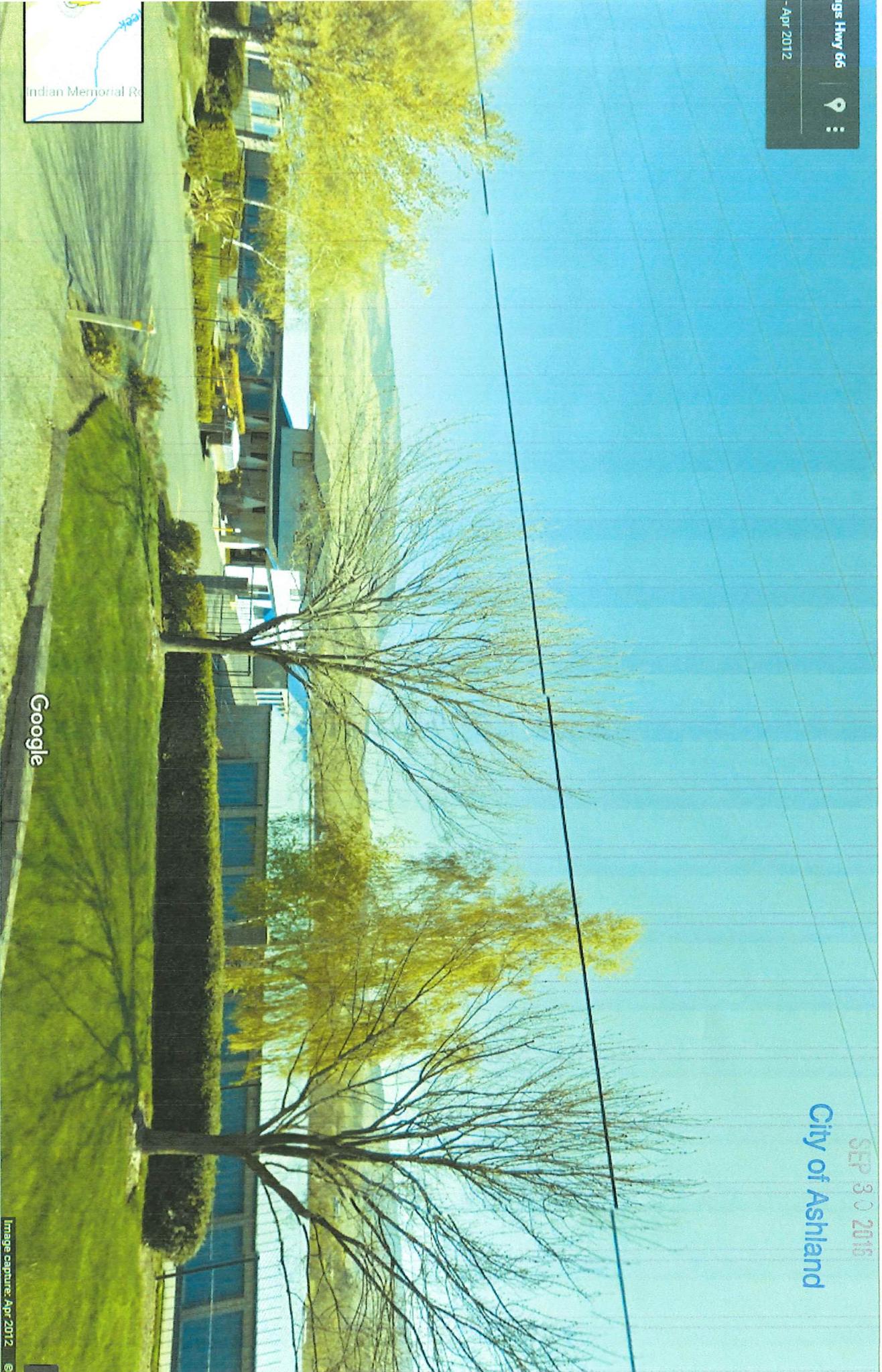
RECEIVED

SEP 30 2018

City of Ashland

Highway 66

- Apr 2012



Google

Account Sequence	Map TL Sequence	Assessment Year 2016 <input type="button" value="v"/>	<input type="button" value="Print Window"/>	<input type="button" value="Close Window"/>
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Assessment Info for Account 1-071855-7 Map 391E12 Taxlot 320

Report For Assessment Purposes Only Created September 29, 2016

Account Info		Tax Year 2015 Info			Land Info	
Account	1-071855-7	<input type="button" value="Pay Taxes Online"/>			Tax Code	5-15
Map Taxlot	391E12 320	Tax Report	<input type="button" value="Details"/>		Acreage	5.92
Owner	SECURE STORAGE OF ASHLAND LLC	Tax Statement	<input type="button" value="Details"/>		Zoning	
Situs Address		Tax History	<input type="button" value="Details"/>		Land Class	
2855 HWY 66 ASHLAND	R	Tax Code 5-15			UNK 5.92 Ac	
Mailing Address	SECURE STORAGE OF ASHLAND LLC MARIANNE WALKER 65895 W HIGHWAY 20 BEND OR, 97701	Tax Type	Due Date	Amount	Property Class	201
<input type="checkbox"/> Associated Taxlots 1 Acct		Advalorem	11/15/15	\$37,490.46	Stat Class	614
<input type="checkbox"/> 5-04 R 1-011555-0 391E12 320 PURGED		Tax Rate	15.6505		Unit ID	200909-2
Appraiser		District Rates	<input type="button" value="Details"/>		Maintenance Area	2
		District Amounts	<input type="button" value="Details"/>		Neighborhood	000
		Tax Rate Sheet	<input type="button" value="Details"/>		Study Area	74
					Account Status	ACTIVE
					Tax Status	Assessable
					Sub Type	NORMAL

Sales Data (AS 400)

Last Sale	Sale Date	Instrument Number	Sales History
\$175,000.00	3/11/1991	1991-05038 <input type="button" value="Details"/>	<input type="button" value="Details"/>

Value Summary Detail (For Assessment Year 2016 - Subject To Change)

Market Value Summary (For Assessment Year 2016 - Subject To Change)

Improvements

Site	Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
	1	5-15	0		614	Mini-storage	Commercial	78800	100 %	<input type="button" value="Details"/>

Improvement Comments

Commercial

Space: A	Square Feet: 78800	Year Built: 1991	Use: 614 - Mini-storage	Name: SECURE STORAGE
Floor: Concrete	Wall: Block	Partition: None	Roof: Steel	Foundation: Concrete
Cover: None	Cover: None	Cover: None	Cover: Metal	Ceiling: None
Space: B	Square Feet: 413	Year Built: 2006	Use: 531 - APTS 5-9 Units	Name: SECURE STORAGE
Floor: Wood	Wall: Wood	Partition: Wood	Roof: Wood	Foundation: Concrete
Cover: Vinyl	Cover: Wood	Cover: Drywall	Cover: Comp	Ceiling: Drywall

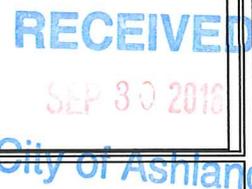
Commercial Land

Site
COMMERCIAL LAND (Sqft)

Size
257875

Commercial Other Items

Item
ASPHALT
GARAGE (2006)



Appraisal Maintenance

2007 - VALID COMMERCIAL R.T.

2011 - HISTORY ONLY R.T.

Account Comments

06/09/97: B/E PETITION #96-624 - IMPROVEMENT ONLY.
 06/11/97: Adjudication removed due to new construction.
 09/11/97: Exception value - 60 additional mini's
 03/24/98: AC CHECK PLUS .06, JV 98-3033 LESS STREET MINUS .08 AC >>> review, added addition to living quarters, dba37
 04/25/07 >>>

Exemptions / Special Assessments / Notations / Potential Liability

Notations

Description	Tax Amount	Year Added	Value Amount
RECALCULATION		2016	
READ BEFORE DATA ENTRING EXCEPTION		2006	
BOPTA ORDER-REDUCTION 309.120		1996	
BOPTA ORDER-REDUCTION 309.120		1992	

Location Map



Close Window

Print Window

RECEIVED
 SEP 30 2016
 City of Ashland



NOTICE OF APPLICATION

PLANNING ACTION: PA-2016-01890

SUBJECT PROPERTY: 662 South Mountain Avenue

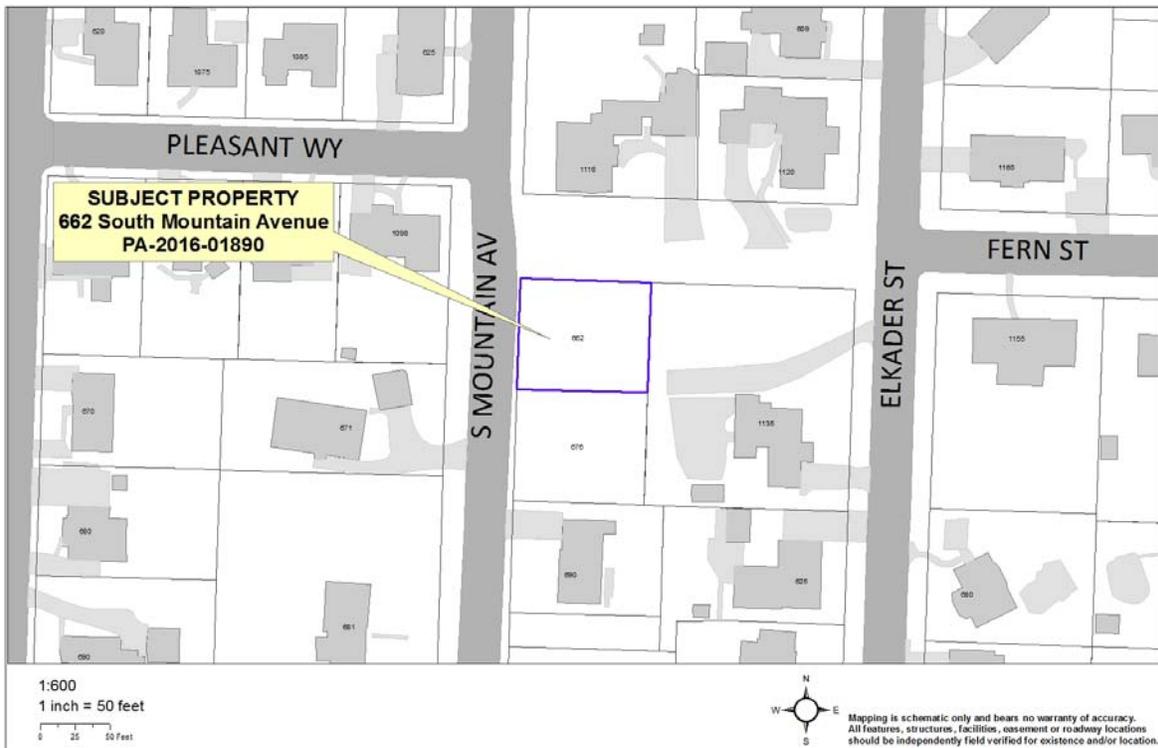
APPLICANT: Amy Gunter/Rogue Planning & Development Services

DESCRIPTION: This is a request to remove four non-hazardous Ponderosa Pine trees greater than 18-inches in diameter at breast height on a vacant property located at 662 South Mountain Avenue. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 16 AA **TAX LOT:** 9001.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, November 3, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: October 25, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: November 8, 2016



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 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.



October 7, 2016

Subject Property: 662 South Mountain Avenue

Map & Tax Lot: 39 1E 16AA; Tax Lot 9001

Property Owner: Gil Livni
2532 Old Mill Way
Ashland, OR 97520

Applicant: Rogue Planning and Development Services, LLC
1424 S Ivy Street
Medford, OR 97504

Comprehensive Plan Designation: Single-family residential

Zoning: R-1-7.5

Lot Area: 7,985 (post Boundary Line Adjustment)
.172 acres / 7,506 square feet

Request:

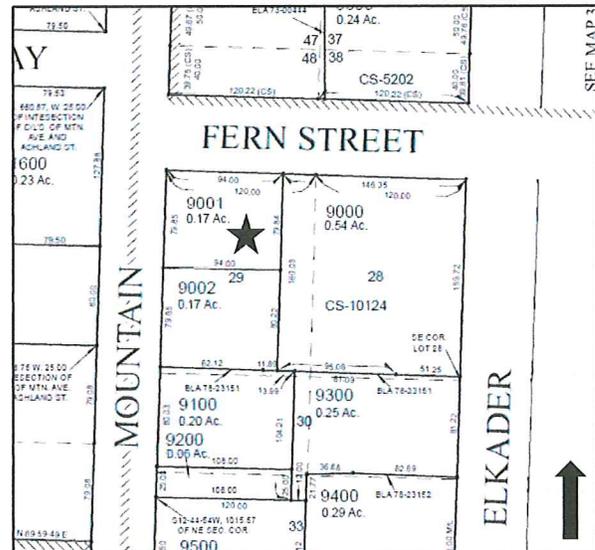
Tree removal permit for the removal of four Ponderosa pine trees greater than 18-inches in diameter at breast height (DBH) on a vacant, single family residential lot.

Site Background:

The subject property is a vacant lot on the east side of South Mountain Avenue. The property was originally part of lots 28 and 29 of the Gale Addition from 1907. In 1984, the subject lot in its current configuration was created as part of a three-lot partition from the larger parcel to the east, (TL#9000) at 1135 Fern Street (PA 84-029). The lots were then consolidated and remained under one ownership. The lot lines were re-activated in early June 2016.

The subject property and the surrounding properties are all zoned Single Family Residential (R-1-7.5). The property is within the wildfire hazard zone.

The property slopes fairly evenly at about 10 – 15 percent from Mountain up towards Elkader Street. The cross slope of the property is approximately 5 – 6 percent from south to north.



RECEIVED

OCT 06 2016

City of Ashland



There are a number of larger stature trees on the property. A tree inventory has been provided, additionally an arborist report was completed by Arborist Willie Gingg of Southern Oregon Tree Care. The arborist reviewed the health of trees and their suitability to construction. As we walked through the property, it was evident that nearly all of the trees had evidence of insect damage. There was a presence of Mountain Pine bores, Turpentine beetles, Pitch moths and gall rust. Though these issues tend to not be a major problem in isolated incidents in the forest, in an urban setting where construction is to occur, the stressed trees will likely suffer further. The construction of the residence will alter the site drainage and hydrology. With Ponderosa pines, though somewhat tolerant to construction, the heavily forested site and the adjacent undeveloped public right-of-way for Fern Street below the driveway.

The tree removals have been requested to facilitate the future development of the property a single family residence. The lot area provides for one single-family residential unit to be constructed on the property as a permitted use. The request is to process the tree removal permit in advance of construction so as to facilitate the impending residential construction at one time and reduce the impacts from construction in an expeditious manner. Additionally, the adjacent parcels have trees on the site that will require removal under a separate permit.

The subject property, will be developed as a single family residence which is consistent with the Purpose and Intent of the Single Family Residential zone where the Tree Removal ordinance finds that property owners should have the freedom to determine the nature of their private landscaped surroundings. The heavily forested site in its present condition provide very little buildable area for any structure due to the canopy coverage and the large tree protection / critical root zones for large stature ponderosa pine trees.

The applicant finds that the request to remove four, non-hazard, Ponderosa Pine trees in order to allow for the construction of a single family residence complies with the standards for development can be found in compliance with the Land Use Ordinance. More specifically, 18.5.7.030.B.2.a., that the removal is in order to permit the application consistent with other applicable land use ordinance requirements and standards.

Below are findings addressing the tree removal permit criteria.

18.5.7.030. B. Tree Removal Permit.

2. Tree that is Not a Hazard.

a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.

According to the table of allowed uses in the zone, the construction of a single family residence and a garage is a permitted use in the R-1 zone (18.2.2.030.B). A permitted use is allowed provided they comply with chapter 18.2.3., Special Use Standards and are subject to the development standards of

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the zone. The special use standards do not apply to single family home and accessory structure construction. The development standards of the zone call for standard yard requirements and provides for special yard exceptions for accessory structures (18.2.5.040).

Standard setbacks for the zone are six-foot side yard and ten feet per story rear yard setback. In addition to the yard setbacks there are solar setbacks that affect structure placement on a piece of property.

Due to the large area of the Ponderosa tree's driplines, without tree removal, the vacant developable site is unable to have a single family residence consistent with the development pattern in the neighborhood on the property. Due to the large optimal tree protection zone, any construction would negatively impact the tree's root system. The proposal is to retain that largest, healthiest trees on the site while still meeting the permitted use standards. The removal of the trees allows for the site to be developed in accordance with the outright permitted uses allowed in the zone, the single family residence and the detached garage accessed from the alley.

b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

The removal of the Ponderosa pines will not have any negative impacts on erosion, soil stability, flow of surface waters and it is not part of any windbreak. A single family residential structure will be located on the site in the location of the tree preventing any erosion or soil stability issues. There are no surface waters on the site.

c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.

The tree removals will not have a negative impact on tree densities, sizes, canopies or species diversity within 200 feet of the property. There are a number of other Ponderosa pines to be retained on the subject property and the adjacent parcels. With the property being so close to the urban wildland interface, there are a large number of Ponderosa pines and other conifer trees and numerous other deciduous trees found within 200-feet of the property.

d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.

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The proposal is to allow for the tree removals in order to allow for the construction of a single family residential home that will comply with the minimum setback, lot coverage and parking standards. The tree removal will allow for the construction of a single family residence.

The property is within the wildfire hazard area and the site is required to comply with the standards for wildfire hazard areas found in AMC 18.3.10.100.B. A 40-foot primary fuel break is required around the structure. The small diameter fuels, dry shrubs and the grasses have been removed reducing the immediate fire danger on the site. Ashland's municipal code does not have specific adopted regulations but there are national standards and standards applied by Oregon Department of Forestry (ODF). The standards are generally a 20-foot spacing between individual conifers and 30-feet between groups of trees. All trees that are overhanging residences should be removed to at least 10-foot of clearance. It is the property owner's responsibility as a property developer and to the future homeowners that the property has defensible space as recognized by decades of research on wildfire behavior. The large conifers on the site, after the tree removal will be closer to the nationally recognized standards for wildfire hazard reduction on urban wildland interface properties.

e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

See below.

18.5.7.050 Mitigation Required

One or more of the following shall satisfy the mitigation requirement.

A. Replanting On-Site. The applicant shall plant either a minimum 1 ½-inch caliper healthy and well-branched deciduous tree or a five to six-foot tall evergreen tree for each tree removed.

A single 2-inch caliper deciduous is proposed to replace the one of the tree proposed for removal. This tree will be planted prior to occupancy permit for the new residence.

B. Replanting Off-Site. If in the City's determination, there is insufficient available space on the subject property, the replanting required in section 18.5.7.050.A, above, shall occur on other property in the applicant's ownership or control within the City, in an open space tract that is part of the same subdivision, or in a City owned or dedicated open space or park. Such mitigation planting is subject to the approval of the authorized property owners. If planting on City owned or dedicated property, the City may specify the species and size of the tree. Nothing in this section shall be construed as an obligation of the City to allow trees to be planted on City owned or dedicated property.

Due to the parcels location within the Wildfire Hazards Zone and with the small lot area, it would be prudent to not increase fuel load on the subject property. Two conifer trees will be planted off-site on property owned by the Livni Family Trust, or a payment in lieu of planting option for the remaining three trees is possible.

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Tree Protection Measures Required.

The remaining trees on the site will have tree protection fencing installed prior to site work and installed in accordance with the plan. The property owner / contractor Gil Livni is responsible for the tree protection fencing. Parcel #1 to the south has trees that will be impacted which will have their own tree removal permit applied for.

1. Six-foot tall, chain-link fencing with steel posts placed no farther than ten feet apart, will be installed at the edge of the tree protection zone or dripline, whichever is greater.
2. The fencing shall be flush with the initial undisturbed grade.
3. Approved signs will be attached to the chain link fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Staff Advisor for the project.
4. No construction activity shall occur within the tree protection zone, including, dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.
5. The tree protection zone shall remain free of chemically injurious materials and liquids, and construction debris or run-off.
6. No excavation, trenching, grading, root pruning, or other activity will occur within the tree protection zone unless approved by the Staff Advisor.
7. All required tree protection measures set forth in this section shall be instituted prior to any development activities, including, clearing, grading, excavation, or demolition work, and will be removed only after completion of all construction activity, including landscaping and irrigation installation.

Tree Inventory

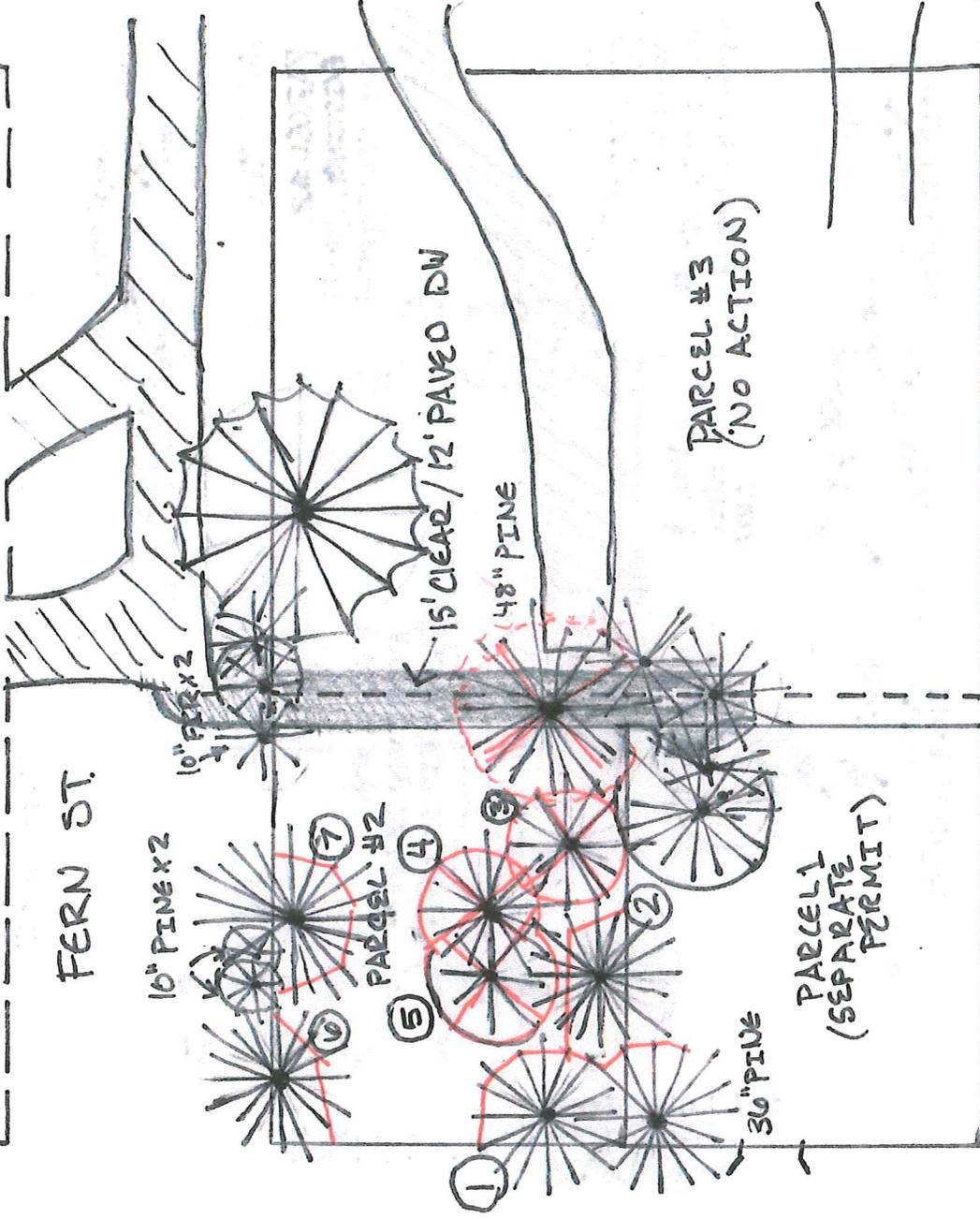
Parcel #2 (662 S Mountain)						
#	Species	DBH (inches)	Crown Radius in feet:	Optimal Tree Preservation Zone (OPZ) .75 ft/inch DBH:	Condition / Observation:	Notes:
1	Ponderosa pine	28	15.5	21	healthy	retain
2	Ponderosa pine	28	16	21	pitch pockets	retain
3	Ponderosa pine	20	12.5	15	pitch pockets / sawdust shavings	remove
4	Ponderosa pine	32	18	24	pitch pockets / within building footprint	remove
5	Ponderosa pine	25	15	18.75	pitch pockets / within building footprint	remove
6	Ponderosa pine	24	18	13	healthy	retain
7	Ponderosa pine	30	22	22.5	within foundation cut	remove

Attachments:

Tree Removal Permit site plan

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TREE REMOVAL PERMIT 662 S. MTN.



ELKADER ST

FERN ST

PARCEL #3
(NO ACTION)

PARCEL #1
(SEPARATE PERMIT)

TREE PROTECTION PLAN

1. 6' Chainlink fence @ grade around drip line or as shown.
2. No construction activity in fenced area.
3. No construction storage, cleaning, disposal of waste in tree protection zone.

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10:29 AM

SCALE 1" = 40'



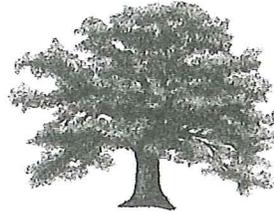
Key: * TREE

⊗ TO BE REMOVED

⌞ 6' Chainlink panels @ grade generally at drip line

MOUNTAIN AVENUE

SOUTHERN OREGON TREE CARE, LLC



I was contacted by Gil Liveney regarding a home site development project at 1135 Fern St. in Ashland, Oregon. I met Gil and Amy Gunter on site July 28th 2016 to discuss the project and what they needed from me. My assignment was to determine which ponderosa pine trees could be reasonably retained on two parcels that border Mountain Ave on this development site based on the layout of the buildings.

The southern parcel has seven pine trees on it. Four of these are inside the building foot print. One is three feet outside of cut line (approximate area of excavation area for foundation) and the tree is 40 inches DBH (diameter breast height) and leaning south over a neighboring home. Another Pine tree is three feet away from the garage cut on the east side of the building and 22 inches DBH. The remaining tree is located in the northwest corner of that parcel and 20 feet away from nearest building corner, it is 32 inches DBH.

The northern parcel has seven trees on it as well and three are inside the footprint of that building. There is a 28 inch DBH pine tree five and one half feet from cut line. Another 28 inch DBH pine is located 13 feet from cut line and 10 feet from the street. There is a 24 inches DBH tree 15 feet from the cut line. The remaining tree from this parcel is 30 inch DBH, and 15 feet north of north cut line.

Ponderosa pine has a relatively good tolerance to fill soils and root pruning. Optimal tree preservation zones (OPZ) for the trees outside the cut lines are .75 feet per inch of DBH (Matheny Clark 1998). So for example, the smallest tree on the plan outside of the cut line is 22 inches DBH. This tree would have an optimal preservation zone of 16.5 feet. This particular tree is three feet from the cut line. This is well inside the OPZ and would likely be both a cause for the tree to die as well as for the tree to fail structurally do to major structural root loss.

In conclusion I believe only four pine trees should be saved on these two parcels due to proposed construction plans. One on the southern parcel at the northwest corner. One near the southwest corner of the north lot and the two trees near the northern edge of the north lot. These trees should be irrigated at least weekly during the summer months beginning as soon as possible to decrease stress. As well they should have temporary fencing placed around them prior to construction commencing. This fence is to keep out vehicular traffic, equipment clean out, storage etc. All care to minimize soil compaction and excavation around the remaining trees is critical during construction. Some of these trees showed signs of insect damage, they should be treated with a systemic insecticide as soon as possible and again next spring as well. All trees to remain will have some impact inside the OPZ so if these steps are not taken the chances of tree survival will be significantly reduced. If any major roots from the four trees are encountered in the excavation process they should be worked around until a qualified arborist is consulted. Root pruning should be done with sharp hand tools to minimize long term damage. Feel free to contact us for any additional information that may be required.

Willie Gingg _____

Date _____

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NOTICE OF APPLICATION

PLANNING ACTION: PA-2016-01843

SUBJECT PROPERTY: 119-131 East Hersey

APPLICANT: Oak View Homeowners Association

DESCRIPTION: This is a request to remove one potentially hazardous approximately 24" diameter-at-breast-height Cottonwood tree. Approval to remove the tree was previously granted in 2014 however, the approval has since expired. The applicant has proposed to mitigate the removal by planting four new trees on the property.

COMPREHENSIVE PLAN DESIGNATION: Multi-family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 04
CD TAX LOT: 513.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, November 3, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: October 21, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: November 4, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

TREE REMOVAL PERMIT

18.5.7.040.B

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.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard 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 tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
 - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
 - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

Charlie McChesney

From: Matt Ison <hoopersprings@gmail.com>
Sent: Monday, September 26, 2016 10:56 AM
To: Mcchesneyc@earthlink.net
Subject: Alder at Oak View Townhouses

To whom it may concern :

This arborist report is in regards to the Alder on Hersey st. In Ashland Oregon. The tree in question is directly in front of the water and utility access ports on the sidewalk. The tree is growing on top of the water lines and has caused breaking pipes and is leaking. In my opinion, the best solution to this problem would be for removal of the Alder. The tree should be removed and the stump ground before repairs can be made to the water pipes.

Matt Ison- Hooper Springs Tree Service
ISA certified Arborist- pn 0532A
POB 3258 Ashland Or. 97520
541-488-1282 hoopersprings@gmail.com

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SEP 30 2016

City of Ashland

Hooper Springs Tree Service

Matt Ison

ISA Certified Arborist

Date: September 26, 2016 Bid;

Client: Oak View Townhouses Assn.

Address: 179-131 E. Hershey
Ashland OR 97520

Phone: 541. 482. 4884 ^{Donna (Charlie)} (M' Chesney, Treasurer)
mchesneyc@earthlink.net

Tree/Shrub	Type of Work
<u>Alder</u>	<u>Remove</u> <u>500,00</u>
	<u>+ stump removal</u>
	<u>E-mail</u>

Total Amount: _____

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From: **Jeanine Sturm** <thisseasonscolor@mind.net>
Date: Mon, Sep 19, 2016 at 6:34 AM
Subject: Explanation of work done
To: Anne Beaufort <beaufort@uw.edu>

We took a picture of the tree and water meter boxes to the City of Ashland Planning Department to ask about tree removal and water meters. We excavated the wiring between the defunct control box and the valves. We attempted to excavate in the water meter box finding that the roots are so solidly grown in that to continue cleaning out the meter box is a waste of time. We called the City to come and turn on the water for the irrigation and found that the leak is under the tree and not in the water meter box.

I advise:

- Removing tree (list of arborists and stump grinder attached)
- Grinding stump
- Having plumber lay a new mainline (recommend Metro Drain)
- Having new Irrigation control box installed (recommend a shadier location near an electrical outlet)
- Having new drip lines installed from the existing valves (this would have to be a time and materials estimate as the sleeves under walkways will need to be found)

Processes and permits necessary:

Tree:

- obtain arborist report proving hazard of tree (\$200)
- apply for permit to remove (\$28) (photo already submitted and on record)
- requires approval of Tree Commission

Plumbing:

- permit required (\$45)

Cement work:

- If necessary to break up sidewalk for plumber (recommend Cut and Break)
- permit required (\$66)

Please call if you have any questions

Jeanine Sturm
This Season's Color, Inc.
P.O. Box 847
Ashland, OR 97520
[541-326-1021](tel:541-326-1021)
LCB#9116

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SEP 30 2016
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NOTICE OF APPLICATION

PLANNING ACTION: 2014-01172

SUBJECT PROPERTY: 119-131 E. Hersey

OWNER/APPLICANT: Oak View Home Owners Association

DESCRIPTION: A Tree Removal Permit request to remove an approximate 24-inch DBH Cottonwood tree from the front yard of the common area, for the properties located at 119-131 East Hersey. **COMPREHENSIVE PLAN DESIGNATION:** Low-Density Multi-Family **ZONING:** R-2, **ASSESSOR'S MAP:** 39 1E 04CD **TAX LOT:** 513

Site Plan 2016

NOTICE OF COMPLETE APPLICATION: July 8, 2014

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: July 22, 2014



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

This narrative is intended to explain the reasons behind tree removal request File # **PA-2016-08143**.

The problem began in June 2015, when a leak was discovered near the sidewalk in front of the HOA property. The leak appeared to be coming from the water meters. The City was called, and it was discovered that the leak was on the property owner side of the HOA water meter (the meter for the common use irrigation system). The water was turned off at the street, as it wasn't in use at the time.

Fast forward to September 2016. The HOA is planning to put in a new irrigation system in preparation for replacing three trees that were previously removed due to disease and providing water to those trees. As part of that plan, the HOA requested a quote from Jeanine McKinney of This Season's Color, Inc. for fixing and/or replacing the current irrigation system. She dug around by the alder tree that stands just inside the fence from the water meters, and she had the City come out to turn on the water to check for the exact location of the leak that had been previously been discovered.

The cause of the leak was discovered to be root invasion from an alder tree that is located in very close proximity to all the water meters, most particularly the HOA common area meter (identified by the City as 131 E. Hersey) and that of 129 E. Hersey.

The tree and the water meter boxes are located in front of the boundary between units 123 and 125 E. Hersey Street. (See attached scan of prior tree removal application form, with an X delineating the location of the alder tree.) It was Jeanine's recommendation that the tree in question be removed in order to eliminate the probably of further damaging the water meter boxes of all properties within the HOA.

To that end, Matt Ison of Hooper Springs Tree Service was contacted to provide an estimate for removing the alder as well as an arborist statement as part of the application to have the tree removed.

The current plan moving forward is to:

- Get permission from the City to remove the alder tree in question
- Have Matt Ison remove the tree
- Have someone grind the stump
- Do necessary work (see Jeanine's statement in the file) to install a new irrigation system, including a new control box
- Plant **four** new trees to replace three that were removed a couple of years ago due to disease plus the alder in question in this application

Note: tree replacement has not been addressed until now due to the drought status of the past three years.

Please contact me if you have any further questions or concerns.

Sincerely,

Donna "Charlie" McChesney,
Oak View Townhouses Association Treasurer and Owner, 121 E. Hersey Street
541.482.4884
mcchesneyc@earthlink.net



NOTICE OF APPLICATION

PLANNING ACTION: PA-2016-01857

SUBJECT PROPERTY: 475 Waterline

OWNER/APPLICANT: Steven Stark

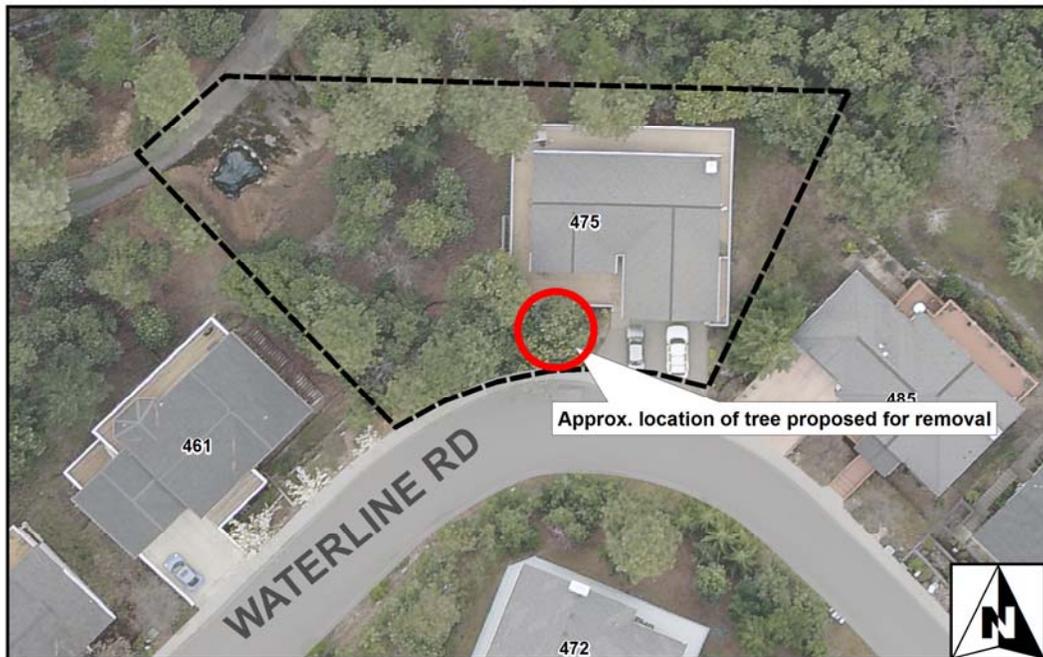
DESCRIPTION: This is a request to remove one non-hazardous Madrone tree from the front yard of 475 Waterline. The tree is located on slopes greater than 25% requiring a Physical and Environmental Constraints Permit. This application also involves a compliance component resulting from the unpermitted removal of three trees from the rear of the property, which were also located on slopes in excess of 25%. **COMPREHENSIVE PLAN**

DESIGNATION: Low-density Residential; **ZONING:** RR-.5; **ASSESSOR'S MAP:** 39 1E 16 BA **TAX LOT:** 702.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, November 3, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: October 21, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: November 4, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

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If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

PHYSICAL & ENVIRONMENTAL CONSTRAINTS

18.3.10.050

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria.

- A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

There are three large madrones closely spaced directly blocking the front of my home. I would like to remove one to allow in natural light and not have my newly remodeled home hidden behind an unsightly jungle. My home is one of five in which mine is the only one that is not properly landscaped. My house is an embarrassment and brings down the value of the neighborhood. I need to cut back the remaining trees to comply with a municipal code violation. All three are on a slope; my eventual plan is to build additional retaining wall to backfill for landscaping to be consistent with the neighborhood.

Steven Stark

408 807 1111

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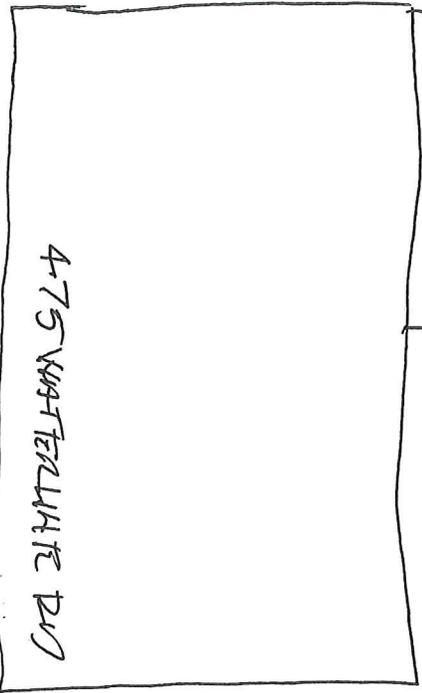
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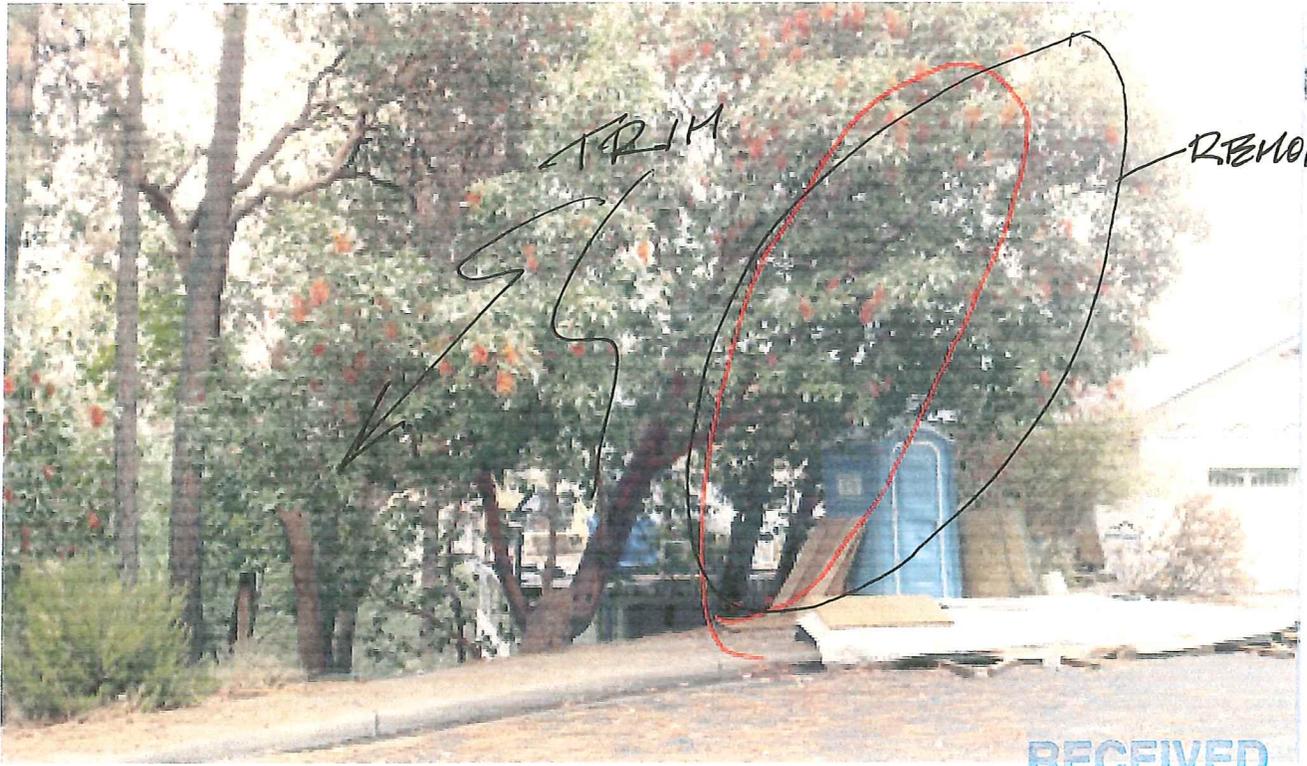
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REMOVE

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NOTICE OF APPLICATION

PLANNING ACTION: PA-2016-01990

SUBJECT PROPERTY: 435 Lori Lane

OWNER/APPLICANT: Dermot and Sally O'Brien

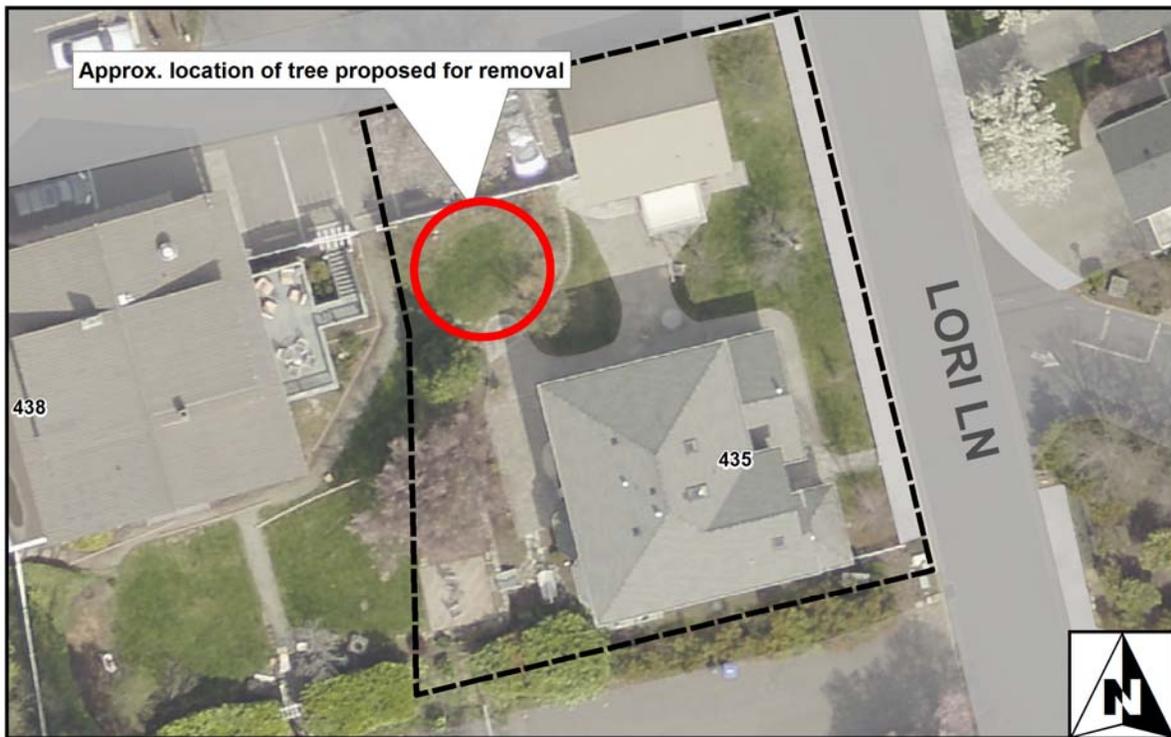
DESCRIPTION: This is a request to remove one multi-stemmed, approximately 100-year old potentially hazardous Almond tree from the Lori Lane Cottages hotel property. **COMPREHENSIVE PLAN DESIGNATION:** Employment;

ZONING: E-1; **ASSESSOR'S MAP:** 39 1E 05 DA **TAX LOT:** 2801.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, November 3, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: October 21, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: November 4, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

TREE REMOVAL PERMIT

18.5.7.040.B

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.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard 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 tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
 - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
 - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

10/17/2016.

Ashland Planning Dept.

This is an application for a tree removal permit at 435 Lori Lane, Ashland, Or. 97520.

The tree in question is an Almond tree which has been on the property since the early 1920 as far as I can tell. From one root system there are now five (5) separate trunks, which means there is quite a spread of foliage. I am concerned about the safety of vehicles parked in the three spaces which are covered by the branch spread. Also one branch system concerns me as it is very close to the roof line of a cottage used as Travelers accommodation.

Also vehicles parked beneath the tree are being hit by a sap substance from the tree which causes major problems to the paint work as it is able over time to eat through the paintwork. I have been asked numerous times by guests, two or three months after they have left regarding paintwork on their vehicles.

Dermot & Sally O'Brien



435 Lori Lane, Ashland, Or.97520.

541 631 8802 or dermotobrien524@gmail.com

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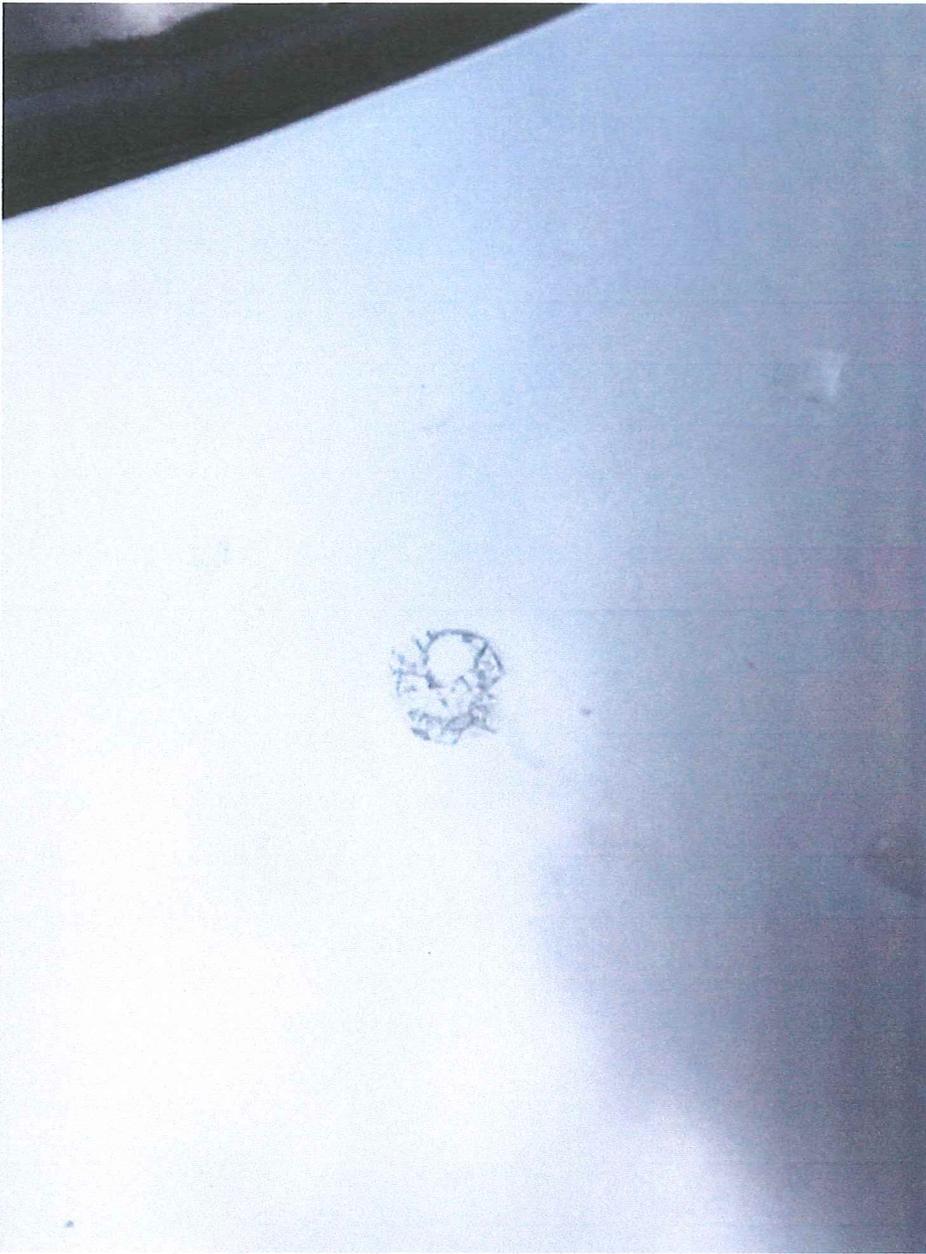


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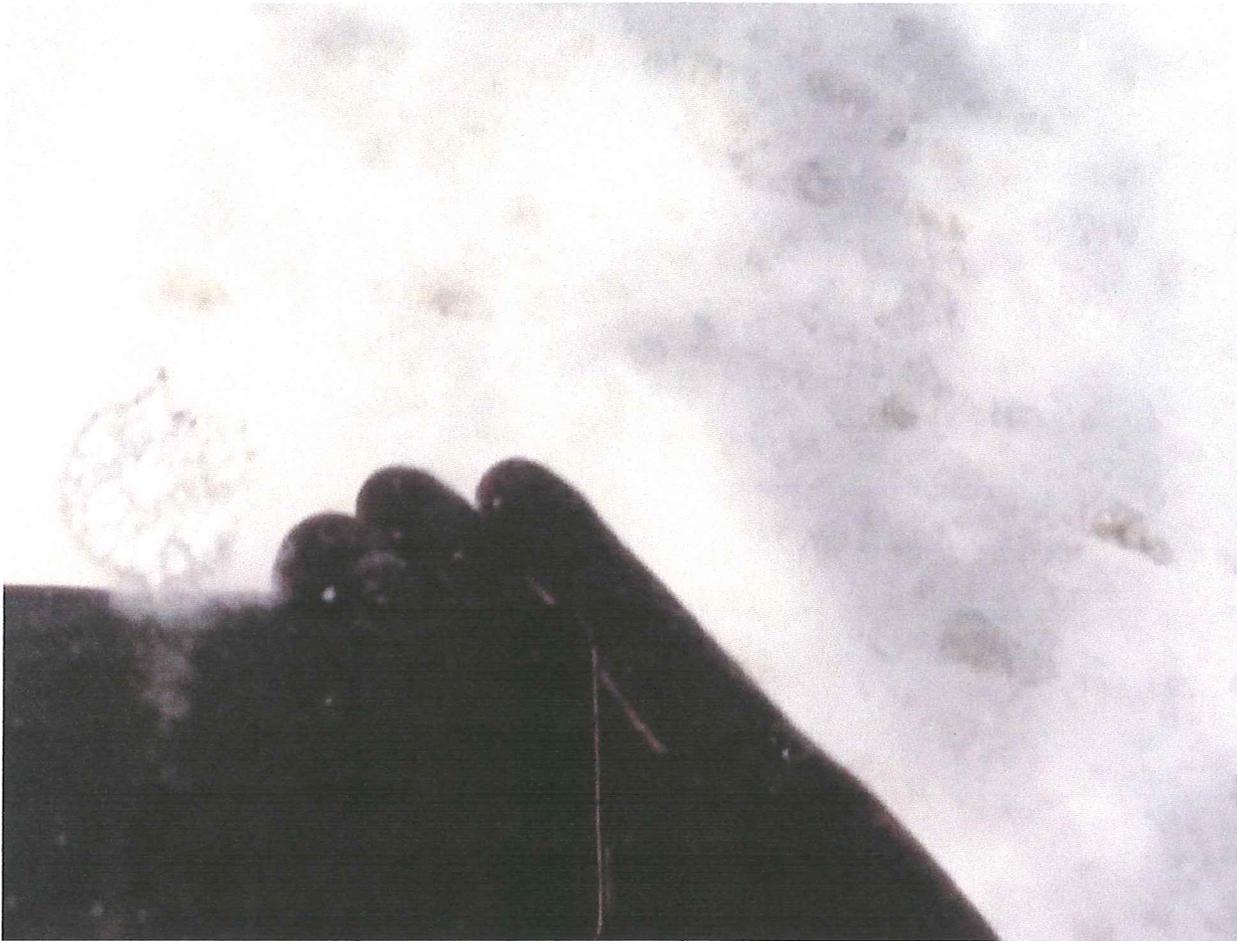
PAINTWORK ON SILVER CAR

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MORE PAINT ON SILVER CAR

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PAINT ON BLACK CAR

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PAIN T OW BLACK CAR

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PHYSICAL & ENVIRONMENTAL CONSTRAINTS

18.3.10.050

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria.

- A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

TREE REMOVAL PERMIT

18.5.7.040.B

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 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

Licensed Bonded Insured
CCB# 209208



Quality Tree Service
P.O. BOX 3486
Central Point, OR 97502

Invoice:
01168

Phone: 541.821.8594
Email: qualitytreeservice@yahoo.com
www.qualitytreeservicemedford.com

**& Maintenance Inc.
Family Owned And Operated**

SUBMITTED TO <i>City of Ashland</i>		PHONE / EMAIL	
ADDRESS		JOB LOCATION <i>725 Indiana st. Ashland OR, 97520</i>	
CITY, STATE, AND ZIP		ARBORIST <i>Jeffrey Ford</i>	DATE <i>9/29/16</i>
		SCHEDULE DATE	

We hereby submit specifications and estimates for:



Arborist report

The tree in question is a large Douglas Fir tree. It is my professional opinion that the hillside in which this tree is rooted is eroding, which leaves this tree in an unstable condition directly over the target/residents. I deem this to be an unnecessary/high risk to the structure, and the people which live inside. I recommend this tree be removed. But the stump be left in the ground to help prevent further erosion.

*I.S.A Certified Arborist
Jeffrey Ford
PN-8187A*

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*Credit/Debit card charge is 3% for work over \$500.00.

*The above prices, specifications and conditions are satisfactory and are hereby accepted!

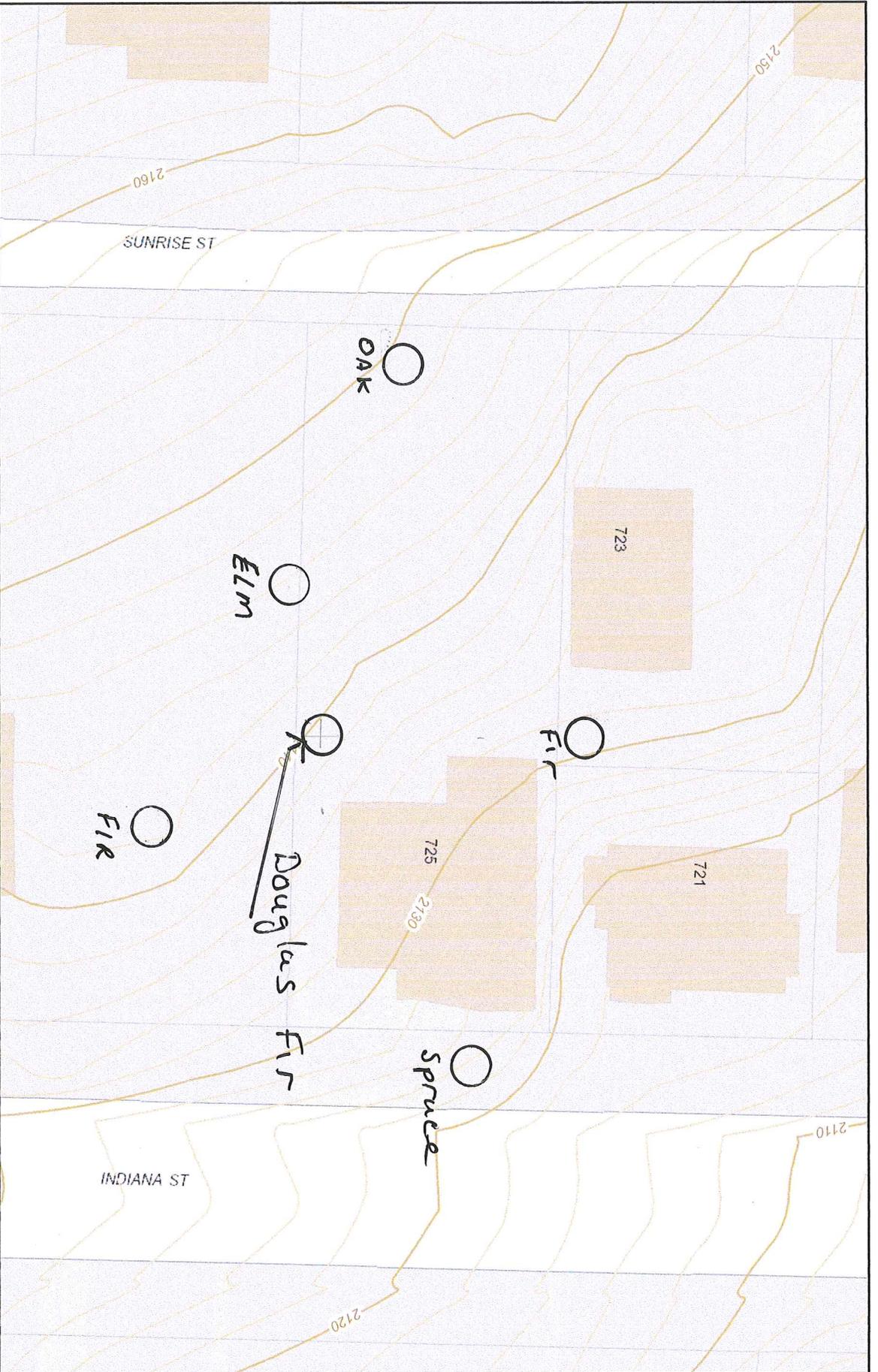
*You are authorized to do the work as specified.

*Payment due in full at time of completion unless otherwise specified below.

Customer Signature

City of Ashland

Date of Acceptance



725 Indiana, topographic



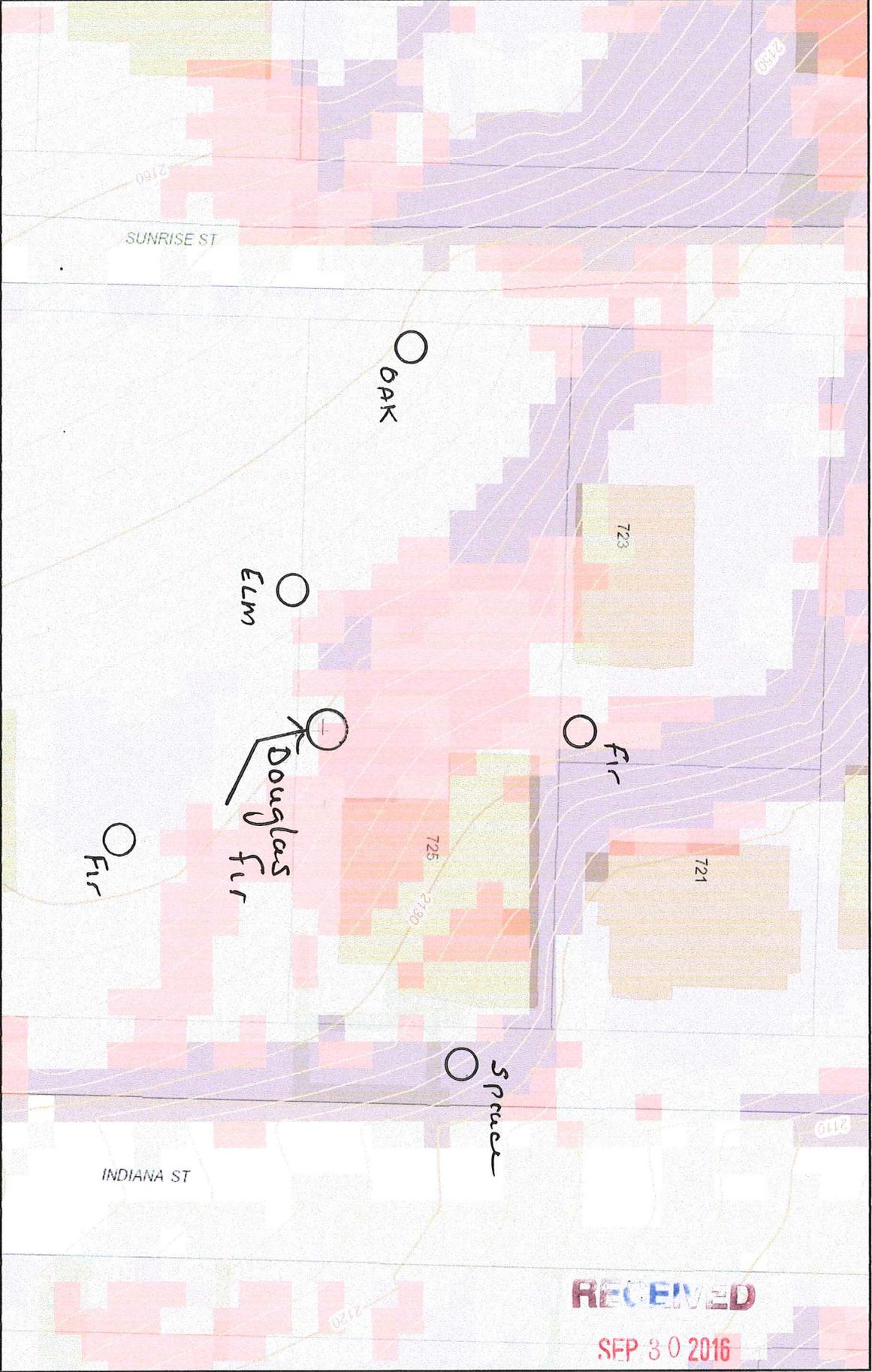
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1 inch = 25 feet
Date Printed: 9/30/2016



725 Indiana, hillside slopes



City Of Ashland



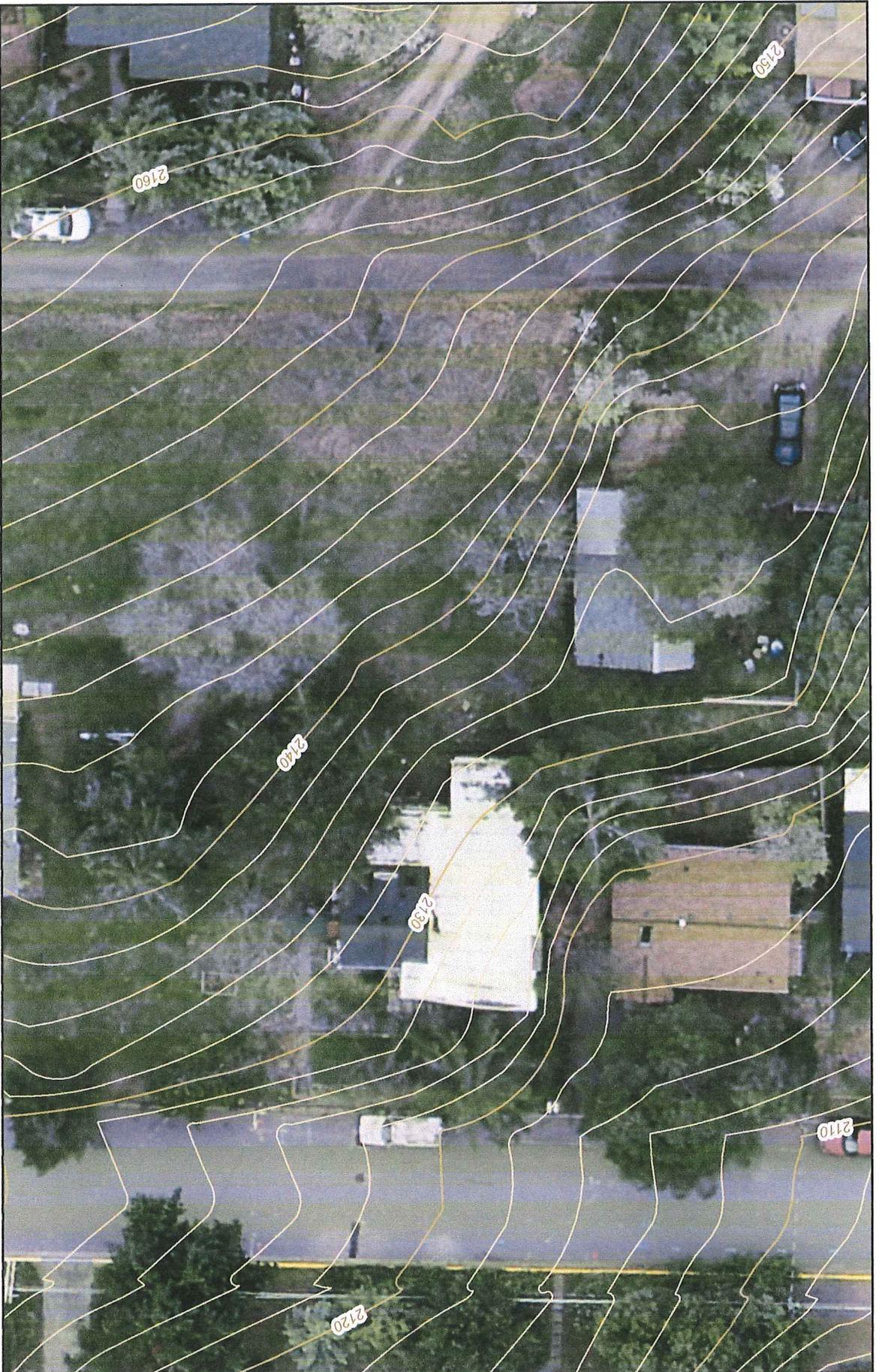
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City of Ashland



725 Indiana 4



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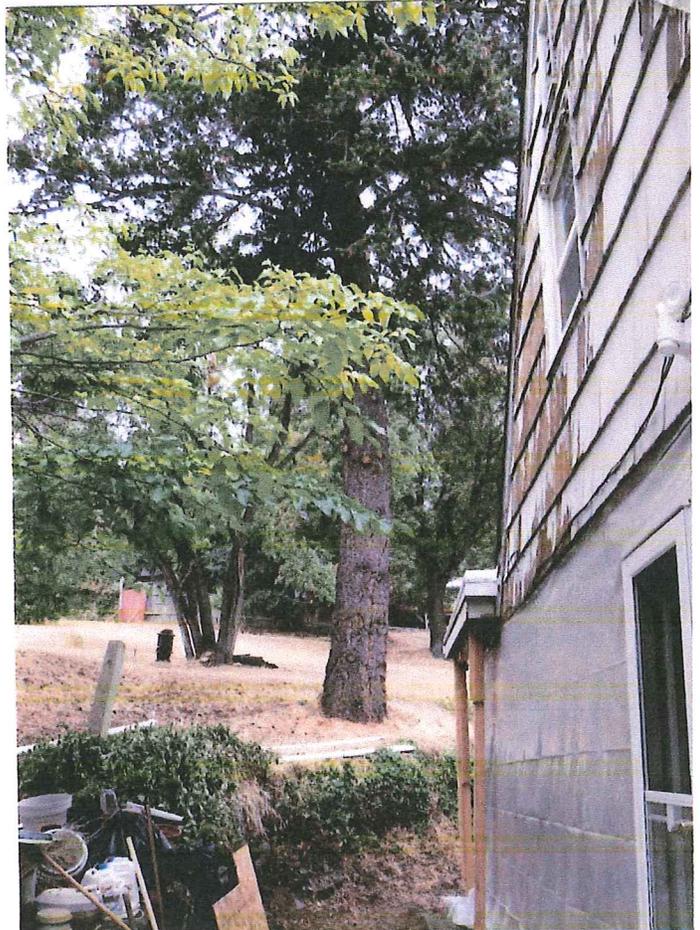
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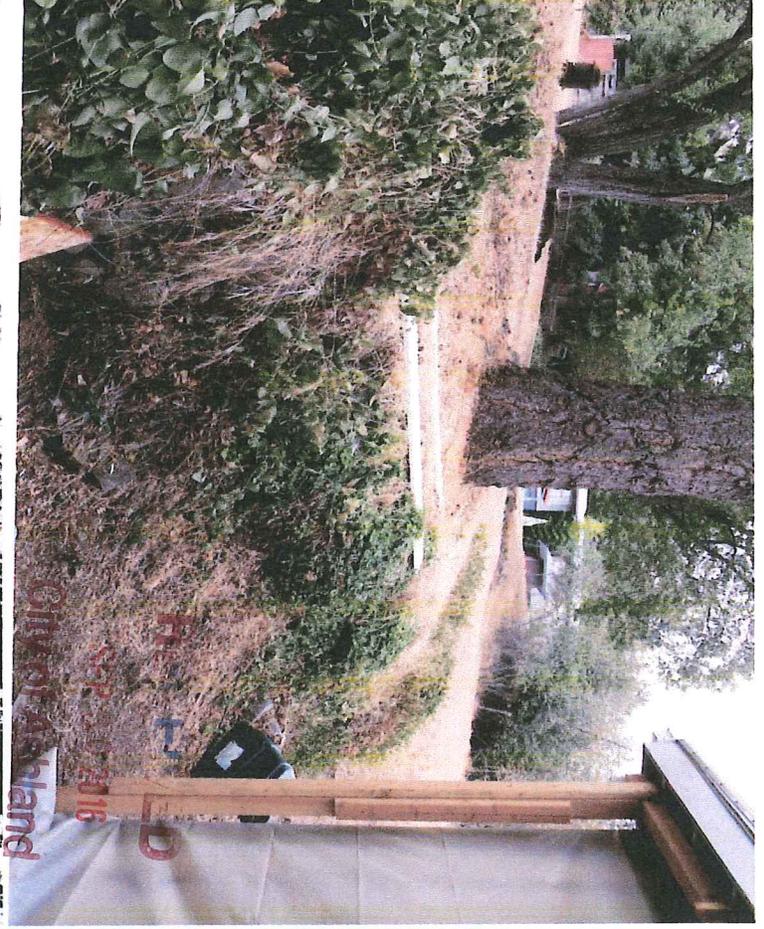


1 inch = 25 feet

Date Printed: 9/30/2016

City of Ashland





How A Motion Should Progress

1. MEMBER ADDRESSES THE PRESIDING OFFICER

The presiding officer should be addressed by the appropriate title, i.e., "Mayor," or "Mr. (or Madame) Chairman."

2. MEMBER IS RECOGNIZED BY THE PRESIDING OFFICER

The Chair recognizes member by name, by a nod, or other means of recognition. Having received formal recognition from the Chair, that member is said to "have the floor" and is the only member entitled to present or discuss a motion.

3. THE MEMBER PROPOSES A MOTION

A motion is always introduced in the form, "I move that," followed by a clear and concise statement of the proposal. This is the only correct phraseology.

Aside from very brief explanatory remarks, it is not permissible to discuss the merits of a motion either prior to, or immediately following, the formal proposal of the motion. All discussion must wait until after the Chair has stated the motion to the assembly and has called for discussion.

4. ANOTHER MEMBER SECONDS THE MOTION

Another member may say, "I second the motion." Seconding the motion is merely an indication that the member seconding it wishes the matter to come before the assembly for consideration.

If no one seconds the motion, the chair may say, "Is there a second to the motion?" If there is none, the Chair may declare, "Since there is no second, the motion is denied."

5. THE PRESIDING OFFICER STATES THE MOTION TO THE MEMBERS

When a motion has been properly proposed and seconded, the presiding officer repeats the motion to the members, or "states the motion." After it has been formally stated to the members, it may be spoken of as a "question," a "proposition," or a "measure."

6. THE MEMBERS DISCUSS OR DEBATE THE MOTION

After the motion has been formally stated, any member has a right to discuss it. The floor can only be obtained through the formal recognition of the Chair.

DISCUSSION MUST BE CONFINED TO THE QUESTION THAT IS BEFORE THE MEMBERS

Normally, the first person who asks for recognition is entitled to speak, but when several councilors wish to speak or present motions at the same time, certain guiding principles should determine the decision of the Chair:

- a. The Chair should always show preference to the proposer of the motion.
- b. A member who has not spoken has prior claim over one who has already discussed the question, or who has proposed another motion.
- c. If the Chair knows the opinions of the various members regarding the motion before the house, he should alternate between those favoring the motion and those opposing it.
- d. The Chair should recognize a member who seldom speaks in preference to one who frequently claims the attention of the assembly.

7. THE PRESIDING OFFICER TAKES THE VOTE ON THE MOTION

When all members who desire to discuss the question have done so, the motion is "put to a vote." It is permissible, before taking the vote, to inquire, "Is there any further discussion?" If there is none, discussion is presumed closed.

The presiding officer will proceed to take the vote by announcing, "All in favor the motion to (STATE THE MOTION), say 'Aye'." "Those opposed say 'No'." Presiding officer has the option of requesting a voice vote or a roll call vote.

8. THE PRESIDING OFFICER ANNOUNCES THE RESULT OF THE VOTE

The Chair then formally announces the result of the vote, saying, "The motion is carried; therefore (STATE THE INTENT OF THE MOTION)" or "The motion has failed." When the vote has been announced, another motion may be in order at that time.

Parliamentary Procedure

The following are important terms to remember in parliamentary procedure:

Take Precedence - If a motion takes precedence, it means that it is in order for that motion to be made and considered, even though other motions may be pending.

Pending - An uncompleted action before the group.

Discussion - Consideration of a motion by members of the group. Discussion never precedes a motion.

Debate - Another term for discussion.

Main Motion - A motion designed to bring the subject before the group for consideration. A motion that brings up business when no other motion is pending is considered a main motion. Only one main motion should be pending at any time.

Incidental Motion - A motion arising out of the course of the group's business that has a relationship to the question immediately pending. It takes precedence over the pending motion and must be decided first. This type of motion may include motion to suspend the rules, points of order, and points of information.

Subsidiary Motion - A motion that modifies, delays action upon, or disposes of a main motion. These motions would include amendments, a motion to postpone indefinitely, and a motion to lay on the table.

Privileged Motion - A motion that is not related to the pending motion but has urgency and importance that demands immediately consideration. These motions include questions of personal privilege, motion to recess, and motion to adjourn.

Quorum - The smallest number of members of the group that must be present before the group can legally conduct business. This number is used in the context of open meetings laws to determine when a gathering is a meeting.

Process of Motion Making

Parliamentary Procedure

Parliamentary procedure is intended as a tool to facilitate democratic discussions and decisions. An orderly process demands that only one issue be debated at a time.

The following points are not intended as an exhaustive dissertation on parliamentary procedure, but rather as a highlight of some of the more troublesome parts of that procedure.

1. Consider only one question at a time. A question is introduced by a motion. It must be seconded and should be restated by the presider before it is discussed. Once a question is before the group, it must be properly disposed of before another question is considered.

2. Subsidiary or secondary motions sometimes cause some confusion. These motions depend upon the main motion. Any of these motions may be made while the main motion is pending. Further, subsidiary motions may be made while one or more of the other motions are pending.

The following are subsidiary motions.

- **Postpone indefinitely.** This is a debatable motion and the main motion to which it applies remains debatable while it is being considered. (Tactfully, this motion has nothing to do with postponing, but is a way of defeating the motion under consideration. It can sometimes be used for continuing discussion when the speaking privileges of members discussing the main motion have been exhausted.)
- **Amendment.** This is debatable if the main motion to which it refers is debatable. Amendments must be clearly related to the main motion and may make changes by inserting, striking out, or substituting words, but may not reverse the intention of the original motion.
- **Refer to a Committee.** This is a debatable and amendable motion. Its purpose is to refer a main motion and its amendments, if any, to a committee for special study and recommendations. The motion to refer should include how the committee is to be selected, when it should report, and whether it is to report facts or make recommendations or both.
- **Postpone to a Certain Time.** This is **not debatable** except as to the propriety of postponement. It is amendable only with the regard to time. If the postponement is to the next meeting, the postponed motion automatically comes up as unfinished business.
- **Limit or Extend Debate.** This is **not debatable** and may be amended as to the number of times a speaker may speak and as to the length of time each may speak.
- **Previous Question.** This is **not debatable or amendable**. The purpose of this motion is to terminate debate and move to an immediate vote on any motion to which it is applied. The proper form to use in making this motion is to say, "I move the previous question on the immediate pending (or on all pending) question." The presider then states that the previous question is moved and seconded and calls for a vote.
- **Lay on the Table.** This is **not debatable or amendable**. The purpose of this motion is to lay a motion aside temporarily without postponing it to a certain time. The motion laid on the table may be brought again before the group by a simple motion to take it from the table. This has the status of a main motion. A motion may be taken from the table any time before the end of the next meeting after the one at which it was laid on the table. If it is not removed from the table before the end of the next meeting, the motion ceases to exist.

Incidental Motions develop out of situations that are in some way related to the discussion that is going on. They may be made whenever they are needed and have no order of precedence among themselves. Any one of them takes precedence over a main motion or a subsidiary motion but is lower in precedence than a privileged motion. **Incidental motions are not debatable.**

Following are several of the more commonly used incidental motions:

- **Point of Order.** This is raised when a member of the group feels that the rules of the order have been violated.
- **Appeal the Decision of the Presider.** This action may be taken whenever a member of the group believes that the presider has given a wrong parliamentary decision.
- **Suspension of the Rules.** The purpose of the motion is to temporarily set aside the normal practices of the group. It cannot be used to suspend a provision of a constitution or bylaw. It is most often used to alter the order of business.
- **Division of the Question.** This may be amended but may not have any other subsidiary motions applied to it. The purpose of this motion is to separate a motion into separate parts and consider each of those parts individually.

