

NOTICE OF PLANNING COMMISSION DECISION

APPLICATION FILE #: 575-21 thru 579-21

REQUEST: To obtain approval to remove 5 trees from a commercial property as part of a landscape improvement project.

OWNER/APPLICANT: Tabor Accounting Group / Grasstains Landscape
7501 SW Findlay Road
Durham, OR 97224

SITE LOCATION: 7501 SW Findlay Rd.

AUTHORIZATION: The review and approval criteria for the proposal are provided in the Durham Development Code (DDC) under Chapter 5 Tree Protection; DDC Chapter 9 Procedures, and Tree Protection Ordinance 228-05 as amended by Ordinance 246-08; and the Durham Comprehensive Land Use Plan as revised 6.23.95.

PLANNING COMMISSION DECISION:

A public meeting was held after 7:30 p.m. on March 2, 2021 via zoom at Durham City Hall, 17160 SW Upper Boones Ferry Rd., Durham, OR. Based on the City Staff Report (3-2-21), the Durham Planning Commission prepared Findings and APPROVED the removal of the 5 trees proposed in Tree Removal Applications 575-21 thru 579-21 subject to the following conditions:

1. Five trees will be planted as mitigation per the applicant's mitigation plan presented at the meeting. These trees will be from the list of approved mitigation trees and be of a size that complies with the requirements set forth in Chapter 5, Section 5.8.3 (i.e. 2" in diameter when measured from the top of the root ball for deciduous trees or 6' tall when measured from the top of the root ball, excluding the leader, for evergreens).
2. Mitigation trees shall be located as required in Chapter 5, Section 5.8.4.
3. Mitigation trees must be planted within six months of the date of approval or a request submitted for an additional 60-day extension. Additional time beyond the 60 days will be subject to Planning Commission approval. Please inform City Hall when you have planted these trees.
4. Any mitigation planting that fails within two years of the date of planting requires that you notify City Hall and that the failing tree(s) be replaced.
5. Within 60 days of the second anniversary of planting you are to request a final inspection of the mitigation planting. The permit will not be finalized until all of the conditions are complied with and the final inspection requested.

NOTE: THE DECISION OF THE PLANNING COMMISSION SHALL BE FINAL UNLESS A PETITION OF APPEAL IS FILED AT CITY HALL WITHIN TWELVE (12) DAYS FOLLOWING THE DATE THAT THE DECISION WAS MAILED. THE APPEAL PETITION MUST PROVIDE THE INFORMATION AND FILING FEE AS SPECIFIED IN SECTION 9.9 OF THE DURHAM DEVELOPMENT CODE. THE APPEAL PETITION SHALL BE REVIEWED BY THE CITY COUNCIL IN ACCORDANCE WITH ITS OWN ADOPTED RULES OF PROCEDURE.

DATE OF PLANNING COMMISSION DECISION: March 2, 2021

Date of notice: March 3, 2021