



City of Durham

17160 SW Upper Boones Ferry Rd.
Durham, Oregon 97224

678-23

Website: www.durham-oregon.us
e-mail: cityofdurham@comcast.net
503.639.6851 Fax 503.598.8595

The City of Durham is characterized by a large number of trees that contribute to the ecology, scenic beauty, and livability of the City. Residents of Durham developed the Tree Ordinance with the intention of preserving as many trees as possible on developed and undeveloped property. Ordinance 228-05 and Chapter 5 of the Land Use Code regulate tree removals. Tree removal applications will be evaluated by criteria in Section 4 of Ordinance 228-05 and Chapter 5 of the Land Use Code.

TREE REMOVAL APPLICATION

Please complete the front and back of this application. Additional information may be requested. One tree per application. Return this form and fee to City Hall. **City staff has the authority to approve tree removals that meet certain criteria. All other tree removal decisions are made by the Planning Commission at their regular meeting on the first Tuesday of each month.** Check with website for submission deadlines. Tree removal decisions may be appealed in writing to the City Council for up to 12 business days following the decision.

FEES: Application - \$25.00 (non-refundable) for the 1st tree and \$10.00 each additional tree

Durham Land Holdings LLC 16515 SW Upper Boones Ferry Rd 503-519-4684 or 971-533-6478
Property Owner Site Address Phone Number
16998 greentree AVE, Lake Oswego
Applicant (if different from owner) Mailing Address (if different from site address)
samheitmanallen@gmail.com or kenallenproperty@gmail.com
Email Address (to communicate the status of your application)

Cutting down a tree larger than **5 inches diameter at breast height** without a valid permit is a violation of Ordinance 228-05 and is subject a fine. The property owner is responsible for obtaining approval to cut down a tree. By signing below, the applicant assumes responsibility for the removal of a tree without a valid permit and grants City staff and officials access to the property to observe and evaluate the merits of this application. Permit approval is valid for six months after the date of approval. It is the applicant's responsibility to email City Hall when the tree has been cut down.

DocuSigned by:

Ken Allen

Durham Land
Holdings LLC

5/16/2023

Property Owner Signature

Date

Office Use Only:

☐

Staff Approval

☐

Staff Denial

☒

Commission Approval

☐

Commission Denial

Finding: Approval of application conforms to the criteria for removal as a type:

☐

A

☐

B

☐

C

☐

D

☐

E

☐

F

☒

G

☐

H

☐

Replacement Required

☐

Variety/Size Specified

☒

Other Conditions tree preservation plan must be followed to preserve 170 trees

Application Fee

\$ 4995.00

Receipt Number

331034

Date Paid

6/2/23

Check only one of the following boxes to describe the reason for the removal of the tree. Attach a report prepared by a by a **CERTIFIED ARBORIST**, if available.

- ☐ Type "A" Permit. Tree is dead or obviously diseased.
- ☐ Type "B" Permit. A condition of the tree makes it dangerous or potentially destructive to public or private property.
- ☐ Type "C" Permit. Removal is required to enlarge the footprint of a structure, add a deck, patio, or other building structure on an already improved lot. A Type "C" permit can only be issued after a building permit for the structure is issued.
- ☐ Type "D" Permit. The tree is between 5" and 10" DBH and not permitted under any other permit type. Limited to one tree in a 24-month period.
- ☐ Type "E" Permit. Tree is greater than 10" DBH and/or does not qualify under any other permit type. Planning Commission approval is required. Mitigation is required. Please provide a narrative statement addressing the criteria for removal. Refer to the Type E criteria questions.
- ☐ Type "F" Permit. Tree is located in a commercial or industrial zone. Planning Commission approval is required.
- ☒ Type "G" Permit. Tree is located on previously undeveloped property. Refer to Durham Land Use Code for specifics regarding removal criteria.
- ☐ Type "H" Permit. Tree was previously designated as a preserved tree in a tree preservation plan for development.

What is the species and size of the tree proposed to be cut down? See attached arborist report

What is the species and size of the proposed replacement tree? Refer to the City approved tree list for requirements. _____

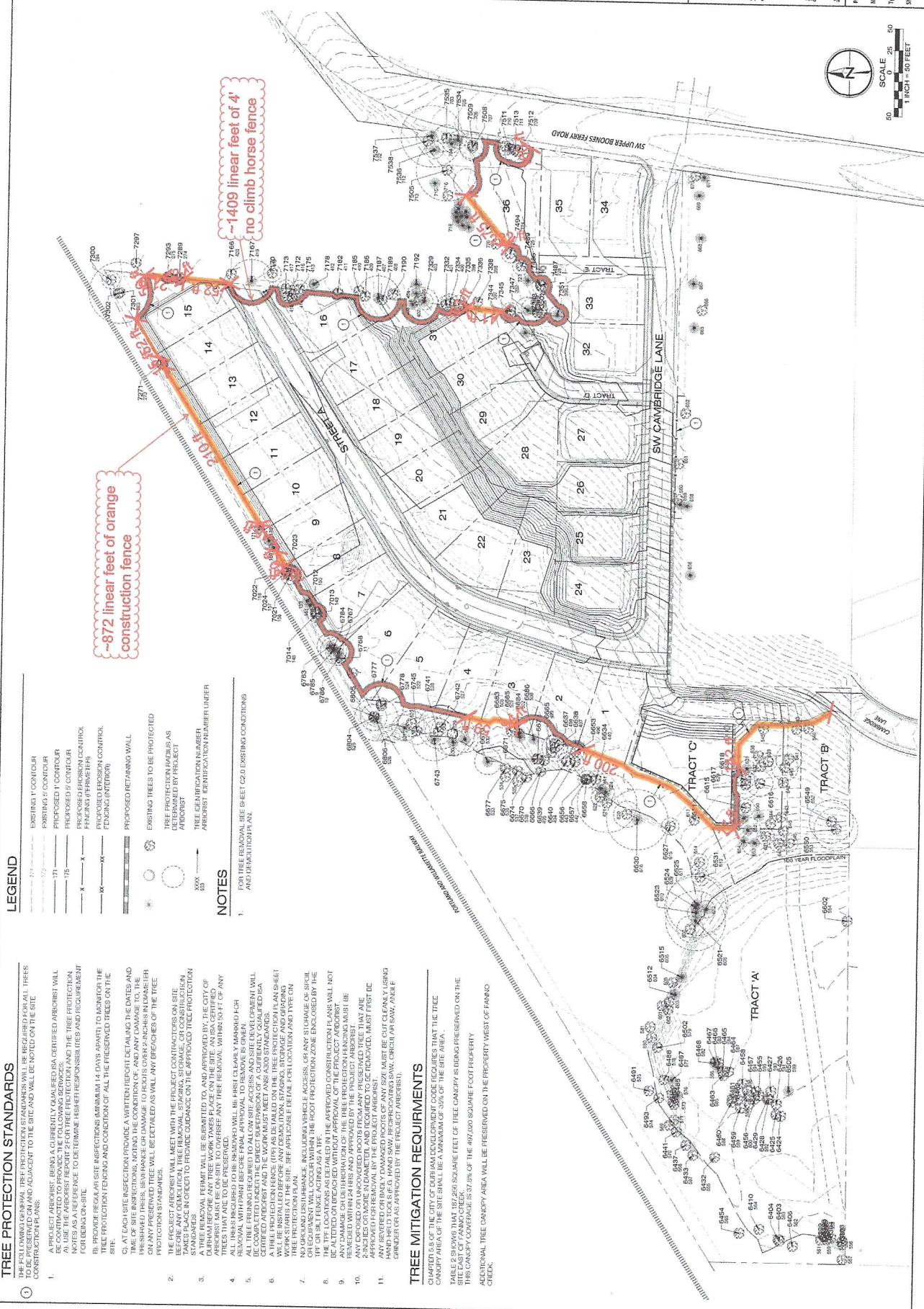
Additional information that would assist staff/Planning Commission in making a decision on this application:

It was calculated that ~~276~~ trees need permits ~~498~~

In the box below, sketch a bird's eye view of your property including the house, street, driveway, existing trees including trees to be removed, and other significant property features associated with the removal request. Clearly designate the tree to be removed.

See attached Plan View.

THIS IS PROPERTY FOR DEVELOPMNET OF PRD OF DURHAM HEIGHTS PROJECT #591-21



TREE PROTECTION STANDARDS

THE FOLLOWING GENERAL TREE PROTECTION STANDARDS WILL BE REQUIRED FOR ALL TREES TO BE PRESERVED ON AND ADJACENT TO THE SITE AND WILL BE NOTED ON THE SITE CONSTRUCTION PLANS:

1. A PROJECT ARBORIST, BEING A CURRENTLY QUALIFIED AND ISA CERTIFIED ARBORIST, WILL BE CONTRACTED TO PROVIDE THE FOLLOWING SERVICES:
a. 24 HOUR TREE PROTECTION, 7 DAYS A WEEK, 365 DAYS A YEAR, FOR THE PROTECTION OF ALL TREES ON-SITE.
b. PROVIDE REGULAR SITE INSPECTIONS MINIMUM 14 DAYS APART TO MONITOR THE PROTECTION OF TREES AND THE PROTECTION OF THE PROTECTED TREES ON THE SITE.
c. AT EACH SITE INSPECTION PROVIDE A WRITTEN REPORT DETAILING THE DATES AND TIME OF SITE INSPECTIONS, NOTING ANY DAMAGE TO TREES OVER 4 INCHES IN DIAMETER ON ANY PRESERVED TREE. WILL BE DETAILLED AS WELL ANY BRANCHES OF THE TREE THAT ARE DAMAGED.
2. THE PROJECT ARBORIST WILL MEET WITH THE CITY ENGINEER, TREE CONTRACTORS ON-SITE BEFORE ANY DEMOLITION, TREE REMOVAL, STORAGE, STOCKPILING, OR TREE REMOVAL PERMIT WILL BE SUBMITTED TO, AND APPROVED BY, THE CITY OF DURHAM THEREAFTER ANY TREE WORK TAKES PLACE ON THE SITE. AN ISA CERTIFIED ARBORIST WILL BE REQUIRED TO PREPARE A TREE REMOVAL WITHIN 30' OF ANY TREES THAT ARE TO BE PRESERVED.
3. ALL TREES PLANNED TO BE REMOVED WILL BE FIRST CLEARLY MARKED FOR REMOVAL WITH RED ORANGE FLAGGING. ALL TREES PLANNED TO BE REMOVED FOR ALL TREE REMOVALS REQUIRED TO ALLOW SITE ACCESS AND SITE DEVELOPMENT WILL BE IDENTIFIED WITH RED ORANGE FLAGGING. THE DIRECT SUPERVISION OF A CURRENTLY QUALIFIED ISA ARBORIST WILL BE REQUIRED TO IDENTIFY THE TREE REMOVALS TO BE REMOVED FOR ALL TREE REMOVALS REQUIRED TO ALLOW SITE ACCESS AND SITE DEVELOPMENT.
4. A TREE PROTECTION FENCE 4' HIGH SHALL BE TAILED ON THE TREE PROTECTION IN SHEET WORKS. THE FENCE SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING. THE TREE PROTECTION FENCE SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
5. ALL TREE REMOVALS, INCLUDING VEHICLE ACCESS, GRASS STORAGE OR SHELTER FOR EQUIPMENT, SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
6. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
7. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
8. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
9. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
10. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.
11. ALL TREE REMOVALS SHALL BE IDENTIFIED WITH RED ORANGE FLAGGING AND IDENTIFIED WITH RED ORANGE FLAGGING.

TREE MITIGATION REQUIREMENTS

TABLE 2 SHOWS THAT 187,260 SQUARE FEET OF TREE CANOPY IS BEING PRESERVED ON THE SITE EAST OF FANNING CREEK. THIS CANOPY COVERAGE IS 37.0% OF THE 497,020 SQUARE FOOT PROPERTY. ADDITIONAL TREE CANOPY AREA WILL BE PRESERVED ON THE PROPERTY WEST OF FANNING CREEK.