



**BEFORE THE TALENT PLANNING COMMISSION
STATE OF OREGON, CITY OF TALENT**

IN THE MATTER OF PLANNING COMMISSION FILE NO. SPR)
2015-005 LOCATED AT WEST VALLEY VIEW ROAD, THE CITY) ORDER
OF TALENT PLANNING COMMISSION FINDS THE)
FOLLOWING:

1. The Planning Commission held a properly noticed public hearing on this matter on September 24, 2015;
2. The Planning Commission asked the Community Development Director to present a staff report and a proposed final order with findings and recommendations;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Commission found that the proposed amendment in all other respects complied substantially with the criteria for approval in 8-3L.1 and was in compliance with the adopted West Valley View Master Plan;
5. The application, with conditions, was in general compliance with the required findings for approval of Site Plan Review;

The Talent Planning Commission approves the Site Development Plan amendment for the Talent Urban Renewal Agency:

1. .

IT IS HEREBY ORDERED THAT the Talent Planning Commission approves the Site Plan Development amendment for the Talent Urban Renewal Agency (SPR 2015-005) based on the information presented in the Staff Reports and Findings of Fact below:

In the following, any text quoted directly from City codes appears in *italics*; staff findings appear in regular typeface.

8-3J.440 DEVELOPMENT STANDARDS—RETENTION OF TREES

- A. **Site Development Plan Review.** *Building permits subject to Site Development Plan review before the Planning Commission must include a preservation plan for tree retention. This plan shall include a mapping of all existing Street Trees and native and ornamental trees with a caliper size of four inches or greater, measured at a point three feet above the grade at the base of the tree, and located on the property to be developed. The Tree Committee shall review the tree preservation plan and make recommendations to the Planning Commission. All the trees listed in the plan shall be retained unless such retention is considered to be unfeasible based on the Tree Retention Guidelines listed below. The*

party proposing the construction shall replace all trees removed as approved with an equal number of trees having a minimum caliber size of 1.5 inches.

FINDING: The amendment requests to retain the cedar tree which was recently approved for removal. The tree is located under a power transmission line that has been topped many times. A certified arborist has provided documentation that the tree is not a public health or safety concern and that the tree is in good health and structurally sound. Past topplings of the tree have not compromised its stability and the proposed sidewalk is a sufficient distance to not have future negative impacts. **The provisions of this section have been met.**

Commented [ZM1]: The requested amendment to the approved site development plan is addressed in this section.

This approval shall become final 14 days from the date this decision and supporting findings of fact are signed by the Chair of the Talent Planning Commission, below. A Planning Commission decision may be appealed to the Hearing's Officer within 14 days after the final order has been signed and mailed. An appeal of the Hearing's Officer decision must be submitted to the Land Use Board of Appeals within 21 days of the Hearing Officer's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Eric Heesacker
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date