



## MEMORANDUM

**RE: Tree Removal Permit  
588 N. Elm St.**

May 15, 2023

A tree removal permit authorizing the removal of three trees in conjunction with the construction of a new single-family dwelling has been issued to Karen Weiss, owner of 588 N. Elm St. The trees authorized for removal by this permit are a western hemlock, a holly, and a Port Orford cedar that was determined to be dead.

The application was submitted with a Tree Hazard Evaluation Form prepared by an ISA Certified Arborist as required by CBMC 17.70.030. The application and subject trees have been reviewed by an independent arborist on contract with the City and approval of the application has been recommended.

This removal application meets the criteria of CMBC 17.70.020(D) Permit Issuance – Criteria which states:

*D. Removal of a tree(s) in order to construct a structure or development approved or allowed pursuant to the Cannon Beach Municipal Code, including required vehicular and utility access, subject to the requirements in Section 17.70.030(B) and (Q).*

Section 17.70.030(B) Additional Requirements states:

*B. For actions which require the issuance of a building permit, tree removal shall only occur after a building permit has been issued for the structure requiring removal of the tree(s).*

Section 17.70.030(Q) Additional Requirements states:

*Q. An application for a tree removal permit under Section 17.70.020(D), submitted under the direction of a certified tree arborist for the removal of a tree(s) to construct a structure or development, must include the following:*

- 1. A site plan showing the location of the tree(s) proposed for removal, the location of the proposed structure or development, and the location of any other trees six-inch DBH or larger on the subject property or off site (in the adjoining right-of-way or on adjacent property) whose root structure might be impacted by excavation associated with the proposed structure, or by soil compaction caused by vehicular traffic or storage of materials.*
- 2. Measures to be taken to avoid damaging trees not proposed for removal, both on the subject property and off site (in the adjoining right-of-way or on adjacent property).*
- 3. The area where a tree's root structure might be impacted by excavation, or where soil compaction caused by vehicular traffic or storage of materials might affect a tree's health, shall be known as a tree protection zone (TPZ).*

4. *Prior to construction the TPZ shall be delineated by hi-visibility fencing a minimum of three and one-half feet tall, which shall be retained in place until completion of construction. Vehicular traffic, excavation and storage of materials shall be prohibited within the TPZ.*

Replacement of the removed tree is required as per CBMC 17.70.040(B)(1) Tree Replacement Policy which states:

1. *Tree removal in conjunction with construction:*

- b. *If fewer than four trees existed on the lot prior to construction, the replanting of trees on a one-for-one basis may be required.*

Approved trees that can be used for the replanting requirement include: Sitka spruce, Western hemlock, Douglas fir, Western red cedar, Red alder, Mountain ash, Big leaf maple, Vine maple.

The Oregon E-Permitting record for this file can be found here:

[https://aca-oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=23CAP&capID2=00000&capID3=0003Q&agencyCode=CANNON BEACH](https://aca-oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=23CAP&capID2=00000&capID3=0003Q&agencyCode=CANNON_BEACH)

This permit may be appealed to the Planning Commission by filing an appeal with the City Manager within 14 days of the date of this decision.

Sincerely,



Robert St. Clair  
Planner

# City of Cannon Beach Tree Removal Application

APR 11 2023

Received

Please fill out this form completely. Please type or print.

Applicant Name: KAREN WEISS  
 Mailing Address: P.O. Box 727 Cannon Beach, OR, 97110  
 Phone: 503-803-7551 Email: PURAVIDA@217@gmail.com  
 Property Owner Name: KAREN WEISS  
 Mailing Address: \* SAME  
 Phone: \* SAME Email: \* SAME  
 Property Location: Lot 10 Block 7 N/Amblers ledge 588 N Elm St. Map/Tax Lot Number: 10085/1020 CB/00502

The city shall issue a tree removal permit if one of the following criteria is met. Please circle the letter of the criteria that applies.

These criteria require a Tree Removal Report from an International Society of Arboriculture (ISA) Certified Arborist:

- ☒ A. You are constructing a structure or development approved and allowed by pursuant to Cannon Beach Municipal Code 17.70.030, which involves any form of ground disturbance; including required vehicular and utility access. **SEE ATTACHMENT A - Removing Trees Because of Construction.**
- B. Removal of a tree for the health and vigor of surrounding trees.

These criteria require an ISA Tree Hazard Evaluation Form prepared by an ISA Certified Arborist:

- C. The tree presents a safety hazard, where:
  - 1. The condition or location of the tree presents either a foreseeable danger to public safety, or a foreseeable danger of property damage to an existing structure; and,
  - 2. Such hazard or danger cannot reasonably be alleviated by pruning or treatment of the tree.
- D. The tree was damaged by storm, fire or other injury, which cannot be saved by pruning.

You must submit a tree removal permit with a reason if:

- ☒ E. The tree is dead.
- F. Tree removal is necessary to provide solar access to a solar energy system where pruning will not provide adequate solar access:
  - 1. The city may require documentation that a device qualifies for Oregon Department of Energy Solar Tax Credit, or other incentive for installation of solar devices offered by a utility.
  - 2. No tree measuring more than 24 inches in diameter shall be removed for solar access.
- G. Tree removal is for landscaping purposes, subject to the following conditions:
  - 1. The tree cannot exceed 10 inches in diameter.
  - 2. A landscape plan for the affected area must be submitted and approved by the City.
  - 3. The landscape plan must incorporate replacement trees for the trees removed. The replacement trees must be at least six feet in height or have a two-inch caliper; and,
  - 4. The City shall inspect the property one year after the approval of the permit to insure the landscape plan has been implemented.

If your tree presents an immediate danger of collapse and if such potential collapse represents a clear and present hazard to persons or property, **please contact the Community Development Director (CDD)**. If it is determined by the CDD that there is an immediate danger, then a tree removal permit is not required prior to tree removal. However, within seven days after the tree removal, the tree owner shall make application for an after-the-fact permit. Where a tree presents an immediate danger of collapse, a complete ISA Tree Hazard Evaluation Form prepared by a certified arborist is not required. Where a safety hazard exists, as defined by this subsection, the city may require the tree's removal. If the tree has not been removed after forty-eight hours, the city may remove the tree and charge the costs to the owner.



Attach a site plan showing the location and type of all trees on the property, including the trees to be removed. Indicate the location of replacement trees and the type. SEE ATTACHMENT B – Site Plan. Attach photos of the trees to be removed and mark the trees with ribbon.

Explain how the request meets one or more of the applicable criteria. Include the number and type of trees requested for removal. If appropriate, explain why pruning would not accomplish the same goal as tree removal.

City of Cannon Beach  
Finance Department

APR 11 2023

PAID

Application fee: \$50.00 for 1-4 trees; \$100 for 5 or more trees

**Note:** The application fee is a nonrefundable fee that is due upon receipt of application, whether the removal request is approved or denied.

Applicant Signature [Signature] Date: 4-11-23

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in their behalf.

Property Owner Signature: [Signature] Date: 4-11-23

Please attach the name, address, phone number and signature of any additional property owners.

I understand, as property owner, that I am responsible if an approved tree removal permit is violated in any way. As property owner, my signature or an authorized applicant's signature, allows any duly authorized employee of the City to enter upon all properties affected by this permit, for the purpose of follow-up inspection, observation or measurement.

\*\*\*\*\*  
Date: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_ Receipt Number: \_\_\_\_\_ Permit #: \_\_\_\_\_

Application is:

\_\_\_\_\_ Approved \_\_\_\_\_ Denied  
X Approved - Tree replacement required per Cannon Beach Municipal Code  
17.70.040, Tree Replacement Policy.  
\_\_\_\_\_ Approved with comments:

By: [Signature] Robert St. Clair  
Planner Date: May 15, 2023

Decisions on the issuance of a tree removal permit may be appealed to the Planning Commission in accordance with Section 17.88.140 a, of the Municipal Code.

## ATTACHMENT A

### Removing Trees Because of Construction

If you are constructing a structure or development which involves any kind of ground disturbance; including required vehicular or utility access, prior to beginning construction, you must:

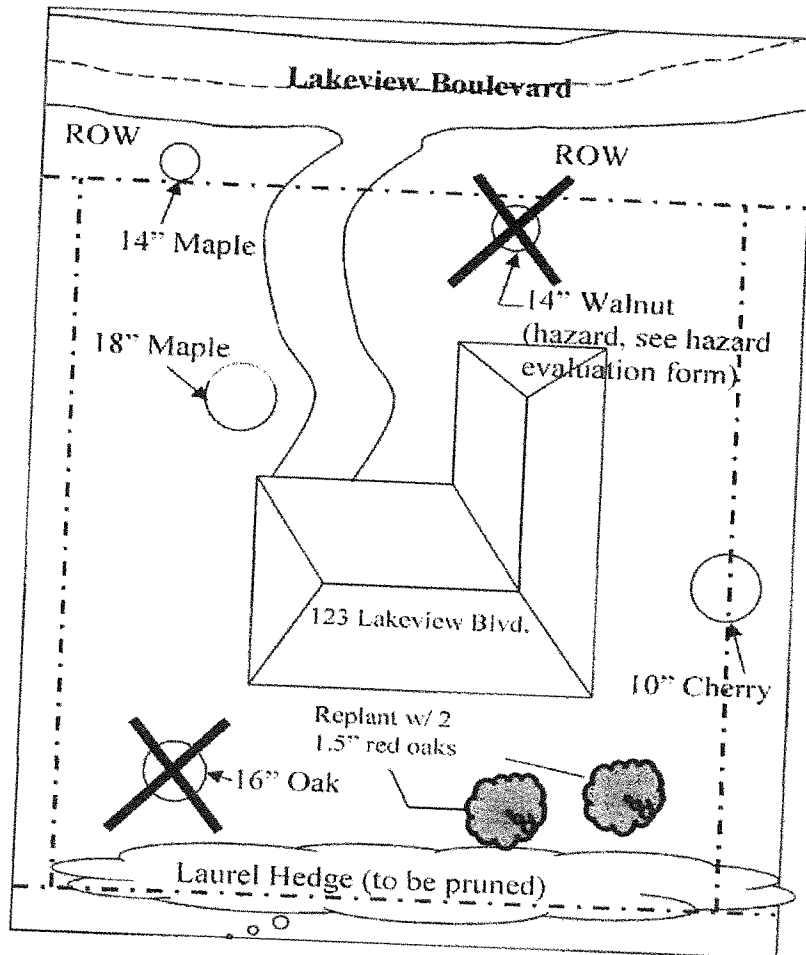
- \* Site plan also w/ Robert S.*
- 1) Contact a certified arborist *DONE Joe Balden / Report w/ Robert S.*
  - 2) If the certified arborist determines that no trees will be affected by the proposed construction, then the certified arborist should write a letter stating these findings.  
**NOTE:** The City reserves the right to have the City Arborist review all arborist recommendations and make an independent report for administrative review. All administrative decisions may be appealed.
  - 3) If the certified arborist determines that trees will be affected,
    - a. ✓ A site plan must be submitted with a Tree Removal permit. The Site Plan should indicate the location of all trees over 6" DBH on the subject property or off-site (in the adjoining right-of-way or on adjacent property) whose root structure might be impacted by excavation associated with the proposed structure, or by soil compaction caused by vehicular traffic or storage of materials.
    - b. ✓ Measures must be taken to avoid damaging trees not proposed for removal, both on the subject property and off-site (in the adjoining right-of-way or on adjacent property).
    - c. ✓ The area where a tree's root structure might be impacted by excavation, or where soil compaction caused by vehicular traffic or storage of materials might affect a tree's health, shall be known as a Tree Protection Zone (TPZ).
    - d. ✓ Prior to construction the TPZ shall be delineated by hi-visibility fencing a minimum of 3.5 feet tall, which shall be retained in place until completion of construction. Vehicular traffic, excavation and storage of materials shall be prohibited within the TPZ.

**The city may require the replanting of trees to replace those being removed. Tree replacements shall be in accordance with Cannon Beach Municipal Code 17.70.040 Tree replacement policy.**

1. When a replacement tree is required, at least **one tree from the native tree list** will have to be replanted. The following trees are considered native: Sitka spruce; Western hemlock; Douglas fir; Western red cedar; Red alder; Mountain ash; Big leaf maple; Vine maple.
2. The replacement trees shall be planted so that they **do not create future problems** in terms of solar access, view protection, building maintenance, or the survivability of other trees. Trees should generally **not be planted within five feet of the property line** and should not cause future issues with existing utilities, e.g., water line, sewer lateral, gas main-power.
3. The replacement trees shall be **at least six feet in height** at the time of planting.

## ATTACHMENT B SITE PLAN EXAMPLE FOR A TREE REMOVAL APPLICATION

A site plan is required as part of your tree removal request. The site plan should be on an 8.5" x 11" size paper, or larger and include the following information.



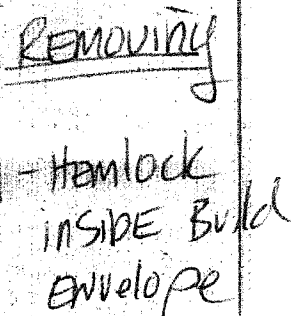
### Items to include on your Site Plan:

- Address of the Tree Removal Site;
- Property lines;
- Public Right of Way, including the name of any streets;
- Existing or proposed structures;
- Creeks, Streams, or any other natural features;
- Location of any existing 6" or larger tree, as measured from breast height (approximately 4' from the ground), with diameter size and type of tree;
- Please indicate by clearly marking those proposed for removal with an "X"

Within 24 Hours of submitting your application, mark the tree(s) with yellow ribbon.

LEGEND

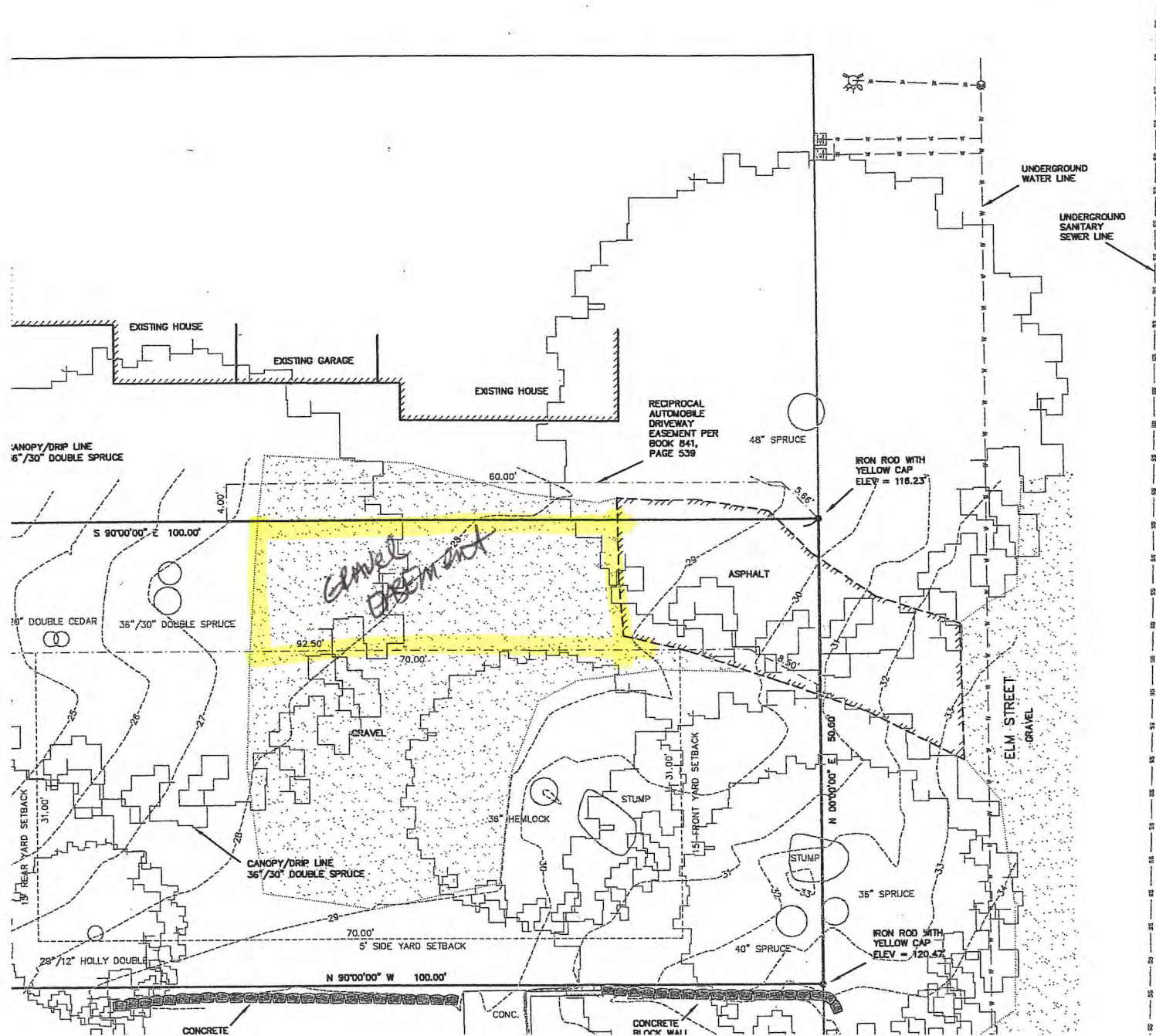
SPOT CLEAN	DIRTY WORK
PROPERTY IN	EXISTING FEN
FIRE HAZARD	WATER METER
BLAST HALLS	UNDERGROUND



#2 - DEAD Holly  
inside Buil  
envelope

#3 - Dead Noddy  
with WBO's





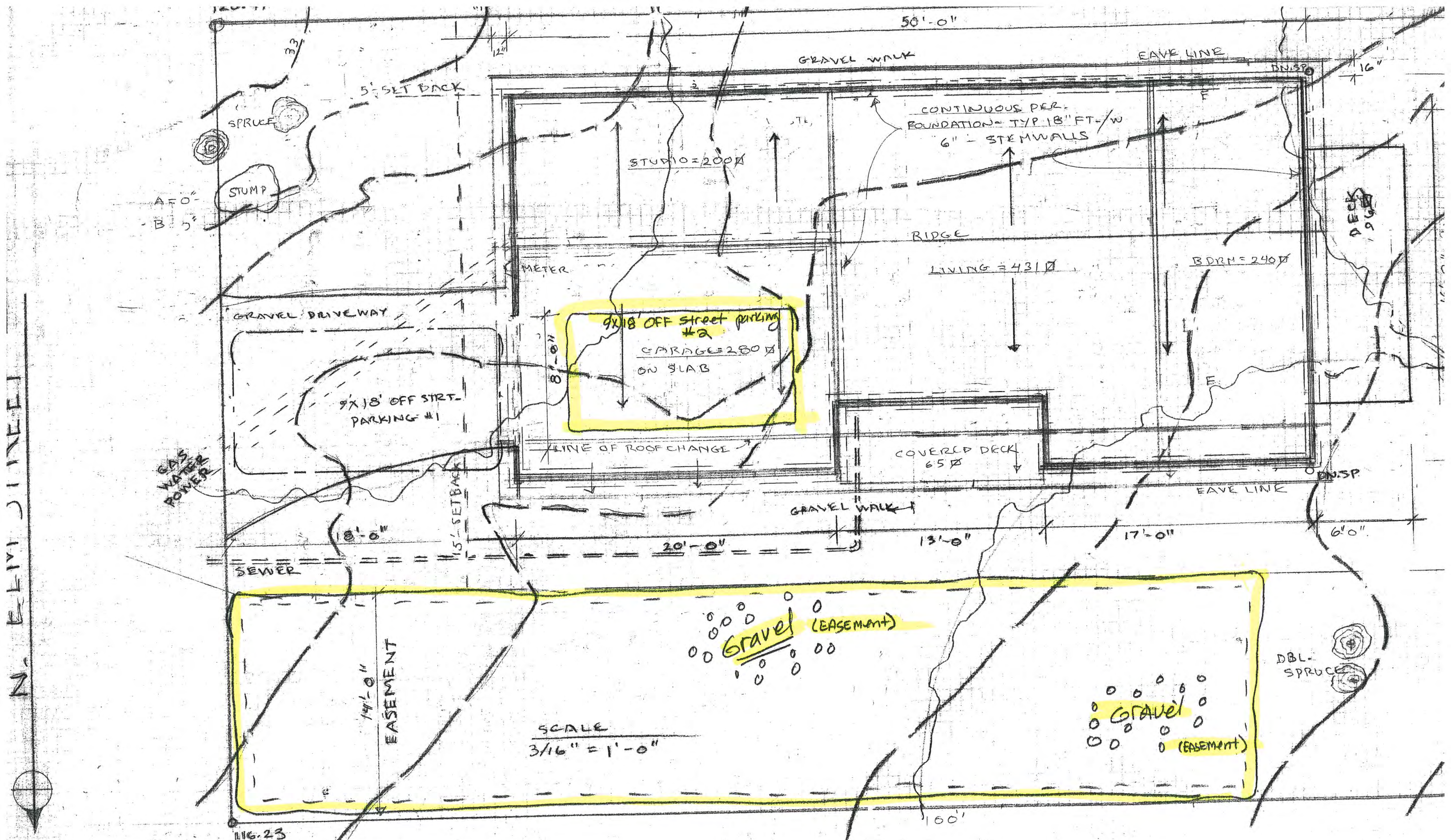
LEGEND

• SURVEY MONUMENT

×100.00 SPOT ELEVATION

TOPOGRAPHIC SURVEY		DATE: 11/2/22		BY: SSC	
FOR		REVISION: 1		DATE: 11/2/22	
KAREN WEISS		REGISTERED PROFESSIONAL LAND SURVEYOR		DESIGNED: N/A	
NORTH ELM STREET, CANNON BEACH, OR		LOCATION: CANNON BEACH, OR		DRAWN: SSC	
		SECTION: 20CB		CHECKED: SSC	
		TWP. RANGE: 10W		SHEET: 1	
		5N		RENEWALS: 12/31/23	
		502			
COTTAGE AVE		30X 2699		31' OR 97138	
				3' 738 4320	
				X3 738 7894	





ITE PLAN, WEST AND NORTH ELEVATIONS  
LOOR PLAN, ROOF FRAME, DETAILS  
FOUNDATION PLAN, FLOOR FRAME, DETAILS  
OUTH AND EAST ELEVATIONS



APR 11 2023

Received

**Balden & Associates  
Arboriculture Services**

Joe Balden  
Consulting Arborist PN0736

41500 Anderson Road  
Nehalem, OR 97131  
503.368.7807 office  
503.801.3762 cell  
joebalden70@gmail.com

November 10, 2022

Karen Weiss  
[aeweiss@me.com](mailto:aeweiss@me.com)

Re: North Elm Street property  
Cannon Beach, Oregon

Per your request I have evaluated the trees on your lot per CKI topo map dated 10/25/2022.  
There are two trees within the building envelope that will need to be removed.

Tree #1. 30" DBH hemlock located east of center.

Tree #2. 20"/12" Double stem Holly located near SW corner of building.

Trees to be retained:

Double stem spruce 30" X 40" located at the SE corner of the lot. Note that the property line lies between the two stems.

Double stem spruce 36" X 30" on the north side of the property. Pruning for roof clearance may be necessary.

There is one double stem cedar on the north side of the property that is dead and recommended for removal.

Note: Due to the close proximity of tree #3 to the house footprint, post and beam construction is recommended in this area to minimize root system impact.

Submitted by

Joe Balden  
Enclosures: CKI survey, Site plan.









Karen Weiss &lt;puravida0217@gmail.com&gt;

**Fwd: Joe balden/arborist tree report & site plan for - Weiss/ Elm St project**

1 message

puravida0217@gmail.com &lt;puravida0217@gmail.com&gt;

Thu, Apr 6, 2023 at 1:03 PM

To: stclair@ci.cannon-beach.or.us

Cc: Clay Sellars &lt;cdsconstruction@live.com&gt;

Robert, here is a resend of the arborist report from Joe balden.

Please let me know when it's prudent for me to apply for the actual "tree cutting" permits. Would I be able to just "apply" so that they are "waiting on approval" once the city approves the plans? I've never done any of this before so I want to be sure I'm sensible about the steps.

Blessings, Karen

**From:** Joe Balden <joebalden70@gmail.com>

**Date:** November 29, 2022 at 10:22:42 AM PST

**To:** puravida0217@gmail.com

**Subject:** Fwd: Weiss/ Elm St project

Karen, here is a copy of the site plan sent to St Clair on 11/18/22, If they cannot find it then maybe you will have to hand deliver a copy.

Copies of the evaluation and site plan from 11/10/22 attached. Take copies to city.

Tree pruning does not require a permit. Pruning would be determined after the building height is established.

----- Forwarded message -----

**From:** Joe Balden <joebalden70@gmail.com>

**Date:** Fri, Nov 18, 2022 at 1:22 PM

**Subject:** Weiss/ Elm St project

**To:** Robert St. Clair <stclair@ci.cannon-beach.or.us>

Robert,

Attached is a copy of the CKI topo with the building footprint highlighted in dashed line.

JB

---

**2 attachments**

**Weiss.pdf**  
2190K



**Weiss eval 11:22.docx**  
14K

*Robert*  
*503-436-3041*



Treescaples Northwest  
Jeff Gerhardt, Consulting Arborist  
ISA Certified Arborist #PN-5541A



**City of Cannon Beach, Planning Department**

Attn: Robert St. Clair  
stclair@ci.cannon-beach.or.us  
(503) 436-8041

May 14, 2023

**Tree Removal Permit Application Review - 588 N Elm**

Per your request, I reviewed the Tree Removal Permit Application submitted by Karen Weiss. An Arborist Report was included in the application from Certified Arborist Joe Balden. I visually inspected the trees and site on May 13th. It is my recommendation the removal request for 3 trees be approved.

All 3 trees (photo attached) have been flagged with ribbon and can be referenced with the site map included in the application. Two trees have been requested be removed to allow for new residence construction: a Western hemlock (*Tsuga heterophylla*), 30" DBH and 50' tall, and a double stemmed holly (*Alex sp.*), 20" DBH and 30' tall. Both of these trees will need to be removed to allow access for building construction. A third tree has been requested be removed that is dead: a Port Orford cedar (*Chamaecyparis lawsoniana*), 30" DBH and 50' tall. I recommend the removal request for this tree be granted according to permit Criteria E, "The tree is dead."

Before groundbreaking, I recommend a Tree Protection Zone fence be established to protect the 2 Sitka spruce (*Picea sitchensis*) trees located in close proximity to the build site.

Best regards,

A handwritten signature in black ink, appearing to read "Jeff Gerhardt".

Jeff Gerhardt

**Treescaples Northwest**  
P.O. Box 52  
Manzanita, OR 97130

CCB# 236534  
Cell: 503-453-5571  
[www.treescaplesnorthwest.com](http://www.treescaplesnorthwest.com)

588 N Elm



Hemlock, double-stemmed holly, and dead cedar