



CANNON BEACH COMMUNITY DEVELOPMENT

163 E. GOWER ST.

PO Box 368

CANNON BEACH, OR 97110

MEMORANDUM

RE: Tree Removal Permit

368 Sunset Blvd., Taxlot 51029CB00501

June 16, 2023

A tree removal permit authorizing the removal of three Western Hemlocks that have been identified as hazardous.

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(A) Permit Issuance - Criteria which states:

A. Removal of a tree which poses a safety hazard. The applicant must demonstrate that:

- 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.*

Replacement of the removed trees is not required as the tree density will not be reduced below the required minimum.

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

MAY 24 2023

Received

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

Applicant Name: Edward Fong - Shadowfax Group LLC

Mailing Address: 1500 NW 136th Ave., Portland, OR 97229

Phone: 971-255-9523 **Email:** shadowfaxllc@gmail.com

Property Owner Name: 386 Sunset Blvd. Edward Fong

Mailing Address: same

Phone: _____ **Email:** _____

Property Location: 386 Sunset Blvd. **Map/Tax Lot Number:** 1008

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.

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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 _____ Date: _____

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

Property Owner Signature: _____ Date: _____

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:

 X Approved Denied

 Approved - Tree replacement required per Cannon Beach Municipal Code 17.70.040, Tree Replacement Policy.

 Approved with comments:

By: 

Robert St. Clair
Planner

Date: June 16, 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.

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

May 17, 2023

Edward Fongasdzx
Shadowfax Group LLC
1500 NW 136th Ave.
Portland, OR 97229

Dear Mr Fong,

Per your request I have evaluated three Western Hemlock trees located on your property identified as 386 Sunset, Cannon Beach, Oregon.

Observed: Three Hemlock, ranging from 10" DBH to 18" DBH. (DBH is the tree diameter measured at 4.5 feet above grade level). Height range is 60' for the 10" trees, #2 and #3 (refer to enclosed site sketch for tree number and location to 90' on the 18" tree #1. Note that there are several Sitka spruce located on the west side of the property that have no structural defects or indication of stress.

The property slopes significantly towards the west, approximately 30%. This contributes to evidence of erosion at the basal area of the three hemlock trees. The extent of erosion is significant, resulting in rootzone exposure. This severely compromises the structural integrity of the trees and is clearly a reason for removal.

The grove of Sitka spruce just below trees #2 and #3 is in good shape with no erosion apparent at the base of the trees and no indication of disease or structural damage.

Submitted by



Joe Balden

Enclosures: Tree Location Site Diagram
Tree Hazard Evaluation Form
City of Cannon Beach Tree Removal Application

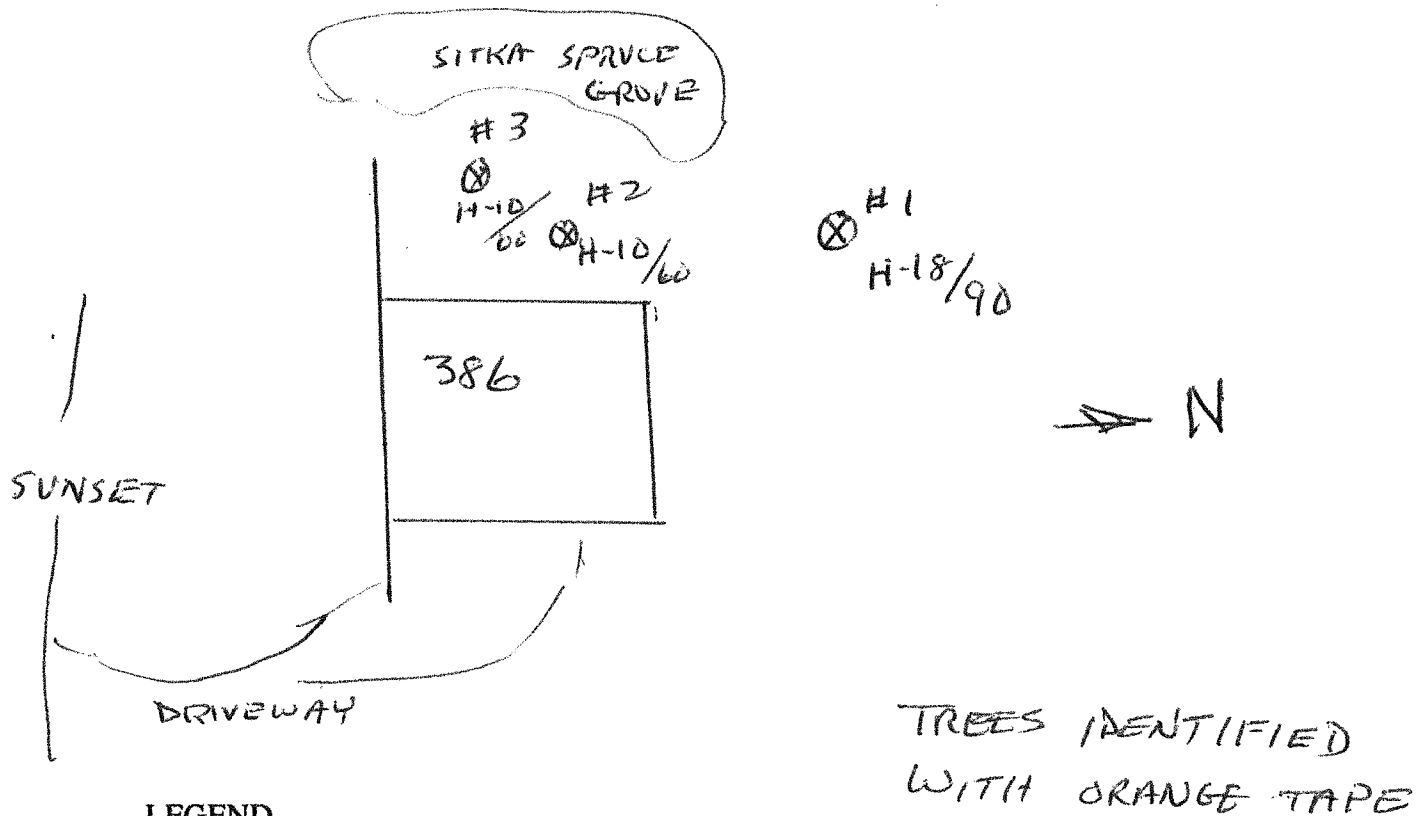
Balden Arboriculture Services
41500 Anderson Road
Nehalem, OR 97131
503-801-3762

TREE LOCATION SITE DIAGRAM

Client:

Date: 5-17-2023

Project: 386 SUNSET CANNON BEACH



LEGEND

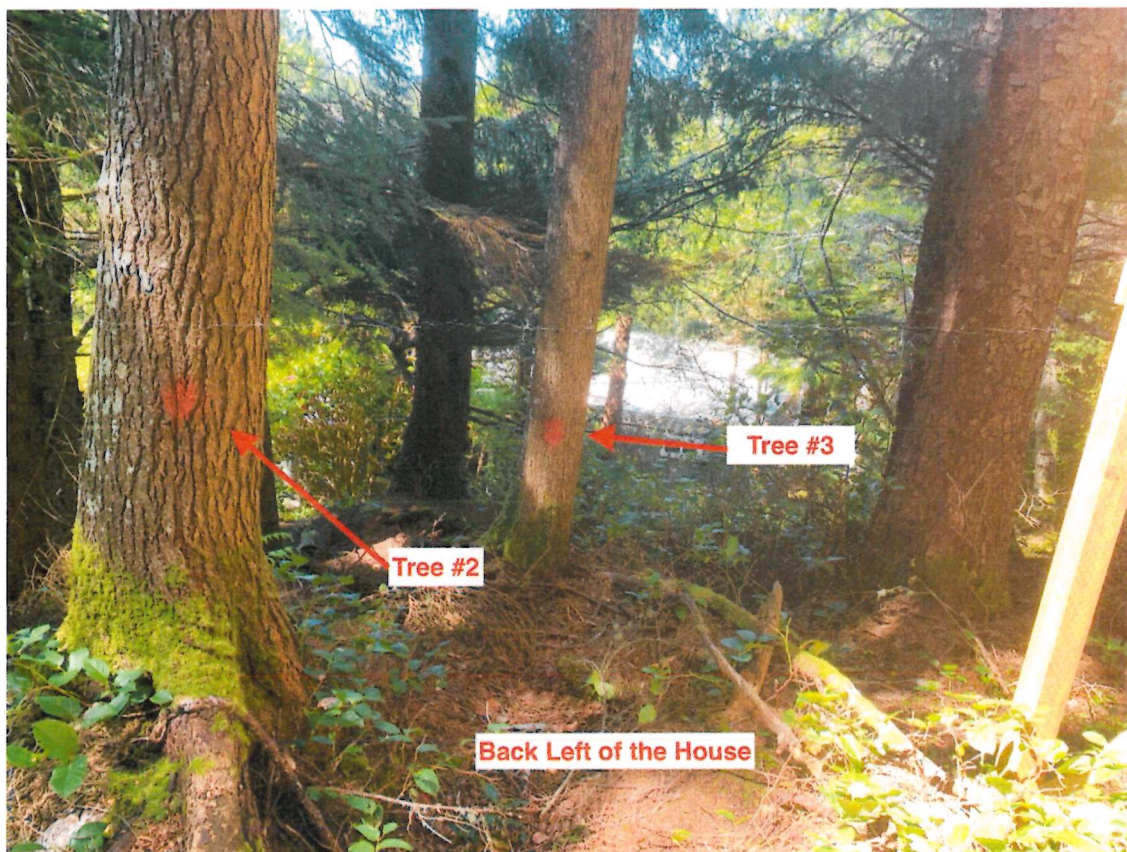
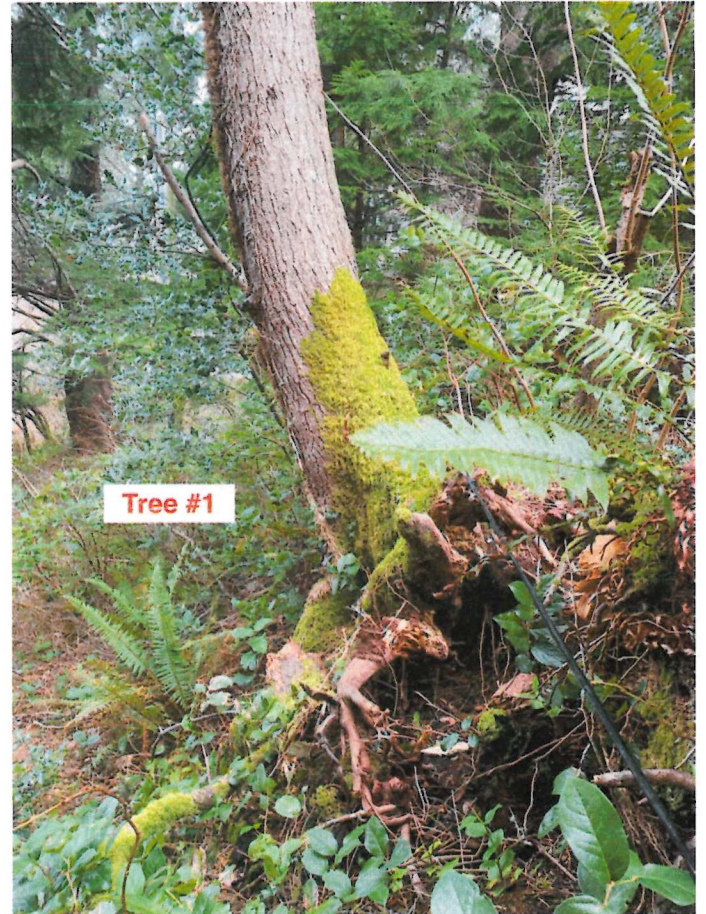
Tree # 1-3

Species WESTERN HEMLOCK

Size (DBH) AS SHOWN

Recommendations PER REPORT

Sketch not to scale





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

June 15, 2023

Tree Removal Permit Application Review - 386 Sunset

Per your request, I reviewed the Tree Removal Permit Application submitted by Edward Fong. An Arborist Report, site map, and photographs were included in the application from Certified Arborist Joe Balden. I visually inspected the trees and site on June 14th. It is my recommendation the removal request for 3 trees be approved.

All 3 trees are Western hemlocks (*Tsuga heterophylla*), and have been flagged with orange ribbon. Tree diameters range from 10" to 18" and the heights of the trees are around 75'. The trees are structurally compromised in that their roots are exposed and failing. To alleviate the hazard potential these trees present, I recommend they be granted removal under permit Criteria C: "*The tree presents a safety hazard.*".

Replanting does not look to be a stipulation of granting this permit as multiple evergreen trees are present elsewhere on the property.

Best regards,

A handwritten signature in black ink, appearing to read "Jeff Gerhardt", on a light pink rectangular background.

Jeff Gerhardt

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

CCB# 236534
Cell: 503-453-5571
www.treescaplesnorthwest.com