



# CITY OF CANNON BEACH

## NOTICE OF APPLICATION TO REMOVE TREES IN THE STREET RIGHT-OF-WAY OR PROPERTY OWNED BY THE CITY

The City of Cannon Beach has made an application for the removal of one shore pine (*Pinus contorta*). The affected tree is 26" in diameter and is 50' tall is located within Sunset Blvd right-of-way (adjacent to Map 51029CB, Tax Lot 01400).

The request for tree removal is made based on Municipal Code Section 17.70.020 A, "Removal of a tree which poses a safety hazard." Municipal Code Section 17.70.030 I, Additional Requirements, states for tree removal requests of trees located in a street right-of-way, or on property owned by the city, property owners within one hundred feet of the tree(s) requested for removal shall be notified of the proposed action. The notification shall also be posted on the city's website, and on the bulletin board at City Hall, and at the Post Office. In making its decision on such a tree removal request, the city shall consider comments received within ten days of the date of the mailing of the property owner notification. To be considered, comments must address the tree removal criteria of Section 17.70.020.

Correspondence regarding this matter should be mailed to: City of Cannon Beach, Attention: Sheri Skotland, PO Box 368, Cannon Beach, OR 97110 or [skotland@ci.cannon-beach.or.us](mailto:skotland@ci.cannon-beach.or.us). Further information regarding this application is available at City Hall, 163 E. Gower Street, Cannon Beach, or by calling (503) 436-8048.

DATE NOTICE MAILED: 02/22/2024

cc: Mayor Barb Knop  
Councilor Nancy McCarthy  
Councilor Brandon Ogilvie  
Councilor Gary Hayes  
Councilor Lisa Kerr



## City of Cannon Beach Right-of-Way/Property Owned by the City Tree Removal Application

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

**Applicant Name:** City of Cannon Beach

**Mailing Address:** PO Box 368 Cannon Beach, OR 97110

**Phone:** 503-436-8066 **Email:** mount@ci.cannon\_beach.or.us

**Abutting Property Owner Name:** Cannon Beach Historical Society

**Mailing Address:** PO Box 1005

**Phone:** 503-436-9301 **Email:** \_\_\_\_\_

**Property Location:** Sunset **Map/Tax Lot Number:** 51029CB01400

**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 ensure 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.

.....  
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.

Municipal Code Section 17.70.030.I. For tree removal requests of trees located in a street right-of-way, or on property owned by the city, property owners within one hundred feet of the tree(s) requested for removal shall be notified of the proposed action. The notification shall also be posted on the city's website, and on the bulletin board at City Hall, and at the Post Office. In making its decision on such a tree removal request, the city shall consider comments received within ten days of the date of the mailing of the property owner notification. To be considered, comments must address the tree removal criteria of Section 17.70.020. Any person who has commented on the tree removal request shall be notified of the city's decision and may appeal that decision in accordance with subsection H.

Applicant Signature  Date: 2/20/24

I understand, as the applicant signature, the cost of the tree removal and cleanup is my full responsibility and I am responsible if an approved tree removal permit is violated in any way. I must comply with all City requirements included with the approval, and I must notify the City 48-hours prior to the removal.

\*\*\*\*\*  
Date: 2/20/24 Fee Paid: \$ NA Receipt Number: NA Permit #: NA

Date Notice Mailed: 2/22/24 Date of 10-day waiting period: 3/4/24

Comments Received: Yes ☐ No ☐ Application is: ☐ Approved ☐ Denied

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

☐ Approved with comments:

By: \_\_\_\_\_ Date: \_\_\_\_\_

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**

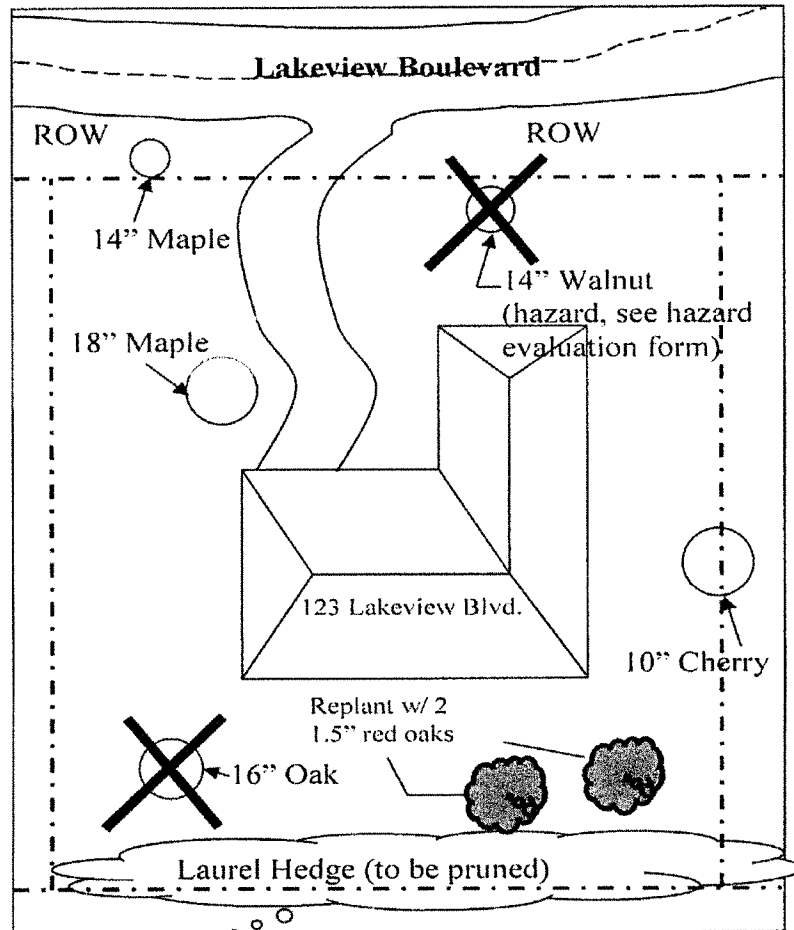
If you are constructing a structure or development which involves any kind of ground disturbance; including required vehicular or utility access, prior to beginning construction, you must:

- 1) Contact a certified arborist
- 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.**

## 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.



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



**City of Cannon Beach, Public Works Department**  
Attn: Trevor Mount; Assistant Public Works Director  
mount@ci.cannon-beach.or.us

December 5, 2023

### **Hazard Tree Inspection - Sunset ROW**

Per your request, I evaluated the hazard potential of one tree located in the City Public Right of Way. After visually examining the tree and site, I recommend the tree be removed. Please find the included site map, photograph, and ISA Tree Hazard Evaluation Form for reference.

The tree is a shore pine (*Pinus contorta*), located in the Public Right of Way near the Cannon Beach History Center. The tree is approximately 26" in diameter and 50' tall. An orange dot was painted on the north side of the trunk approx. 16" above grade. Several concerns have led to the recommendation that this tree be removed for safety reasons:

- 1) The tree has excessive limb weight that is over a heavily trafficked roadway. Pruning to alleviate the danger is not feasible due to canopy limitations.
- 2) Large cavities from prior limb failures are present on the main stem. The tree has a weakened structure and decay will compound over time.
- 3) The tree grows directly below utility lines.

I recommend the tree be removed in entirety and a replacement tree planted elsewhere, as space is limited at this location.

Best regards,

A handwritten signature in black ink, appearing to read "Jeff Gerhardt", written over a light purple rectangular background.

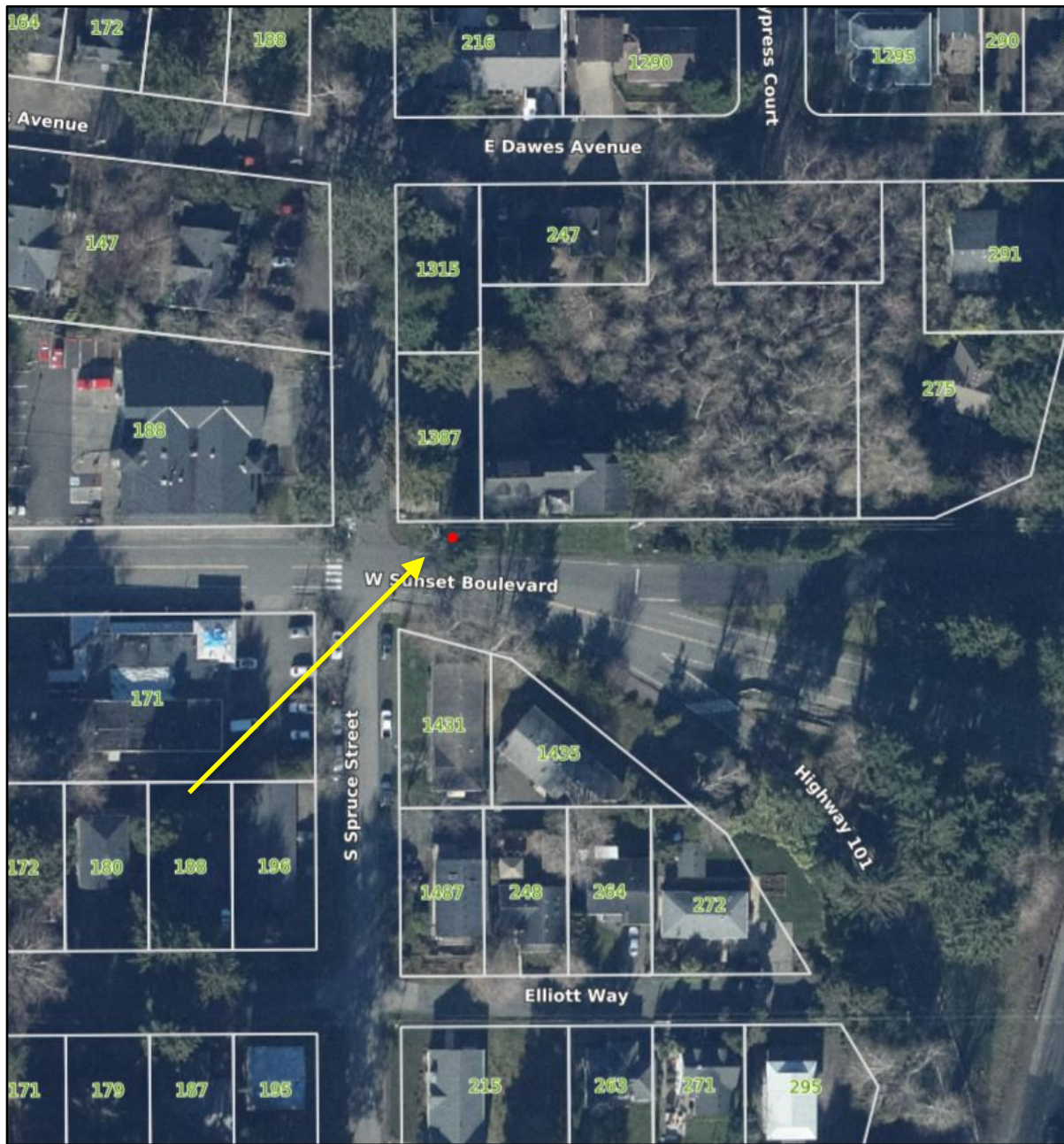
Jeff Gerhardt

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

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



Red dot indicates location of shore pine in City ROW



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Hazardous pine tree that I recommend be removed:



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A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas  
**TREE HAZARD EVALUATION FORM** 2nd Edition

Site/Address: Sunset (ROW)  
Map/Location: \_\_\_\_\_  
Owner: public ☒ private \_\_\_\_\_ unknown \_\_\_\_\_ other \_\_\_\_\_  
Date: 12/5/2023 Inspector: Jeff Gerhardt  
Date of last inspection: \_\_\_\_\_

**HAZARD RATING:**

3	+	3	+	4	=	10
Failure		Size		Target		Hazard
Potential		of part		Rating		Rating
_____ Immediate action needed						
_____ Needs further inspection						
_____ Dead tree						

**TREE CHARACTERISTICS**

Tree #: 1 Species: shore pine  
DBH: 26" # of trunks: 1 Height: 50' Spread: 30'  
Form: ☐ generally symmetric ☐ minor asymmetry ☒ major asymmetry ☐ stump sprout ☐ stag-headed  
Crown class: ☐ dominant ☐ co-dominant ☒ intermediate ☐ suppressed  
Live crown ratio: 40 % Age class: ☐ young ☐ semi-mature ☒ mature ☐ over-mature/senescent  
Pruning history: ☐ crown cleaned ☐ excessively thinned ☒ topped ☐ crown raised ☐ pollarded ☐ crown reduced ☐ flush cuts ☐ cabled/braced  
☐ none ☒ multiple pruning events Approx. dates: \_\_\_\_\_  
Special Value: ☐ specimen ☐ heritage/historic ☐ wildlife ☐ unusual ☐ street tree ☐ screen ☐ shade ☐ indigenous ☐ protected by gov. agency

**TREE HEALTH**

Foliage color: ☒ normal ☐ chlorotic ☐ necrotic Epicormics? Y ☒ N  
Foliage density: ☒ normal ☐ sparse Leaf size: ☒ normal ☐ small  
Annual shoot growth: ☐ excellent ☒ average ☐ poor Twig Dieback? Y ☒ N  
Woundwood development: ☐ excellent ☒ average ☐ poor ☐ none  
Vigor class: ☐ excellent ☐ average ☒ fair ☐ poor  
Major pests/diseases: \_\_\_\_\_

**Growth obstructions:**

☐ stakes ☐ wire/ties ☐ signs ☐ cables  
☐ curb/pavement ☐ guards  
☐ other \_\_\_\_\_

**SITE CONDITIONS**

Site Character: ☐ residence ☒ commercial ☐ industrial ☐ park ☐ open space ☐ natural ☐ woodland/forest  
Landscape type: ☒ parkway ☐ raised bed ☐ container ☐ mound ☐ lawn ☐ shrub border ☐ wind break  
Irrigation: ☒ none ☐ adequate ☐ inadequate ☐ excessive ☐ trunk wetted  
Recent site disturbance? Y ☒ N ☐ construction ☐ soil disturbance ☐ grade change ☒ line clearing ☐ site clearing  
% dripline paved: 0% ☒ 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y ☒ N  
% dripline w/ fill soil: ☒ 0% 10-25% 25-50% 50-75% 75-100%  
% dripline grade lowered: ☒ 0% 10-25% 25-50% 50-75% 75-100%  
Soil problems: ☐ drainage ☐ shallow ☒ compacted ☐ droughty ☐ saline ☐ alkaline ☐ acidic ☐ small volume ☐ disease center ☒ history of fail  
☐ clay ☐ expansive ☐ slope \_\_\_\_\_\* aspect: \_\_\_\_\_  
Obstructions: ☐ lights ☐ signage ☒ line-of-sight ☐ view ☒ overhead lines ☐ underground utilities ☒ traffic ☐ adjacent veg. ☐ \_\_\_\_\_  
Exposure to wind: ☐ single tree ☐ below canopy ☐ above canopy ☐ recently exposed ☐ windward, canopy edge ☒ area prone to windthrow  
Prevailing wind direction: S/SW Occurrence of snow/ice storms ☐ never ☒ seldom ☐ regularly

**TARGET**

Use Under Tree: ☒ building ☒ parking ☒ traffic ☒ pedestrian ☒ recreation ☒ landscape ☐ hardscape ☐ small features ☒ utility lines  
Can target be moved? Y ☒ N Can use be restricted? Y ☒ N  
Occupancy: ☐ occasional use ☐ intermittent use ☐ frequent use ☒ constant use

The International Society of Arboriculture assumes no responsibility for conclusions or recommendations derived from use of this form.

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**TREE DEFECTS****ROOT DEFECTS:**Suspect root rot: Y ☒ N ☐ Mushroom/conk/bracket present: Y ☒ N ☐ ID: \_\_\_\_\_Exposed roots: ☐ severe ☐ moderate ☒ low Underside: ☐ severe ☐ moderate ☒ lowRoot pruned: \_\_\_\_\_ distance from trunk Root area affected: \_\_\_\_\_ % Buttress wounded: Y ☒ N ☐ When: \_\_\_\_\_Restricted root area: ☐ severe ☒ moderate ☐ low Potential for root failure: ☐ severe ☐ moderate ☒ lowLEAN: ☐ 0 deg. from vertical ☒ natural ☐ unnatural ☐ self-corrected Soil heaving: Y ☒ N ☐Decay in plane of lean: Y ☒ N ☐ Roots broken Y ☒ N ☐ Soil cracking: Y ☒ N ☐Compounding factors: \_\_\_\_\_ Lean severity: ☐ severe ☐ moderate ☒ low**CROWN DEFECTS:** Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks		s	s	
Multiple attachments				
Included bark				
Excessive end weight			s	s
Cracks/splits				
Hangers				
Girdling				
Wounds/seam		s		
Decay		m		
Cavity		s		
Conks/mushrooms/bracket				
Bleeding/sap flow		m		
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burls				
Previous failure			s	

**HAZARD RATING**Tree part most likely to fail: Tops or main stem

Inspection period: \_\_\_\_\_ annual \_\_\_\_\_ biannual \_\_\_\_\_ other \_\_\_\_\_

Failure Potential + Size of Part + Target Rating = Hazard Rating

3. + 3 + 4 = 10

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Size of part: 1 - &lt;6" (15 cm); 2 - 6-18" (15-45 cm);

3 - 18-30" (45-75 cm); 4 - &gt;30" (75 cm)

Target rating: 1 - occasional use; 2 - intermittent use;

3 - frequent use; 4 - constant use

**HAZARD ABATEMENT**Prune: ☐ remove defective part ☐ reduce end weight ☐ crown clean ☐ thin ☐ raise canopy ☐ crown reduce ☐ restructure ☐ shapeCable/Brace: \_\_\_\_\_ Inspect further: ☐ root crown ☐ decay ☐ aerial ☐ monitorRemove tree: Y ☒ N ☐ Replace? Y ☒ N ☐ Move target: Y ☒ N ☐ Other: \_\_\_\_\_Effect on adjacent trees: ☒ none ☐ evaluateNotification: ☐ owner ☐ manager ☒ governing agency Date: 12/2023**COMMENTS**

See report