



CANNON BEACH COMMUNITY DEVELOPMENT

163 E. GOWER ST.

PO Box 368

CANNON BEACH, OR 97110

MEMORANDUM

RE: Tree Removal Permit

264 E. Van Buren St., Taxlot 51029BC04800

August 7, 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 Brandon Ogilvie on behalf of property owners David Smith and Mariah Cariss. The trees authorized for removal by this permit are:

- Two red alders (*Alnus rubra*) located within the building footprint or area of excavation.

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 trees 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 E-Permitting record for this application may be reviewed here: [164-23-000095-PLNG](#)

The E-Permitting record for the planned residential construction may be reviewed here: [164-23-000131-STR](#)

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

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

Applicant Name: Brandon Ogilvie

Mailing Address: P.O. Box 793 C.B. OR, 97110

Phone: 503-717-2792 Email: magilvie3@gmail.com

Property Owner Name: David Smith/Marissa Weiss

Mailing Address: 508 W. 62nd St. Seattle, WA 98103

Phone: 206-605-0824 Email: _____

Property Location: 264 E. Van Buren Map/Tax Lot Number: _____

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.

Last edited 9/8/2021

City of Cannon Beach
Finance Department

City of Cannon Beach
Finance Department

JUL 21 2023

JUL 21 2023

PAID

Received

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.

Applicant Signature B. D. [Signature] Date: 7/31/23

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

Property Owner Signature: _____ 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:

_____ Approved _____ Denied

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

_____ Approved with comments:

City of Cannon Beach
Finance Department

JUL 21 2023

By: [Signature] Robert St. Clair
Planner Date: August 7, 2023 PAID

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.



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

Site/Address: 264 E. VAN RUREN CANNON BEACH
 Map/Location: _____
 Owner: public _____ private unknown _____ other _____
 Date: 6-13-23 Arborist: BALDEN ISA#: 200736
 Arborist's Signature: [Signature]

HAZARD RATING:

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

TREE CHARACTERISTICS

Tree #: 1, 2 Species: ALNUS RUBRA (RED ALDER)
 DBH: 26" / 14" # of trunks: 1 Height: 40 Spread: _____
 Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown Class: dominant co-dominant intermediate suppressed
 Live crown ratio: _____% 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 Cover: normal chronic 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: NONE OBSERVED

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-site 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: _____ 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
 Occupancy: occasional use intermittent use frequent use constant use

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: Y N Mushroom/conk/bracket present: Y N ID: _____
 Exposed roots: severe moderate low Underscored: severe moderate low
 Root pruned: _____ Root area affected: _____% Buttress wounded: Y N When: _____
 Restricted root area: severe moderate low Potential for root failure: severe moderate low
 LEAN: < 5 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				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hold/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

HAZARD RATING

Tree part most likely to fall: _____
 Inspection period: _____ annual _____ biannual _____ other _____
 Failure Potential + Size of Part + Target Rating = Hazard Rating
 _____ + _____ + _____ = _____

Failure potential: 1-low; 2-medium; 3-high; 4-severe
 Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm);
 3 - 18-30" (45-75 cm); 4 - > 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 shape
 Cable/Brace: _____ Inspect further: root crown decay aerial monitor
 Remove tree: Y N Replace? Y N Move Target: Y N Other: _____
 Effect on adjacent trees: done evaluate
 Notification: owner manager governing agency Date: 6-13-2023

COMMENTS

TREE # 1 LOCATED WITHIN PROPOSED BUILDING-ADDITION
 TREE # 2 LOCATED WITHIN 2' OF EXCAVATION. NOTED
 THAT 70% STRUCTURAL ROOTS WITHIN EXCAVATION,
 ALDER SPECIES DEVELOP DECAY WHEN ROOTS
 ARE IMPACTED. AVB

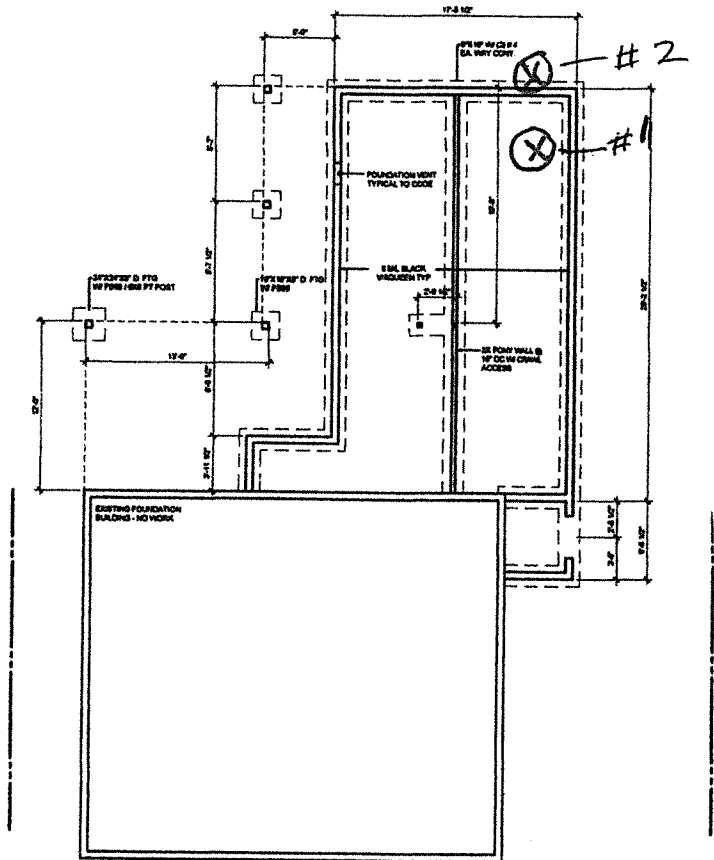
Balden Arboriculture Services
 41500 Anderson Road
 Nehalem, OR 97131
 503-801-3762

TREE LOCATION SITE DIAGRAM

Client: OGILVIE CONSTRUCTION

Date: 6-13-2023

Project: 264 E. VAN BUREN
 ADDITION



LEGEND

Tree # 1, 2
Species ALNUS RUBRA
Size (DBH) (26" #1) (14" #2)
Recommendations PER REPORT

Sketch not to scale

1 FOUNDATION PLAN
 A1.02 1/4" = 1'-0"



**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

June 13, 2023

Brandon Ogilvie
PO Box 793
Cannon Beach, OR 97110

Brandon,

Per your request I have evaluated trees on the residence 264 East Van Buren Street in Cannon Beach. The purpose of this evaluation is to determine construction impact on the trees and/or tree root system.

There is a proposed addition to the existing residence per the design provided by Vito Cerelli. As delineated by you from the building plan, the north side of the addition will clearly impact two Alder trees. (Refer to the attached Tree Location Site Diagram). Tree #1 is a 26" DBH Alder that is within the building envelope. Removal of this tree is necessitated to accommodate the proposed building addition.

Tree #2 is a 14" DBH Alder that is close to the building envelope with 70% of the tree structural roots in the excavation area. Root system disturbance to Alder always results in decay and tree failure. Removal of this tree is recommended.

Submitted by



Joe Balden
Consulting Arborist

Enclosures: Tree Hazard Evaluation Form
Tree Location Site Diagram



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) 436-8053

August 2, 2023

Tree Removal Permit Application Review - 264 E Van Buren

Per your request, I reviewed the Tree Removal Permit application submitted by Brandon Ogilvie. Included in the application is an Arborist report, ISA evaluation form, and site map from Certified Arborist, Joe Balden. I visually inspected the trees and site on July 31st, and recommend the removal request for two trees be approved.

An addition to the residence is planned at 264 E Van Buren. Two red alder (*Alnus rubra*) trees will be impacted by the planned design. The trees are 14" and 26" in diameter. I recommend the trees be given approval for removal based on Permit Criteria A: "*You are constructing a structure...*".

The replanting of 2 trees should be required. Consider smaller growing native trees for this site as space is limited.

Best regards,

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

Jeff Gerhardt

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

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

Two alder trees in backyard @ 264 E Van Buren



Treescaping Northwest
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