

City of Cannon Beach Tree Removal Application

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

Applicant Name: Jeffery Smith

Mailing Address: 2887 S. Hemlock

Phone: 503-580-0780 Email: jsalts@yahoo.com

Property Owner Name: Larry Sellers

Mailing Address: _____

Phone: (503) 701-8790 Email: _____

Property Location: 148 E. Chisana St Map/Tax Lot Number: 51032B01504

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.

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

[Handwritten Signature]

Date:

2/15/23

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

Property Owner Signature

Larry Sellers

Date:

3-10-2023

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: *2/24/23* Fee Paid: \$ *50* Receipt Number: _____ Permit #: _____

Application is:

_____ Approved

_____ Denied

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

City of Cannon Beach Finance Department

City of Cannon Beach Finance Department

_____ Approved with comments:

MAR 10 2023

FEB 24 2023

By: _____

[Handwritten Signature]

Robert St. Clair
Planner

PAID
Larry Sellers

Date:

March 23, 2023

PAID
Jeff Smith
to refund

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.

Emily Bare

From: J. Smith <jlsals@yahoo.com>
Sent: Wednesday, February 15, 2023 12:33 PM
To: Emily Bare
Subject: Re: Tree removal permit
Attachments: Tree Permit.pdf

Apologize for the mobile edits. Attached are pics of the tree itself, and the arborists report.

Please contact me directly if you have any questions.





Arborist Report

Client: Larry Sellers
Site: 148 East Chisana Street, Cannon Beach, Oregon 97145
Taxlot number: S10328C01504

Larry Sellers has two large Sitka spruce near the west property line. New development on the adjacent lot to the west has excavated the roots away from these spruce trees within a few feet. This has undermined the structural integrity of the trees and has made them prone to failure in high winds. Per the City of Cannon Beach, construction should not have been allowed this close to the trees. Or the trees should have been removed as part of build requirements. The City requires a pre-construction arborist report prior to issuing building permits that address trees on adjacent properties and requires tree protection zones and clearance from affected trees. Please see Cannon Beach, Oregon Municipal Code Title 17 ZONING, Chapter 17.44 DESIGN REVIEW PROCEDURES AND CRITERIA

- 5. *Natural features, including trees and structures on adjoining property having a visual or other significant relationship with the site;*
- 6. *Location and species of trees greater than six inches DBH on adjoining property that, in the judgment of the applicant's certified arborist, might be damaged by construction activity on the subject property. Alternatively, in the absence of a report by a certified arborist, all trees on adjoining property within one tree protection zone of the common boundary line, and all trees on adjoining street right-of-way if within one tree protection zone of the subject property.*

It is my professional opinion that based on the size and proximity of the cut roots, the structural integrity of the 2 large Sitka spruce on the west property line are severely structurally compromised.

Austin Wienecke

ISA Board Certified Master Arborist PN-58908
Certified Tree Climber Trainer USFS
ISA Tree Risk Assessment trained
General Manager: Arbor Care Tree Specialists Inc.
503-791-0853 austin@arborcarenw.com



1-6-2023

750 Astor Street • Astoria, OR 97103 • Phone: 503-791-0853
www.arborcarenw.com

Invoice #738

~Jeff

On Feb 15, 2023, at 8:30 AM, Emily Bare <bare@ci.cannon-beach.or.us> wrote:

I have attached the Tree Removal Permit with instructions.

Have a great day!

Emily Bare

Administrative Assistant – Planning Department



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

March 22, 2023

Tree Removal Permit Application Review - 148 E Chisana

Per your request, I reviewed the Tree Removal Permit Application submitted by Jeffery Smith. A photograph was included in the application, along with an Arborist Report from Board Certified Master Arborist, Austin Wienecke. It is my recommendation the removal request for two trees be granted.

Both trees are Sitka spruce (*Picea sitchensis*), and are approximately 28" and 22" in DBH and 90' tall (photograph attached). The trees received significant damage to their anchoring roots when excavation occurred on the adjacent property. The trees now pose a high risk of falling over and I recommend the removal request be granted according to permit Criteria C, "*The tree presents a safety hazard*". This situation was a direct result of negligence to protect these trees and I believe restitution should be pursued by both the City and property owner.

Best regards,

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

Jeff Gerhardt

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

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

2 Sitka spruce trees with Critical Root Zone damage



Treescaping Northwest
P.O. Box 52
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