



# CITY OF CANNON BEACH

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

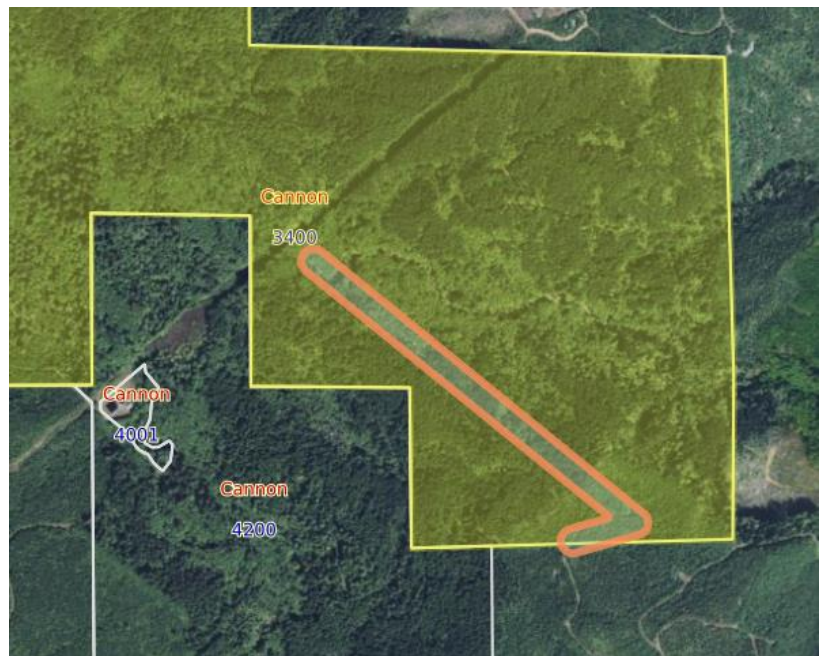
The City of Cannon Beach has made an application for the removal of approximately 35 trees of mixed species (Western hemlock, Sitka spruce, and red alder) on property owned by the City. The affected trees are located along a fire access road within the Ecola Creek Forest Reserve (Map 5100000, Tax Lot 03400).

The request for tree removal is made based on Municipal Code Section 17.70.020 D, "Removal of a tree(s) in order to construct a structure or development." 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: Trevor Mount, PO Box 368, Cannon Beach, OR 97110. Further information regarding this application is available at City Hall, 163 E. Gower Street, Cannon Beach, or by calling, 503-436-8066.

DATE NOTICE MAILED: 8/1/2023

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: P.O. Box 368, Cannon Beach, OR 97110

Phone: (503) 436-8066

Email: mount@ci.cannon-beach.or.us

**Abutting Property Owner Name:** L&C Tree Farms, LLC.

Mailing Address: P.O. Box 2865, Gearhart, OR 97138

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Property Location:** Fire Access Road: ECFR

**Map/Tax Lot Number:** 510000003400

**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.

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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.

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 Trevor Mount Date: 8/1/2023

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

Date Notice Mailed: 8/1/2023 Date of 10-day waiting period: 8/11/2023

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.**



**Treescaples 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

July 27, 2023

### **Arborist Report - Fire Road ECFR**

Per your request, I reviewed the proposed tree removals in the Elk Creek Forest Reserve. Tree removal is warranted for the purpose of making improvements to an existing access road. These upgrades will allow firefighting and other emergency vehicles safer access to the Reserve in case of an emergency. I promote the removal of approximately 35 trees to facilitate this project.

The trees necessitating removal are a mix of Western hemlock, Sitka spruce, and red alder. The removal of these trees will allow for the creation of 3 turnarounds and 2 turn-outs (site map attached). Locations were selected that best fit the lay of the land and had the least impact on mature trees (picture attached).

Improving the access to this part of the Reserve benefits the safety of the community and the continued health of the forest. In good stewardship, replant the Reserve 1 to 1 with Western redcedar saplings.

Best regards,

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

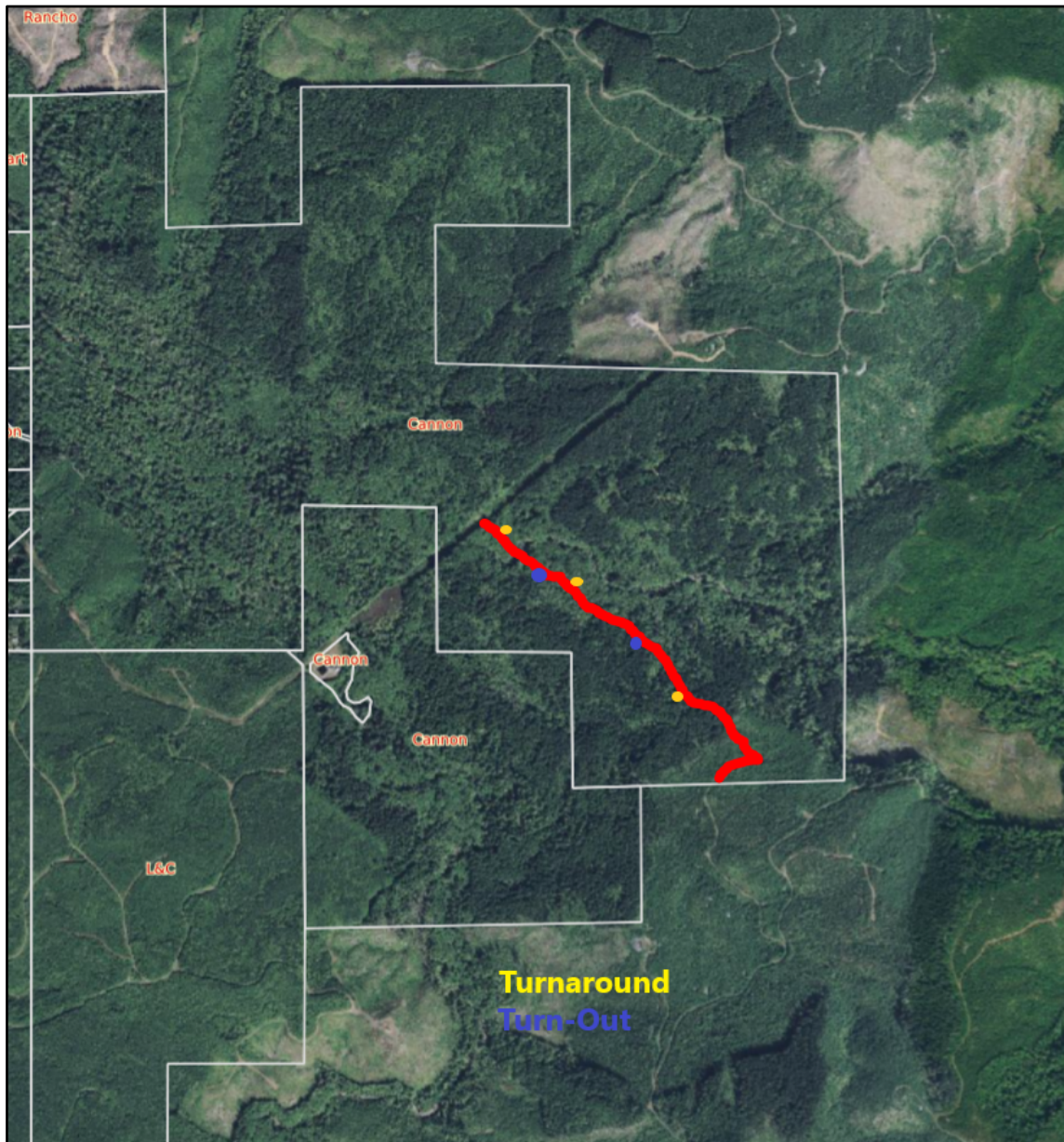
Jeff Gerhardt

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

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



Red line is the location of access road in the Reserve



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Example of location selected for access road improvements







July 31, 2023

City of Cannon Beach  
Trevor Mount, Public Works

**Re: Road improvements in the ECFR to facilitate emergency response**

Following are notes and recommendations from a site visit with relevant personnel to evaluate the condition of one of the permanent access roads into the Ecola Creek Forest Reserve (ECFR).

On 7/20/23, I walked the access road from the Tolovana road system that enters through the gate in the SE portion of the ECFR. Others present were Jason Smith, Division Chief Cannon Beach RFPD, Ryan Kaino and Mark Garrigues, Nuveen Natural Capital, Brian Hixson, Hixson Trucking, and Trevor Mount, City of Cannon Beach Public Works.

Cannon Beach RFPD had been called out to the vicinity for a wildfire the previous week and had difficulty using the existing road to fight the fire. The primary reasons were narrow width in some places, uneven surface, and lack of pull outs and turnarounds. As a result, the fire engine had to back down the road and had difficulty navigating the road safely, which hampered firefighting response.

The assembled team developed a plan to reconstruct the existing grade to install three turnarounds and two pullouts, regrade the road and install crushed rock as needed to remove low spots and level the grade. Slight outslowing will be used instead of ditching and crossdrain culverts for erosion control, although one existing undersized crossdrain culvert will be replaced with an 18" pipe.

The road improvements are necessary for safety for emergency first responders, are consistent with the terms of the conservation easements with the Oregon Watershed Enhancement Board (OWEB), and are consistent with the recently updated Stewardship Plan for the ECFR.

Sincerely,

Barry Sims  
Forester

**Portland Office**  
1800 NW Upshur St.  
Suite 201  
Portland, OR 97209  
Tel. 503-222-9722  
Fax: 503-517-9990

**Corvallis Office**  
260 SW Madison Ave  
Suite 117  
Corvallis, OR 97333  
Tel. 541-435-0383  
Fax: 503-517-9990

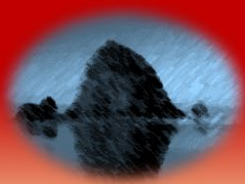




# Cannon Beach

## Rural Fire Protection District

188 SUNSET BLVD · PO BOX 24 · CANNON BEACH OR 97110  
(503) 436-2949 · EMERGENCY DIAL 9-1-1



July 31, 2023

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

Trevor,

I have reviewed the arborist report and the map you provided of the plan for improvement of the road into the ECFR. I completely agree with this plan and fully support it. Improving emergency access into the ECFR is vital to the prevention of a catastrophic event. I also want to point out this is just the beginning of the work that needs to be completed in the ECFR to facilitate emergency access.

Sincerely,

Marc Reckmann, Chief