



MEMORANDUM

**RE: Tree Removal Permit
588 N. Elm St.**

May 15, 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 Karen Weiss, owner of 588 N. Elm St. The trees authorized for removal by this permit are a western hemlock, a holly, and a Port Orford cedar that was determined to be dead.

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 tree 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 Oregon E-Permitting record for this file can be found here:

https://aca-oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=23CAP&capID2=00000&capID3=0003Q&agencyCode=CANNON_BEACH

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

APR 11 2023

Received

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

Applicant Name: KAREN WEISS

Mailing Address: P.O. Box 727 Cannon Beach, OR, 97110

Phone: 503-803-7551 Email: PURAVIDA@217@gmail.com

Property Owner Name: KAREN WEISS

Mailing Address: * SAME

Phone: * SAME Email: * SAME

Property Location: Lot 10 Block 7 N/Amblers ledge 588 N Elm St. Map/Tax Lot Number: 10085/1020 CB/00502

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.

City of Cannon Beach
Finance Department

APR 11 2023

PAID

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 [Signature] Date: 4-11-23

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

Property Owner Signature: [Signature] Date: 4-11-23

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

By: [Signature] Robert St. Clair
Planner Date: May 15, 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.

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:

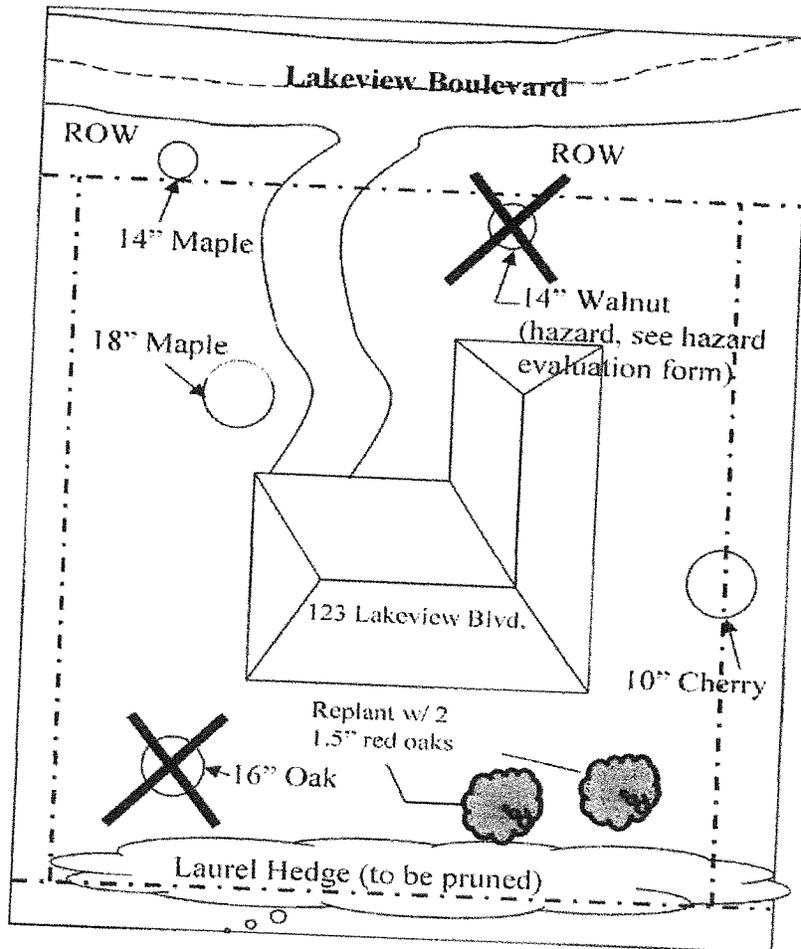
- * Site plan also w/ Robert S.*
- 1) Contact a certified arborist *DONE Joe Balden / report w/ Robert S.*
 - 2) If the certified arborist determines that no trees will be affected by the proposed construction, then the certified arborist should write a letter stating these findings.
NOTE: The City reserves 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. Tree replacements shall be in accordance with Cannon Beach Municipal Code 17.70.040 Tree replacement policy.

1. When a replacement tree is required, at least **one tree from the native tree list** will have to be replanted. The following trees are considered native: Sitka spruce; Western hemlock; Douglas fir; Western red cedar; Red alder; Mountain ash; Big leaf maple; Vine maple.
2. The replacement trees shall be planted so that they **do not create future problems** in terms of solar access, view protection, building maintenance, or the survivability of other trees. Trees should generally **not be planted within five feet of the property line** and should not cause future issues with existing utilities, e.g., water line, sewer lateral, gas main-power.
3. The replacement trees shall be **at least six feet in height** at the time of planting.

ATTACHMENT B SITE PLAN EXAMPLE FOR A TREE REMOVAL APPLICATION

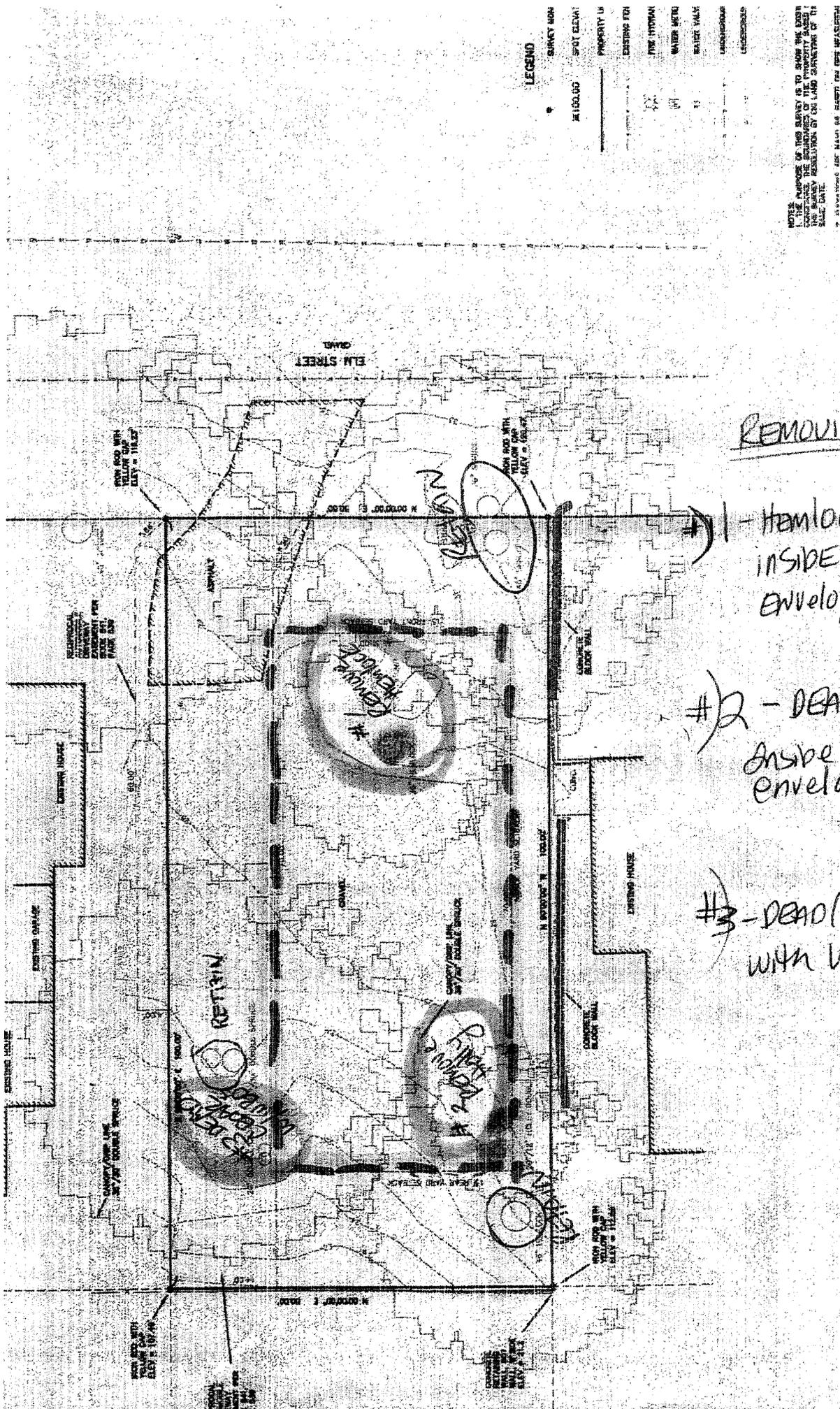
A site plan is required as part of your tree removal request. The site plan should be on an 8.5" x 11" size paper, or larger and include the following information.



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.

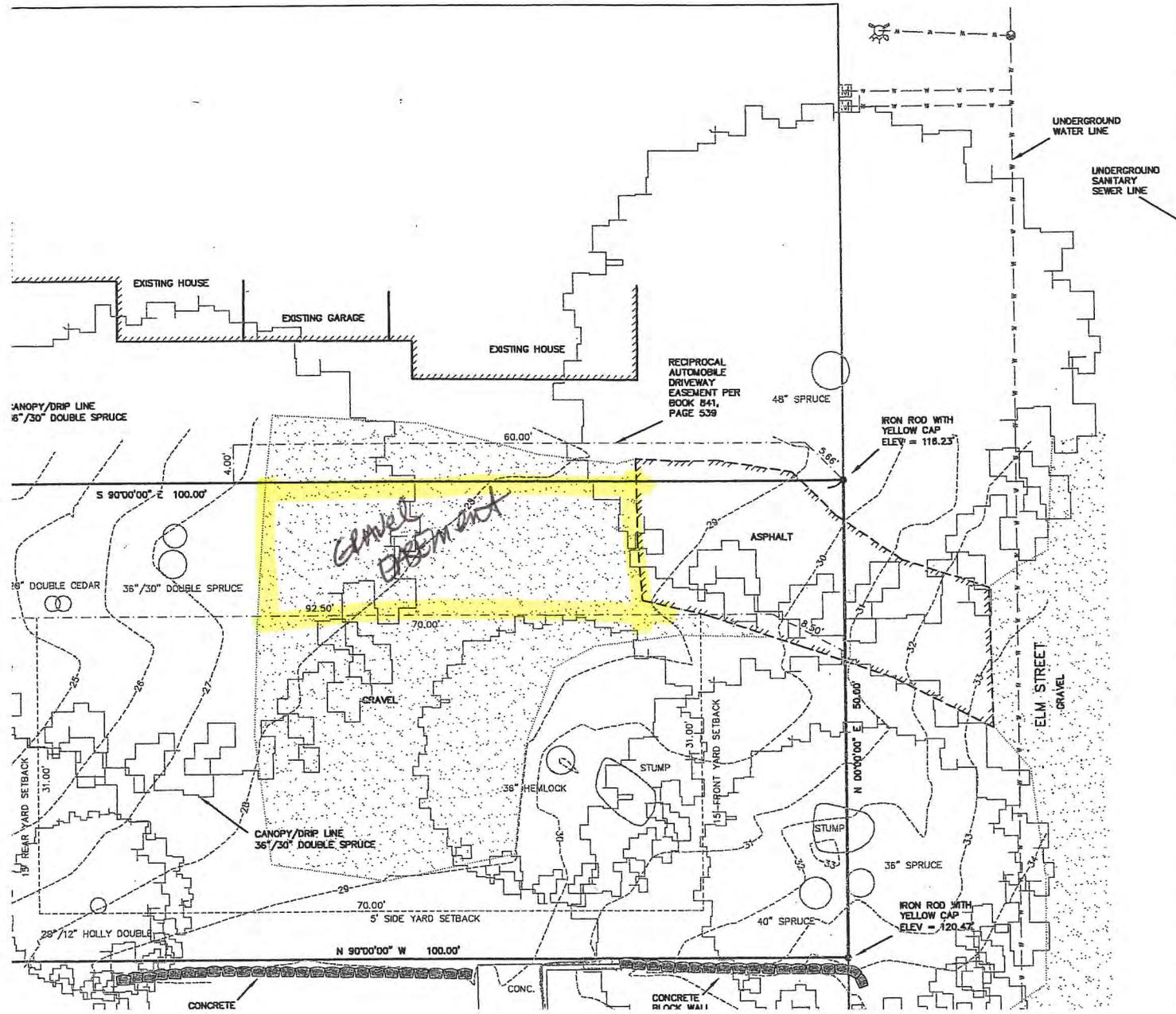


REMOVING

#1 - Hemlock
inside Build
envelope

#2 - DEAD Holly
inside Build
envelope

#3 - DEAD Cedar
with WBO's



LEGEND
 ● SURVEY MONUMENT
 X100.00 SPOT ELEVATION

TOPOGRAPHIC SURVEY
 FOR
KAREN WEISS
 NORTH ELM STREET, CANNON BEACH, OR

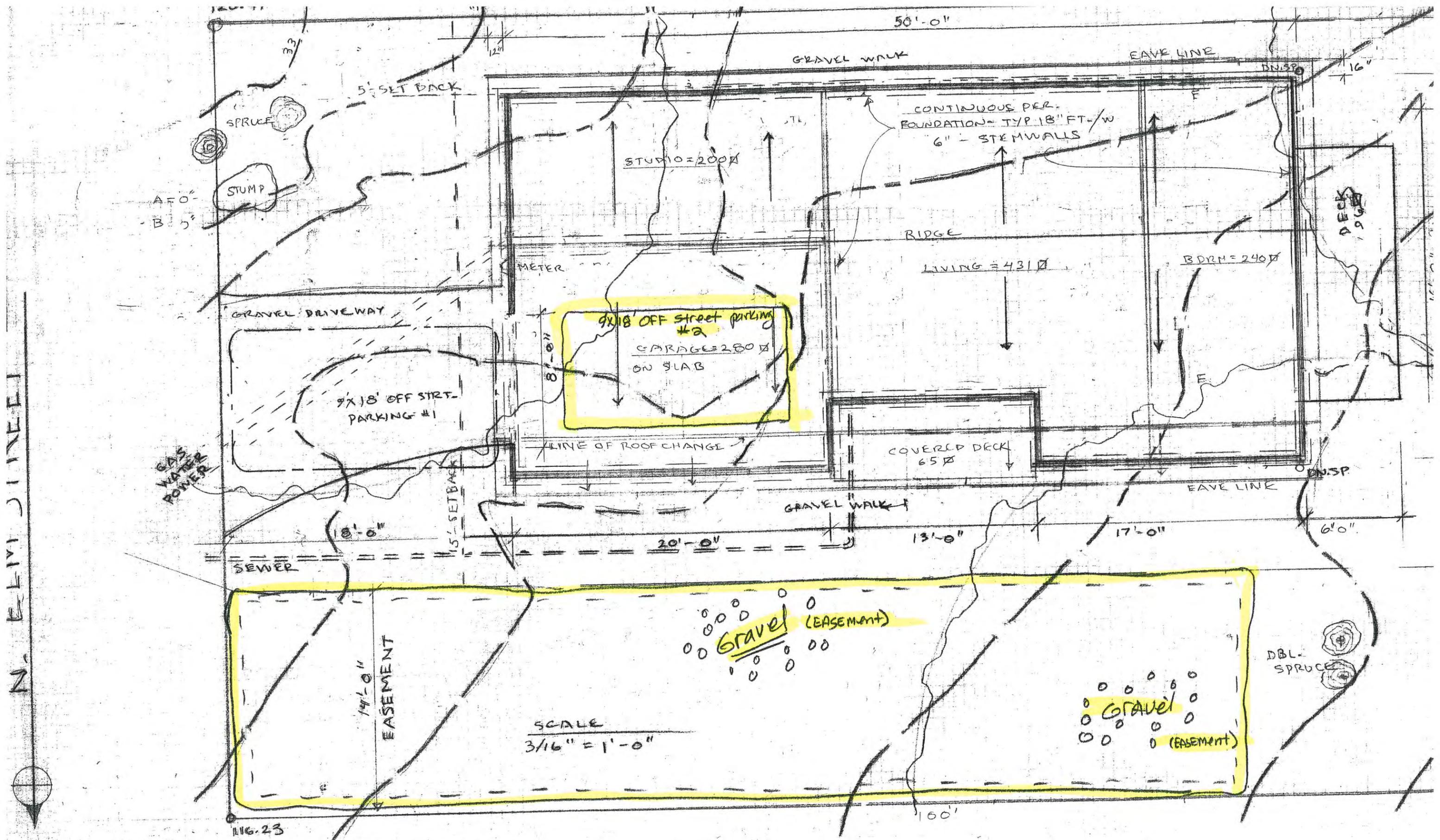
REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 JIM S. GROTTER
 SCOTT 2829
 RENEWS 12/31/23

SCALE	VERT. N/A	DATE	LOCATION
HORIZ: 1" = 8'		OCTOBER 25, 2022	CANNON BEACH, OR
			SECTION TWP. RANGE TL
			2008 5N 10W 502

DATE	NO.	REVISION	BY
11/2/22	1	UPDATE TREE SYMBOLS AND UTILITIES	SSC

DESIGNED:	N/A	SSC	1
DRAWN:	SSC	SSC	1
CHECKED:	SSC	SSC	1

STORAGE AVE
 BOX 2699
 3T OR 97138
 5738 4320
 3738 7894



SITE PLAN, WEST AND NORTH ELEVATIONS
 FLOOR PLAN, ROOF FRAME, DETAILS
 FOUNDATION PLAN, FLOOR FRAME, DETAILS
 SOUTH AND EAST ELEVATIONS

APR 11 2023

Received

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

November 10, 2022

Karen Weiss
aeweiss@me.com

Re: North Elm Street property
Cannon Beach, Oregon

Per your request I have evaluated the trees on your lot per CKI topo map dated 10/25/2022. There are two trees within the building envelope that will need to be removed.

Tree #1. 30" DBH hemlock located east of center.

Tree #2. 20"/12" Double stem Holly located near SW corner of building.

Trees to be retained:

Double stem spruce 30" X 40" located at the SE corner of the lot. Note that the property line lies between the two stems.

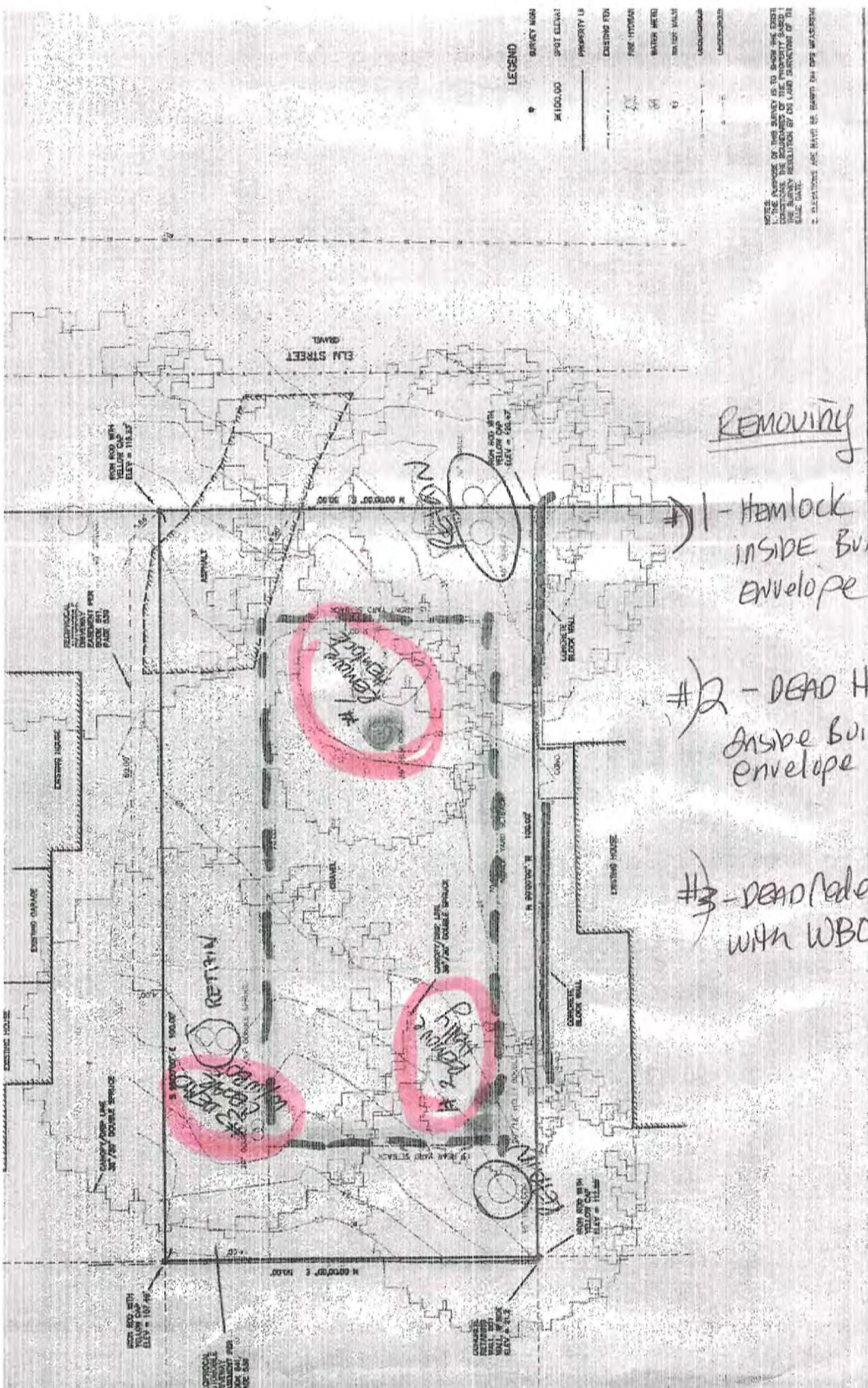
Double stem spruce 36" X 30" on the north side of the property. Pruning for roof clearance may be necessary.

There is one double stem cedar on the north side of the property that is dead and recommended for removal.

Note: Due to the close proximity of tree #3 to the house footprint, post and beam construction is recommended in this area to minimize root system impact.

Submitted by

Joe Balden
Enclosures: CKI survey, Site plan.



LEGEND

- SURVEY MARK
- SPOT ELEVATION
- ▭ PROPERTY LINE
- EXISTING FENCE
- FENCE (WOODEN)
- WATER METE
- WATER VALVE
- LANDSCAPING
- LANDSCAPING

NOTES:
 1. THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING CONDITIONS, THE BOUNDARIES OF THE PROPERTY SAID TO BE OWNED BY THE CLIENT, AND THE LOCATION OF THE SURVEY MARKS.
 2. DIMENSIONS ARE GIVEN IN FEET AND INCHES.

REMOVING

- #1 - Hemlock inside Build envelope
- #2 - DEAD Holly inside Build envelope
- #3 - DEAD Madia with WBO's

REMAIN

ELM STREET

EXISTING HOUSE

CONCRETE BLOCK WALL

EXISTING DRIVE

SPOT ELEVATION
 115.37

SPOT ELEVATION
 105.47

SPOT ELEVATION
 107.46

SPOT ELEVATION
 111.57

EXISTING DRIVE
 30' WIDE DOUBLE DRIVE

CONCRETE BLOCK WALL
 6' HIGH

9' WIDE DRIVE

CONCRETE BLOCK WALL
 6' HIGH



Karen Weiss <puravida0217@gmail.com>

Fwd: Joe balden/arborist tree report & site plan for - Weiss/ Elm St project

1 message

 puravida0217@gmail.com <puravida0217@gmail.com>

Thu, Apr 6, 2023 at 1:03 PM

To: stclair@ci.cannon-beach.or.us

Cc: Clay Sellars <cdsconstruction@live.com>

Robert, here is a resend of the arborist report from Joe balden.

Please let me know when it's prudent for me to apply for the actual "tree cutting" permits. Would I be able to just "apply" so that they are "waiting on approval" once the city approves the plans? I've never done any of this before so I want to be sure I'm sensible about the steps.

Blessings, Karen

From: Joe Balden <joebalden70@gmail.com>

Date: November 29, 2022 at 10:22:42 AM PST

To: puravida0217@gmail.com

Subject: Fwd: Weiss/ Elm St project

Karen, here is a copy of the site plan sent to St Clair on 11/18/22, If they cannot find it then maybe you will have to hand deliver a copy.

Copies of the evaluation and site plan from 11/10/22 attached. Take copies to city.

Tree pruning does not require a permit. Pruning would be determined after the building height is established.

----- Forwarded message -----

From: Joe Balden <joebalden70@gmail.com>

Date: Fri, Nov 18, 2022 at 1:22 PM

Subject: Weiss/ Elm St project

To: Robert St. Clair <stclair@ci.cannon-beach.or.us>

Robert,

Attached is a copy of the CKI topo with the building footprint highlighted in dashed line.

JB

2 attachments

Weiss.pdf
2190K

Weiss eval 11:22.docx
14K

*Permit
503-436-8011*



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

May 14, 2023

Tree Removal Permit Application Review - 588 N Elm

Per your request, I reviewed the Tree Removal Permit Application submitted by Karen Weiss. An Arborist Report was included in the application from Certified Arborist Joe Balden. I visually inspected the trees and site on May 13th. It is my recommendation the removal request for 3 trees be approved.

All 3 trees (photo attached) have been flagged with ribbon and can be referenced with the site map included in the application. Two trees have been requested be removed to allow for new residence construction: a Western hemlock (*Tsuga heterophylla*), 30" DBH and 50' tall, and a double stemmed holly (*Alex sp.*), 20" DBH and 30' tall. Both of these trees will need to be removed to allow access for building construction. A third tree has been requested be removed that is dead: a Port Orford cedar (*Chamaecyparis lawsoniana*), 30" DBH and 50' tall. I recommend the removal request for this tree be granted according to permit Criteria E, "The tree is dead."

Before groundbreaking, I recommend a Tree Protection Zone fence be established to protect the 2 Sitka spruce (*Picea sitchensis*) trees located in close proximity to the build site.

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

588 N Elm



Hemlock, double-stemmed holly, and dead cedar