



# CITY OF CANNON BEACH

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

Austin Wienecke, BCMA, on behalf of the owner Paul White, has made an application for the removal of one (1) spruce tree on property owned by the City. The affected tree is located within the City Right-of-Way (ROW) adjacent to 143 E Tanana, tax lot number 51032BC00600.

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 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). 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: Jennifer Barrett, 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) 436-8052.

DATE NOTICE MAILED: 01/02/24

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**

*emailed Geoff  
that we need  
payment  
to process  
11/30/23*

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

**Applicant Name:** Austin Wienecke, BCMA PN-5980B

**Mailing Address:** 760 Astor St., Astoria 97103

**Phone:** 503-791-0853 **Email:** austin@arborcarenw.com

**Abutting Property Owner Name:** Paul White

**Mailing Address:** PO Box 726, Cannon Beach, OR 97110

**Phone:** (503) 781-7566 **Email:** pw412110@gmail.com

**Property Location:** 143 E Tanana Ave **Map/Tax Lot Number:** 5103?BC00600

**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.

City of Cannon Beach  
Finance Department

DEC - 6 2023

PAID

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.

This request for removal is under criteria A, for the building of a structure. The spruce tree is growing out of nurse stump on the NW corner of the lot. As seen in the site plan, a driveway is intended to cross through a significant portion of the root system. Enough of the root system will be compromised to render the tree unstable post construction.

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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 *Christina Dinecke* Date: 11-27-2023

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.

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

Date Notice Mailed: \_\_\_\_\_ Date of 10-day waiting period: \_\_\_\_\_

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:

City of Cannon Beach  
Finance Department  
DEC - 6 2023  
PAID

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.



White CB street tree removal application addendum

Site map showing location of spruce tree to be removed circled in

