

City of Cannon Beach Right-of-Way Tree Removal Application

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

Applicant Name: _____
Mailing Address: _____ Phone: _____
Abutting Property Owner Name: _____
Mailing Address: _____ Phone: _____
Property Location _____ Map/Tax Lot Number: _____

Municipal Code Section 17.70.030.H, Additional Requirements, states that for tree removal requests located in a street right-of-way, property owners within 100 feet of the tree(s) requested for removal shall be notified of the proposed action. In making its decision on a tree removal request, the City shall consider property owner comments received within ten days of the date of the property owner's notification. Property owners who have commented on the tree removal request shall be notified of the City's decision and may appeal that decision in accordance with Section 17.88.140.A.

Chapter 17.70 of the Municipal Code provides that trees may be removed only where one of the following criteria is met:

- A. The necessity to remove a tree which poses a safety hazard. The applicant must demonstrate that the condition or location of the tree presents a foreseeable danger to either public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by pruning or treatment of the tree.
- B. The necessity to remove a tree damaged by storm, fire or other injury and which cannot be saved by pruning.
- C. The necessity to remove a dying tree. A "dying tree" means that the tree is diseased, infested with insects or rotting and cannot be saved by reasonable treatment or pruning, or must be removed to prevent spread of the infestation of disease to other trees.
- D. The necessity to remove 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.
- E. The necessity to remove a tree where required to provide solar access to a solar energy system where pruning will not provide adequate solar access to permit effective operations of the solar energy system. For the purposes of this subsection "solar energy system" means either: (i) a device employed in the collection of solar radiation for the purpose of heating or cooling a building, the heating of water, or the generation of electricity; or (ii) the south facing windows of a dwelling where such windows constitute fifty percent or more of the building's total window area; or (iii) the roof of a dwelling which has been designed for the collection of solar energy for space heating purposes.
 - 1. The city may require documentation that a device qualifies for an Oregon Department of Energy solar tax credit, or other incentive for the installation of solar devices offered by a utility.
 - 2. No tree measuring more than 24 inches in diameter shall be removed for the purpose of solar access.
- F. The necessity to remove a tree for the health and vigor of the surrounding trees.
- G. The tree is to be removed for landscape purposes subject to the following conditions:
 - 1. The tree(s) to be removed under this criterion cannot exceed 10 inches in diameter.
 - 2. A landscape plan for the area affected by the tree removal is approved by the City.
 - 3. The landscape plan incorporates a replacement tree(s) for trees removed. The replacement trees shall be at least six feet in height or have a two-inch caliper.
 - 4. The City shall review the property one year after the approval of the tree removal permit. The purpose of the review is to ensure that the approved landscape plan has been implemented.

If trees are being requested for removal based on criteria A, B, C a Tree Hazard Evaluation form must be completed by an Oregon Certified Arborist and returned to the City as part of

application. An ISA Tree Hazard Evaluation Form is not required where a tree removal permit proposes the removal of a dead tree, or where a tree removal permit is proposed pursuant to criterion F.

Where an applicant identifies the necessity to remove a tree pursuant to criterion F, an Oregon Certified Arborist shall provide a report certifying the need to remove the tree for the health and vigor of surrounding trees.

Attach a drawing showing the location and type of all trees on the property, including the trees to be removed. Indicate location of replacement trees by type. Attach a landscape plan if required.

Justification of the tree removal request. Explain how the request meets one or more of the applicable criteria for granting the tree removal request. Include the number and type of tree(s) requested for removal.

If appropriate, explain why pruning would not accomplish the same goal as tree removal.

List type(s) of tree(s) to be replanted to compensate for the tree removal. Include location on site plan.

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 _____ Date: _____

Property Owner Signature: _____ Date: _____

Date: _____ Fee paid: \$ _____ Receipt Number: _____ By: _____ TC# _____

Date Notice mailed: _____ Date of 10-day waiting period: _____ Comments: Yes; No

Application is: Approved; Approved as noted; Denied;

By: _____ Date: _____

Comments:

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.

