



CITY OF CANNON BEACH

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

Red Crow, LLC. has made an application for the removal of two (2) red alder trees on property owned by the City. The affected trees are located within the Ash St. Right-of-Way (ROW) between 7th and 8th Streets, adjacent south to 756 Ash St. at tax lot number 51019AA03900.

The request for tree removal is made based on Municipal Code Section 17.70.020 A, "Removal of a tree which poses a safety hazard." 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: Tessa Schutt, 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) 436-8048.

DATE NOTICE MAILED: 12/09/22

cc: Mayor Sam Steidel
Councilor Mike Benefield
Councilor Nancy McCarthy
Councilor Brandon Ogilvie
Councilor Robin Risley



**City of Cannon Beach Right-of-Way/Property Owned by the City
Tree Removal Application**

City of Cannon Beach
Finance Department

DEC - 9 2022

Received

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

Applicant Name: Red Crow, LLC

Mailing Address: PO Box 825, Cannon Beach, OR 97110

Phone: 503-849-0258

Email: jamie@redcrowgc.com

Abutting Property Owner Name: Carol Garrett

Mailing Address: 1005 Madison St #304, Evanston, IL 60202

Phone: unknown

Email: unknown

Property Location: Adjacent south to 756 Ash Street **Map/Tax Lot Number:** 51019AA03900

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  Date: 12.9.2022

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 #: City of Cannon Beach
Finance Department

Date Notice Mailed: _____ Date of 10-day waiting period: DEC 9 2022

Comments Received: Yes ☐ No ☐ Application is: ☐ Approved ☐ Denied ^{PAID}

☐ 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.

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

December 8, 2022

Jamie Lerma
Red Crow LLC
PO Box 825
Cannon Beach, OR 97110
jamie@redcrowgc.com

Dear Mr. Lerma,

Per your request I have evaluated two red alder trees (*Alnus Rubra*) located within the Ash Street right of way between 7th and 8th Streets on the north side of Cannon Beach (site diagram enclosed).

Observed: Tree #1. 8" DBH, 20 height. Lean 30 degrees east.

Tree #2. 16" DBH, 20' height. Lean 30 degrees east.

Utility power pole between both trees that is slated for removal and replaced with underground power line to access new construction (no address. Client is Jackie Bennett.)

Construction trench will damage root structure to both trees, failure likely due to excessive lean angle. Further, roadway improvements to 7th Street for access to residence will necessitate removal of the trees.

Submitted by

Joe Balden

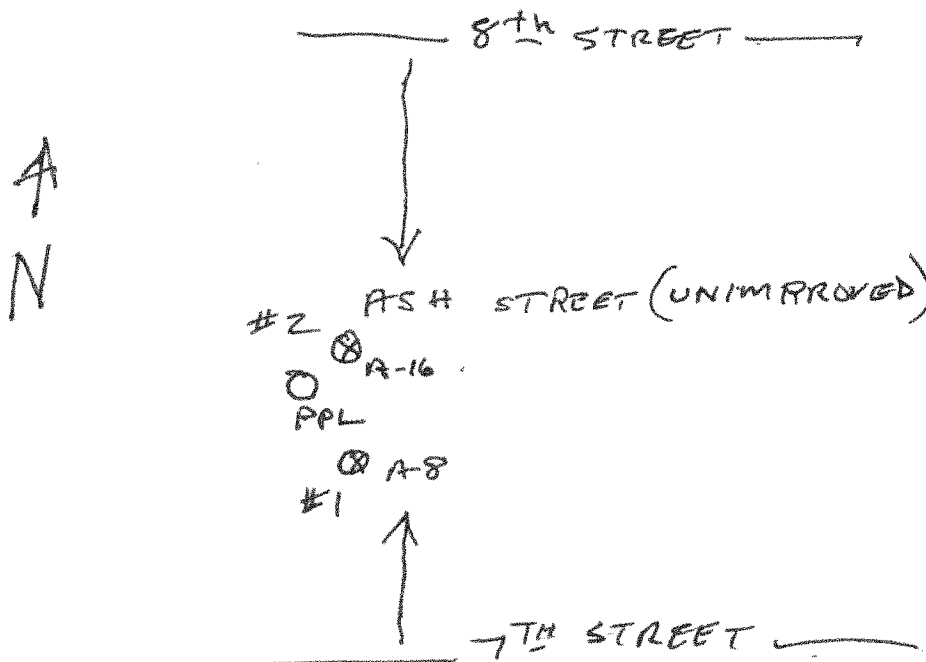
Balden Arboriculture Services
41500 Anderson Road
Nehalem, OR 97131
503-801-3762

TREE LOCATION SITE DIAGRAM

Client: LERMA / REDCROW LLC

Date: 12-8-2022

Project: BENNET RESIDENCE



LEGEND

Tree # 1, 2

Species ALDER

Size (DBH) 8, 16

Recommendations REMOVE PER REPORT

Sketch not to scale



48

154

EXISTING GRADING CONTOUR
TREE AS NOTED
SPOT ELEVATION
CATCH BASIN
POWER POLE & GUY ANCHOR
SIGN
OVERHEAD UTILITY LINE
PROPERTY LINE
UNDERGROUND WATER LINE

Alder trees
TO BE REMOVED
X
X
PPL Pole

THE

100

1. *Myrica* sp.

Benne

5174.77

Abstract

Abstract

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✱

NO. 60

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1000

1. *Phragmites australis* (Cav.) Trin. ex Steud.

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CSI

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Abstract

JACQUELINE BENNETT
ASH STREET, CANNON BEACH, I.

SCALE	VERT: N/A			REGISTERED		DATE	NO.	REVISION	BY
	HORIZ: 1" = 10'			PROFESSOR/CHARTERED LAND SURVEYOR					
DATE:	MAY 26, 2018								
LOCATION									
CANNON BEACH, OR									
SECTION	TWP.	RANGE	TL	OREGON 1 JULY 1997 SCOTT S. COATES		DESIGNED:	N/A	1 SHEET	
19AA	5N	10W	5602 5603	RENEWS 12/31/19		DRAWN:	SSC		
						CHECKED:	SSC		



95 S. COTTAGE AVE
PO BOX 2699
GEARHART, OR 97138
PH: 503 738 4320
FAX: 503 738 7854

DRAWING NAME: 18-040 DATE OF PLOT: 5/28/18