



CANNON BEACH COMMUNITY DEVELOPMENT

163 E. GOWER ST.

PO Box 368

CANNON BEACH, OR 97110

MEMORANDUM

RE: Tree Removal Permit

188 Hills Ln., Taxlot 51030DA07900

June 9, 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 Edward Johnson, owner of 188 Hills Ln. The trees authorized for removal by this permit are:

- One double trunk Sitka Spruce (Tree A);
- One 38-inch DBH Sitka Spruce which is within the build area (Tree E);
- One Sitka Spruce that has been identified as potentially hazardous due to decay (Tree F).

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.

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,

A handwritten signature in black ink, appearing to read 'Robert St. Clair', with a stylized, flowing script.

Robert St. Clair
Planner

City of Cannon Beach Tree Removal Application

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

Applicant Name: Austin Wienecke: Arbor Care Tree Specialists Inc.

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

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

Property Owner Name: Edward Johnson

Mailing Address: 5203 E 16th Ave., Spokane Valley, WA 99212

Phone: 503.436.0519 **Email:** edwardjohnson07@icloud.com

Property Location: 188 Hills Lane **Map/Tax Lot Number:** 51030DA07900

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.

Removing 6 trees because of construction under criteria A.

City of Cannon Beach
Finance Department

APR 13 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  Date: 4-7-2023

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

Property Owner Signature:  Date: _____

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:

City of Cannon Beach
Finance Department

APR 13 2023

PAID

By:  Robert St. Clair
Planner Date: June 9, 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.



Cannon Beach pre-construction arborist report

Client: Edward Johnson
Site: 188 Hills Ln., Cannon Beach
Tax/map: 51030DA07900
Contact: edwardjohnson07@icloud.com
Architect: Tolovana Architects jay@tolovanaarchitects.com
Date: 4-7-2023

The project is to build a single-story home on the currently vacant lot. In order to accommodate the foundation and driveway, 6 Sitka spruce will need to be removed. Of these 6, 2 are structurally compromised to the extent that they are currently standing hazards. The large double trunk Sitka spruce (A) to the east has included bark and the west trunk, 40 inches and 100-feet tall, is fracturing vertically due to the internal decay at the base. There is a collection of three Sitka spruce (B,C,D) to the west that are 100-feet tall and 40,18, and 22 inches DBH that are growing on a nurse log and will be structurally compromised by the installation of the foundation as seen by the proximity of the survey stakes onsite. An individually growing Sitka spruce (E) to the west is 100-feet tall with 38-inches DBH that show extensive signs of pre Red Ring Rot and will be structurally compromised by the foundation. The Sitka spruce (F) to the south has been formally pruned by the utility company and the decay extending down from their cut is now comprising the overall structural integrity of the whole 65-feet tall tree that is within the footprint of the driveway.

There are trees on the property to the east (a Western hemlock and Sitka spruce) and the property to the west (a Sitka spruce) which will need to be protected during construction. A tree protection zone barrier should be constructed adjacent to these trees along the client's set back lines to prevent negatively impacting their root system.

Austin Wienecke

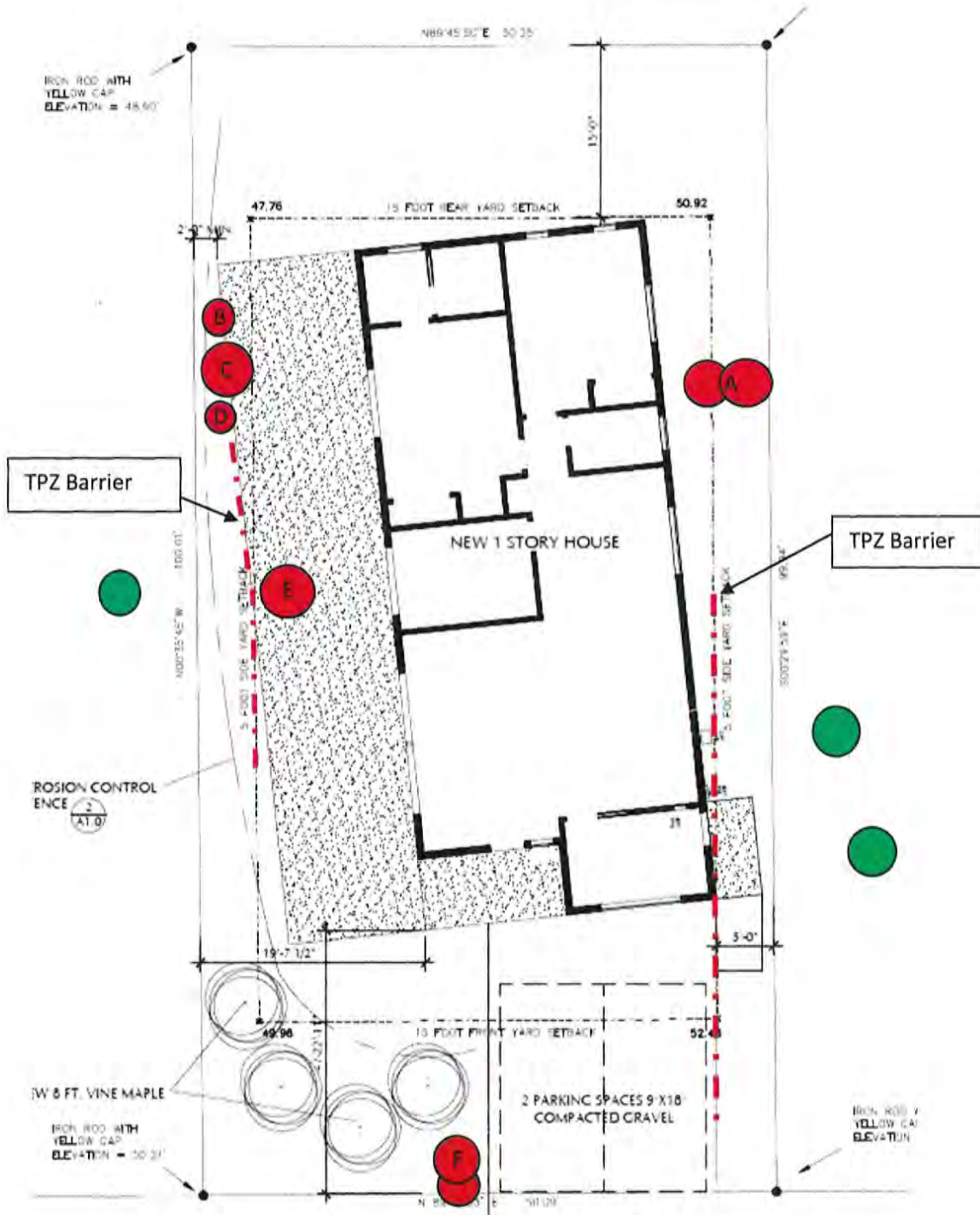
ISA Board Certified Master Arborist PN-5890B
Certified Tree Climber Trainer USFS
ISA Tree Risk Assessment trained
General Manager: Arbor Care Tree Specialists Inc.
503-791-0853 austin@arborcarenw.com



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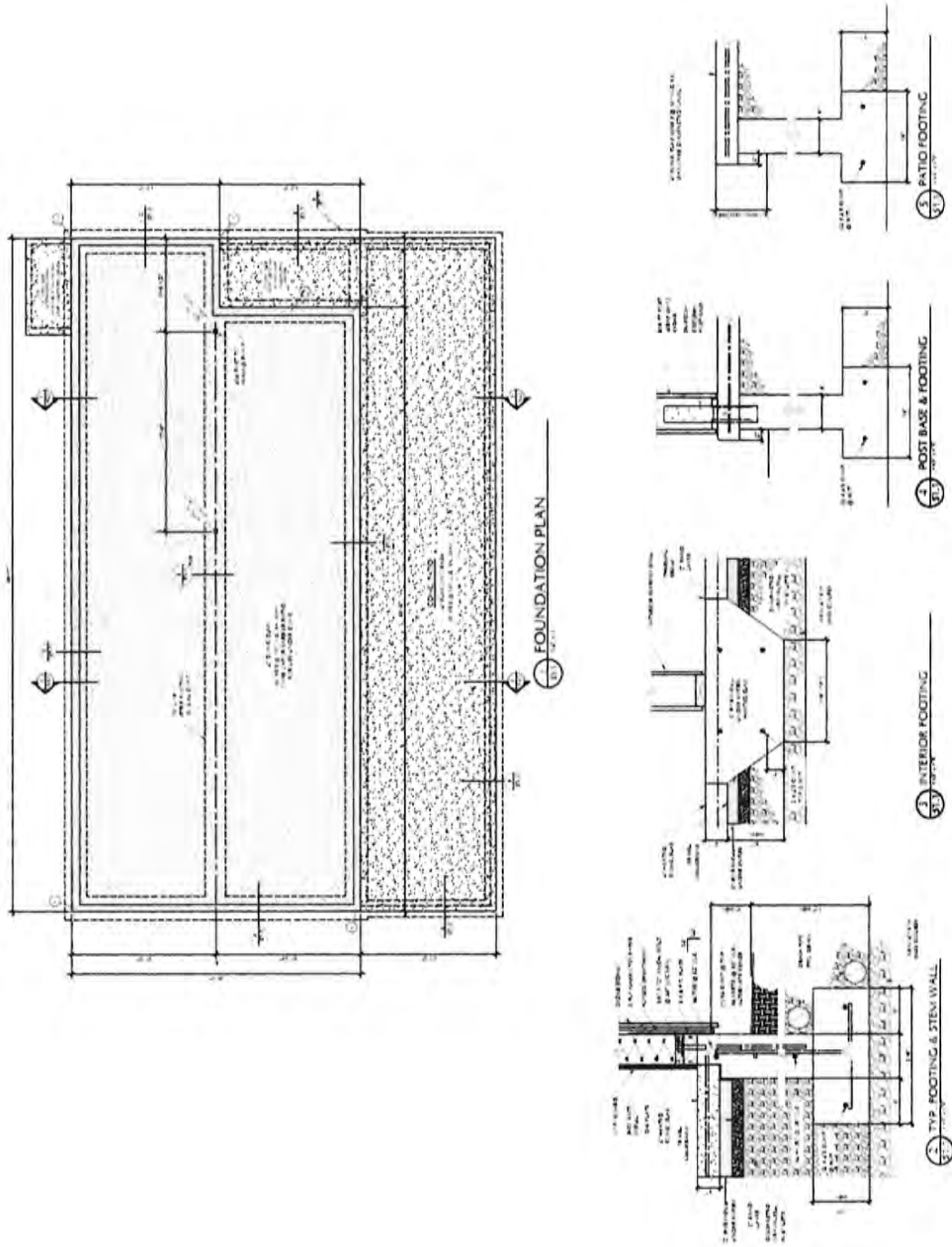


Map



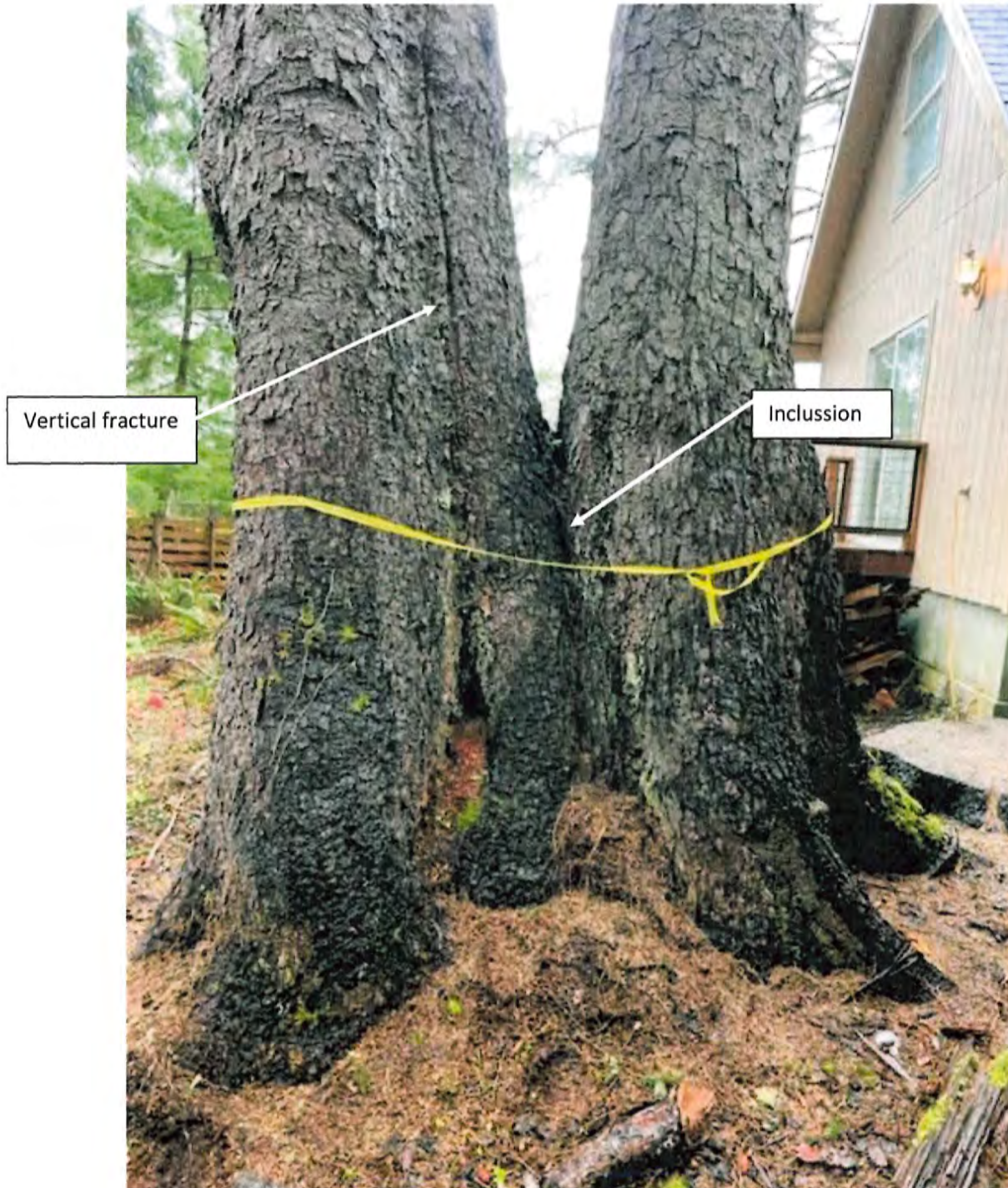


Foundation plan: note extended concrete patio





Tree A with inclusion and vertical crack from internal decay





Trees B,C,D and E





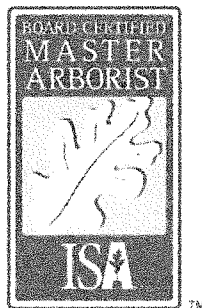
Addendum: Cannon Beach pre-construction arborist report

Client: Edward Johnson
Site: 188 Hills Ln., Cannon Beach
Tax/map: 51030DA07900
Contact: edwardjohnson07@icloud.com
Architect: Tolovana Architects jay@tolovanaarchitects.com
Date: 6-5-2023

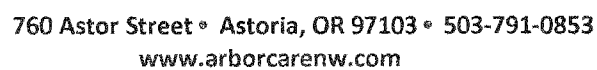
This is an addendum to the initial pre-construction arborist report sent to the City of Cannon Beach as well as a response to the request from the city's independent arborist Jeff Gerhardt to try to preserve trees B, C and D as reference in the initial arborist report. Jay Orloff of Tolovana Architects has taken the initiative to redesign the former cement patio on the west side of the house and replace it with a post and pier supported deck (see attached new floor plan). This will increase the rooting area available for the three trees B, C and D by 10 feet which is not ample room but will be sufficient to retain the trees. The trees will be more susceptible to east wind events given root loss from construction. Trees A, E and F will still need to be removed for the reasons stated in the initial pre-construction report (see attached).

I recommend that the structure be built in two phases. The first phase being the house, and the second phase being the deck. This will allow a tree protection zone (TPZ) barrier to be in place during the construction of the house to prevent equipment and personnel from damaging the roots of the trees that are meant to be preserved. In the second phase, the TPZ barrier can be taken down and either straw or wood chip put down in the TPZ prior to pier footings being dug and poured and the deck constructed. This reduces the overall compaction of the TPZ. See the attached new floor plan for where the TPZ barrier should be placed during phase one. Phase one does not need to include interior finish work or the like prior to deck construction. Phase one is foundation, framing, roofing and siding (unless in order to be less disruptive to the TPZ, siding on the west side should be after deck construction).

Austin Wienecke
ISA Board Certified Master Arborist PN-5890B
Certified Tree Climber Trainer USFS
ISA Tree Risk Assessment trained
General Manager: Arbor Care Tree Specialists Inc.
503-791-0853 austin@arborcarenw.com



A handwritten signature in black ink that reads "Austin Wienecke". The signature is fluid and cursive, with the first name "Austin" and last name "Wienecke" clearly distinguishable.





Copy of initial CB pre-construction arborist report

Cannon Beach pre-construction arborist report

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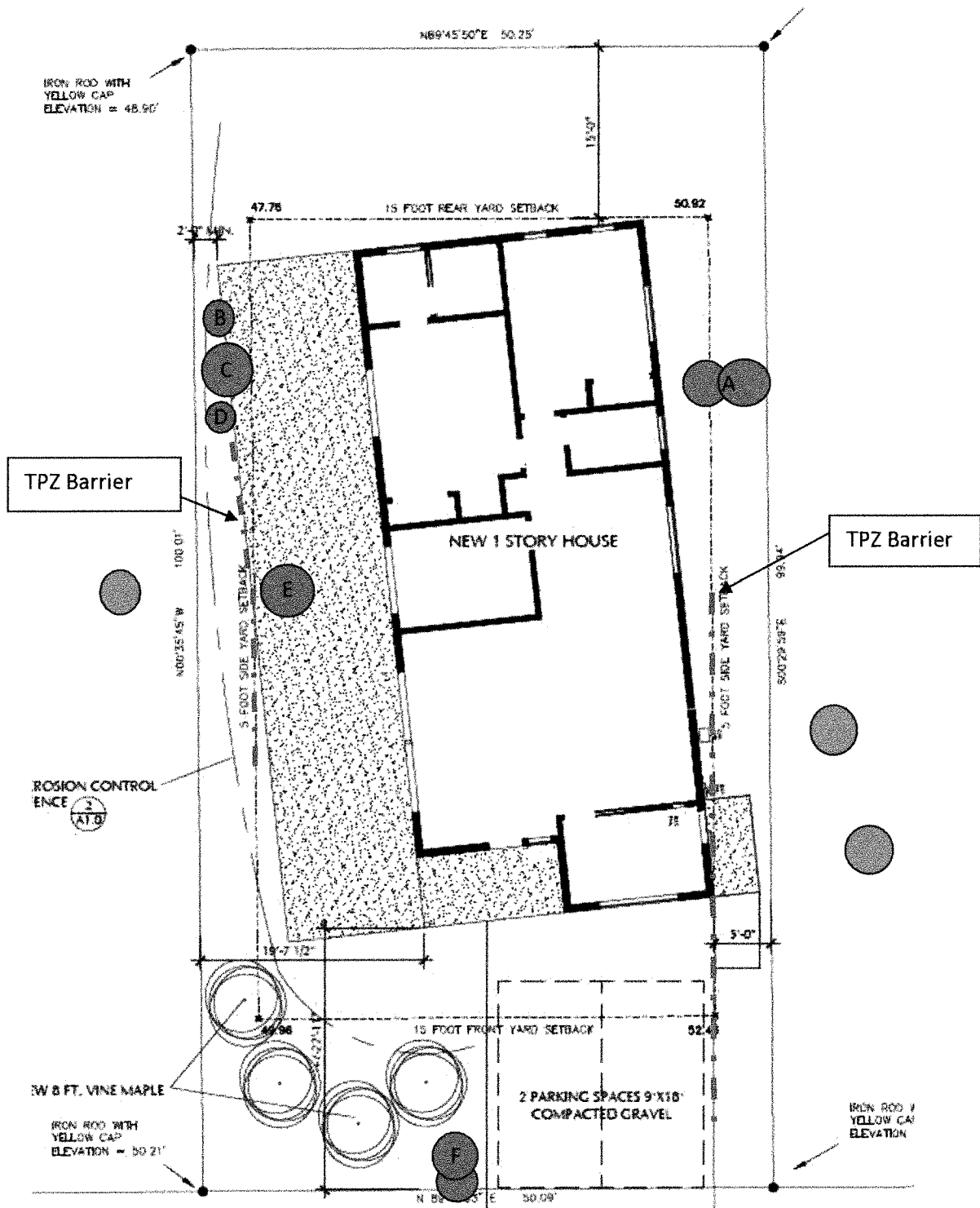
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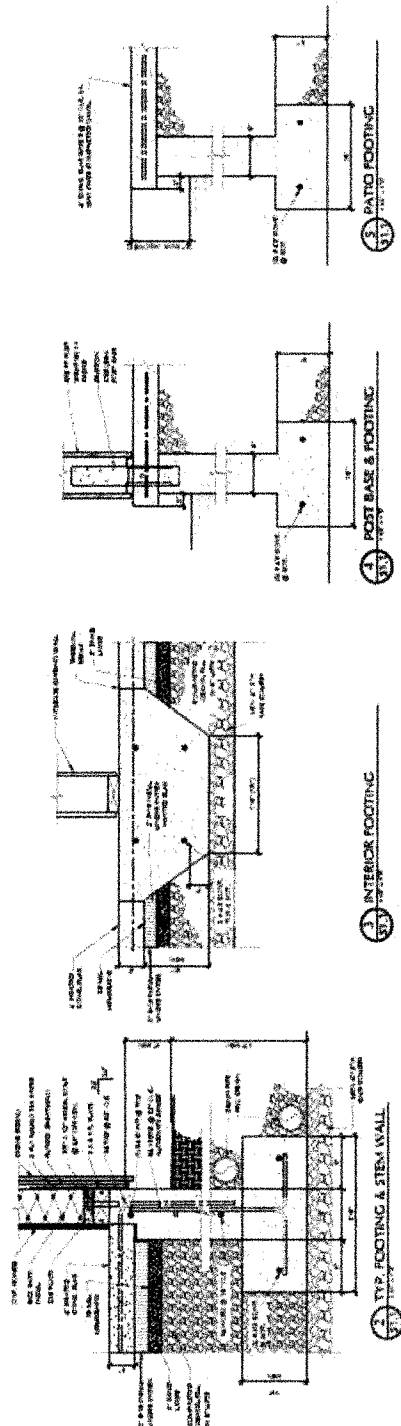
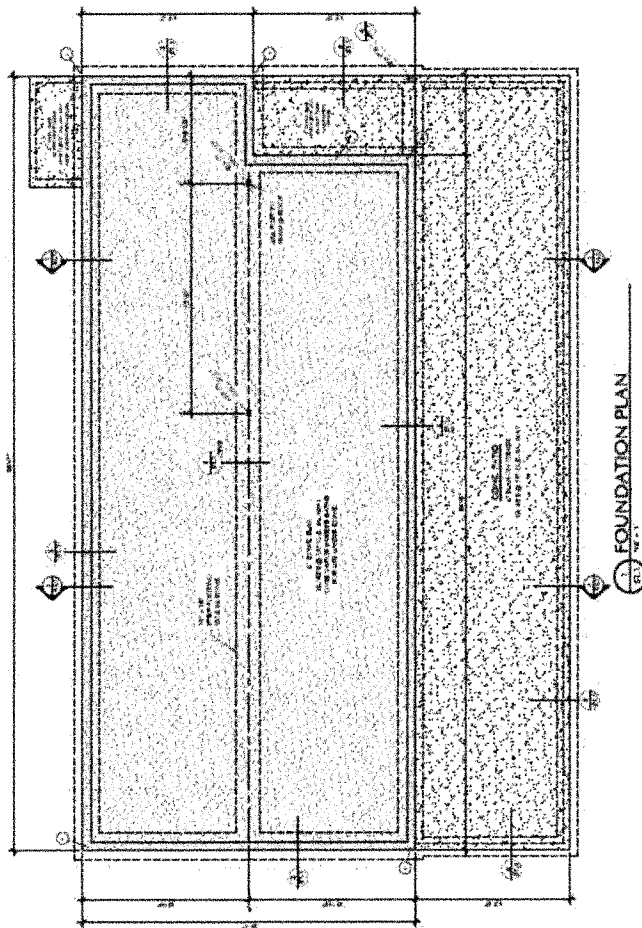


Map



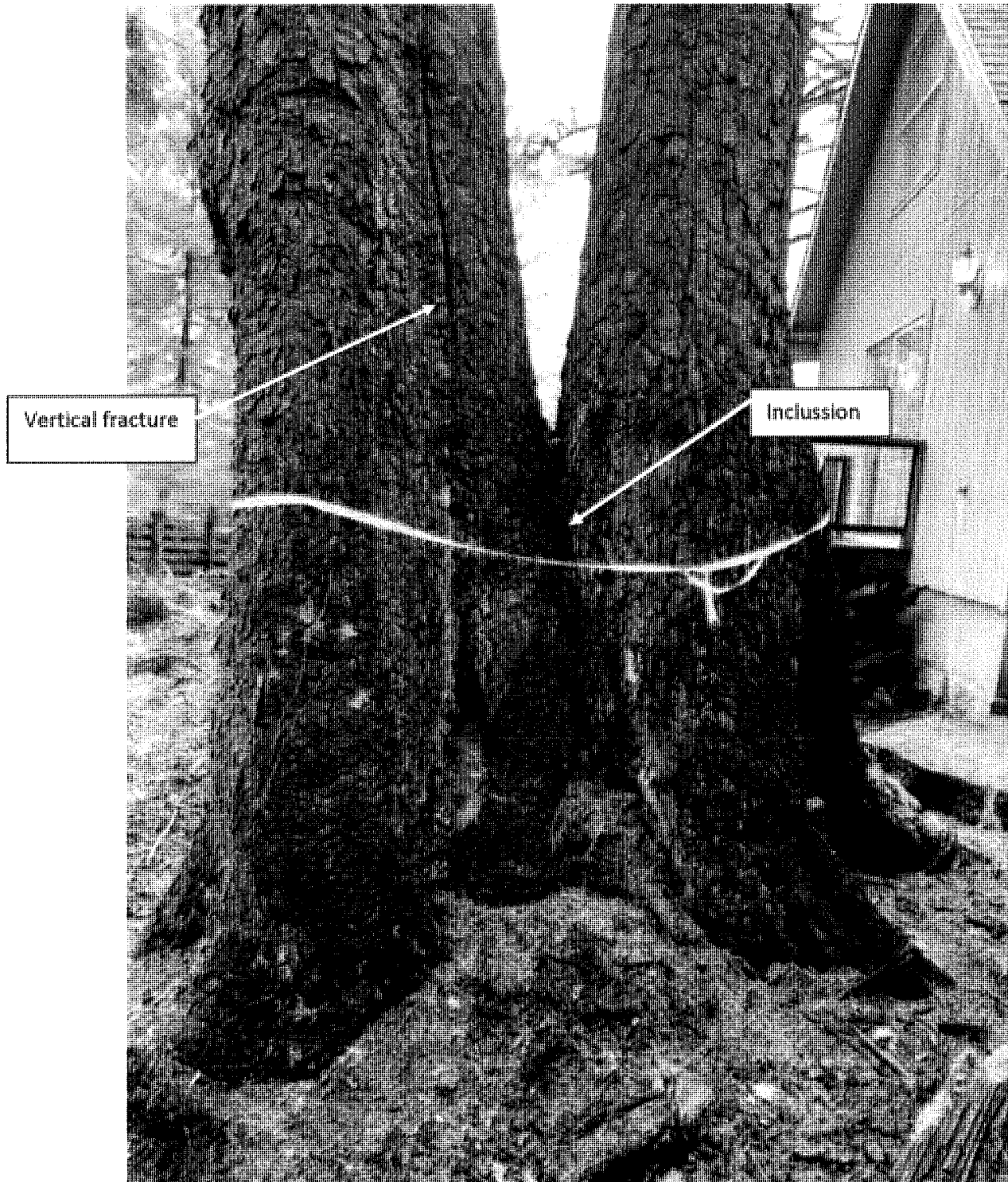


Foundation plan: note extended concrete patio



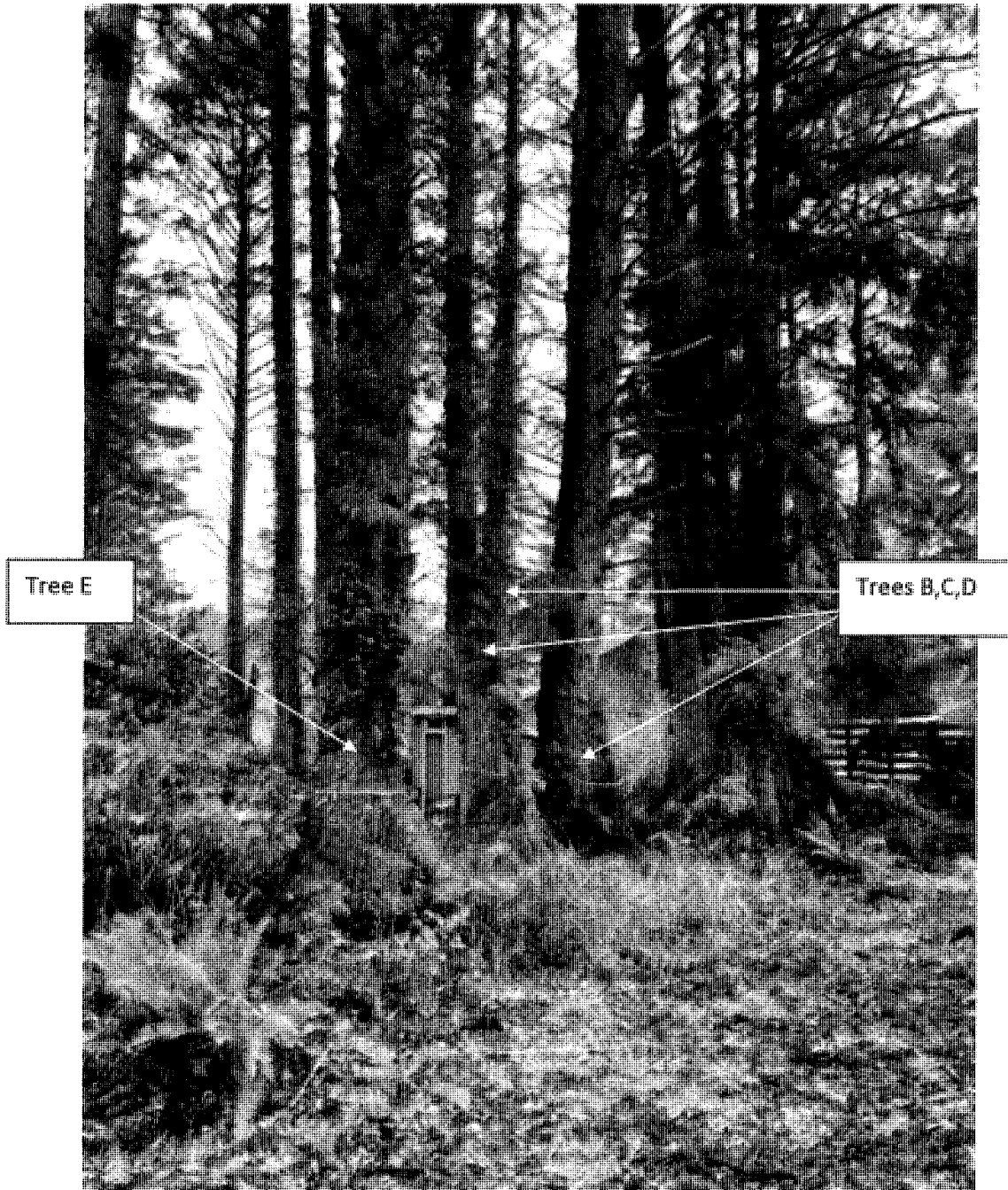


Tree A with inclusion and vertical crack from internal decay





Trees B,C,D and E



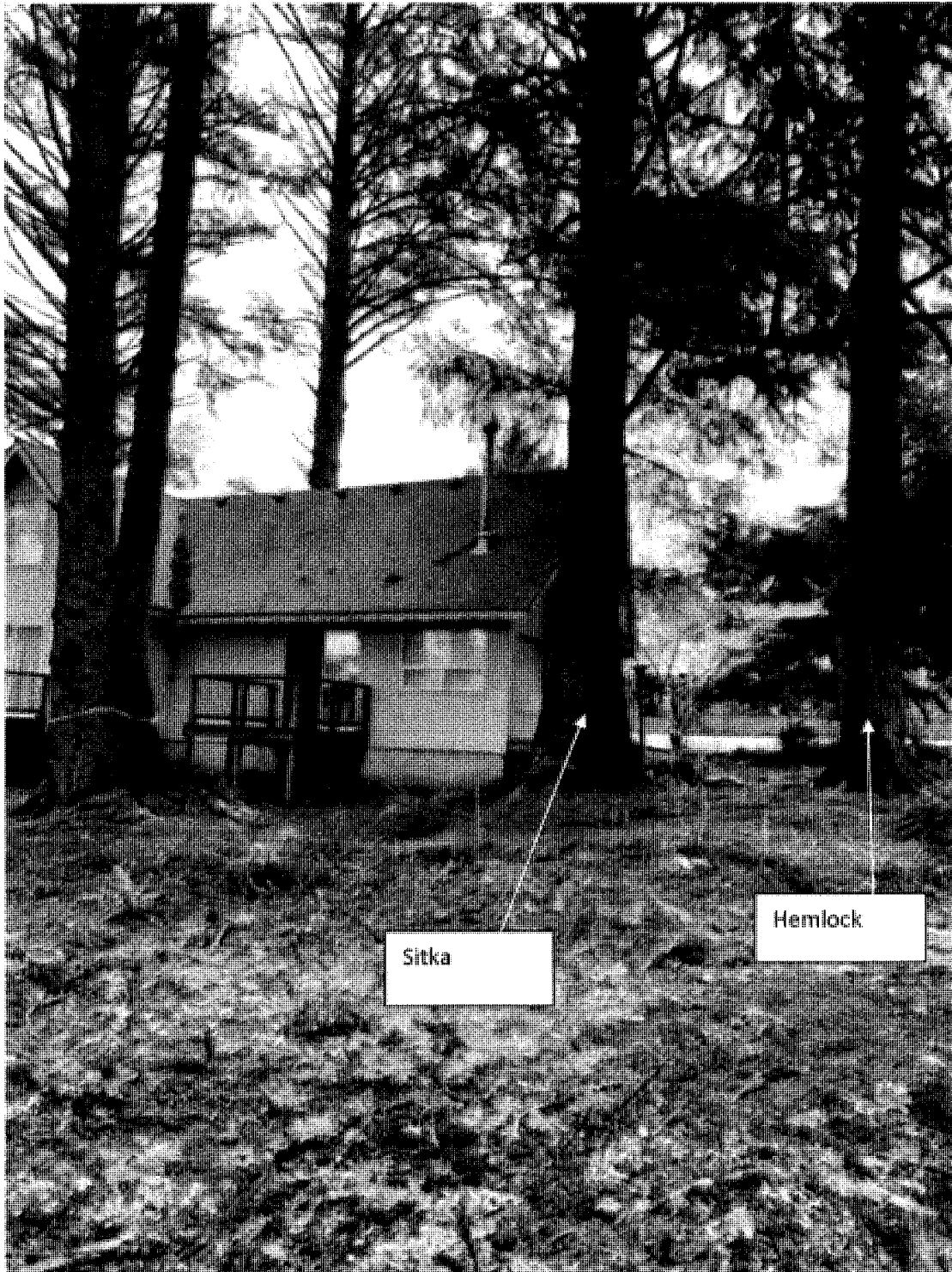


Tree F



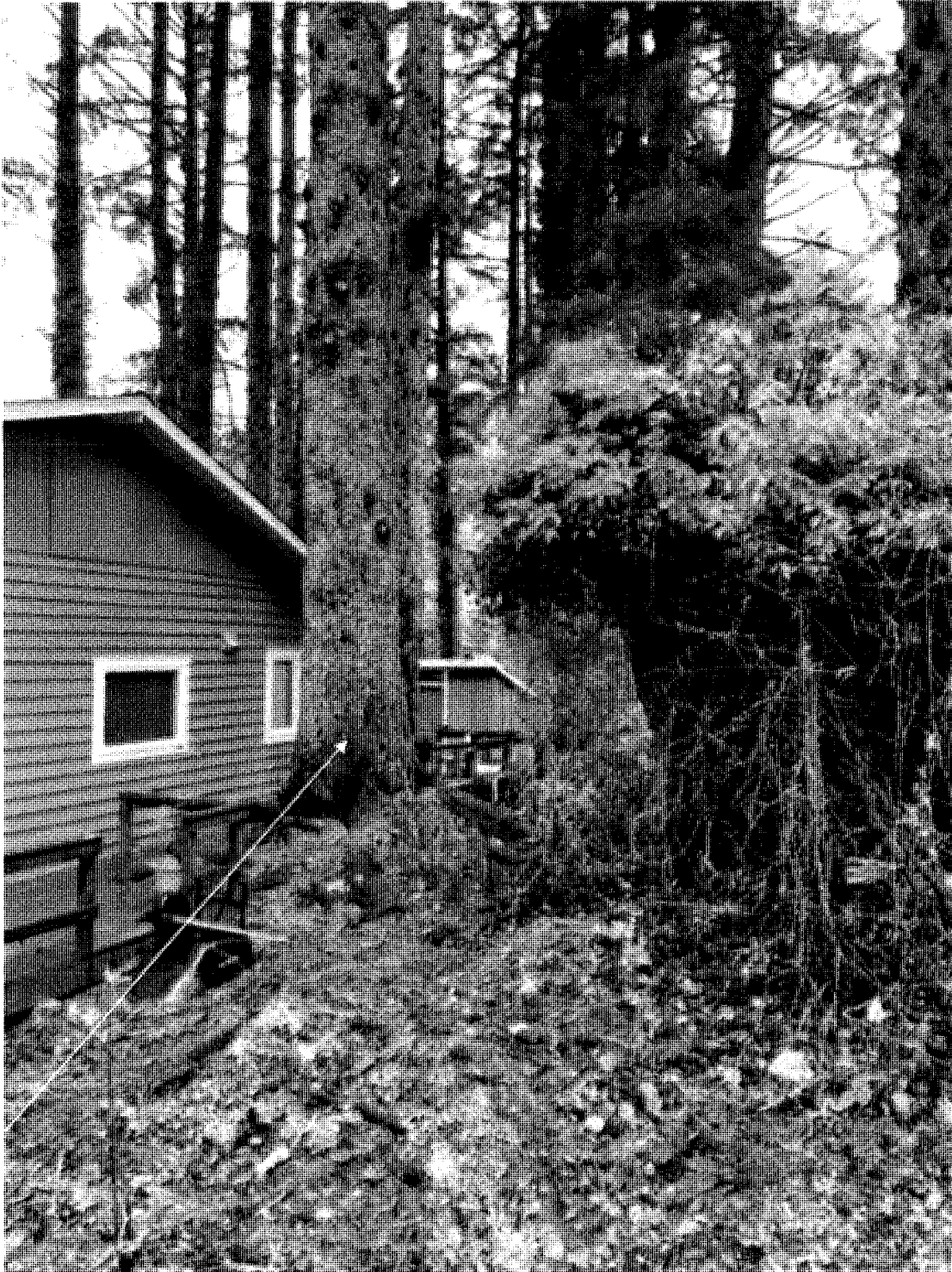


Trees on east property to protect





Double trunk Sitka spruce on west property to protect





Double trunk Sitka spruce on west property to protect





Trees on east property to protect





Tree F





Treescapesc 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 11, 2023

Tree Removal Permit Application Review - Tax Lot 51030DA07900

Per your request, I reviewed the Tree Removal Permit Application submitted by Arbor Care. Included in the application was a pre-construction Arborist Report from Board Certified Master Arborist, Austin Wienecke. It is my recommendation the construction plans be amended with a priority to preserve trees.

Six trees are being recommended be removed, all Sitka spruce (*Picea sitchensis*). The site is located within a mature urbanized forest and some of the trees are approximately 100' tall. The request has been to remove all of the trees on the site to accommodate new construction. To avoid major fragmentation to the forest and root disruption of neighboring trees, my recommendations are as follows:

- 1) Pursue the retention of trees on this site. The best candidates look to be spruce trees B, C, and D as referenced in Austin's report.
- 2) Tree Protection. After plans change to accommodate tree preservation on the site, protect the roots of trees with Tree Protection Zones. Additionally, use a thick layer of wood chips to avoid compaction outside of fenced areas.

With a priority of preserving mature trees and avoiding canopy disruption, the entire neighborhood benefits.

Best regards,

Jeff Gerhardt

Treescapesc Northwest

P.O. Box 52

Manzanita, OR 97130

CCB# 236534

Cell: 503-453-5571

www.treescapescnorthwest.com