



Pruning, Trimming and Removal of Vegetation and Trees

It is the City's policy to limit the removal, destruction or uprooting of vegetation within the Beaches and Dunes Overlay District, except as reasonably necessary to accomplish the following objectives:

- (a) elimination of diseased or dead vegetation
- (b) elimination of noxious weeds
- (c) limited pruning, thinning, and removal of trees for the purposes of preventing the spread of forestation beyond areas which are already heavily treed, managing views, reducing the risk of fire, and otherwise enhancing public safety, and
- (d) within the area lying within 100 feet of the building edge of a house, garage, or attached decking, mowing of beach grass and small shrubs and removal of trees for ornamental and fire-prevention purposes, all as more particularly described below. Therefore, all removal, destruction or uprooting of vegetation is prohibited within the B.A.D. Overlay District, except as specifically provided herein.

Further, any removal activities shall not lower the elevation of the foredune. Disruption of dune sand shall be kept to a minimum and repair or replanting may be required. Any work in the B.A.D. on lands that Oregon Park and Recreation maintain and controls must also be permitted through OPRD.

(1) **Diseased or Dead Vegetation.** Every public and private owner of real property within the B.A.D. Overlay District is permitted to remove any diseased or dead vegetation from the property owner's own property.

(2) **Noxious Weeds.** Every public and private owner of real property within the B.A.D. Overlay District is permitted to remove noxious weeds from the property owner's own property. For the purposes of this section, "noxious weeds" shall include Scotch Broom and all other plant species which are listed as noxious weeds by the Oregon Department of Agriculture.

(3) **Trees.** Every public and private owner of real property within the B.A.D. Overlay District is permitted to prune, trim, or remove from such property any tree located on the property owner's

own property which has a trunk diameter of six inches or less, with such diameter being measured at a height of four and one-half feet above ground level.

Each such property owner is also permitted to prune and trim any tree located on the property owner's own property which has a diameter exceeding six inches, measured at a height of four and one-half feet above ground level, but any such pruning or trimming of such larger trees shall be limited to allow 30% trimming or thinning of spruce and other varieties but no vertical trimming. Allow 30% of trimming/thinning of shore pines along with minimum vertical trimming of shore pines to maintain views. Trees over 6 inches in diameter may only be trimmed, thinned, or vertically trimmed once per the calendar year. Vertical trimming is defined as cutting the main trunk near the top to reduce the height of a tree.

All trimming on city property **must be permitted by the City** along with a plan from a tree trimmer/arborist showing how much will be trimmed and taking the aesthetics and health of the tree into account.

(4) **Fire Buffer Safety Zone:** Every public and private owner of real property within the B.A.D. Overlay District is permitted to remove from such property owner's own property any tree which is located within 100 feet of the building edge of a house, garage or attached decking, and each such property owner is permitted to mow to ground level any beach grass, small shrubs, and other vegetation which is on such property owner's own property and within 100 feet of the building edge of a house, garage or attached decking. A permit must be applied for on public property.

(5) Any property owner which engages in any of the vegetation-management activities which are permitted under this section is **required to properly remove from the B.A.D. Overlay District substantially all of the organic debris material which results from such vegetation-management activities promptly after such activities have taken place.**

(6) Any action which a property owner is permitted or required to take under this section may be taken by the property owner either directly or indirectly (through the use of a contractor, or agent, or by allowing a third party to take the permitted action with the property owner's consent).

(7) **Guidelines.** The City shall make available to the public a written set of guidelines which shall advise property owners regarding methods for permitted pruning, trimming, and removal of vegetation which is recommended in order to make such efforts effective while mitigating potential negative impact to other surrounding vegetation or to nearby wildlife and wildlife habitat.