



# CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138  
(503) 738-5501 • (503) FAX 738-9385

## Gearhart Tree Cutting Permit Application

Review for: <input checked="" type="checkbox"/> Minor <input type="checkbox"/> Major	Permit #: 341-25-000001-TREE Date: 3/28/25 Expire Date: In Accordance
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Authority: Section 6.070(8) – Gearhart Zoning Code

### Ordinance 942 Definitions:

1. **Tree:** For the purpose of this section, "tree" is defined as any tree with a primary trunk greater than thirty-eight (38) inches in circumference, as measured four and one-half (4½) feet above the existing grade.
2. **Fifty-Five Inch Tree:** Any tree with a primary trunk greater than fifty-five (55) inches in circumference, as measured four and one-half (4½) feet above the existing grade.
3. **Heritage Tree:** A tree designated as significant due to its age, size, species, or historical association, as determined by the Gearhart Planning Commission.
4. **Heritage Tree and Fifty-Five Inch Tree Root Zone:** The area extending from the base of the tree to the outermost edge of the tree's canopy, encompassing the critical root zone.

Sections to be separated out by Major and minor

### Permit Type Requested:

#### ☒ Minor Tree Cutting Permit:

Required for the removal of three (3) trees or less, per 12 months, none of which qualify as a Heritage Tree or Fifty-Five Inch Tree.

Required for removal of a Heritage Tree or a 55" inch Tree in certain situations exempt from a major tree removal permit.

#### ☒ Major Tree Cutting Permit:

Required for the removal of four (4) or more trees, or removal or impact to the root zone of any Heritage Tree or Fifty-Five Inch Tree, unless exempt.

**Criteria for Approval:**

1. **Submission of Application:** Fully completed form with all supporting documentation.
2. **Site Map:** Detailed map showing tree locations, environmental zones, and proposed modifications.
3. **Circumference Measurements:** Provide circumference measurements for all trees.
4. **Heritage Designation Confirmation:** Verification if trees are designated as Heritage Trees.

**Applicant Information:**

Full Name: Craig Kiest, Huntington & Kiest Landscape Architects

Mailing Address: 5511 S Hood Ave

City: Portland State: OR ZIP Code: 97239

Phone: 503-222-3383 Email: craig@huntingtonandkiest.com

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**Property Information:**

- Property Owner's Name: Brett & Michele McGinnis
  - Address: 101 S Cottage Ave
  - City: Gearhart State: OR ZIP Code: 97138
  - Property Owners Signature of Consent: \_\_\_\_\_
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**Qualified Tree Care Specialist: (If Applicable)**

Name: Craig Kiest, Huntington & Kiest Landscape Architects

License #: LA #162

Phone #: 503-222-3383

Number of Trees Removed from the site in the 12 months before your application: 0

Proposed Cutting Dates: Spring 2025

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**Tree Cutting Details:**

- Number of Trees Removing: 3
- Attach a photograph of the trees to be removed.
- Site Map: Attach site map showing tree locations, circumferences, and species.

**Environmental Zone Impact:** Indicate if trees are within regulated areas: (e.g., Wetlands, Fresh Water or Riparian, Beach and Dune, Flood Hazard Overlays):

☐ Yes ☒ No If yes, identify on site map and list here: \_\_\_\_\_

- **Heritage or Fifty-Five Inch Trees:** Are you applying for a permit to remove one or more Heritage Trees or Fifty-Five Inch Trees?

☒ Yes ☐ No

- If yes, identify on site plan provide the number of trees here: 2

- **Impact on Root Zones** Are you applying for a permit to impact the root zone of one or more Heritage Trees and Fifty-Five Inch Trees:

☐ Yes ☒ No

- If yes, identify on the site plan and describe impacts here \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- If you propose removing more than three trees in a 12 month period, or removing or impacting the root zones of one or more heritage trees or 55 inch trees, do any of the following major tree removal permit exemption situations apply? If yes, identify the situation on the site plan and describe the situation in more detail below.

- Is it necessary to construct proposed improvements, including the placement of structures and on-site sewerage disposal facilities, replacement sewerage disposal facilities, access ways, utilities, and essential grade changes authorized by a City Building Permit or County Septic Permit.

NO

- The tree(s) pose a obstacle to an emergency septic system repair, safety hazard, or dangerous condition..

NO

- The tree(s) threaten the integrity of a septic system, or tree removal is needed to repair or maintain a septic system.

NO

- The tree height is within 20 feet of the maximum tree height limits of an applicable Airport Hazard Overlay Zone.

NO

### Criteria for Approval: (Major)

Applications will be evaluated based on the following criteria:

1. **Safety:** Trees posing an imminent hazard to public or property safety.
2. **Disease:** Removal of diseased trees, substantiated by an arborist or forester's professional report.
3. **Development Necessity:** Trees obstructing approved structures, utilities, grade changes, or authorized site modifications.
4. **Environmental Impact:** Ensuring tree removal does not adversely affect designated wetlands or riparian areas.
5. **Heritage and Fifty-Five Inch Trees:** Additional scrutiny for trees within these classifications, requiring justification.
6. **Mitigation Efforts:** Demonstration of adequate steps to replace or offset tree loss.

### Complete the following section if you are requesting a Major Tree Removal Permit

Per Ordinance 942, any person proposing to remove trees meeting the definitions above must secure approval from the City of Gearhart **prior to removal**. Specific requirements include:

5. **Submission of Application:** Fully completed form with all supporting documentation.
6. **Site Map:** Detailed map showing tree locations, environmental zones, and proposed modifications.
7. **Certified Report:** Tree care specialist for trees marked as diseased .
8. **Circumference Measurements:** Provide circumference measurements for all trees.
9. **Heritage Designation Confirmation:** Verification if trees are designated as Heritage Trees.
10. **Mitigation Plan:** Outline of replanting or other mitigation efforts.

### Justification for Tree Cutting or Root Zone Impact:

Do any of the following situations apply to your request? If yes, identify on site plan, and provide additional information below explaining the situation.

1. Necessity to remove trees which poses a safety hazard.

NO

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2. Necessity to remove trees which are diseased. Evidence of disease may be provided by a qualified tree care specialist who will not be involved in their removal.

NO

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3. Solar access; and the need to remove trees which deposit needles or other debris on rooftops. The burden of proof is on the applicant to show that other design alternatives which do not require the tree removal are not practical or will create a significant economic hardship.

NO

**The Planning Commission may require the following conditions for approving your major tree removal permit application. You may propose your own plan in anticipation of these conditions by responding to each of the following three conditions below and on your site plan:**

- a. The replacement of the trees proposed for removal with trees of a suitable type, size and location. Replacement trees must measure at minimum 5 feet tall for evergreen trees and 10-gallon size for deciduous trees.

Response: PLANT 22 TREES, SEE MITIGATION PLAN

- b. A Plan for protecting trees on the project site during and after development.

Response: N/A

- c. Restrictions on cuts, fills and grading within the vicinity of remaining trees.

Response: N/A

**Attachments:**

- Site map indicating tree locations and dimensions. (See Example)
- Proof of ownership.
- Tree Care Specialist reports as required. (Major)
- Mitigation plan documentation. (Major)
- Documentation for Heritage Tree or Fifty-Five Inch Tree status.

**Certification:**

By signing, I affirm compliance with Ordinance 942 and related zoning regulations.

Applicant Signature: Craig J. H. T.

Date: 03/20/2025

**Administrative Section**

Permit Decision: See next page.

☒ Minor Tree Removal Permit  
☒ Approved ☐ Denied ☐ Continued

☒ Major Tree Removal Permit  
☒ PC Hearing Required

Reason/Comments:

City Approval Signature:

*Garrett Phillips*

Date:

April 5, 2025

Minor Permit granted to remove one tree that is less than 55 inches circumference. Two trees greater than 55 inches circumference require a major permit. You do not have to plant mitigation trees to exercise the minor permit. A Planning Commission hearing is being scheduled for May 9th for the major permit.







