

Tree Protection Ordinance

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Mayor and City Councilors,

The Yachats Planning Commission took up the topic of a Tree Protection Ordinance in our regular meeting of December 21st, 2021. However, after some discussion of the topic we came to the conclusion that we need some further guidance on the issue if we are to continue. We currently have several ordinances related to this topic in the Yachats Municipal Code. In particular, the Hazard Mitigation changes adopted on February 17th of 2021 require a Geologic Hazard permit for "Removal of trees larger than 8 inches dbh (diameter breast height)..." under some circumstances. (9.52.050 D.2.h and D.4.a). Also, we have our Clear-Vision requirements which require cutting lower branches of trees within the Clear-Vision triangle (9.64.010). Further, we have requirements that Hazardous Trees must be cut down (5.08.130). Finally, we also have the reference to "...protecting vistas and other scenic views..." (9.44.010C).

In short, we have some protections of trees already in the code, and some protections of views already in the code. It is, perhaps, best stated in the Yachats Comprehensive Plan:

GOAL A

Policy 11 - Protect established trees, which contribute to the aesthetic and environmental quality of the City.

Policy 12 - Calls for a Tree Protection initiative...

Policy 13 - Protect view sheds and corridors unique to the City. They contribute to the community identity and aesthetic values of City residents and visitors.

Since the referral to the Planning Commission followed a complaint about tree cutting, that suggests an emphasis on Policy 11 (and, of course, Policy 12). But we are left with considering Policy 13.

We are also left with considerations of the restrictions and recommendations already in the municipal code, and the possibility that concern over further restrictions may prompt preemptive clearing of private property. Perhaps we have already covered the specific parts of an ordinance concerning tree protection in 9.52.050 that we wish to implement.

We recognize that this is a delicate topic, and that is why we request further guidance from the City Council.

Sincerely,

Lance Bloch, representing the Yachats Planning Commission