


**CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report**

MEETING DATE May 5, 2015	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors

FROM: Jim Hossley, Public Works Director 

Through: Rodger Craddock, City Manager

ISSUE Appeal of Tree Board Decision – 1562 Lakeshore Drive

BACKGROUND:

Mr. Charles Henson, owner of property at 1562 Lakeshore Drive at the northeast corner of Fenwick Street and Lakeshore Drive, requested to remove evergreen trees along his western property line in the Fenwick right-of-way. Per the Tree Removal Request in Right-of-Way form Mr. Henson submitted, he states he wants to remove one of the trees from under a power line and several others he would like to remove to clean up the lot and get it ready to prepare the site in the future.

Per the Coos Bay Municipal Code, Chapter 8.30, a permit shall be obtained from the public works director before affecting a street tree ("Street trees" means trees, shrubs, bushes, and all other woody vegetation on land located within or adjacent to public rights-of-way within the city). Chapter 8.30 further states the city shall have the right to plant, prune, maintain and remove trees within the lines of all streets, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. It also states that the public works director may cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. In consultation with the power company's tree trimmers, the lines mentioned in Mr. Henson's removal request form are not power lines but guide lines that support service drops and are non-conducting. They saw no need for the trees to be removed. The trees appear to be in good health and don't endanger the public. The request was forwarded to the Tree Board for consideration. Per Chapter 8.30, the tree board shall have the primary responsibility to study, investigate the removal and disposition of all street and park trees. At their April 23, 2015, the tree board decided against removal of the trees. Per Chapter 8.30, tree board decisions may be appealed to the City Council. Mr. Henson has requested to appeal the tree board's decision.

ADVANTAGES:

The Council's consideration of Mr. Henson's appeal of the tree board decision provides him his due process.

DISADVANTAGES:

Staff sees no disadvantages.

BUDGET IMPLICATIONS:

N/A

RELATED CITY GOAL:

N/A

ACTION REQUESTED:

If it pleases the Council, consider Mr. Henson's appeal to the tree board decision to deny removal of the trees in the Fenwick right-of-way adjacent to 1562 Lakeshore Drive.

ATTACHMENTS:

Mr. Henson's request form
Pictures of the trees
Minutes of tree board April 23, 2015 meeting



City of Coos Bay

Public Works and Development Dept.

500 Central Ave., Coos Bay, Oregon 97420
Phone (541) 269-8918 • Fax (541) 269-8916

TREE REMOVAL REQUEST IN RIGHT OF WAY

Return this request to Randy Dixon, Public Works and Development Department

Date 2-26-15

Name Charles Henson

Address 1562 Lakeshore Dr

Phone 541-260-8449

Reason for removal 1) Tree under power line The other trees I would like to remove to clean up lot and get ready to prep sight in future see attached sheet

Staff Review / Recommendation Looked at trees and talked with Trees Inc. This is not a power conductor. All trees appear safe and no reason to remove
Date Referred to the Tree Board _____

Tree Board Recommendation _____

Date Property Owner Notified _____

Notification of Adjacent Property Owners _____

Engineering _____

Date _____

Streets Jan Eke

Date 4/16/2015



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



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Date: 2/25/2015



1 inch = 50 feet





Excerpt from the minutes of the Tree Board Meeting held April 23, 2015

1562 Lakeshore Dr – Charles Henson. Request to remove trees in abutting ROW

Disussion:

Jon was asked to share his site investigation with the board. The trees were up in the lines but after contacting Skip with Trees Inc., the contractor for PP&L, the lines were not power lines but guide lines supports service drops and were non-conducting. Skip was familiar with the property and was not concerned that the trees were in the lines and saw no need for the trees to be removed. Jon also stated that the trees were safe and advised that the trees should not be removed.

There was discussion among the board about the possible intentions of another home being built. Both Randy and Rex reminded them that this was speculation and the request was to clean and to site prep, which is allowed under the CBMC.

There was no further discussion and the chair asked for a motion.

Motion: Cora Vandervelden motioned, in agreement with staff's advisement, the trees should not be removed at this time.

Second: Ariann Lyons

Vote: Ayes were unanimous. Motion carried