

City of Yachats
PERMIT FOR RIPARIAN BUFFER VEGETATION REMOVAL OR PRUNING

Pursuant to Yachats Municipal Code 9.52.070 an executed permit is required before any person undertakes removal or pruning in a riparian buffer. Failure to complete the application form and secure an executed permit approval in advance is a violation of City Code. A copy of an approved permit shall be in the possession of any person performing work thereunder for review by any person. Also, a copy shall be published in the Yachats Document Library.

Applicant _____ Signature _____

Address _____

Telephone # _____ Email _____

Property _____ Owner _____
Signature _____

Address _____

Telephone # _____ Email _____

Map & Tax Lot # _____

Attach site plan or landscape plan in a format approved by City staff showing specific locations of vegetation to be removed or pruned.

Description of Vegetation to be Removed and Replaced:

Identify plant species to be removed: _____

Describe methods for removing vegetation: _____

Identify plant species and quantity to be planted: _____

Duration of Work: Beginning Date: _____ End Date: _____

(Duration of work may not exceed 30 days. Exception: If the permit is for removal of invasive plants, the permit may be valid for up to one year if accompanied by a plan for replacement planting.)

Description of Vegetation to be Pruned:

Identify plant species to be pruned: _____

Duration of Work: Beginning Date: _____ End Date: _____

(Duration of work may not exceed 30 days.)

Application received _____

Disposition: approved not approved

City Planner or City Public Works Director Date

Notes:

**INFORMATION FOR
PERMITS FOR RIPARIAN BUFFER VEGETATION REMOVAL OR PRUNING**

Who determines when plant health, disease or storm damage justifies vegetation removal?

- a. City Planner or Public Works Director; or
- b. If necessary, and at applicant's expense, a certified riparian vegetation expert as recommended by a Newport OSU extension officer.

Criteria to be considered in granting a request for vegetation removal:

- a. Must meet shoreland setback ordinance specifications (Yachats Municipal Code Section 9.52.070).

On shorelands along the Yachats River, from the Yachats River Bridge upstream to the east city limit boundary, in order to provide for wildlife habitat and riverbank stabilization, a fifty (50) foot riparian buffer shall be maintained. The riparian buffer is an area that extends inland (or upland), measured on the horizontal, from the top of the bank of the Yachats River or where no bank is discernible, that extends inland from the outer edge of non-aquatic vegetation. Within the first thirty (30) feet, vegetation may be pruned or removed because of storm damage, plant health, disease, damage to existing structures or demonstrated safety endangerment. If vegetation is removed it must be replaced with similar riparian zone plants native to Oregon, as soon as practical. Individual property owners whose property is within the fifty (50) foot riparian buffer are allowed to trim existing plants within ten (10) feet of a building if it is all within their property line. New native riparian plants may be planted within the riparian buffer. Otherwise within the first thirty (30) feet, the existing native riparian vegetation shall remain undisturbed; in the last twenty (20) feet slight vegetative alteration is allowed provided the overstory is retained. Minor pedestrian access paths leading to (but not parallel to) the Yachats River shall be allowed as long as the overstory is not disturbed. Noxious weeds and invasive plants shall be exempt from this restriction. See Yachats Municipal Code Section 5.08.110. No structure shall be placed within the riparian buffer. Where a permitted use of a lot existing prior to the establishment of this amended ordinance would be precluded by strict adherence to these requirements, the applicant may ask the Planning Commission for an exception to these standards if the applicant meets the following conditions:

Adherence to requirements would result in a building footprint less than the norm of the neighboring properties; 2. Disruption of the riparian area has been minimized; 3. That options such as maximizing variance setbacks on the sides of the property away from the aesthetic resource or other design methods to minimize impact have been exercised or are not feasible. B. On shorelands along the ocean, west of the Yachats River Bridge, setbacks shall be twenty-five (25) feet from the top of the bank or that arrived at by using formulae elucidated in the RNKR study (RNKR Associates, 1978; copies are on file at City Hall) and outlined in Appendix D, whichever is greater. Any deviation from this setback must be accompanied by a recommendation from a State of Oregon registered professional geologist or geotechnical engineer and approved by the City. C. Exceptions to the above standards are vegetation removal for structural shoreland stabilization subject to the shoreline stabilization standards in Section 9.52.100, and vegetation removal for bridge maintenance, replacement or repair. D. Under no circumstances will the City permit a setback deviation arising from the use of structural shoreline stabilization not already present on the property. (Ord. 175 (part), 1995; Ord. 73E § 3.090, 1992) (Ord. 281, Amended, 12/17/2008)

- b. Should be in accordance with riparian vegetation management per USDA National Resources Conservation Services Wildlife EHM43 recommendations: *Manage forested riparian areas to sustain a diversity of tree, shrub, and herbaceous species, provide snags for wildlife, recruit wood to the stream channel, provide shade to the stream corridor, and maintain stable banks. Manage herbaceous plants or shrubs to provide overhanging vegetation on stream banks and hiding cover for riparian and aquatic species.*