



Tree Removal Permit

Purpose: According to the Milpitas Municipal Code Title **X-2-1.02**, the City “recognizes substantial economic, environmental and aesthetic importance of the trees and planting within the community.” The purpose of a tree removal permit is to provide a process for removing trees on private property, while also ensuring the preservation of “protected plantings of significant, age, and/or benefit to the community at large.”

Public or Private Property: Please ensure first that the tree to be removed is located on your private property and was not planted by the City. If the tree is located on City right-of-way and poses a hazard or nuisance to your property or has become diseased or unsightly, please contact the Public Works Department at (408) 586-2600.

Protected Trees: On developed residential property, a *protected* tree is designated as one that has fifty-six-inch (56”) or greater circumference of its trunk measured 4 ½ feet from the ground. On developed commercial or industrial property, a *protected* tree is designated as one that has a thirty-seven-inch (37”) or greater circumference of its trunk measured 4 ½ feet from the ground. If the tree’s trunk has a circumference below its respective zone’s measurement then it is not considered to be protected and can be removed without a tree removal permit.

Arborist’s Report: The removal of any *protected* tree requires the consultation and report of a certified arborist. The arborist’s report should include the tree type (species), its approximate size, circumference at breast height, health or status, and reason for its removal. The City is not allowed to recommend a specific arborist.

Replacement: On August 2, 2016, the Milpitas City Council passed Ordinance 201.6 which created a requirement of two (2) replacement trees for every one (1) *protected* tree that is removed on private property. This standard helps to compensate for the loss of established trees and their canopies. The replacement trees may be located anywhere on the same property.

Permit Fees: The price for a tree removal permit is \$38.00, which is the minimum fee for any application.

Processing: Bring all materials outlined in the checklist below to City Hall and your application should be approved at the planning counter if the staff person assisting you does not see any other issues.

Application Submittal Checklist:

- Completed Application Form & Fees.** Property owner must complete and sign the form for each removal project. Submit the Application Fee of \$38.00 (*check only*).
- Arborist’s Report.** A certified arborist should confirm that the removal of the tree is necessary and include every item listed above.
- Site Plan and Description.** Clearly describe your reason for removing the tree and include a site plan of your property indicating the location of each tree. This site plan should also include your replacement plan, demonstrating a 2:1 replacement ratio for all trees removed and showing where the new trees will be planted.

If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: _____ Date: _____