

Planning Department

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Tree Removal Checklist

Purpose: The tree removal permit process, as outlined in the Milpitas Municipal Code Title X-2-1.02, is a crucial step in maintaining the substantial economic, environmental, and aesthetic importance of the trees and planting within our community. It provides a structured approach 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: As a property owner, it's important to take the lead in identifying whether the tree to be removed is located on your private property. If the tree is located on the 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 or by using the MyMilpitas App.

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 1/2 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 1/2 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.

Landscape Professional Memo: The removal of any *protected tree* requires consultation and a memo from a landscape professional. The memo should include the tree type (species), its approximate size, circumference at breast height, health or status, and reason for its removal. The landscape professional must have a business license with the City of Milpitas to provide services.

Replacement: The Milpitas City Council, in their commitment to environmental preservation, passed Ordinance 201.6 on August 2, 2016. This ordinance created a requirement of two (2) replacement trees for every one (1) *protected tree* that is removed on private property. This standard not only helps to compensate for the loss of established trees and their canopies but also encourages property owners to contribute to the greenery of our community. The replacement trees may be located anywhere on the same property.

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.