



## TREE REMOVAL CHECKLIST & APPLICATION

Issued by the Planning Department

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**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. 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 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 the consultation and 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:** 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 \$231.00, 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.** The property owner must complete and sign the form for each removal project. Submit the Application Fee of \$231.00 plus 3.8% Technology Fee.
- Landscape Professional Memo.** A professional 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.

Permit Number(s): \_\_\_\_\_

Brief Project Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**APPLICANT:** *Name and mailing address of person requesting the filing of this application.*

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/ZIP: \_\_\_\_\_

Phone #: (\_\_\_\_) \_\_\_\_\_

Email Address: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**MAIN CONTACT PERSON:** *Person to be contacted regarding this application.*

Same as applicant

Different than applicant. Complete below:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/ZIP: \_\_\_\_\_

Phone #: (\_\_\_\_) \_\_\_\_\_

Email Address: \_\_\_\_\_

**PROPERTY OWNER AUTHORIZATION:**

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/ZIP: \_\_\_\_\_

Phone #: (\_\_\_\_) \_\_\_\_\_

Email Address: \_\_\_\_\_

Upon three days prior notice by City of Milpitas staff, I shall provide access to the subject site for City officials, staff, their agents, and consultants for the purpose of planning and development application review and inspection. Myself or my agent may accompany such persons while they access the site. If I fail to respond to a request for access within three days, City officials, staff, their agents and consultants are authorized to enter onto the site for such review and inspection.

**CHOOSE ONE:**

I am the sole owner and hereby authorize the filing of this application.

I own the project site jointly with one or more persons and am empowered to authorize the filing of this application on behalf of my fellow property owners.

I own the project site in conjunction with one or more persons who are listed with their acknowledgement and authorization for the filing of this application attached for additional property owner authorization/acknowledgements.

**SIGNATURE:** \_\_\_\_\_