

# Tree Removal on Private Property Permit Application

**REFERENCE**

The residents of San José value trees and require their removal to be regulated, as expressed in [Municipal Code 13.32](#).

**CONTACTS**

**PLANNING DIVISION**

**408-535-3555**

The Planning Division reviews and issues permits for tree removal on private property.

**CITY ARBORIST**

**408-794-1901**

[arborist@sanjoseca.gov](mailto:arborist@sanjoseca.gov)

Contact the City Arborist for questions about:

- street trees
- trees on public property
- heritage trees on either private or public property

**CODE ENFORCEMENT**

**408-535-7770**

If you have a question or observation about a code violation pertaining to trees, contact the Code Enforcement Division.

**San José Permit Center**

San José City Hall  
 200 E. Santa Clara St.  
 San José, CA 95113  
 408-535-3555

[www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)

To apply for a permit to remove an ordinance-size tree on private property, please read these requirements and use the attached form.

**WHEN IS A PERMIT NEEDED?**

Trees clean the air, beautify our community, are home to wildlife, provide shade, and offer many other benefits. That’s why tree removal is regulated. A permit is needed to remove a tree if the tree is:

- a street tree;
- a heritage tree;
- an ordinance-size tree, live or dead; or
- any tree of any size located on multifamily, commercial, industrial, or mixed use property or in a common area; see page 2.

**If none of the above conditions apply, you can remove the tree without a permit.**

**Street Trees.** Street trees are located in the public right-of-way between the curb and sidewalk; in some locations, the public right-of-way may be up to 12 feet from the curb. The City’s Department of Transportation (DOT) provides **no-cost permits** for pruning street trees and oversees their removal. It is **illegal** to prune or remove a street tree without a permit; fines up to \$15,000 per tree may apply. Get a permit by visiting the [Street Trees and Permits](#) web page.

**Heritage Trees.** A heritage tree is one that is unique for its history, size, or species. It is **illegal** to prune or remove a heritage tree without first consulting the City Arborist and obtaining a permit; fines up to \$30,000 per tree may apply. Visit the [Heritage Tree Map](#) or

contact the City Arborist to determine if your tree is a heritage tree.

**Ordinance-Size Trees.** As stated in Ordinance 13.32, a permit is required to remove a tree on a single-family or duplex lot once it reaches a certain size in circumference, even if unhealthy or dead. A permit is required to remove a tree of any size on multifamily, commercial or industrial lots. An ordinance-size tree is:

- **Single Trunk** - 56 inches or more in circumference at 2 feet above ground; or
- **Multi-trunk** - The combined measurements of each trunk circumference (at 2 feet above ground) add up to 56 inches or more.

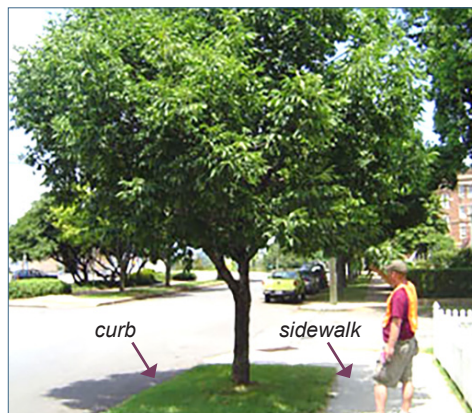
**APPROVAL PROCESS**

A permit application to remove an ordinance-size tree will be considered for approval if it can be verified that the tree is:

- a safety hazard;
- dead, dying, or diseased;
- unsuitable; or
- restricts economic development and proposed improvement of a parcel.

**Safety Hazards.** If an ordinance-size tree on private property is in danger of falling or presents a safety hazard, immediately contact the Planning Division at 408-535-3555. If the tree is a street tree or heritage tree, immediately contact the City Arborist at 408-794-1901.

*continued >*



Left: Example of a street tree.



Right: Example of a heritage tree.

**Removal of Dead, Dying or Diseased Trees.** Ordinance-size trees that are dead or dying (lacking enough live branches or green leaves to sustain life) and not simply dormant may qualify for removal. Here is the permit process:

- Submit this application with a certified arborist report.
- There is no fee, public notice, or Director’s Hearing.
- The Department Director or designee evaluates the application and makes a final decision (no appeals).

**Removal of Unsuitable Trees.** The definition applying to unsuitable trees and removal of unsuitable trees is only for single-family lots. An ordinance-size tree may be deemed unsuitable if any of the following conditions apply:

- The tree trunk is 5 feet or less from the residence.
- The tree trunk is 5 feet or less from the centerline of a below-ground utility line or pipe.
- The tree is a species that the City Council has identified as being unsuitable for single-family lots. The list includes: Eucalyptus, Liquidambar, Pine, Tree of Heaven, Tulip tree, and Palm tree (unless in the Palm Haven Conservation Area). This list does NOT apply to street trees.

The permit process for removing an unsuitable tree entails:

- Submit this application.
- There is no fee, public notice, or Director’s Hearing.
- The Department Director or designee evaluates the application and makes a final decision (no appeals).

**Removal of Live Trees.** Removing a live, ordinance-size tree, for reasons other than disease or unsuitability, such as in the case of enabling development of a property, requires a clear case and more evaluation. Here is the permit process:

- Submit this application with fee payment.
- The City will issue public notices.
- A Director’s Hearing will be held.

**REPLACEMENT TREES ARE REQUIRED**

You must replace each ordinance-size tree that you remove.

- **Single-family/duplex lots:** Replace with a minimum 15-gallon tree.
- **Other properties:** Contact the Planning Division for information about replacement trees.

**Low-Cost Replacement Trees.** Our City Forest is a local nonprofit that promotes the health of San José’s urban forest, and operates a nursery in central San José that provides trees and plants on a tax-deductible donation basis. For more information, call **408-998-7337** or visit [www.ourcityforest.org](http://www.ourcityforest.org).

**TREE REMOVAL ON MULTIFAMILY, COMMERCIAL AND INDUSTRIAL PROPERTIES**

On these types of properties, a permit is required for the removal of trees of any size. For ordinance-size trees, complete this application and submit the original landscape plan with the application. If not an ordinance-size tree, complete a [Permit Adjustment Application](#) instead. Contact a planner at 408-535-3555 if you have questions about tree removal.

**FEES**

This chart shows tree removal fees, which include the permit application, electronic exemption, public noticing, and General Plan update fees, at the time of printing of this bulletin. Additional fees may apply based on number of public notices sent out. The City may adjust fees at any time.

Category of Tree	Single-family Lots	Duplex Lots	Commercial/Industrial and Multifamily Lots
Dead	\$ 0	\$ 0	\$329
Unsuitable	\$ 0	N/A	N/A
Live	\$362 per application (not per tree)	\$362 per application (not per tree)	1 tree: \$1,172 2-5 trees: \$1,577 6+ trees: \$1,577 + \$50.63 for each additional tree over 5

Consult with a planner at 408-535-3555 if you need help calculating estimated total fees.

**APPLICATION INSTRUCTIONS**

Important: Be sure to provide the following required documents when you submit your application:

- **Tree description table and site plan.** See pages 3 and 4.
- **Photograph of each tree.** Take a color photograph showing the entire tree; print it on 8.5” X 11” paper.
- **Non-refundable fee** if required. Make check payable to: City of San José.

An arborist report is not necessarily required. City staff will review your application and inform you if a report is needed. If you already have a report, you may include it with your submission.

**HOW TO SUBMIT**

**Bring the application, site plan, and photographs to the Permit Center Assistance Desk; no appointment needed. Be prepared to pay fee if applicable.**

For service hours visit: [www.sanjoseca.gov/permitcenter](http://www.sanjoseca.gov/permitcenter).

### TREE REMOVAL PERMIT APPLICATION FORM

By Hand: Use INK and PRINT clearly. By Computer: Download a fillable form at [www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning).

#### 1. PROPERTY AND CONTACT INFORMATION

ASSESSOR'S PARCEL NUMBER CLICK HYPERLINK OR SEE PROPERTY TAX BILL:

PROPERTY ADDRESS NUMBER: \_\_\_\_\_ STREET: \_\_\_\_\_ CITY: San Jose ZIP: \_\_\_\_\_

THE PROPERTY IS **CHECK ALL THAT APPLY:**  SINGLE-FAMILY  DUPLEX  MULTIFAMILY  
 COMMERCIAL or MIXED USE  INDUSTRIAL  PRIVATE LOT  CORNER LOT

NAME	MAILING ADDRESS	EMAIL/PHONE
PROPERTY OWNER:		EMAIL:
		PHONE:
CONTACT IF DIFFERENT FROM OWNER:		EMAIL:
		PHONE:

• SIGNATURE of Property Owner: \_\_\_\_\_ DATE: \_\_\_\_\_

#### 2. TREE EVALUATION

Answer	Question	FOR CITY USE ONLY
	a. How many trees in total are on the property?	<input type="checkbox"/> LIVE <input type="checkbox"/> DEAD <input type="checkbox"/> UNSUITABLE
	b. How many trees do you plan to remove?	File#:
<input type="checkbox"/> Yes <input type="checkbox"/> No	c. Is any tree proposed for removal on the City's Heritage Tree List? (page 1)	Prior File#:
	<b>Of the trees you plan to remove:</b>	District:
	d. How many present an imminent hazard or safety risk?	Gross Acres:
	e. How many are diseased?	By:
	f. How many are dead or dying?	Date:
	g. How many are 5 feet or less from a dwelling or building?	Notes:
	h. How many are 5 feet or less from center of an underground utility line?	
	i. How many are on the City's Unsuitable Tree Species List (page 2)	

#### 3. TREE DESCRIPTION TABLE SEE EXAMPLE ON PAGE 4. COPY TO ANOTHER SHEET IF MORE THAN 10 TREES.

ALL TREES ON SITE		DESCRIBE REASON FOR REMOVAL OR REPLACEMENT TREE	TREES TO BE REMOVED		
List species of each tree. Show corresponding # on Site Plan.	Remove, Remain or Replacement?		Circumference inches	Distance to Trunk feet-inches	List birds or animals living in tree if any
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Here are examples of the required **Tree Description Table** and **Site Plan**.

*For the distance of a structure or utility line to the tree trunk ONLY if this is the reason for removal; otherwise leave blank.*

*Measured at 2 feet above ground.*

**EXAMPLE: TREE DESCRIPTION TABLE**

ALL TREES ON SITE		DESCRIBE REASON FOR REMOVAL OR REPLACEMENT TREE	TREES TO BE REMOVED		
List species of each tree. Show corresponding # on Site Plan.	Remove, Remain or Replacement?		Circumference inches	Distance to Trunk feet-inches	List birds or animals living in tree if any
1. Birch, street tree	remain				
2. Sycamore	remove	Anthraxnose disease, roots are wrapping sewer line	60"	4'	birds
3. Crape Myrtle	remain				
4. Palm	remove	Unsuitable species, too close to house	59"	4' 11"	squirrels
5. Crape Myrtle	replacement	15-gallon tree to replace Tree #1 Sycamore			
6. Crape Myrtle	replacement	15-gallon tree to replace Tree #4 Palm			

**EXAMPLE: SITE PLAN**

Use a 8.5x11-inch sheet and draw your property site, using this example to guide you. Show:

- Property lines
- All structures to scale
- All trees, labeled
- Street name

