

TREE REMOVAL PERMITS

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

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

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

Questions? Speak with a planner at 408-535-3555 before removing any size tree on the above types of properties.

To apply for a permit, read the following information and fill out the [Tree Removal Permit Application](#).

STREET TREES

Street trees are those 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 [DOT's Street Trees and Permits webpage](#), or contact the City Arborist at 408-794-1901 or arborist@sanjoseca.gov.


HERITAGE TREES

The City's Heritage Tree List identifies more than 100 trees with special significance to the community because of their size, history, unusual species, or unique quality. This list may be updated to add or delete certain trees; see the City's [Heritage Tree Map](#). Pursuant to [Chapter 13.28 of the San Jose Municipal Code](#), 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. For questions regarding Heritage Trees, please contact the City Arborist at (408) 794-1901 or arborist@sanjoseca.gov.

ORDINANCE-SIZE TREES

An ordinance-size tree on private property is either:

- Single Trunk - 38 inches or more in circumference at 4 1/2 feet above ground, or
- Multi-trunk - The combined measurements of each trunk circumference, at 4 1/2 feet above ground, add up to 38 inches or more in circumference.

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On single-family or duplex lots, a permit is required to remove an ordinance-size tree, even if it is unhealthily or dead.

On multifamily, commercial, or industrial lots, a permit is required to remove a tree of any size. A Tree Removal Permit is required if the tree is ordinance-size. A [Permit Adjustment](#) is required if the tree is smaller than ordinance-size.

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 bring the permit application to the [Development Services Permit Center](#) - 408-535-3555.

If the tree is a street tree or heritage tree, immediately contact the City Arborist at 408-794-1901.

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 process:

- Submit the [Tree Removal Permit Application](#) with a certified arborist report.
- The Department Director or designee evaluates the application and makes a final decision (no appeals). There is no public notice or Director's Hearing.

Removal of Unsuitable Trees

Pursuant to Chapter 13 of the San José Municipal Code, the definition applying to unsuitable trees and removal of unsuitable trees follows. Ordinance-size trees may be deemed unsuitable and qualify for removal if any of the following conditions apply:

For single-family and duplex lots:

- The tree trunk is 5 feet or less from the existing residence, secondary unit or garage.
- The tree trunk is 5 feet or less from the centerline of a below-ground utility line or pipe.
- The tree is on the City's List of Unsuitable Trees, which are certain tree species identified as being unsuitable for single-family lots, and 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 or trees on duplex, multifamily, or commercial/industrial properties.

For multifamily lots: The tree trunk is 5 feet or less from the existing multifamily residential building.

For all land uses: The tree trunk is 5 feet or less from the centerline of a below-ground utility line or pipe.

The process for removing an Unsuitable Tree entails:

- Submit the [Tree Removal Permit Application](#).
- The Department Director or designee evaluates the application and makes a final decision (no appeals). There is no public notice or Director's Hearing.

Removal of Live Ordinance-Size Trees

Removing a live, ordinance-size tree, for reasons other than disease or unsuitability, such as in the case of enabling economic development of a property, requires a clear case and more evaluation. The permit process entails:

- Submit the [Tree Removal Permit Application](#) and be prepared to pay applicable fees.
- The City will mail notices as part of a ten day public notice period. The applicant will also post a notice in the front yard. The public can request a Director's Hearing during the notice period. If a hearing is requested a Director's Hearing will be held.

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 of the application form.
- **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 is needed ([see Permit Center hours](#)). Be prepared to pay any applicable tree removal fees.

FEES

Tree removal fees include permit application review, electronic exemption, public noticing, and General Plan update fees. Additional fees may apply based on number of public notices sent out. The City may adjust fees at anytime. For more details see the [Planning Fee Schedule](#).

Fees for Unsuitable or Dead Tree Removal Permits

- \$244 for one tree plus \$33 for each additional tree to be removed.


Fees for Live Tree Removal Permits

 **How may I help you?**

[Click Here](#)

- \$2,273 - Single family and duplex properties
- \$2,599 - All other types of properties

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

 **How may I help you?** x
[Click Here](#)

