

# City of San Jose Tree Regulations -- **Non-STREET TREE**

compiled by OCF

**Department of Planning, Building, and Code Enforcement**

submit application at **Development Services Center #(408) 535-3555, located at City Hall**

*Definition: A Non-Street Tree is located on private property (**not within 10 feet** of the curb). Depending on their location, department jurisdiction can vary.*

Trunk circumference 2' above grade	Permit	Application Process	Permit Fee	Tree Location
<b>greater than 56"</b>	<b>Live Tree Removal</b>	1. Submit a <a href="#">Live Tree Removal Permit Application</a> in person to the Development Services Center. 2. City staff contacts applicant within the first 3-5 days. 3. Staff reviews application based on the criteria included in San Jose Municipal Code Chapter 13.32 (similar to the Street Tree Removal criteria) and may request submittal of a report prepared by a certified arborist assessing the reasons for removing the tree. 4. Staff informs the applicant of the preliminary recommendation on the permit. 5. Staff sets a public hearing and mails notices of the hearing to residents and owners of property surrounding the site. Following the public hearing, the Director of Planning approves or denies the Permit, beginning a 10-day appeal period. 6. The Director's decision can be appealed to the Planning Commission by the applicant or a neighbor. Very few applications are appealed.	<b>\$114</b>  <b>\$1,317</b>  <b>\$1,317</b>	Single Family Homes/Duplexes  Condos and Apartments, & Other Multifamily Property  Businesses and Other Non-Residential Property
	<b>Dead Tree Removal</b>	1. Submit a <a href="#">Dead Tree Removal Permit Application</a> in person, <b>(an appointment is required)</b> . 2. If all of the required information is submitted, including documentation that the tree is dead, the <b>permit can be approved while you wait</b> .	<b>\$0</b> <b>\$308</b> <b>\$308</b>	Single Family/Duplexes Condos & Apartments... Businesses & Other...
<b>less than 56"</b>	<b>Live or Dead Removal</b>	Usually, <b>no Permits are required</b> . But, if the property's Planned Development Permit includes a landscape plan, a <a href="#">Permit Adjustment Application</a> must be submitted by appointment. If all of the required information is submitted, the permit can usually be approved while you wait.		
No permits are required to <b>Prune or Plant</b> trees on private property. <b>However, will be fined if severe pruning damages or kills the tree.</b>				

**Heritage Tree (can be a street or non-street tree):** Tree that have special significance to the community because of their history, girth, height, species, or unique quality. The 'Heritage Tree list' is updated by the City Council from time to time. There are significantly higher fines if a Heritage Tree is illegally removed or injured. To make new nominations for potential heritage trees, call City Arborist's Office (408) 277-2762. To find out if a tree is a heritage tree, call (408) 535-3555.

Tree Location	Jurisdiction & Description	Contact
Parks, Community Centers, Trails and Public Spaces	<a href="#">Department of Parks, Recreation &amp; Neighborhood Services</a> . For pending tree removal: Park staff will post on the tree to be removed a notice informing park visitors.	call (408) 793-5510, or <a href="mailto:park.concerns@sanjoseca.gov">park.concerns@sanjoseca.gov</a>
Special Districts	<a href="#">Department of Transportation</a> . Areas within San José that have authorized additional funding to provide maintenance of the landscape, trees, trails, water features and other items of common interest.	call DOT- Special Districts Arborist & Inspection at (408) 277-5907
Median Islands and Roadside Landscape	Maintained by crews or contractors from the <a href="#">Department of Transportation</a> .	call DOT Dispatch at (408) 277-4373
Riparian Areas	Many of the trees which line streams and rivers are managed by the <a href="#">Santa Clara Valley Water District</a> .	call SCVWD at (408) 265-2600

*updated 04/2008*