



6000 Heritage Trail, Clayton, CA 94517  
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# Tree Removal Permit Application

As Provided in the Clayton Municipal Code Title 15, Chapter 15.70

Below: Office Use Only

File No: \_\_\_\_\_ Fees/Deposit: \_\_\_\_\_

Received By: \_\_\_\_\_

Date: \_\_\_\_\_ Receipt No: \_\_\_\_\_

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

## 1. Applicant/Property Owner Contact Information:

**Applicant Name:** \_\_\_\_\_  
**Email:** \_\_\_\_\_  
**Phone No:** \_\_\_\_\_ **Cell No:** \_\_\_\_\_  
**Address:** \_\_\_\_\_

**Property Owner Name:** \_\_\_\_\_  
**Email:** \_\_\_\_\_  
**Phone No:** \_\_\_\_\_ **Cell No:** \_\_\_\_\_  
**Address:** \_\_\_\_\_

## 2. Tree Removal Company Contact Information:

**Name of Company :** \_\_\_\_\_  
**Company Address:** \_\_\_\_\_  
**Company Contact Person Name:** \_\_\_\_\_  
**Contact Person Email:** \_\_\_\_\_ **Contact Person Phone No:** \_\_\_\_\_

## 3. Site and Tree Removal Information:

**Address requiring tree removal permit:** \_\_\_\_\_  
**Assessor's Parcel Number(s):** \_\_\_\_\_  
**Zoning Classification:** \_\_\_\_\_ **General Plan Designation:** \_\_\_\_\_  
**Number of trees to be removed:** \_\_\_\_\_  
**Species of trees to be removed:**  Mark if attached

**Explain reason for tree removal:**  Mark if attached

## 4. Submittal Requirements:

### Application Items:

- Fee - Administrative Review without Notice \$ \_\_\_\_\_ (Make check payable to the City of Clayton); or
- Fee - Administrative Review with Notice \$ \_\_\_\_\_ (Make check payable to the City of Clayton); or
- Deposit - Planning Commission Review \$ \_\_\_\_\_ (Make check payable to the City of Clayton.)
- Tree Removal Permit Application
- Photograph of each tree proposed for removal
- Site Plan showing trees to be removed, trees to be retained, and replacement trees - Maximum size of 11" x 17"

### Administrative Review without Notice:

- Scale or note that plans are not to scale with all dimensions provided
- North arrow with north at top of plan
- Property lines and adjacent streets
- Quantity, location, species, drip line, and trunk diameter (at 4'6" above natural grade) of each tree proposed to be removed and to be retained.
- Existing and proposed structures, driveways, and sidewalks within 50 feet of the drip line of the tree(s)
- Tree replacement plan, if required
- Arborist and/or soils report, if required

### Administrative Review with Notice:

The above required items

### Planning Commission Review:

The above required items

## **5. Important Implementing Information from the City of Clayton Municipal Code:**

### **15.70.010 Purpose.**

The City of Clayton contains many species of trees that are of great significance. It is recognized that the preservation of these trees enhances natural scenic beauty, sustains potential increases in property values, encourages high-quality development, maintains the natural ecology, tempers extremes in climate, prevents erosion of top soil, aids in reducing air pollution, provides habitat for wildlife, and preserves the identity, character, and rural tradition of the City. For these reasons, the City Council finds that regulating the removal of trees will promote the health, safety, and general welfare of the residents and property owners within the City consistent with the right of an individual to develop private property in a manner which will not be prejudicial to the public interest. It is not the intent of this ordinance to prevent the removal of undesirable trees or to restrict the reasonable rights of property owners, but only to encourage the planting and retention of desirable trees to protect the beauty and ecological balance of the natural surroundings.

### **15.70.020 Permit Required.**

A tree removal permit shall be obtained prior to the removal of:

- A tree with a single trunk or multiple trunks with a cumulative trunk diameter of six (6) inches or greater, located on private or public property; or
- A tree of any size specifically required to be planted as part of a development application, landscape plan, or tree replacement plan approved by the City after April 1, 2005.

### **15.70.030 Process.**

Based upon the application the Director shall, in the Director's sole discretion, determine which of the following review procedures is appropriate for review and action upon the application.

#### **Administrative Decision without Notice.**

The Community Development Director may approve or conditionally approve a tree removal permit if the application substantially conforms with one or more of the standards listed below. The Director may deny a tree removal permit if the application does not substantially conform with any of the following standards or the Director may review and act upon the application in accordance with Section 15.70.030.B.

- The tree is weakened by incurable disease or infestation; age; storm; improper pruning; vandalism; or other injury.
- The tree is causing damage or clearly posing a danger to an existing structure, improvement, or other tree; and the existing structure, improvement, or other tree cannot be reasonably relocated or modified to alleviate the damage or danger posed by the subject tree and thereby retain the subject tree.
- The tree needs to be removed to allow construction of an improvement that is related to a development application; and the improvement cannot be reasonably relocated or modified to retain the subject tree.
- The tree is obstructing or damaging utility service; the tree cannot be reasonably pruned to alleviate the obstruction or damage to the utility service; and the utility service cannot be reasonably relocated or modified to retain the subject tree.
- The tree will be replaced by replacement tree(s) planted pursuant to a tree replacement plan prepared in accordance with the standards of Section 15.70.040 which fully mitigates the impacts created by the removal of the tree. The Director may waive the requirement for a tree replacement plan if the Director determines that removal of the tree will not cause a significant impact since the tree is minor in nature or existing trees on the property adequately compensate for removal of the tree.

#### **Administrative Decision with Notice.**

A notice shall be mailed to the applicant as well as the residents and owners of real property, as shown on the latest assessment roll, located contiguous to or directly across any street abutting the property containing the subject tree. The notice shall provide a general explanation of the nature of request for a tree removal permit; a general description, in text or diagram, of the location of the property containing the subject tree; and a due date, not more than ten (10) days from the date of the notice, for submission of any written comments on the requested tree removal permit. At the conclusion of the comment period, the Director shall evaluate any comments received and take one of the following actions:

- Approve or conditionally approve a tree removal permit if the application substantially conforms with one or more of the standards set forth in Section 15.70.035.
- Deny a tree removal permit if the application does not substantially conform with one or more of the standards set forth in Section 15.70.035.
- Refer the application to the Planning Commission for a decision in accordance with Section 15.70.030.C.

#### **Planning Commission Decision with Notice.**

A notice shall be mailed to the applicant as well as the residents and owners of property, as shown on the latest assessment roll, located within three hundred (300) feet of the property containing the subject tree. The notice shall contain the information listed in subsection B above and provide the time, date, and place that the Planning Commission will consider the application. The Planning Commission shall consider the application and approve or conditionally approve the permit if the application substantially conforms with one or more of the standards set forth in Section 15.70.035. The Planning Commission shall deny the permit if application does not substantially conform with one or more of the standards set forth in Section 15.70.035. Following action by the Planning Commission, a notice of decision shall be mailed to the applicant and any parties who provide testimony or written comments regarding the application.

#### **Permit Expiration.**

A tree removal permit is valid for ninety (90) days from the date of permit approval, unless otherwise specified.

## **6. Certification:**

I (We):

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify to have read and understand Title 15, Chapter 15.70 found in Part 5 of this application and in the City of Clayton's Municipal Code.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_