



The Trees of Palo Alto

Frequently Asked Tree Questions

Planning Department FAQ's

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Tree Preservation in Palo Alto is regulated by the Municipal Code and the primary tool to provide for orderly protection of specified trees, to protect property values and to avoid significant negative impacts on adjacent properties. Regulated Trees are codified in Palo Alto Municipal Code (PAMC), Title 8, Trees & Vegetation and Title 18, Zoning Code. City regulations apply regarding the maintenance, health of or removal of these trees.

The answers to other specific questions pertaining to 'Regulated Trees' in Palo Alto that are not covered below may be found in the '*Tree Technical Manual*' which can be accessed free from the city web site: <http://www.cityofpaloalto.org/trees>. A printed copy may be purchased from the [Development Center](#).

Private Trees

Q.1 What type of trees are 'Regulated' or 'Protected' in Palo Alto

- A. The Regulated Trees of Palo Alto refer to all those trees or groups of trees included in the following three categories: 1) Protected Trees, 2) Street Trees and 3) Designated Trees. There are city regulations regarding maintaining the health of or removal of these trees required by Palo Alto Municipal Code, Title 8, Trees and Vegetation.
- ▶ Category 1 - Protected Trees [Tree Program Protected Trees](#)
All Coast Live Oak, *Quercus agrifolia*, Valley Oak, *Quercus lobata* trees that are 11.5-inches or greater in diameter (36-inches in circumference measured at 54-inches above natural grade) and Coast Redwood, *Sequoia sempervirens* trees that are 18-inches or greater in diameter (57-inches in circumference measured at 54-inches above natural grade) and Heritage Trees, individual trees of any size or species designated as such by City Council. Property owners may nominate a tree that has distinctive characteristics such as being of great age or size, unique form or other historical significance. A list of designated heritage trees is kept at the Planning Division offices or can be accessed at: [Tree Program Heritage Trees](#).
 - ▶ Category 2 - Street Trees
All trees growing within the street right-of-way (publicly-owned), outside of private property. In some cases, property lines lie several feet behind the sidewalks (*see Image 2.20-3*). A permit from the Public Works Department is required prior to any work on or within the dripline of any 'street tree'. See City-owned trees reference at [Tree Program City-owned trees](#).
 - ▶ Category 3 - Designated Trees
All trees, when associated with a development project, that are specifically designated by the City to be saved and protected on a public or private property which is subject to a *discretionary development* review (such as a variance, home improvement exception,



architectural review, site and design, subdivision, etc.). Tree removal is considered a minor change to the existing site plan -- and requires review approval from the Planning Division. For example, a tree planted or growing in a commercial zone landscape or parking lot tree. See Zoning Code reference: PAMC 18.83.100, Design Standards—Required Landscape Areas [Landscaping & Shade Trees](#)

Q.2 Do I need a permit to prune one of the protected trees on my property?

- A. No. But it should be pruned so that the health, balance and shape of the tree are not negatively altered. Reference Section 5.00 of the Tree Technical Manual applies and Best Management Practices for Pruning are provided on-line for this purpose.

Q.3 In which cases may I be allowed to remove a protected tree located on a single-family residential lot?

- A. A permit must be issued from the Planning Division to legally remove a Protected Tree and must meet certain findings based on the conditions. These findings are listed in detail in [PAMC 8.10.050](#) and described again in Section 3.00, Removal, Replacement and Planting of Trees, of the Tree Technical Manual. The two most common conditions prompting removal are:
- ▶ The tree is deemed to be dead or hazardous by a certified arborist.
 - ▶ The tree **trunk or basal flare** is under the building footprint of an existing building (for example, uplifting foundation, contact or damage to eaves, gutter, etc.).

It is expected that minor property repairs and modifications to fences, sidewalks and driveways will be undertaken to reasonably accommodate the growing trunk, roots and crown of a protected tree.

- B. When a protected tree is 54 inches round or 18 inches in diameter, measured from chest-high you may remove it without a permit.

Q.4 I wish to remove a protected tree. What is the process?

- A. A 3-step process applies and is also covered in [Section 3.00](#) of the Tree Technical Manual. Tree Removal Checklist of an application submitted to the City
1. Completed the City of Palo Alto **Tree Removal Application** (Box 2-zone, parcel # or historic category is not required) [Palo Alto Application Form](#). Call to make an appointment for submittal at the **Development Center** located at 285 Hamilton Avenue, Palo Alto CA 94301 (across from City Hall) by calling: (650) 329-2441.
 2. **Arborist Letter Report** including the following for each tree:
 - a. A written narrative from and ISA Certified Arborist report.
 - b. Arborist Name, Certification # and company letterhead.
 - c. Species (common and scientific name)
 - d. Size (diameter, height and crown spread)
 - e. Condition (foliage, vigor, structural integrity, etc.)
 - f. Prognosis (dangerous, imminent hazard, property damage?)
The Hazard Evaluation Form may be used to rate a dangerous condition.
 - g. Life expectancy



h. Location diagram (and photograph, if desired)

3. **Payment of current fee schedule**, in the form of a personal check made payable to 'City of Palo Alto'

Q.5 Would someone from the city come out and take a look at my sick tree?

A. Unfortunately, the city staffing cannot perform on-call service to individual private property owners for services that can be obtained by landscape or tree service professionals. We suggest you contact the Canopy website <http://www.canopy.org/trees.html> for professional referrals and general information; the yellow pages for one of the local Certified Arborists, www.isa-arbor.com/ or the County of Santa Clara Agricultural Commissioner, [Santa Clara County Ag Commissioner](#)

Q.6 There is a city tree that is sick or needs pruning.

A. Contact the Public Works Operations/Trees Department at: (650) 496-5953.

Q.7 I have an elm tree that has been diagnosed with Dutch Elm Disease. Does the City or the County get involved with this?

A. No. The State and County used to get involved but is no longer the case. Currently, it is the role of the private tree care industry to manage diagnosis and treatment. A preventative treatment is available from a select tree care firms. Note: Wood from an infected Elm may not be taken out of the county.

Q.8 I am planning to buy a property or rebuild/improve my home. There are Protected Trees on my lot and a Street Trees near the sidewalk. How does this affect me?

A. Because protected trees and street trees require protection from injury during development, a process for building permit applications is provided for you to incorporate safety measures into your project including the sheet, "[Tree Protection—it's Part of the Plan!](#)" The first step is to complete a [Tree Disclosure Statement](#) to determine what, if any, measures will apply. Measures may range from only enclosing the basic dripline with fencing to providing a complete tree survey to determine potential impacts. Detailed criteria for reporting is covered in the [Palo Alto Tree Technical Manual](#), Section 6.00, Tree Reports; and Section 2.00, for Protection of Trees During Land Development. A privately retained arborist can usually assist you to as the 'Project Arborist' for reports and construction monitoring.

Q.9 I am planning to renovate my commercial property with a new entry, new landscaping, parking area and driveway. The trees I want to remove are not 'protected trees' according to the code. Do I need a tree removal permit to remove flowering plums and other ornamental trees?

A. Yes. Designated trees on non-residential zoning function as a part of your existing landscape plan on file with the city. A review of changes to this plan such as removal of trees and/or landscape modifications are reviewed by Planning staff using [Standards for Architectural Review](#) (ARB), PAMC 18.76.020. Tree removal is included in this review in order to ensure that optimum functional and aesthetic benefits are realized. The process may be as simple as a minor ARB application processed by staff or a Board review for larger projects.



Q.10 I have a tree that is starting to interfere with the power lines. What can be done?

- A. Contact Stuart Steinhardt (650) 496-5953 at the [Public Works Operations/Trees Department](#). Since our utilities are owned by the city the maintenance and protection of the lines are taken care of by the city.

Neighboring Trees

Q.11 My neighbor has a non-protected tree that overhangs my yard. What can I do about this?

- A. The City authority does not pertain to trees that are not 'regulated', such as pines, elms, magnolias etc. when they are on private single family zoned property. Therefore, you are entitled to trim branches in any manner you deem necessary on your side of the property line, providing that substantiated damage does not occur to the tree (to which you may be held liable), as provided per California case law. The City will play no role in this scenario.

Q.12 My neighbor has a protected tree that overhangs my yard. What can I do about this?

- A. The same entitlement exists as with a non-protected tree except that the city regulations apply. City code enforcement action would be initiated if the protected tree were damaged or injured (health, structure, roots, soil, stability, etc.) Excessive pruning, topping or unbalancing the tree is prohibited.

Q.13 My neighbor's tree is damaging my property. What can I do?

- A. It is suggested that the neighbor be notified and that some resolution be agreed upon. The City does not enter into any dispute between neighbors on this matter

Q.14 Who would pay, if I had a professional come and do it.

- A. A tree owner is not obligated to maintain (or pay for trimming) a tree that is overhanging another's property. Maintenance responsibility of a tree is entirely left to whatever the neighbors can work out. However, most residents share costs of a mutually owned tree. Tree work over \$300 requires the company to disclose a current [California State Contractors License Number](#).

Q.15 There is a tree growing on our property line with the neighbor. Whose tree is it, and who is responsible for that tree if it causes problems?

- A. Congratulations, you are both the proud owners of the tree. Whether it started as a young tree on yours or your neighbors property it now belongs to both as property in common. In most property line issues, friendly communication usually resolves decisions for any mutually owned tree. While the City will take no role in the matter, if it is a protected tree, the city regulations to maintain and protect the tree still apply.

If all else fails, the City of Palo Alto participates in a [Mediation Program](#) to act as a third party in helping residents and owners with property disputes. Call (650) 856-4062 M-F 9am to 4pm



Note: For further research about property line issues, a good resource is '*Neighbor Law—Trees, Boundaries & Fences*', Jordan. Nolo Press, available at most book stores.



Additional Resource Contacts



- ▶ **City of Palo Alto** www.cityofpaloalto.org/



- ▶ **California ReLeaf** www.nationaltreetrust.org/releaf/



- ▶ **International Society of Arboriculture: Arboriculture Online**
www.isa-arbor.com/



- ▶ **ASCA Consultants** www.asca-consultants.org/



- ▶ **SafeTree Program** www.safetree.net/



- ▶ **SelectTree at CalPoly** www.selecttree.cagr.calpoly.edu/



- ▶ **Canopy: Trees for Palo Alto**
www.canopy.org/trees/

Palo Alto Mediation Program www.cityofpaloalto.org/pamediation/



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