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**CITY OF CAMPBELL**  
Community Development Department

September 27, 2016

## **NOTICE OF TREE REMOVAL PERMIT APPLICATION**

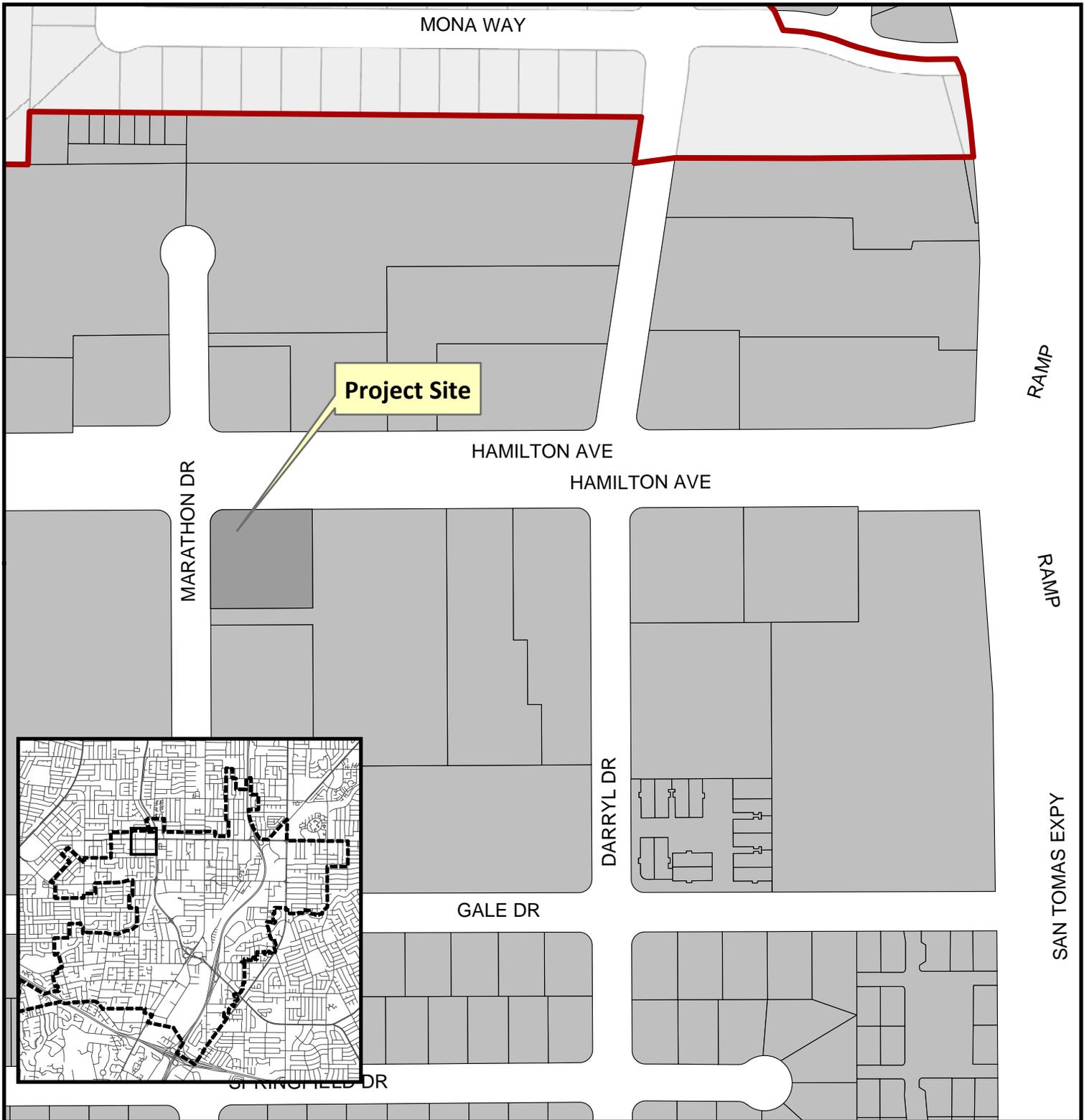
Notice is hereby given that the Community Development Department of the City of Campbell has received an application for a Tree Removal Permit (PLN2016-305) for the removal of one (1) Bradford pear tree located in the perimeter landscape area along W. Hamilton Avenue, near the intersection with Marathon Drive after a major limb fell from the tree onto the parking lot below, causing the remaining tree unbalanced and in danger of falling. The Community Development Director deemed the tree to constitute an emergency, allowing the tree to be removed without a permit per Campbell Municipal Code Sec. 21.32.060 (Exemptions from Campbell Tree Protection Regulations) which requires a tree removal permit to be filed within 10 days of the emergency removal. Removal of the tree is subject to the replanting requirement of the Campbell Municipal Code.

This is your opportunity to provide comments. The 10-day comment period for this application will begin on September 27, 2016, and end on October 7, 2016. Comments regarding this application must be submitted in writing (including email) to the Planning Division before 5:00 p.m. on **October 7, 2016**. No additional notice will be provided. A copy of the Tree Removal Permit application, and all associated documents, are available for review from 8:00 a.m. to 5:00 p.m. at the Community Development Department, City Hall, 70 North First Street, Campbell, California and on the City's 'Public Notices' web page (<http://www.cityofcampbell.com/501/Public-Notices>) under 'Administrative Decisions'.

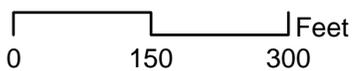
Decisions by the Community Development Director are final in 10 calendar days following the date of approval, unless an appeal is received in writing (including email) at the Community Development Department, 70 N. First Street, Campbell, prior to the end of the appeal period. A written appeal must be accompanied with the required \$200 appeal filing fee.

Questions or comments regarding this application may be addressed to Naz Pouya, Project Planner, in the Community Development Department at (408) 866-2144 or [nazp@cityofcampbell.com](mailto:nazp@cityofcampbell.com).

# Project Location Map



**Project Location:** 890 W. Hamilton Ave  
**Application Type:** Tree Removal Permit  
**Planning File No.:** PLN2016-305  
**Description:** Removal of One (1) Bradford Pear Tree



Community Development Department  
Planning Division

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SEP 16 2016

File No. PLN 2016-305

Date Filed 9/16/16



CITY OF CAMPBELL  
PLANNING DEPT.

City of Campbell, 70 N. First Street, Campbell, CA 95008, (408) 866-2140

**TREE REMOVAL PERMIT APPLICATION**

*Filed Independent of a Development Application*

Property Address 888 West Hamilton Ave Community Name (if applicable) \_\_\_\_\_

Name of Property Owner Joe Kwong Phone \_\_\_\_\_ Email Kwong-Joseph@yahoo.com

Property Owner's Mailing Address PO Box 73078

Name of Applicant Joe Kwong Phone \_\_\_\_\_ Email \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Species of Tree(s) (see last page for a list of "protected trees")	Size of Tree(s) (diameter measured 4- ft. above grade)	Reason for Removal (Must meet criteria of Section 21.32.080 of the Tree Protection Ordinance – see last page)*
Bradford Pear <i>Pyrus Calleryana</i>	16"	Danger of falling - a large limb broke off making the rest of the tree hazardous

\*If the tree(s) is dead or dying, please complete the 'Authorization to Remove a Dead or Dying Tree' form instead of this application.

**SUBMITTAL REQUIREMENTS:**

- Color photographs of trees proposed for removal (depicting reason for requested removal);
- Site Plan (see attached details);
- Tree Replanting Plan (see attached details); and
- Application Filing Fee \$168 + \$55 each additional tree (single-family properties exempted from fee).

**ARBORIST REPORTS**

**PLEASE DO NOT SUBMIT AN ARBORIST REPORT WITH YOUR APPLICATION**

An arborist report is **NOT** required, except when the condition or viability of the tree(s) or its impact to property is not readily evident. In such a circumstance, the City may require outside preparation of an arborist report at the applicant's expense. The planner assigned to your application will inform you if an arborist report is necessary.

X Property Owner's Signature: Joe Kwong Date: 9/16/16  
 X Applicant's Signature: [Signature] Date: 9/15/16

Homeowners Assoc. President's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Homeowners Assoc. President's Name: \_\_\_\_\_

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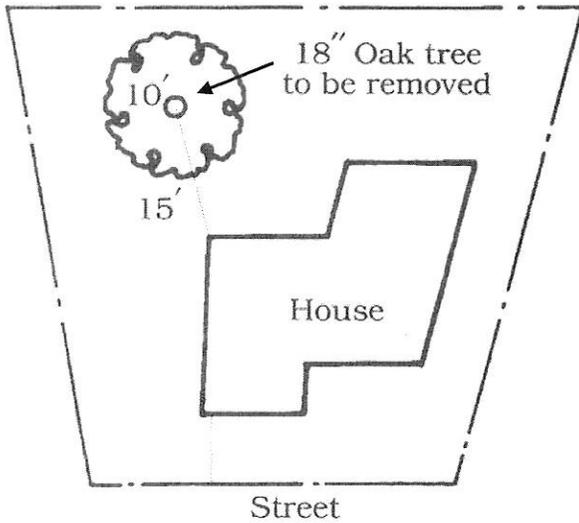
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### SITE PLAN

Sketch a site plan (aerial view) of location of tree(s) and their drip line(s) showing:

1. Location, size and species of protected trees to be removed; and
2. Existing and/or proposed footprint of the structure(s), paving, and landscape areas.

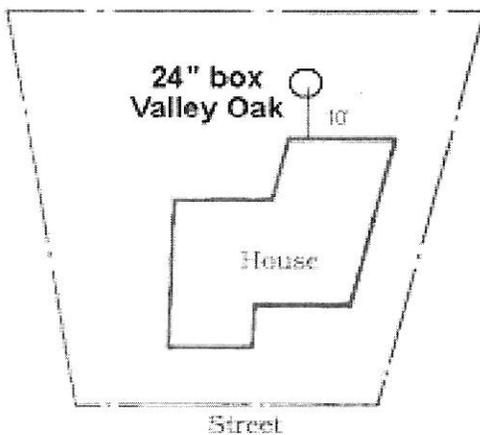
EXAMPLE:



### REPLANTING PLAN

Sketch a site plan indicating the location, size and specie(s) of replacement tree(s) as required by the 'Replacement Tree Requirements' table on the following page.

EXAMPLE:



**TREE REPLACEMENT REQUIREMENTS**

**Number and Size:** The number and size of replacement trees is based on the number and size of trees approved for removal, as indicated in the table below. If you are replacing a tree that was required as a part of an approved Landscaping Plan, the replacement species must be consistent with the Landscaping Plan. Otherwise, the replacement tree may be of any species that continues the diversity of trees found in the community (i.e., not a fruit bearing tree or any variety of Eucalyptus).

**REPLACEMENT TREE REQUIREMENTS**

<b>Trunk Size of Removed Tree (measured at 4 feet above grade)</b>		<b>Replacement Ratio Required (per tree removed)</b>	
<i>Diameter (inches)</i>	<i>Circumference (inches)</i>	<i>Number of replacement trees</i>	<i>Minimum Size</i>
12 to 24	38 to 75	1	24 inch box
Greater than 24	Greater than 75	1	36 inch box
Heritage Trees		1	48 inch box

**In Lieu Fee:** If the site layout cannot reasonably accommodate the number of trees required in compliance with the above table, at the discretion of the Community Development Director, payment of an in-lieu fee equal to fair market value of a standard City street tree, delivered and installed, may be accepted (currently \$500 per tree).

**Other Requirements:** The following requirements and standards apply to all Tree Removal Permit applications:

- a. **Cost of Replacement Trees:** Replacement trees shall be obtained and planted at the expense of the applicant.
- b. **Replanting Period:** Replacement trees shall be installed within thirty days from the date the tree removal permit is issued unless accepted arboricultural practices dictate a preferential planting period for the species chosen as the replacement tree.
- c. **Inspection:** City staff shall be permitted to enter the property to verify the installation of the replacement trees.
- d. **Maintenance of Replacement Trees:** Any person who is required to plant replacement trees as a condition of a tree removal permit shall maintain such trees in a healthy condition to ensure their long term survival.
- e. **Maintenance Bond.** A faithful performance bond, maintenance bond or other security deposit may be required to be paid to the City prior to the issuance of the Tree Removal Permit. The bond shall be in an amount of money and for a period of time determined by the Community Development Director to ensure acquisition and proper planting and maintenance of the replacement trees.

**PROCESSING REQUIREMENTS**CITY OF CAMPBELL  
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**Protected Trees:** The following trees are considered "protected" and require approval of a Tree Removal Permit:

- a. **All Properties:** (1) Any tree shown on an approved landscaping plan or required to be planted or retained as a condition of approval of a development application, a building permit, or a tree removal permit; (2) Any tree designated as a "Heritage Tree" by the Historic Preservation Board.
- b. **Single-Family Residential Properties.** Any Oak, Redwood, Cedar, or Ash tree measuring 12-inches in diameter or greater (as measured 4-feet above grade).
- c. **All Other Properties.** Any tree measuring 12-inches in diameter or greater (as measured 4-feet above grade).

**Exceptions:** Regardless of size, fruit trees and Eucalyptus trees, are not considered "protected" and do not require a Tree Removal Permit.

**Determination on an Application Request:** The Community Development Director may only approve a Tree Removal Permit after making at least one of the following findings:

- a. **Diseased or Danger of Falling.** The tree or trees are diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices such that the public health or safety requires its removal.
- b. **Structure Damage.** The tree or trees have caused or may imminently cause significant damage to the existing main structure(s) that cannot be controlled or remedied through reasonable modification of the tree's root or branch structure.
- c. **Utility Interference.** The tree or trees have interfered with utility services where such interference cannot be controlled or remedied through reasonable modification/relocation of the utility services and/or reasonable modification of the tree's root or branch structure.
- d. **Overplanting.** The tree(s) is crowding other protected tree(s) to the extent that removal is necessary to ensure the long-term viability of adjacent tree(s).
- e. **Economic Enjoyment and Hardship.** The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the approval authority that there are no reasonable alternatives to preserve the tree(s). A minor reduction of the potential number of residential units or building size due to the tree location does not represent a severe limit of the economic enjoyment of the property.

**Public Noticing (Single-Family Residential):** Upon rendering a decision on an application, the Community Development Director will mail a notice to neighboring property owners informing them of the decision. This notice will begin a 10 day appeal period. If an appeal is not received, the tree(s) may be removed once the appeal period has passed.

**Public Noticing (All Other Properties):** After an application is submitted and reviewed, a notice will be mailed to the owners of record within a 300-foot radius of the subject property. The notice will be mailed a minimum of 10 calendar days before a decision is rendered. Once a decision is rendered, a 10 day appeal period will begin. If an appeal is not received, the tree(s) may be removed once the appeal period has passed.



# Commercial Tree Care

A Rhino Enterprises Company  
 P.O. Box 549 | Santa Clara, CA 95052  
 Office 408.985.8733 | Fax 408.985.6536

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## PROPOSAL # 57999

Kwong, Joseph  
 3281 Stander Drive  
 San Jose, California, 95148  
 Contact: Joseph Kwong

Dated: 9/1/2016  
 Phone Number: (408) 348-6281  
 Fax Number:  
 Email: kwong\_joseph@yahoo.com

**888 West Hamilton Ave.**  
 888 West Hamilton Avenue, Campbell, California 95008

Dear Joseph,

Commercial Tree Care thanks you for the opportunity to provide tree recommendations at 888 West Hamilton Ave.. Below is a summary of our recommendations and prices.

Item	Qty	Scope of Work to be Performed	Rate	Total Amount	APRVD
01	1	Callery Pear-Remove to grade only   In the front of city pizza	\$1,200.00	\$1,200.00	<input type="checkbox"/>
02	1	Callery Pear-Grind stump to approximately 18" below grade, excavate grindings, and backfill with planting soil for installation of new tree   In the front of City Pizza	\$200.00	\$200.00	<input type="checkbox"/>
03	2	Southern Magnolia-Prune   Reduce the height to roof line <i>as far as possible</i>	\$600.00	\$1,200.00	<input type="checkbox"/>
04	1	Campbell Tree Removal Permit	\$168.00	\$168.00	<input type="checkbox"/>
05	1	Callery Pear-Procure and install 24" box tree   Chanticleer Pear	\$500.00	\$500.00	<input type="checkbox"/>
05		<i>(15 gallon)</i>		<del>\$300.00</del>	<input type="checkbox"/>
				<del>\$3,268</del>	
				<i>\$3,018</i>	

Thank You,

Christa Huffman

#

The prices specifications and conditions are satisfactory and are hereby accepted. Commercial Tree Care is authorized to perform the work as specified.

Authorized Signature: *Joseph Kwong*

Date 9/16/16

Amount \$3018

Arborists are tree specialists who use their education, knowledge, training and expertise to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice. Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below the ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specific period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.



● - **Pyrus calleryana** for removal

**\*\*To be replaced with a 24" box Chanticleer Callery Pear in the same location**

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