AGENDA

TREE PRESERVATION TASK FORCE
CITY OF PARK RIDGE, ILLINOIS

PARK RIDGE CITY HALL
MAYOR’S CONFERENCE ROOM
505 BUTLER PLACE
PARK RIDGE, IL 60068

Tuesday, January 26, 2010
6:00 p.m.

1. APPROVAL OF MINUTES FROM JANUARY 12, 2010
2. GOALS – DEVELOPMENT / RESOLUTION
3. NEW BUSINESS
   A. Review of Revised Draft Ordinance - Article 15, Chapter 18 of the Municipal Code
4. RESIDENT INPUT
5. ADJOURNMENT
ARTICLE 15
BUILDING REGULATIONS
CHAPTER 18 TREE PRESERVATION ON PRIVATE PROPERTY

SECTION
15-18-1 Policy
15-18-2 Definitions
15-18-3 Removal Or Substantial Destruction Of Trees On Private Property Prohibited
15-18-4 Permit Required For Removal Of Protected Trees
15-18-5 Tree Replacement Requirements
15-18-6 Standards For Protected Tree Removal
15-18-7 Tree Removal Permit Application Procedure
15-18-8 Permit Issuance
15-18-9 Tree Protection During Construction
15-18-10 Emergencies
15-18-11 Appeals
15-18-12 Penalty

15-18-1 POLICY

It is the policy of this Chapter to preserve, protect, replace and properly maintain trees on private property within the City because trees provide the following benefits to the public health, safety and welfare:

A. Enhance the scenic beauty of the City and its natural and unique environment.
B. Enhance air quality by reducing and filtering air pollutants.
C. Reduce topsoil erosion.
D. Reduce storm water runoff and replenish ground water supplies.
E. Provide a buffer and screen against noise pollution.
F. Reduce energy consumption by acting as a wind barrier and providing shade.
G. Preserve and enhance nesting areas for birds and other forms of wildlife which assist in insect control.
H. Protect and enhance property values.
I. Protect and enhance the quality of life and general welfare of the City and its residents.
15-18-2 DEFINITIONS

BUILDING ENVELOPE: That portion of a lot or parcel, outside of which City regulations would allow no structure to be installed or erected.

BUILDING FOOTPRINT: That precise portion of a lot or parcel where it is proposed that a structure will be placed.

DBH: The diameter in inches of a tree trunk measured at a height of four and one-half (4.5) feet above ground. (DBH = Diameter Breast Height.)

DIAMETER: The width of a circular or cylindrical objects; a straight line passing through the center of a circle or sphere and meeting the circumference or surface at each end.

DRIP LINE: An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

MULTI-STEM TREE: A tree having two or more stems attached to the same common root system.

PRIVATE PROPERTY: Any property not owned by the City of Park Ridge. OR Any property not owned by a governmental entity (alternative).

PROTECTED TREES: (A) Any tree larger than ten (10") inches DBH (31.5" circumference) or multi-stemmed tree having an aggregate diameter of fifteen (15") inches DBH (42.5" circumference); and (B) Any tree of any size that was required to be planted by City regulation, permit, ordinance or agreement.

Protected trees shall fall into one of two categories:

An At Risk Protected Tree is any Protected Tree that the City Forester, by applying accepted arboricultural standards, has determined that due to disease, damage, decay or senescence is either dead or would not be expected to live beyond two subsequent growing seasons.

A Healthy Protected Tree is any Protected Tree that has not been classified as an At Risk Protected Tree. When the term Protected Tree is used, it shall mean both Healthy Protected Trees and At Risk Protected Trees.

REMOVAL: The cutting down, digging up or other substantial destruction of a tree.

ROOT ZONE: Portion of the tree located underground spreading out from the trunk in all directions, and at varying depths, generally confined to the drip line area. (Most root zones are found within eighteen (18") inches of the ground surface.)

STRUCTURE: Anything built, constructed, installed, erected or placed on, in or under the ground, or attached to something on, in or under the ground.
SUBSTANTIAL DESTRUCTION: The removal of more than fifty (50%) percent of the live branches of a tree or the causing of a condition that is likely to result in the death of a tree within two growing seasons.

UNATTACHED AMENITY: Any swimming pool, gazebo, garage, patio, play apparatus, basketball court, tennis court or similar structure or installation which is not attached to the principal building on the lot, and which is a permitted accessory structure on the parcel.

15-18-3 REMOVAL OR SUBSTANTIAL DESTRUCTION OF TREES ON PRIVATE PROPERTY PROHIBITED

Except as provided in this Chapter, it shall be unlawful for any person, including but not limited to the Property Owner, to remove or undertake any procedure the result of which is likely to cause the death or substantial destruction of any Protected Tree.

15-18-4 PERMIT REQUIRED FOR REMOVAL OF PROTECTED TREES

No Protected Tree may be removed without first obtaining a tree removal permit from the City Forester pursuant to the provisions of this Chapter.

15-18-5 TREE REPLACEMENT REQUIREMENTS

Any Healthy Protected Tree that is removed, and requires replacement by this Chapter shall be replaced with two (2") inch DBH trees from Appendix A on the following basis:

Removal of a Non-Appendix A Tree: .30 inches DBH for each DBH inch of tree removed.

Removal of a Healthy Protected Tree listed in Appendix A: .75 DBH inches for each DBH inch of tree removed.

Removal of an At Risk Protected Tree: a single Appendix A Tree not less than two (2") inches DBH.

If the City Forester determines that it would not be consistent with best arboricultural practice to plant replacement trees on the parcel from which trees were removed; then an amount of money equal to the value of the replacement trees shall be deposited into a tree bank replacement fund for the planting of trees on public property.

15-18-6 STANDARDS FOR PROTECTED TREE REMOVAL

A. At Risk Protected Trees.

Upon proper application, the City Forester shall issue a permit for the removal of any At Risk Protected Tree irrespective of the circumstances.

B. Healthy Protected Trees.
1. Removal Of Trees For A Non-Residential Development, A Residential Development That Involves Two or More Principal Structures Or Any Multifamily Development.
   a. A tree survey indicating all Protected Trees must be provided for the entire development area.
   b. No Healthy Protected Tree may be removed unless it is within a building footprint.
   c. All Healthy Protected Trees that are removed shall be replaced according to Section 15-8-5 above.
   d. The City Council may approve exceptions to this Paragraph pursuant to approval of a Subdivision Plan, Planned Unit Development or Special Use. Any such exception must include a specific finding that the alternative will be in furtherance of those benefits set forth in this Chapter’s Policy Statement.

   a. In any area falling within the footprint of a principal structure including the garage, driveway, attached deck, patio or porch; Healthy Protected Trees may be removed but shall be replaced as set forth in Section 15-18-5 above.
   b. No Healthy Protected Tree of a species found in Appendix A may be removed for the placement of an Unattached Amenity or for expansion or relocation of a front or side yard driveway or sidewalk.

C. Other City Landscaping Requirements

To the extent that this Article imposes greater planting requirements than any other regulations of the City, this Article shall control, provided that any planting requirements of such other regulations shall be a credit against the requirements of this Article.

D. Cash Bonds

1. If tree replacement is required by this Chapter, then as a condition of the tree removal permit, the applicant shall submit a cash bond equal to tree replacement value, as determined by the City Forester. The bond shall be returned once the new tree(s) is planted or deposited to the tree bank if no tree has been planted after a period of one year.

2. If it is determined that practices which violate any portion of the City Code have resulted in tree damage, then the City may require that a cash bond, equal to the replacement value of the damaged tree(s), be submitted. The bond shall be held for the purpose of assuring that all remedial actions required by the City to minimize tree damage are taken, and/or for the purpose of assuring the appropriate tree replacement.
should any damaged trees die or show noticeable signs of decline as determined by a certified arborist, within a designated period of evaluation.

15-18-7 TREE REMOVAL PERMIT APPLICATION PROCEDURE

A. Tree Removal Permit Application When A Building Or Site Work Permit Is Being Sought

When a building or site work permit is being sought, a tree removal permit application shall be submitted which includes three (3) copies of a legible “Tree Preservation Plan”, drawn to scale of 1 inch equals 20 feet, and indicating the following information for the entire site:

1. Location, shape and spatial arrangement of all existing and proposed buildings, walls, impervious surfaces, improvements and structures.

2. Location, shape and spatial arrangement of all driveways, construction access roads, and construction material/debris storage areas.

3. Existing and proposed utility services including gas, electric, telephone, cable TV, water and sewer.

4. Existing and proposed elevations with contour lines at 1 foot intervals.

5. Setbacks, yard requirements, easements and conservancy areas.

6. A tree survey indicating location, size, and species of all Protected Trees on site. All trees requiring a tree removal permit must be specifically labeled on the survey.

7. All tree protection measures to be taken to minimize damage to trees. All fencing shall go to the dripline or to the excavation limits.

B. Tree Removal Permit When No Building Or Site Work Permit Is Being Sought

The applicant seeking a Tree Removal Permit shall contact the City Forester and provide, in writing, the following information:

1. First and last name, address and telephone number of applicant.

2. General location and size (DBH) of tree(s) for which permit is sought.

3. Reason why applicant seeks removal of tree(s).

C. Review Of Tree Removal Permit Application

The City Forester shall review the tree removal permit application. This review may include an inspection of the site and/or meetings with the applicant. The City Forester
shall render a decision on the tree removal permit request within ten (10) working days of the receipt of a properly filed request.

15-18-8 PERMIT ISSUANCE

A. Issuance. The City Forester shall issue a tree removal permit upon approval of compliance with the requirements described in this Chapter and payment of any required fees and cash bonds.

B. Time Limitations. A permit shall expire if the work authorized by the permit is not commenced within six (6) months from the date of the permit or if such work, when commenced, is suspended or abandoned at any time for a period of six (6) months. If a permit expires a new permit must be obtained before work may be resumed.

15-18-9 TREE PROTECTION DURING CONSTRUCTION

In instances where any construction activity may affect a tree or trees on a given parcel, the following preservation methods and standards must be followed:

A. No construction activity, movement and placement of equipment or material or spoils storage and no excess soil, additional fill, liquids, or construction debris shall be placed within the protected root zone or at any elevation above the root zone.

B. Crushed limestone hydrocarbons and other materials detrimental to trees shall not be dumped within the protected root zone of any tree nor at any location above the root zone where drainage toward the tree could reasonably be expected to affect the health of the tree.

C. Appropriate protective fencing shall be temporarily installed at the periphery of the tree’s zone/dripline. All fencing must be secured to metal posts driven into the ground no further than 10’ apart. The entire parkway must be fenced and maintained for the period of the construction whether trees are present or not. Either the existing drive or the proposed drive may remain open.

D. No attachments, signs, fences, or wires, other than approved for bracing, guying, or wrapping shall be attached to trees during the construction period.

E. Other measures such as construction pruning and root pruning may be required by the City Forester.

F. Unless otherwise authorized by the tree removal permit, no soil is to be removed or added within the root zone area of any tree.

The general contractor shall be responsible for the construction, erection, and maintenance of temporary fencing in accordance with the conditions of the building permit around tree preservation areas. Violation will result in the stoppage of all work until corrections have been made to the satisfaction of the City Forester.

15-18-10 EMERGENCIES
In the event of emergency conditions requiring the immediate cutting or removal of a tree or trees protected by this Chapter in order to avoid danger or hazard to persons or property, an emergency permit will be issued by the City Forester without formal application. If the City Hall is closed when the emergency arises, the Police Department shall be contacted for approval before any action is taken.

15-18-11 APPEALS

Any appeal of any decision of the City Forester shall be with the Circuit Court of Cook County by Administrative Review.

15-18-12 PENALTY

1. Any person who violates any provision of this Chapter shall be fined not less than Two Hundred and Fifty Dollars ($250.00) and no more than Two Thousand Five Hundred Dollars ($2,500.00) for each violation.

2. Any person, who removes a tree(s) without a City tree removal permit, in violation of Section 3 hereof, shall be fined a minimum of Five Hundred Dollars ($500.00) per diameter inch of the tree removed.

3. Each day that a violation shall exist shall constitute a separate offense.

4. The payment of a fine shall not relieve any violator of this Chapter from tree replacement requirements.
# Appendix A

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
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<tr>
<td>Black Maple</td>
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<tr>
<td>Red Maple</td>
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<tr>
<td>Sugar Maple</td>
<td>Acer saccharum</td>
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<tr>
<td>Ohio Buckeye</td>
<td>Aesculus glabra</td>
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<tr>
<td>Common Horsechestnut</td>
<td>Aesculus hippocastanum</td>
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<tr>
<td>Red Buckeye</td>
<td>Aesculus pavia</td>
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<td>Betula nigra</td>
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I. APPROVAL OF MINUTES FROM JANUARY 12, 2010

The minutes of the January 12, 2010 meetings were approved.

II. GOALS – DEVELOPMENT / RESOLUTION

No discussion.

III. NEW BUSINESS

A. Review of Draft Ordinance – Article 15, Chapter 18 of the Municipal Code

The Task Force reviewed the draft of Article 15, Chapter 18 of the Municipal Code, prepared by City Attorney Hill with City Forester Fagan’s proposed revisions.

In summary:

- To include either under the Chapter Title or as a subsection elsewhere in the Ordinance “See Article 9, Chapter 4 for Public/Parkway Trees”.

- 15-18-1: Discussion on the need for items A thru I.

- 15-18-2: Private Property – to use the definition “Any property not owned by the City of Park Ridge”

Protected Trees – change aggregate to total. Discussion on whether (B) is enforceable. Use of another word for senescence, or provide a definition.
New paragraph for “When the term Protected Tree is used, it shall mean both Healthy Protected Trees and At Risk Protected Trees.

- 15-18-5: Discussion on tree bank requirements and personal property rights.

Discussion on the difference between a cash bond and escrow.

The Task Force will continue review of the draft Ordinance at their next meeting.

IV. RESIDENT INPUT

None.

V. ADJOURNMENT

The meeting adjourned at 6:50 p.m.

NEXT MEETING – February 9, 2010 at 6 p.m. in the Mayor’s Conference Room at City Hall
February 23, 2010 at 6 p.m. in the Mayor’s Conference Room at City Hall
I. APPROVAL OF MINUTES FROM NOVEMBER 10, 2009
The minutes of the November 10, 2009 meetings were approved.

II. GOALS – DEVELOPMENT / RESOLUTION
No discussion.

III. NEW BUSINESS
A. Review of Draft Ordinance – Article 15, Chapter 18 of the Municipal Code
The Task Force reviewed the draft of Article 15, Chapter 18 of the Municipal Code prepared by City Attorney Hill and City Forester Fagan’s proposed revisions. City Attorney Hill stated that he would revise the draft ordinance based on comments from the Task Force and City Forester Fagan. The revised ordinance will be included in the packet for the January 26, 2010 meeting.

IV. RESIDENT INPUT
None.

V. ADJOURNMENT
The meeting adjourned at 7:00 p.m.

NEXT MEETING – January 26, 2010 at 6 p.m. in the Mayor’s Conference Room at City Hall
February 9, 2010 at 6 p.m. in the Mayor’s Conference Room at City Hall