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01-O-31

ORDINANCE

TREE PRESERVATION, LANDSCAPING AND SCREENING ORDINANCE OF COOK COUNTY

ARTICLE 1

TREE PRESERVATION

1.0 PURPOSE

Provisions of this Article are intended to preserve existing trees, establish regulations limiting the removal of trees, insure the replacement of trees on public and private property within unincorporated Cook County and safeguard the ecological and aesthetic environment of the community. This Article is further intended to prevent the unnecessary clearing and disturbance of land so as to preserve, insofar as is practical, the existing natural vegetation with plant material indigenous to the Cook County region, and preserve existing landscape buffers to minimize the impact of adjoining differing land uses, and to enhance and protect the integrity of roadway corridors and reduce the surface heat and negative visual impact of vehicular use areas.

1.1 TREE REMOVAL

1.1.1 APPROVAL REQUIREMENTS

A deciduous tree having a trunk size of six (6) inches or greater in diameter, as measured six (6) inches above the established grade and evergreen trees measuring ten (10) vertical feet or more in height shall not be removed from unimproved, partially improved or improved land without written approval from the Commissioner of the Department of Building and Zoning. A written statement indicating the reasons for removal of such trees and a general description of the tree(s) to be removed shall accompany the application for tree removal.

1.1.2 CONDITIONS OF APPROVAL

The Commissioner of the Department of Building and Zoning shall approve all requests for tree removal if one or more of the following conditions are present.

A. Trees pose a safety hazard to pedestrians or vehicular traffic or any building or structure.
B. Trees are diseased, infested with pests or have been seriously damaged by fire, lightning, storm or other injury.
C. Trees are dictated by good forestry practice for removal when beneficial to remaining trees.
D. Trees have been designated for removal on an approved landscape plan.

1.1.3 EXEMPT PROPERTIES

Parcels having an agricultural designation, park districts and properties owned and maintained by the Cook County Forest Preserve District are exempt from this Ordinance.

1.2 PROTECTION OF EXISTING TREES

1.2.1 INTEGRATION OF EXISTING TREES

Every reasonable effort shall be made to retain existing healthy trees and to integrate trees in landscape plans into the development of all property in unincorporated Cook County.

1.2.2 TREE PRESERVATION PLAN

A tree preservation plan prepared by a registered arborist or landscape architect indicating location, species, size and condition of existing trees shall be submitted in conjunction with all building permit applications. The plan shall indicate the location of the trees to be preserved and the methods which will be used to preserve the trees.

1.2.3 PRESERVATION TECHNIQUES

A. Temporary barriers necessary for the preservation of existing plant materials as approved by the Department of Building and Zoning shall be installed prior to the issuance of any land development permit.
B. Grading and construction equipment is prohibited from encroaching on the drip line of any tree to be preserved.
C. Crushed limestone, or any other material which may be detrimental to trees, shall not be discarded or placed within the drip line of any trees nor shall material be located at an elevation which would contribute runoff of such material toward tree(s).
D. Materials or vehicles shall not be stored, driven or parked within the drip line of any trees.
E. Wooden lath snow fencing, brightly colored plastic construction fencing or other alternative barrier approved by the Commissioner of Building and Zoning shall be installed at the periphery of the tree's drip line or beyond. The barrier shall be a minimum of forty-eight (48) inches in height and must be securely anchored to fence posts a minimum distance of five (5) feet on center.
F. Utility lines shall be augured to prevent damage to tree root systems when an underground utility line is to be located within five (5) feet of the trunk of a tree designated for preservation.
G. Trees to be preserved which have been subjected to activity within the drip line should be selectively pruned or thinned ten (10) percent by an arborist or tree surgeon skilled at the selective thinning procedure. All dead wood shall be removed.

1.2.4 PRESERVATION METHODOLOGY

The methods proposed to preserve trees shall be clearly specified on the applicant's tree preservation plan. If, in the opinion of the Commissioner of Building and Zoning, the necessary precautions are not undertaken, all work on the site shall cease immediately until appropriate measures have been taken. Failure to institute and observe tree preservation techniques shall constitute a violation of this Ordinance.

1.3 REPLACEMENT OF DAMAGED TREES DESIGNATED FOR PRESERVATION

1.3.1 DECIDUOUS TREES

Deciduous trees designated for preservation which are destroyed or severely damaged shall be replaced with a new tree at a rate of three inches (3") in caliper to each one inch (1") of removed tree. All fractions of an inch shall be rounded up.

1.3.2 CONIFEROUS TREES

Coniferous trees designated for preservation which are destroyed or severely damaged shall be replaced with a new tree at a rate of three (3) vertical feet for each one foot of removed tree. All fractions of an inch shall be rounded up.

1.4 MINIMUM SIZE OF REPLACEMENT TREES

1.4.1 DECIDUOUS TREES

Deciduous replacement trees shall be a minimum trunk size of two and one-half inches (2 1/2) in diameter as measured twelve inches (12") above established grade. Any combination of tree sizes measuring three inches (3") in diameter or larger may be used for tree replacements. For example, one eighteen inch tree may be replaced by three four inch trees and two three inch trees.

1.4.2 CONIFEROUS TREES

Coniferous replacement trees shall be a minimum height of six feet (6'). Any combination of tree sizes six feet in height or greater may be used for tree replacement in a manner similar to that for deciduous trees.

1.4.3 APPROVAL OF REPLACEMENT TREES

Species of replacement trees shall be submitted to the Commissioner of Building and Zoning.

ARTICLE 2

LANDSCAPING AND SCREENING

2.0 PURPOSE

Provisions of this Article applicable to landscaping and screening requirements are intended to foster aesthetically pleasing development which will protect and preserve the appearance, character, health, safety and welfare of the Cook County.

2.1 PLANT ARRANGEMENT

A. Trees and shrubs shall be arranged in manner that provides the maximum visual separation between adjacent land uses. Shrubs may be massed in groups or rows to achieve maximum screening effect.
B. Vegetation which exists that meets the screening requirements of this Article may be credited for required landscape materials. The developer shall guarantee existing vegetation used to meet the requirements of this Article in the identical manner as new plantings.
C. Screening required by this Ordinance shall not be disturbed for any reason except for required walks, driveways, pedestrian and/or bicycle paths and fences.

2.2 LANDSCAPE PLAN

A. Landscape plans shall be submitted with each application for a building permit for a principal structure and for applications for planned unit developments, special uses, unique uses and for any parking lot containing more than twenty (20) parking spaces.
B. Landscape plans shall be prepared by a registered Illinois landscape architect and shall be submitted to the Commissioner of the Department of Building and Zoning or his appointed designee for approval as part of the zoning analysis prior to the issuance of any building permit.
C. Landscape plans shall contain the following information.
    1. Date, scale, north arrow, title block and the landscape architect's registration number.
    2. Size, quantity, species and location of plant material utilized, and common and botanical names of all materials. The plan shall identify existing trees having a trunk size of six inches (6") or greater.
    3. Land elevations at one foot (1') contour interval for all areas to be bermed, sloped or terraced.
    4. Elevations or sections of any fence, retaining walls or other site improvements.

2.3 SELECTION, INSTALLATION AND MAINTENANCE OF PLANT MATERIAL

A. Plant material utilized in conformance with the requirements contained in this Ordinance shall be consistent with the standard nomenclature defined by the American Joint Committee on Horticultural Nomenclature and the American Association of Nurserymen.
B. Landscape work and material required by this Ordinance shall be in accordance with the specifications found in the latest edition of Standard Specifications for Road and Bridge Construction of the Illinois Department of Transportation.
C. Property owners, shall be responsible for maintaining all landscaping in good condition so as to present a neat, healthy and orderly appearance free from refuse and debris. Failure to maintain landscaping as required or to replace dead plant material within thirty (30) days after the date specified by the Commissioner of Building and Zoning shall constitute a violation of this Ordinance.

2.4 REQUIRED LANDSCAPE BUFFERS

A. Minimum ten foot (10') parking lot setback is required where a parking lot of twenty (20) or more spaces abuts a public right-of- way. The setback shall be landscaped as follows.
    1. Non-residential properties across the right-of-way from property zoned or planned for residential use shall be landscaped in the required ten foot (10') setback with a minimum of a three foot (3') high barrier using berms, where feasible, and shrubs or trees distributed across one hundred percent (100%) of the entire frontage of the site, excluding driveways, in a design satisfactory to the Commissioner of Building and Zoning or is designee. The three foot (3') height shall be measured from the crown of the road or the edge of the right of way, whichever is less.
    2. Non-residential properties across the right of way from non-residentially zoned property shall be landscaped in the ten foot (10') setback with a minimum of a three foot (3') high barrier, using berms, where feasible, and shrubs or trees distributed across fifty percent (50%) of the entire frontage of the site, excluding driveways, in a design satisfactory to the Commissioner of Building and Zoning or his designee. The three foot (3') height shall be measured from the crown of the road or the edge of the right of way, whichever is less.
B. Landscape buffers requirements necessary to separate parking areas from abutting properties shall conform to the following requirements.
    1. Non-residential property that abuts property zoned for residential use shall be landscaped along the entire property line of the residential property with at least a ten foot (10') wide buffer. The ground cover of the landscaped buffer shall consist of at least fifty percent (50%) live landscaping. In addition, a six foot (6') high solid fence shall be provided along the perimeter of that portion of the vehicular use area, which is that portion of the lot used for parking and driveways, abutting residential property, provided that if the vehicular use extends beyond

the residential property's building line (as hypothetically extended) along a right-of-way abutting both residential and non-residential property, then the fence shall be extended only so far as such building line and a three foot (3') barrier of solid shrubs or berms shall be installed along the perimeter of that portion of the vehicular use which is beyond such building line. The fence shall be installed prior to issuance of an occupancy permit.

C. Developments with less than twenty parking spaces shall provide interior landscaping in an amount equal to at least five percent (5%) of the vehicular use area.

D. Interior landscaped areas/islands must be a minimum of one hundred sixty-five (165) square feet each and must be designed and distributed throughout the vehicular use area subject to the approval of the Commissioner of Building and Zoning. The ground cover of interior landscaped areas must contain at least fifty percent (50%) live landscaping and at least one tree with a minimum diameter of two and one-half inches (2 1/2 ") or a shrub cluster as approved by the Commissioner of Building and Zoning. Ornamental decoration, such as sculpture, rock formation or gazebos may constitute landscaping for the balance, subject to approval of the Commissioner of Building and Zoning.

E. Refuse dumpster areas must be screened by a fence, wall densely packed hedge or some combination thereof. Screening shall be not less than six feet (6') in height nor more than seven feet (7') in height, and shall serve to obstruct the view of refuse areas from the passing public and surrounding properties. Screening is subject to the approval of the Commissioner of building and Zoning.

F. Parkway areas, which is that portion of the public way between a public street and the nearest parallel property line including sidewalk areas, shall be planted with trees at a minimum distance of thirty feet (30') from center to center. Each parkway tree shall have a minimum diameter of two and one half inches (2 1/2") as measured at a point six inches (6") above grade level. Existing parkway trees of two and one half inches (2 1/2") diameter or greater located within the parkway of the property may be counted towards the requirements of this section, provided that such trees are protected in accordance with this Ordinance. Trees shall be deciduous native hardwood varieties chosen from the following.

COMMON NAME	BOTANIC NAME
Norway maple	Acer platadnoides
Red maple	Acer rubrum
Sugar maple	Acer saccharum
Ohio buckeye	Aesculus glabra
Horse chestnut	Aesculus hipppocastanum
Hackberry	Celtis occidentalis
White ash varieties	Fraxinus americana
Green ash varieties	Fraxinus pennsylvanica
Honeylocust varieties	Gleditsia triacanthos
London planetree	Platanus acerfolia
Linden varieties	Tilia v.

Landscaping of sidewalks, parking lots, and other external improvements which are incomplete at the time of issuance of an occupancy permit shall require a letter of credit from the owner in an amount equal to the uncompleted work, as determined by the Commissioner of Building and Zoning. The Commissioner of Building and Zoning will determine the completion date which shall in no event exceed one (1) year after the date of occupancy of any building.

Services of a consulting landscape architect to review any plans and/or specifications for conformance to this Ordinance may be utilized by the Commissioner of Building and Zoning at his sole discretion. Cook County shall be reimbursed by the applicant for any and all such expenses incurred by the County.

2.5 ENFORCEMENT OF ORDINANCE

The Commissioner of Building and Zoning shall be responsible for enforcement of this Ordinance. Any person, firm or corporation, or their agents, employees or contractors who violate, disobey or refuse to comply with any provision of this Ordinance shall be subject to fines, penalties and injunctive relief as provided in Article 13 of the Cook County Zoning Ordinance of 2001.