

## Chapter 20 LANDSCAPING CODE

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### **20.01 PURPOSE**

These regulations are intended to serve to dissuade the unnecessary clearing and disturbing of land so as to preserve, insofar as practical, the existing natural vegetation, preserve existing landscape buffers to minimize the impact of adjoining differing land uses, enhance and protect the integrity of roadway corridors, encourage the use of plant material indigenous to the region, and reduce the surface heat and negative visual impact of vehicular use areas.

### **20.02 DEFINITIONS** *Amended, 397*

In addition to those terms defined in Appendix A of this Code, the following terms are applicable to this Chapter:

**Annual:** A plant which completes its life cycle in one year or less.

**Berm:** An earthen mound designed to provide screening of undesirable views, reduce noise, etc.

**Buffer:** A combination of physical space and vertical elements, such as plants, berms, fences or walls, the purpose of which is to separate and screen conflicting land uses.

**Deciduous:** A plant with foliage that is shed annually.

**Evergreen:** A plant with foliage that persists and remains green throughout the year.

**Fence:** A structure used as a boundary, screen, separation, means of privacy, protection or confinement.

**Fence, open:** A open fence is one where visibility at right angles to any surface thereof is not reduced by more than 50 percent.

**Fence, solid:** A fence including gates which conceals from view of adjoining properties open storage of materials and/or operations conducted behind fenced areas.

**Ground cover:** A plant that grows near the ground densely and spreads. Generally an herbaceous perennial, sometimes a woody shrub or vine.

**Hedgerow:** Shrubs and/or trees which occur in a row, like a hedge and sometimes purposely planted for wind control in agricultural areas. More commonly an area along a road or field boundary which, left uncut, has grown up with various plants, seeded by wind, water, birds or other natural methods.

**Landscape:** An area of land including preserved natural vegetation on which has been located lawns, trees, shrubs, other plants, water areas and other features such as, but not limited to, walks, signs, lighting, parking lots, patios, decorative walls and fences.

**Landscape architect:** A professional who has graduated from an accredited university program in landscape architecture.

**Landscape designer:** An individual with experience in landscape design.

**Landscape screen/buffer, full:** Maximum landscape buffer between 2 conflicting land uses.

**Landscape screen/buffer, partial:** Selective landscape screening between similar land uses.

**Landscape yard:** A area of ground required to be landscaped for the purpose of screening and buffering a development site.

**Native plant:** A plant which is known to have originated in and is characteristic of Illinois.

**Ornamental tree:** A deciduous tree planted primarily for its ornamental value or for screening. May be any size at maturity but will tend to be smaller than a shade tree.

**Parkway:** The space between a sidewalk and the street generally planted with grass and street trees.

**Plant preservation credit:** Credit given for the preservation of existing vegetation meeting the functional requirements of this Chapter, in lieu of required new landscaping.

**Prairie:** A grassland or meadow, usually with native plant species; or a planting of grasses and wildflowers characteristic of the native Illinois prairie.

**Screen:** A method of reducing the impact of visual intrusions through the use of plant materials, berms, fences and/or walls or any combination thereof. Screening blocks that which is unsightly or offensive with a more harmonious element.

**Shade tree:** A deciduous (rarely, an evergreen) tree planted primarily for its high crown of foliage or overhead canopy.

**Shrub:** A woody plant, smaller than a tree, which consists of a number of small stems from the ground or small branches near the ground. A shrub may be deciduous or evergreen.

**Shrub, low:** Any shrub which attains a mature height of 4 feet or less when left un-pruned.

**Shrub, tall:** Any shrub which attains a mature height of 5 feet or more when left un-pruned.

**Street tree:** A tree planted in close proximity to a street in order to provide a canopy over the street, to give the street a sense of spacial definition and human scale, to provide shade and soften the street environment.

**Tree:** A large, woody plant having 1 or several self-supporting stems or trunks and numerous branches. A tree may be deciduous or evergreen.

**Turf grass:** Grasses planted by seeding or sodding to establish a lawn, which is usually maintained by mowing.

**Wetland:** A wetland is considered a subset of the definition of the Waters of the United States. Wetlands are land that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation). A wetland is identified based upon the three attributes: 1) hydrology, 2) soils and 3) vegetation as mandated by the current federal wetland determination methodology.

### **20.03 SCOPE OF REGULATIONS**

The provisions of this Chapter shall apply to plats of subdivision/planned development and any new construction.

### **20.04 APPROVAL PROCESS**

When a landscape plan is required, the plan shall be submitted to the Village with the preliminary plat of subdivision/planned development or building permit application.

### **20.05 PLAN PREPARATION**

All landscape plans required by this Chapter shall be prepared and signed by a professional landscape architect or landscape designer.

### **20.06 SUBMITTAL REQUIREMENTS**

The submittal package for a landscape plan shall include planting and site information. The landscape plan may be submitted on a separate sheet or superimposed on a single sheet with the site plan. The submittal package must include the following information:

1. Site elements: Title block including the name of the project, designer's name, scale of the plan (no smaller than 1"=50' for plans with trees only; and no smaller than 1"=20' for plans with shrubs and smaller plants), north arrow and date of the plan;

Property lines;

Name, location, right-of-way and paving widths of all abutting streets;

Note zoning and use of all abutting properties;

Natural features such as ponds, lakes and streams; delineation of 100-year floodplain and wetland boundaries;

Existing and proposed storm water management ponds and areas;

Required landscape yard width;

Location, height, dimensions and use of all existing and proposed buildings and other structures, including parking lots, sidewalks and other paved areas; fences and walls; and recreational equipment;

Approved grading plan at one-foot contour interval, with slopes of 4:1 labeled.

2. Planting elements: Location, general type and quality of existing vegetation, specimen trees and natural areas.

For plant preservation credits: vegetation areas to be saved, including accurate locations noted and a list of typical species. Note methods and details for protection of existing vegetation during construction. Location and keyed labels of all proposed plants.

Location of all proposed areas to be seeded and/or sodded.

Plant list or schedule to include key symbols, quantity, correct botanical and common names, size and condition of all proposed plants.

Plant names used shall be identified in accordance with *Hortus Third*, by L. H. Bailey, 1976.

All plant sizes and conditions listed shall conform to the *American Standards For Nursery Stock* as published by the American Association of Nurserymen, latest edition.

Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, foundations, street furniture, signs, lighting and paved areas.

Planting installation details as necessary to ensure conformance with *American Association of Nurserymen's Standards*, latest edition; and standards as specified in this Chapter.

General and specific notes to indicate or explain the design and construction procedures to be used.

3. Cost estimate and notification to permitting body: Upon approval of the landscape plan, a cost estimate prepared by a recognized landscape contractor shall be submitted.

A conditional occupancy permit will be issued when the project's buildings may be occupied but landscaping has not been installed due to weather conditions. A final occupancy permit will be issued upon completion of all landscaping.

## **20.07 LANDSCAPE STANDARDS**

**Appropriateness:** The landscape plan should consider the type of use the development will receive and use plants which will integrate the development site into the surrounding area. Adjacent existing uses will determine the type and extent of screening and buffering required.

**Screening:** Materials may consist of evergreen trees and shrubs; ornamental trees and deciduous shrubs with dense branching; shade trees; and fences, walls and berms. Planted screens shall be arranged in clusters of plants to create optimum screening according to site conditions and as the designer sees fit. Excepting limited space for full screening, plants should not be spaced out equally in a line within the required landscape yard length.

**Fences and Walls:** Screening fences and walls should be built of materials compatible with that of the main building. The use of corrugated metal, corrugated fiberglass, sheet metal, chain link or wire mesh shall not be counted as a screen in landscape yard calculations.

**Berms:** Screening may be accomplished with the use of earth berms in combination with plants. The minimum height required shall be 2.5 feet, with a minimum width of 12 feet. Taller berms require more width so slopes do not become too steep. Slopes shall not exceed 4:1. Berms should be designed with gently curving slopes so they are not susceptible to erosion. Staggering berms allow for drainage and provide visual variety. Ground cover plants may be used to reduce mowing on berms. Berms between single family residential areas and State highways shall be not less than 14 feet high, measured from the crown of the highway.

## **20.08 PLANT MATERIALS STANDARDS**

Plant material standards shall be as follows:

1. All plants shall conform to the *American Standards for Nursery Stock*, latest edition, and shall be installed according to the current standards of the American Association of Nurserymen.
2. All plants used in landscape plans shall be readily available and shall be proven to be reliably hardy in USDA Zone 5. Plants shall have a vigorous root system and shall be free from defects, insects and diseases. Substandard plant material will be rejected.
3. Deciduous trees shall be fully branched, have a minimum caliper of 3 inches for nonresidential and 2½ inches for residential development measured 6 inches above

ground level. Specimens shall be properly pruned to maintain a natural form.

4. Evergreen trees shall be a minimum of 6 feet in height and fully branched to the ground.
5. Shrubs shall be supplied in 1 gallon or larger containers or balled and burlapped and at least 18 inches in height or spread, whichever applies.
6. Ground cover plants shall be planted so that an effective covering is obtained within 2 growing seasons.
7. At the intersection of all streets and/or the intersection of any service entrance drive from a street to a zoning lot, line of sight easements shall be established within the triangular area formed at the intersection of any two street right-of-way lines; and/or the intersection of any street right-of-way line with any service entrance drive (both sides of such drive), by a line drawn between such right-of-way lines, and/or such right-of-way line and service entrance drive line, at a distance along such line of 25 feet from the point of intersection thereof.
8. Plant materials, including deciduous and evergreen trees, shall not cause a hazard. Landscape plant material overhanging walks, pedestrian or bicycle paths and seating areas shall be pruned to a minimum height of 12 feet above parking lot aisles and spaces.
9. Landscape plant materials shall be selected which do not generally interfere with utilities above or below ground level at maturity.
10. No shrub or tree shall be planted closer than 2 feet from any curb face.
11. Trees planted in cutouts, in walks or in pedestrian areas shall have a minimum of 4-foot by 4-foot or a 5-foot diameter circle of open soil, and shall be protected by the use of tree grates of edging which does not pose a hazard to pedestrians.
12. Landscape plant materials shall be properly guyed and staked in accordance with current industry standards, where necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
13. Landscape plant materials shall be protected from damage due to foot or vehicular traffic by protective tree grates, pavers, curbs or other suitable methods which prevent soil compaction.
14. Appropriate methods of care and maintenance of the landscape shall be provided by the owner of the property.
15. Additional landscape screening/buffering may be required when an incompatible use occurs which may have a high impact on adjacent development, as determined by the Village. A high impact use is one which is expected to have a strong effect on adjacent properties, due to one or more of the following:

Noise;

Outdoor loading spaces;

Exterior storage, attractive nuisances and objectionable views;

Dust, fumes, odors and vibration;

Litter;

Bright lighting during the evening or at night or headlights from vehicles using the development at night;

Height of structures above the normally allowed height for the specific zone; or adjacent to development of a different zone or zones with a lower building height limit; or

Barrier screening/buffering required for safety and liability reasons.

16. At their expense, the builder or developer shall guarantee and replace any failed plantings for 24 months after planting.

## **20.09 MAINTENANCE AND REPLACEMENT**

The owner, occupant, tenant and agent of each property shall be individually and collectively responsible for the maintenance, repair and replacement of all landscaping, screening and curbing whether or not required by these regulations so as to preserve at least the same quantity, quality and screening effectiveness as initially installed.

## **20.10 PARKING LOT REQUIREMENTS**

The following requirements apply to all parking lot landscaping:

1. Parking lot interior landscaping shall be provided for lots with 10,000 square feet or more of total parkway.
2. Planting islands shall be placed in the following areas of all parking lots:
  - A. End islands shall be provided at each end of all parking bays, except where corner islands are provided.
  - B. Intermediate islands shall be provided after every 12<sup>th</sup> space, or after every 8<sup>th</sup> parking space for single-aisle parking lots.
  - C. Center islands shall be provided between head-in parking for the full length of every other parking bay unless there are 3 or fewer parallel aisles of parking.
  - D. Corner islands shall be provided at the end of 2 perpendicular parking bays when these bays are at the edge of the parking lot.

In the event that the site geometry of the proposed parking lot does not allow strict adherence to the above requirements, alternate schemes will be required to provide at least 10 percent of the parking lot area in landscaped islands.

3. Minimum dimensions of planting islands, including a 6-inch curb:
  - A. End islands shall be a minimum width of 9 feet and a minimum length of 36 feet, 45 feet with a center island, for a double bay of parking.
  - B. Intermediate and half end islands shall be a minimum width of 9 feet and a minimum length of 18 feet, except in single aisle parking lots, where the minimum width shall be 13 feet. In the case of angle parking, the perpendicular length from the center line of the parking bay to the aisle shall be the minimum length.
  - C. Corner islands shall be a minimum of 18 feet square, except in the case of angle parking, where the perpendicular length of the stall from the center line of the parking bay shall be the minimum dimension.
  - D. Center islands between head-in parking shall be a minimum width of 9 feet, and the same length as the parking bay.
4. A curb shall be provided for all parking spaces adjacent to planting or pedestrian areas to prevent vehicle overhang, except in the case of handicapped access ramps.

## **20.11 LANDSCAPING REQUIRED**

A predetermined number of plants are required to provide overhead and low screening of motor vehicles in parking lots. Shade trees and low shrubs or ground cover plants are specified for each type of landscape island. Turf grass may be used but will not be counted as part of the required plants. Ground cover plants may be substituted for any or all of the low shrubs at a ratio of 14:1 when perimeter landscape yards also provide off-site screening for the parking area. Required plantings are:

- 9 feet wide intermediate and half-end islands: 1 shade tree and 9 low shrubs or 126 ground cover plants (excluding turf grass) or some combination.
- 13 feet wide intermediate and half-end islands: 1 shade tree and 12 low shrubs or 168 ground cover plants (excluding turf grass) or some combination.
- 9 feet wide end islands: 2 shade trees and 15 low shrubs or 210 ground cover plants (excluding turf grass) or some combination.
- 18 feet corner islands: 1 shade tree and 21 low shrubs or 294 ground cover plants (excluding turf grass) or some combination.
- 9 feet wide center islands: 3 shade trees and 36 low shrubs or 504 ground cover plants (excluding turf grass) or some combination; all per 100 linear feet of island.

## 20.12 TRANSITIONAL YARDS

A. **APPLICABILITY:** All non-residential and multiple-family residential developments shall provide lot perimeter landscaping in accordance with the provision of this Chapter.

B. **NON-RESIDENTIAL PROPERTY ABUTTING NON-RESIDENTIAL PROPERTY:** Where non-residential property abuts property zoned for non-residential use, landscaping shall be provided as follows:

1. **Width:** A landscaped area a minimum of 10 feet in width shall be provided.
2. **Planting Materials:** A minimum of 50 percent of the required landscape setback shall be landscaped. Such landscaping shall consist of 25 percent evergreen trees a minimum of 6 feet tall, 25 percent shade trees a minimum of 3 inches in caliper, and ornamental trees a minimum of 6 feet tall and 50 percent evergreen and deciduous shrubs a minimum of 3 feet tall. Whenever possible, berms should be used in conjunction with the landscaping.

C. **GROUND COVER:** Except where occupied by planting beds, all perimeter landscaping areas shall be sodded or seeded.

D. **NON-RESIDENTIAL PROPERTY ABUTTING RESIDENTIAL PROPERTY:** Where non-residential property abuts property zoned for residential use, landscaping shall be provided as follows:

1. **Width:** A landscaped area a minimum of 30 feet in width shall be provided.
2. **Screening:** Solid landscape screening to a minimum of 10 feet in height above the grade of the subject property and in a design satisfactory to the Village shall be provided along the length of the abutting property line. If determined necessary by the Village, due to topographical changes between the abutting non-resident and residential property, the minimum height of the required screening may be increased to 12 feet. Any landscape materials used shall be made up of 25 percent evergreen trees a minimum of 6 feet tall, 25 ornamental trees a minimum of 3 inches in caliper or clumps 6 feet tall and 50 percent evergreen and deciduous shrubs achieving a minimum height of screening 6 feet at the time of planting. Whenever possible, berms should be used in conjunction with the landscaping to achieve a total height of 14 feet.
3. **Shade Trees:** Shade trees shall be provided at the equivalent of not more than 30 feet apart along the abutting property line. Such trees may be clustered or spaced linearly.
4. **Ground Cover:** Except where occupied by planting beds, all perimeter

landscaping areas shall be sodded or seeded.

E. **MULTIPLE-FAMILY RESIDENTIAL PROPERTY:** Multiple-family residential property shall be landscaped as follows:

1. **Width:** A landscaped area a minimum of 10 feet in width shall be provided.
2. **Landscaping:** A minimum of 50 percent of the required landscape setback shall be landscaped. Such landscaping shall be made up of 50 percent evergreen trees and ornamental trees a minimum of 6 feet tall and 50 percent evergreen and deciduous shrubs a minimum of 3 feet tall. Whenever possible, berms should be used in conjunction with the landscaping.
3. **Shade Trees:** Shade trees shall be provided at the equivalent of not more than 30 feet apart along the abutting property line. Such trees may be clustered or spaced linearly.
4. **Ground Cover:** Except where occupied by planting beds, all landscaping areas shall be sodded or seeded.
5. **Building Perimeter Landscaping:** Building perimeter landscaping in a minimum planting bed with a width of 8 feet shall be provided along 100 percent of all building facades except where sidewalks and driveways are located. Fifty percent of the landscape requirements shall be made up of evergreen trees and shrubs and 50 percent deciduous trees, ornamental trees and shrubs.

### **20.13 FREESTANDING, GROUND AND MONUMENT SIGNS**

Every permit application for a freestanding, ground or monument sign shall be accompanied by a landscape plan meeting the standards hereinafter specified:

1. For every square foot of sign surface area, there shall be provided 2 square feet of landscape area.
2. Any freestanding, ground or monument sign constructed or erected to a height in excess of 8 feet above the average surrounding grade shall be required to be improved with an additional 1½ square feet of landscaped area for each foot of height that the sign is constructed or erected above said 8 feet in height.
3. Sodded or seeded areas shall not qualify as such a landscaped area.
4. The required landscaped areas shall be improved with such plantings as hedges, conifers, flowering plants, evergreens, etc., of a size and in quantity proportionate to the size and height of the sign as judged by the Village.
5. In addition to the plantings herein described, the landscaped area shall also include

ground protection such as, but not limited to, ground cover plants, landscaping bar, decorative stone or landscape timbers.

6. It shall be the duty of each party owning any lot or parcel improved or to be improved with the landscaping required herein to maintain the landscaping including, but not by way of limitation, the replacement of any dead or diseased vegetation, the trimming of any overgrown vegetation and the maintenance of any groundcover or protection provided in accordance with the terms hereof.

## **20.14 MAINTENANCE AND REMOVAL OF TREES**

A. **PURPOSE:** It is the stated public policy of the Village Board to maintain, to the greatest extent possible, existing trees within the Village. In addition to adding to the scenic beauty of the Village, the maintenance of trees and wooded areas preserve the ecology of the Village through the filtering effect of trees on air pollutants. Trees also help to provide a noise barrier, help to prevent erosion of topsoil, provide nesting areas for birds and other wildlife, provide windbreaks and shaded areas, and increase property values by adding to the aesthetic quality of land. Therefore, the purpose of this Section is to allow for the improvement of platted but underdeveloped lots or buildable parcels where trees of 12 inches or larger exist.

B. **TREE PRESERVATION AREAS:** Tree preservation areas shall be established for all new residences on parcels where 12-inch or larger trees exist at the time of application for a building permit or at the time of preliminary plat of subdivision/planned development review.

1. **Tree Preservation Area:** The tree preservation area is that area of a lot or parcel which is not needed for the house and driveway construction and where all trees, 12-inches or larger in diameter, shall be preserved. The building activity area shall be the area on the lot where building activity may take place and shall be as small as possible, including the entire area affected by building and grading activities related to the approved construction. No construction activity, movement and placement of equipment or material storage shall be permitted outside the building activity area, in the tree preservation area. All buildings and driveways shall be located to minimize tree damage and/or removal but consistent with minimum building setback requirements of the Zoning Code. The building area shall be temporarily fenced by the developer during all construction so all trees in the tree preservation area shall be preserved.
2. The Village Board or its designee shall prescribe and publish procedures to be implemented by building permit applicants. Such procedures shall be binding and shall be filed for use and examination with the Building Department.
3. Replacement location shall be determined by the Village Board or its designee. A letter of credit, approved by the Village, shall be provided at the time the building permit is issued to guarantee the replacement of the number of trees determined to be required by the Village Board or its designee.

C. BARRIERS: Tree preservation areas shall be protected from the building activity areas by a barrier (fencing) of satisfactory materials to prevent impingement of construction vehicles, materials, spoils and equipment into the tree preservation area. The Village Board shall have the authority to stop construction on the site until adequate barriers have been constructed. If a barrier is constructed on the site and is not adequately maintained in the manner which protects the tree preservation area, the Village Board or its designee shall have the authority to stop construction until the barrier is repaired.

D. PERMIT REQUIREMENTS: 616

1. No trees greater than 12 inches in diameter, as measured at 54 inches above the ground, shall be removed from the tree preservation area without a permit. Permits authorizing the removal of trees in excess of 12 inches may be issued by the Village Board or its designee in circumstances when the issuance of such a permit is found to be consistent with the purpose of this Section. Conditions under which a permit may be issued include, but will not be limited to the following:
  - a. The tree is dead or dying; or
  - b. The tree is diseased, damaged or injured to the extent that it is likely to die; or
  - c. The removal of the tree will enhance the tree preservation area and the health of the remaining trees; or
  - d. The removal of the tree will avoid or alleviate an economic hardship or a hardship of another nature on the property or residence; or
  - e. The removal of the tree is consistent with good forestry practices.

In all cases of permit application, the Village staff shall use reasonable interpretations of the circumstances in determining whether or not the permit should be issued.

2. In issuing a permit, or if a tree 12 inches in diameter or larger is damaged or removed from the tree preservation area, the property owner or his designee may be required to replace each tree so removed so as to minimize the visual impact from the loss of each tree as observed from adjacent properties or parkways. The size of each such replacement, to be no less than 4 inches in diameter measured 30 inches from the top of the ball, the location and the variety of the replacement tree, shall be reviewed and approved by the Village Board or its designee who may, at its discretion, require more than 1 replacement tree if it deems it necessary to re-establish the visual character created by the tree which was removed.

If the property owner can demonstrate hardship or special circumstances, the Village Board, at its discretion, may waive the planting of a replacement tree, or trees, but only if a waiver is consistent with the purposes of this Section.

E. **PENALTY:** The removal of any tree 12 inches in diameter or more in violation of this Section shall be punishable by a fine of \$500 per tree. The diameter of removed trees shall be determined by the average stump diameter at 6 inches from the surrounding ground level. In addition, each tree removed shall be replaced by at least 1 tree of at least a 4-inch diameter; more trees may be required at the sole discretion of the Village Board if it deems it necessary to comply with the purpose of this Section.

## **20.15 PRESERVATION OF ROADSCAPES**

A. **PURPOSE:** Pursuant to the Village Board's public policy to preserve trees as an important public resource. It is also the Village Board's public policy to preserve natural roadscapes throughout the Village, to preserve the essential character of those areas throughout the Village which are heavily wooded and in a more natural state, and to maintain property values throughout the Village.

B. **DEFINITIONS:** In addition to those terms defined in Appendix A of this Code, the following definitions are applicable to this Section:

**Cutting:** The felling or removal of a tree of any procedure, the result of which is to cause the death or substantial destruction of a tree. Cutting does not include normal pruning, trimming or topping of trees.

**Drop line or drip line:** An artificial line along the ground which conforms to the perimeter of the crown of a tree and projects vertically to the ground.

**Remove or removal:** The actual physical removal, or the effective removal through damaging, poisoning or other direct or indirect action resulting in, or likely to result in, the death of a tree.

C. **TREE PRESERVATION AREA:** Tree preservation areas are hereby established in the front yards of each lot or parcel, corner side yards in the case of corner lots or parcels, and any side of a lot or parcel fronting on a public street for all developed properties as herein after set forth.

Within the tree preservation areas, no tree greater than 12 inches in diameter, as measured at 54 inches above the ground, shall be removed except as otherwise provided.

In the event of new construction, a Village approved letter of credit shall be provided at the time the building permit is issued to guarantee the replacement of the number of trees determined to be required by the Village Board or its designee.

D. **DESIGNATION:** The depth of the tree preservation area shall be 60 feet from the center line of paved public roadways. Within this area, the property owner shall be permitted to trim and remove trees that are less than 12 inches in diameter in order to create a healthy and

thriving environment for the larger more significant trees. That portion of the lot or parcel located outside the tree preservation area may be cleared by the property owner so as to insure reasonable enjoyment and use of the property. However, this removal shall not encroach on, or damage, any of the trees which are located within the tree preservation area.

E. **PERMIT REQUIREMENTS:** For the removal of a tree greater than 12 inches in diameter, as measured at 54 inches above the ground, a permit is required.

F. **APPEALS:** The property owner may appeal to the Village Board any decision made by the Village official designated to enforce this Section within 30 days of the decision being rendered.

G. **EMERGENCIES:** In the event emergency conditions require the immediate cutting or removal of trees within the tree preservation area in order to avoid immediate danger or hazard to persons or structures, an emergency permit will be issued without formal application to the Village Board or its designee. In the event of an emergency and the designated Village official is unavailable and no authorized Village official is reasonably available, it shall be lawful to proceed with the cutting of the tree or trees without permission to the extent necessary to avoid the immediate danger or hazard. Within 48 hours of such emergency action, the action shall be reported to the designated Village official. The report shall include such information and evidence as may be reasonably required by the Village Board or its designee to explain and justify the emergency action.

H. **PENALTY:** The removal of any tree 12 inches in diameter or more in violation of this Section shall be punishable by a fine of \$500 per tree. The diameter of removed trees shall be determined by the average stump diameter at 6 inches from the surrounding ground level. In addition, each tree removed shall be replaced by at least 1 tree of at least a 4-inch diameter. If it deems necessary to comply with the purpose of this Section, more trees may be required at the sole discretion of the Village Board. Replacement location shall be determined by the Village Board or its designee.

**20.16 PROHIBITED VEGETATION**

The following vegetation is prohibited in the Village:

**TREES:**

BOTANICAL NAME	COMMON NAME	REMARKS
Acer negundo	Box Elder	Weak wood; invasive
Ailanthus altissima	Tree-of-Heaven	Weak wood; invasive
Betula pendula	European Birch	Borers; disease
Catalpa species	Catalpa	Weak wood; litter; invasive
Ginkgo biloba (Female) seeds	Female Ginkgo	Offensive fruit; seeds
Gleditsia triacanthos	Torny Honeylocust	Thorns; seed pods; thornless varieties acceptable
Maclura pomifera	Osage-orange	Large fruit; thorns
Morus species	Mulberry	Weak wood; fruit; invasive

Rhamnus frangula	Buckthorn	Weak wood; fruit; invasive
Robinia species	Locust	Weak wood; litter; invasive
Sorbus aucuparia	European Mountainash	Borers; disease
Ulmus American	American Elm	Disease; insects
Ulmus pumila	“Chinese” (Siberian) Elm	Weak wood; disease; insects invasive

Disease resistant varieties are acceptable upon prior approval.

**SHRUBS AND HERBACEOUS PLANTS:**

Coronilla varia	Crownvetch	Invasive; intolerant of other plants
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Highway/large embankments only

Lonicera japonica	Japanese Honeysuckle	Very invasive; crowds out; native understory vegetation
Lythrum salicaria	Purple Loosestrife	Very invasive; replaces native vegetation in wetlands
Rosa multiflora oints	Multiflora Rose	Very invasive; thorns

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