

# TREE PRESERVATION ON PRIVATE PROPERTY

## Exhibit A Tree Conservation Area Guidelines

### Intent

The intent of these Guidelines is to protect and enhance the diversity, health and vigor of the tree, shrub, herbaceous plant, forb and grass species within the designated Tree Conservation Areas in order to protect wildlife habitat as well as enhance the aesthetic qualities and value of the properties adjacent to them.

The conservation of existing plant material is to be achieved primarily through restricting access to and limiting activities within the Tree Conservation Areas. However, intervention to perform maintenance and corrective measures is appropriate, must be approved by the appropriate Homeowner's Association (HOA), and does not require approval from the City in the following circumstances:

1. The presence of invasive plant species including noxious weed or alien plant species that may threaten the health of indigenous plants in the Tree Conservation Areas.
2. The presence of damaged, diseased or dead trees which may constitute a hazard to persons or property.
3. Where the City has approved a plan to re-establish trees, shrubs, and other plants that are indigenous to the Tree Conservation Zone.
4. Emergency removal as described in 8.30.060.

### Definitions

1. Alien: a plant native to one region but brought to another as a result of human activity.
2. Forb: a non-grassy herbaceous plant, primarily referring to broad-leaved plants of prairies and savannas.
3. Herbaceous: pertaining to or characteristic of a plant that has a fleshy stem, as distinguished from a woody plant.
4. Indigenous: occurring or living naturally in an area, not introduced; native.
5. Noxious weed: a weed specified by law as being especially undesirable, troublesome, and difficult to control.
6. Other plants: all vegetation, woody or otherwise, except lawn grass and flowers less than 24 inches in height.
7. Overstory trees: deciduous trees that generally grow to a height in excess of 30 feet.
8. Shrub: a woody perennial smaller than a tree, usually having permanent stems branching from or near the ground.
9. Savanna: a transitional zone between grasslands and forests, on which there are scattered individual trees and/or clumps of trees and shrubs.
10. Transitional Border: a strip of land within a Tree Conservation Area along its edge which has been disturbed and which may provide a visual and functional transition between the Tree Conservation Area and the remainder of the lot.

### Guidelines

- A. Removal of vegetation: The following activities are permitted within the Tree Conservation Zone.
  1. No healthy woody vegetation shall be removed except for the restricted species listed in Chapter 12.20 of the City Code and with the specific approval of the City.
  2. Where permission has been granted to remove woody vegetation, it shall be sawed or cut

## TREE PRESERVATION ON PRIVATE PROPERTY

- down to existing grade. No removal or disturbance shall occur below grade.
3. If the City has approved a plan to re-establish the growth of indigenous plants, noxious weeds and alien herbaceous vegetation may be removed by: (a) applying a three (3) inch layer of organic hardwood mulch, or (b) herbicide application by a licensed professional.
  4. Dead or fallen trees and limbs shall remain, except where a standing dead tree is located so that it could fall upon a building or structure.
- B. Planting: The following plantings are permitted within the Tree Conservation Zone.. Appendix I lists some native, non-native and weedy plants as a reference. Additional lists and guides to native plants are found in references such as Swink and Wilhelm's *Plants of the Chicago Region*, and Dick Young's *Kane County Wild Plants and Natural Areas, 2<sup>nd</sup> Edition*.
1. Indigenous grasses, flowers and other herbaceous plants may be planted by hand installation of plugs or by seeding. Prairie forbs and grasses shall be restricted to those areas/lots with limited scattered trees. Commercial prairie mixes may contain non-native and non-hardy species, so consulting a native plant supplier or prairie restoration specialist is recommended.
  2. Planting common turf grass such as Kentucky bluegrass, ryegrass, and fescue is not permitted except in transitional borders with specific approval of the City. The soil preparation typically required damages the root system of trees, and the nutrient and pH requirements for mowed turf grasses are not optimally compatible with those of most woody plants.
  3. Non-native plant material is not permitted. Some non-native plants reseed aggressively and become invasive, crowding out indigenous species.
  4. Indigenous container perennials, woody shrubs, and trees are permitted if planted in compliance with the following guidelines:
    - a. All digging and planting shall be performed by hand. No vehicles, augurs or rototillers are permitted.
    - b. Only minimal digging shall be allowed within the tree's critical root zone, i.e., the area equivalent to one foot of radius per inch of the tree's trunk caliper, measured out from the center of the tree. Plant type and size should be limited within this area to minimize damage to tree roots.
    - c. No overstory tree shall be planted directly under the drip-line of an existing tree.
    - d. Areas disturbed by planting must be thoroughly watered immediately after planting and periodically for one month following planting to reduce stress to existing trees. Do not overwater.
    - e. A three (3) inch layer of organic hardwood mulch in a dish or saucer pattern may be used around the base of newly planted trees and shrubs during the first growing season to conserve moisture in the soil.
    - f. If proper installation methods are used, additional plant material can reduce or control access into Tree Conservation Areas and will provide wildlife food and habitat.
- C. Transitional Border:
1. A transitional border may be delineated at the common boundary of the Tree Conservation Area and the remainder of the lot. The transitional border may extend into the Tree Conservation Area a maximum of three (3) feet, or within one (1) foot of existing trees within the Tree Conservation Area, whichever dimension is less. (See Appendix II)
  2. Due to disturbances caused by utility installation, restoration of the transitional border may include turf grasses and non-indigenous plant materials. However, restoration with indigenous plant materials is strongly encouraged.
  3. Yard accessories are permitted in the transitional border area as described below in D-1.
  4. Organic hardwood mulch is permitted to minimize the encroachment of indigenous plants into an adjoining managed plant material area such as turf or perennials.
  5. In order to preserve the health and vigor of the Tree Conservation Area, invasive plants or vegetation that is difficult to control shall not be permitted in the transitional border. (Refer to Appendix I for a list of invasive and difficult to control plants.)

## TREE PRESERVATION ON PRIVATE PROPERTY

- D. Installation of Yard Accessories:
1. Small yard accessories such as benches, bird baths, bat houses, butterfly houses, and bird feeders are permitted within the transitional border, only. Yard accessories shall be limited to not more than one (1) per fifty (50) square feet of transitional border. No yard accessories are permitted in the balance of the Tree Conservation Area.
  2. Permanent or temporary structures, play equipment, paths, paving, structures attached to trees such as tree houses, and any items requiring footings are prohibited.
- E. Prohibited Activities: The following activities and uses are specifically prohibited within Tree Conservation Areas:
1. Composting or dumping of lawn waste, Christmas trees, potted plants, or similar organic waste.
  2. Stacking or firewood.
  3. Dumping of any materials.
  4. Mowing.
  5. Fire pits and barbecues.
  6. Tree swings.
  7. Dog waste.
  8. Vegetable or flower gardens.
  9. Lawn irrigation systems.
  10. Yard accessories.
  11. Fences.
  12. Any other similar uses determined by the City to be detrimental to the protection of the Tree Conservation Area.
- F. Miscellaneous: The following activities are not permitted unless approved by the City in conjunction with a plan to remove and/or restore plant material in accordance with these guidelines:
1. The use of motorized vehicles such as garden tractors and mowers.
  2. The use of fertilizers, herbicides and pesticides.
  3. Alteration of existing grade elevation.