

# City of Waukegan

## **Tree Preservation & Landscape Ordinance**



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# ARTICLE I PURPOSE & DEFINITIONS

## Section 1.1 Purpose

The purpose of this ordinance is to preserve trees on both public and private property and, in the event tree removal is necessary, to ensure that appropriate replacement trees are planted. The ordinance is also intended to minimize erosion and stormwater runoff, provide buffers between neighboring properties, preserve historic streetscapes, minimize the visual and environmental impacts of paved surfaces and buildings, and ensure landscaping in conjunction with new development and redevelopment in a manner that preserves native vegetation. This ordinance is intended to balance the property rights of individual property owners with the overall health, safety and welfare interests of the City of Waukegan.

## Section 1.2 Definitions

1. **APPLICANT** is an owner, occupant, or a representative of an owner or occupant of a lot, parcel or tract of land for which an application has been filed for a subdivision, Conditional Use Permit, or any activity requiring the issuance of grading, building, utility or demolition permits.
2. **BLUFF** is all property on the lake side of the table land beginning at a point where the slope of the land first exceeds ten percent (10%) and continuing to the toe of slope.
3. **BUILDING ENVELOPE** is the portion of a property within which development activity, including grading, excavating, storage of materials, construction access, and construction of both main buildings and accessory structures, including pools, may occur.
4. **BUILDING FOOTPRINT** is the actual area of land that is occupied by the building. Not to be confused with the term "building envelope."
5. **CLUSTER OF TREES** is a minimum of three (3) trees which stand together within five feet (5'-0") of each other. Cluster of trees shall also refer to the vertical branches which break from the trunk of the tree at ground level. See Figure 1.2.5.
6. **CONSERVATION AREA** is an area within which all existing vegetation shall be preserved for the purpose of retaining the natural character of the area and providing screening from adjacent uses or a public or private street. No plant material shall be removed from or planted in a Conservation Area without a permit from the City authorizing removal or planting. Conservation Areas may be established as part of the subdivision process or through the issuance of a Conditional Use Permit. No solid fences may be located in a Conservation Area.
7. **CONSERVATION EASEMENT** is a legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values. It allows you to continue to own and use your land and to sell it or pass it on to heirs. When you donate a conservation easement to a land trust, you give up some of the rights associated with the land, such as the right to build additional structures, while retaining the right to landscape.
8. **CRITICAL ROOT ZONE** is an area on the ground extending out from the trunk of a tree in all directions a distance of one foot (1'-0") for every inch of tree diameter measured at breast height. See Figure 1.2.8.
9. **CUTTING** is the felling or removal of a tree, or any procedure that results in the death or substantial destruction of a tree. Cutting does not include normal pruning or trimming of trees consistent with this Ordinance.
10. **DIAMETER BREAST HEIGHT (DBH)** is the diameter of a tree measured at fifty-four inches (54") above the ground.



Figure 1.2.5



Figure 1.2.8

11. FOUNDATION PLANTINGS are any combination of ornamental trees, evergreens, shrubs, ground cover and flowers which are provided along the base of the front façade and corner side yard façade of the residence except where sidewalks, driveways or other hardscape abuts the residence. Foundation plantings shall not only be used to hide the foundations of residences, but to also complement the residence's appearance, blending it into the surroundings; not to camouflage the residence.
12. HERITAGE TREE is any tree having a 20" or larger DBH.
13. INCH FOR INCH REPLACEMENT is the planting of one or more trees in place of trees that have been removed. The new tree, or trees, shall equal, in total DBH inches, the DBH of the tree or trees removed.
14. NO DISTURBANCE AREA is an area, identified on a plat of subdivision or approved development plan around one or more trees within which all construction, grading, installation of utilities and all other land-altering activity is prohibited. No Disturbance Areas may be established as part of the subdivision process or through the issuance of a Conditional Use Permit.
15. OPEN SPACE is any area outside the building footprint that is not impervious.
16. PROPERTY THAT IS THE SUBJECT OF A DEVELOPMENT PETITION is any property for which an application has been filed for subdivision, Conditional Use Permit, or any activity requiring the issuance of any grading, building, utility or demolition permit.
17. PROTECTED AREA is any area in which tree protection measures are required pursuant to this Ordinance, including without limitation any bluff, conservation area, ravine, heritage tree, No Disturbance Area, Streetscape Preservation Area, or Tree Preservation Area.
18. RAVINE is all property beginning at a point where the slope of the land first exceeds ten percent (10%) and continuing to the bottom of the ravine.
19. REMOVE OR REMOVAL is the act of causing a tree to be cut down or to die through damaging, poisoning or other direct or indirect action.
20. STREET TREE is a tree located in the public right-of-way and maintained by the City of Waukegan.
21. STREETSCAPE PRESERVATION AREA is the portion of a property located in the front and corner side yards, as those defined by the Zoning Ordinance.
22. TOE OF SLOPE is that point in the ravine or bluff where the slope is less than twenty-two degrees (22°) or where the slope reverses directions. On compound slopes where there may be more than one possible toe location, the controlling point shall be whichever toe location provides the greater ravine or bluff area.
23. TOPPING is the indiscriminate cutting of tree branches to stubs or lateral branches that are not large enough to assume the terminal role. The act of topping is prohibited due to its effects on trees, which eventually lead to the decay and death of the tree.
24. TREE PRESERVATION AREAS are areas identified on a plat of subdivision, or on a site plan attached to the ordinance granting a Conditional Use Permit, within which trees are to be preserved. This differs from a Conservation Easement in that removal of undergrowth is permitted.
25. TREE WELL is an area that surrounds the tree at the drip line, where the trunk of the tree is either above or below the average grade outside the drip line. See Figure 4.6.

### ***Section 1.3 Tree Board***

The purpose of the Tree Board is to protect the public health and welfare by improving and preserving the beauty of the City as it relates to trees, both on public and private property. The Board administers and updates a plan for the care, preservation, pruning, planting, removal, or disposition of trees and shrubs along streets, and in other public areas. Appeals from any administrative decision made under this Ordinance may be taken by the applicant or by any other person adversely affected by the decision, to the Tree Board consistent with the procedures in Section 3.4 of the City of Waukegan Zoning Ordinance. The City Council and the Planning and Zoning Commission may also request the Tree Board's expertise in special matters which come within the Board's scope of work.

### ***Section 1.4 Exempt Agencies***

In its day-to-day maintenance responsibilities of the City of Waukegan's park system and all public rights-of-way, the City of Waukegan, the Waukegan Park District, and the Lake County Forest Preserve District are exempted from the requirements of this Ordinance.

## ARTICLE II GENERAL PROVISIONS

### ***Section 2.1 Planting***

It shall be unlawful to plant any tree or bush in the public right-of-way, or on other City-owned property without prior written approval of the Director of Public Works, or his designee, or in the case of a Conservation Area, the Director of Planning & Zoning, or his designee. Any plantings authorized within the public right-of-way or on other public property shall be documented by an approved landscape plan, and a hold harmless agreement, in a form acceptable to Corporation Counsel, shall be on file with the City prior to planting. It shall be unlawful to plant any tree under utility wires that is anticipated to grow to a height that will interfere with the wire.

### ***Section 2.2 Permit Required for Removal***

2.2.1 A permit authorizing removal must be obtained from the City of Waukegan prior to the following activities:

- a. Removal of trees or vegetation from a Conservation Easement. In addition, removal of dead, diseased, or noxious materials from these areas shall only occur with prior written approval.
- b. Removal of trees from a tree preservation or no disturbance area.
- c. Removal of a heritage tree.
- d. Removal of trees or vegetation on any property that is the subject of a development petition prior to the final approval of the development petition and issuance of a building permit.
- e. Removal of trees 10" DBH or larger within the streetscape preservation area.
- f. Removal of trees or shrubs from any ravine or bluff.

Any tree removal on private property shall not encroach upon, or damage any trees located in protected areas, on neighboring properties or in the City right-of-way. Any permit authorizing removal may be subject to such conditions that the City may deem necessary or appropriate to minimize damage to other trees or vegetation on a site, including installation of protective fencing.

Applications for a tree removal permit shall be made on forms authorized by the City of Waukegan, and no permit shall be issued except pursuant to an application containing all required information including, where applicable, a tree protection, landscaping, or tree replacement plan. Property owners are responsible for the complete disposition of refuse resulting from the removal of trees or branches in excess of three inches (3") in diameter. Said disposition must occur within 24 hours after tree removal.

2.2.2 Removal of Heritage Trees is prohibited except in cases outlined in a, b, or c of Section 2.3.

### ***Section 2.3 Justification for Permits***

Permits authorizing removal pursuant to Section 2.2 are reviewed by the Department of Planning & Zoning and the Department of Public Works and may be issued by the Building Department under the following conditions:

- a. The tree is dead or dying.
- b. The tree is diseased.
- c. The removal of the tree is consistent with established good forestry practices as set forth by the American National Standards Institute, in their publication entitled, "The American National Standard for Tree Care Operations – Tree, Shrub and Other Woody Plant Maintenance," or as hereafter amended for the purpose of protecting the health of trees and property values.
- d. Refusal to allow removal of the tree would deny the applicant all reasonable and economically viable uses of the property.
- e. If none of the above criteria are satisfied, the Director of Planning & Zoning or Public Works, or his designee, may authorize removal if it is mitigated by "replacement trees in lieu of

preservation” consisting of a double inch for inch replacement of the tree to be removed, unless good forestry practices or an approved landscaping plan warrant a lesser replacement, which in no case shall be less than an inch for an inch replacement of the tree to be removed. The replacement trees may be required on the property from which the tree was removed, or on adjacent properties, rights-of-way, or other sites as determined to be necessary by the Director of Planning & Zoning, or his designee, to mitigate the loss of the tree or trees.

2.3.1 A no-fee permit is required for transplantation of trees on private property.

Permit fees shall be established by the Building Department with the consent of the City Council.

### ***Section 2.4 Application of Requirements Regarding Diseased and Infested Trees***

Nothing in this Ordinance shall be construed to prohibit the removal of trees or parts thereof which have been identified as being infected with contagious, threatening diseases or infested with pests either of which threatens the health and vitality of the City’s urban forest. Such trees and infected or infested materials shall be removed and disposed of in accordance with the provisions of Article 7 of this Ordinance.

### ***Section 2.5 Partial Removal – Non-Emergency Tree Trimming, Pruning***

All tree pruning in the City of Waukegan shall be done in a manner that is consistent with the guidelines set forth by the American National Standards Institute, in their publication entitled, “The American National Standard for Tree Care Operations – Tree, Shrub and Other Woody Plant Maintenance,” or as hereafter amended for the purpose of protecting the health of trees and property values. All brush, when removed, shall be bundled and tied in lengths no greater than four feet (4’-0”).

2.5.1 Non-Emergency Pruning

Non-emergency pruning of all tree species shall be permitted year round except all species of Elms and Oaks shall not be pruned from April through October.

2.5.2 Utility Companies

Prior to conducting any non-emergency tree pruning, all utility companies shall notify the Director of Public Works, or his designee, and adjacent property owners, in writing, no less than seven (7) days prior to the start of any work. In protected areas and areas not within the utility franchise authority, the utility company must obtain written approval from the Director of Public Works, or his designee, prior to the start of any pruning, to ensure that the pruning plan is consistent with applicable City regulations.

### ***Section 2.6 Injury***

It shall be unlawful to intentionally injure any tree on public right-of-way or on other public property or trees on private property in a protected area as defined by this Ordinance.

### ***Section 2.7 Dangerous Trees***

Any tree on private property which overhangs any sidewalk, street or other public property in such a way as to impede or interfere with pedestrian or vehicular traffic, and any tree or limb which has become likely to fall on or across any public right-of-way or public property, shall be trimmed or removed by the owner of the property on which the tree grows so that the obstruction or danger is removed. If a determination is made by the Director of Public Works, or his designee, that a tree poses an immediate threat to public safety, the Director of Public Works, or his designee, may order, at the expense of the property owner, the removal of the portion of the tree posing the immediate threat.



## ***Section 2.8 Wires***

### **2.8.1 Attachment of Wires Prohibited**

It shall be unlawful to attach any wire or rope to any tree in any public right-of-way, parkway, or on other public property without the prior written approval of the Director of Public Works, or his designee.

### **2.8.2 Clearance from Trees**

Any person or company given the right to maintain poles and wires in the public rights-of-way and on publicly-owned property shall, in the absence of a provision in the franchise agreement concerning the subject, keep such wires and poles free from, and away from, all trees. In addition, all such trees shall be kept properly trimmed in a manner that is consistent with City regulations, subject to the approval of the Director of Public Works, so that no injury shall be done to either the poles and wires, or the trees, by their contact.

## ***Section 2.9 Excavations***

Excavations in streets or on other publicly-owned property shall occur in a manner that minimizes injury to any tree. In cases where the excavation may impact the roots or any other part of a tree, prior written approval from the Director of Public Works is required before excavation may begin to ensure that appropriate steps are taken to minimize or mitigate the effect of such impact.

## ***Section 2.10 Violations/Required Corrections through Administrative Adjudication***

### **2.10.1 Tree Removal**

Removal of any tree in violation of this Ordinance shall be punishable by a fine of not more than \$750.00 per violation, with every inch of the tree measured at DBH being a separate violation. The diameter of any trees that are removed prior to the issuance of a permit shall be determined by the diameter of the stump where cut at six inches (6") from surrounding ground level. In the case where a stump has been removed, the diameter of the tree shall be determined by the Director of Planning & Zoning or Public Works based on a prior tree survey, an aerial photo, or other documented evidence. In addition to the applicable fine, each tree removed, or determined by the City to be irreparably damaged, shall be replaced consistent with Section 2.10.2 of this Ordinance.

### **2.10.2 Replacement**

In issuing a permit authorizing the removal of a tree pursuant to Section 2.2 or in establishing the replacement requirement for a tree as required by Section 2.10.1, the size of each replacement tree shall be no less than three inches (3") DBH at the time of planting. The location and the species of the replacement tree shall be approved by the Director of Planning & Zoning. The Director may waive or reduce the requirement for planting a replacement tree, or trees, if such action is consistent with the purposes of this Ordinance. In the case of such waiver or reduction, an allowance is made for a cash-in-lieu-of contribution. Said contribution would require a payment of \$125.00 for every caliper inch which is not replaced. Replacement of trees will be based on the "inch for inch" definition contained in Section 1. However noxious or restricted trees, as identified in Section 8.3 of this Ordinance, shall be replaced on an inch for two inch basis. Dead, dying or diseased trees shall not require replacement. Deciduous trees shall only be replaced with deciduous trees. A tree which is transplanted on site is not required to be replaced.

### **2.10.3 Removal of Vegetation in Protected and/or Conservation Areas**

Removal of vegetation in Protected and/or Conservation Areas, on bluffs or ravines, in the public right-of-way and in other areas protected by this Ordinance shall be punishable by a fine of not more than \$750.00 per violation, with every 100 square feet of land area cleared or fraction thereof being a separate violation. A replacement landscape plan shall be submitted for approval within 30 days of the violation. The landscape plan shall be designed to restore the area to its previous

planting density with native vegetation. In addition to the fine, a cash bond shall be posted with the City to ensure replanting of the area in a manner consistent with the vegetation removed subject to the approval of the Director of Planning & Zoning as specified in Section 2.2 of this Ordinance. The amount of the cash bond shall be 110% of the cost of replanting. Replanting shall occur within a time frame as established by the Director of Planning & Zoning and interim measures shall be required to prevent stormwater run-off and erosion.

#### 2.10.4 Tree Trimming and Pruning

Trimming or pruning of any tree in violation of this Ordinance shall be punishable by a fine of not more than \$500.00 per violation with each tree pruned or trimmed being a separate violation. In the event that the trimming or pruning is determined by the Director of Planning & Zoning or Public Works to likely cause the death of the tree or shrub, the provisions of Section 2.10.1 shall be applicable in lieu of this Section.

#### 2.10.5 Tree or Vegetation Removal/Stop Work Order

The Director of Planning & Zoning or the Director of Public Works, or their designees, shall have the authority to stop work at a site if unauthorized tree or vegetation removal is occurring. Once a Stop Work Order is issued, work shall not commence until (a) the necessary permits have been issued, (b) any applicable fine has been paid, and (c) the requirements of Section 2.10.1 through 2.10.3 have been satisfied. Violations of a Stop Work Order shall result in a fine of \$500.00 for every activity in violation of the Stop Work Order, and any violation of a Stop Work Order shall subject the offending person to arrest.

#### 2.10.6 Tree Fencing Violation

Removal or partial removal of, or failure to maintain in a full upright position, any required protective tree fencing, except in accordance with a tree removal permit or an approved tree protection plan, shall constitute a violation of this Ordinance that is subject to a fine of not more than \$500.00 for each day that the violation continues.

The Director of Planning & Zoning, or his designee, shall have the authority to stop work at a site if a violation of the tree fencing requirement is found to exist. Once a Stop Work Order is issued, work shall not commence until the fencing has been re-installed and approved by the Director of Planning & Zoning and all applicable fines have been paid.

#### 2.10.7 Tree Fencing Violation – Repeated Offenses

In the case of a repeated violation of the tree fencing requirement, in addition to all applicable fines, erection of a chain link fence may be required before work is allowed to commence on the site.

#### 2.10.8 Storage of Soil, Fill Material, Construction Materials and Equipment

Storage of any materials or equipment within the areas protected by tree preservation fencing or within 10'-0" of any tree identified for preservation on the site plan, is prohibited and shall be subject to a fine of not more than \$500.00 for each day that the violation continues.

The Director of Planning & Zoning, or his designee, shall have the authority to stop work at a site if materials or equipment are found to violate this provision. Once a Stop Work Order is issued, work shall not commence until the materials and equipment are removed from the protected area, any protective fencing has been re-installed and approved by the Director of Planning & Zoning, and all applicable fines are paid.

#### 2.10.9 Topping

Topping, as defined herein, is strictly prohibited in the City of Waukegan due to its effects on trees, which eventually lead to the decay and death of the tree.

#### 2.10.10 Tree Replacement Fund

In those cases where a replacement waiver is warranted, as discussed in Section 2.10.2 of this Ordinance, the City of Waukegan shall establish a tree replacement fund where the owner/developer can make a cash-in-lieu-of payment where such payment will be set aside for future plantings on public property. Said fund would require a payment of \$125.00 for every caliper inch which is not replaced.

#### 2.10.11 Fines for All Other Violations

Any other violation of this Ordinance shall be subject to a fine of not more than \$750.00 for each day that the violation continues. In the event that the fines set forth in Section 2.10.1 or 2.10.3 are determined to be inapplicable or invalid, then a minimum fine of \$750.00 shall be assessed each day that the violation continues without correction as provided in Section 2.10.

### ***Section 2.11 Appeals***

Appeals from any administrative decision made under this Ordinance may be taken by the applicant or by any other person adversely affected by the decision, to the Tree Board consistent with the procedures in Section 3.4 of the City of Waukegan Zoning Ordinance.

## **ARTICLE III SUBDIVISIONS & PLANNED DEVELOPMENTS**

### ***Section 3.1 Approval***

In recommending final approval of a subdivision or planned development, the Planning and Zoning Commission shall forward conditions of approval to the City Council that furthers the stated purpose of this Ordinance. The conditions may include, but are not limited to, the establishment of Conservation Areas, No Disturbance Areas, Tree Preservation Areas, and requirements for Landscape Plans.

### ***Section 3.2 Required Materials for Submission***

All subdivision applications shall include the following materials in a form acceptable to the City and as further detailed in the subdivision application materials available from the Planning & Zoning Department.

#### **3.2.1 Tree Survey**

The survey shall include information on all existing trees six inches (6") DBH or larger and clusters of three (3) or more trees of at least four inches (4") DBH. Information shall include the location, size (DBH), species (botanical and common name) and a condition rating of each tree. Each tree shown on the survey shall be tagged by attaching a numbered steel tag (which corresponds with the tree survey) with aluminum or other rust-resistant nail at breast height. The nail shall be hammered in so that the tags are able to swing freely. Tags shall be removed by the City of Waukegan at the time of final acceptance of the subdivision.

#### **3.2.2 Site Plan of Proposed Improvements**

Three (3) site plans shall be submitted overlaying the tree survey with all proposed rights-of-way, utility easements, utility stubs, building pads/footprints, retention ponds and/or detention ponds, drainage swales, proposed grading and/or fill areas, and proposed location of tree protection fencing. The amount of grading or filling proposed in each area shall be specified on the plans. The plans shall clearly identify any trees or plantings that will be removed as part of the plan for proposed improvements. The developer shall also schedule an on-site inspection with the Director of Planning and Zoning, or his designee, to identify these trees and plantings that are going to be removed from the site. Such trees shall be clearly identified by the placement of a temporary fluorescent ribbon tied around the tree at breast height.

#### **3.2.3 Penalties for Tree Tag Removal**

Penalties for the removal of tree tags prior to final acceptance by the City of Waukegan shall be pursuant to the fines as set forth in Section 2.10.11.

### ***Section 3.3 Required Materials***

The following materials shall be submitted prior to consideration of the Final Plat of Subdivision by the Planning and Zoning Commission. Any of the requirements may be waived by the Director of Planning & Zoning if it is determined that they are not applicable based on the materials submitted for a tentative approval.

#### **3.3.1 Location of Conservation Areas, Tree Preservation Protection Areas and No Disturbance Areas**

The Final Plat of Subdivision shall reflect all conservation, tree preservation, no disturbance and landscape areas as approved by the Planning and Zoning Commission and City Council.

#### **3.3.2 Location of Building Envelope**

The Final Plat of Subdivision shall locate building envelopes that minimize impacts on trees identified for protection on the subdivision plat and by this Ordinance.

### 3.3.3 Landscape Plan

A landscape plan for the entrance to the subdivision, streetscapes, ponds, drainage swales, berms, common areas, planting of trees along both public and private streets, or other areas are required. The landscape plan shall be consistent with the provisions in Section 5.1 through 5.8, and 6.1 of this Ordinance and shall be designed based on the Plant Material Standards of Article 8.

### ***Section 3.4 Acceptance of Plant Materials and Maintenance Guarantee***

City acceptance of plant materials and the posting of a three-year financial guarantee shall occur in a manner consistent with the provisions of the Subdivision Ordinance of the City of Waukegan.

## ARTICLE IV CONSTRUCTION ACTIVITY

### ***Section 4.1 Tree Protection Fencing***

#### 4.1.1 Location

Prior to the issuance of any grading, utility, building or demolition permits, tree protection fencing shall be erected on the site consistent with the location indicated on the approved site plan and generally at a point not to exceed twenty feet (20'-0") beyond the foundation walls of all buildings and five feet (5'-0") from the edge of hardscape surfaces. The fence, once erected on the site, shall remain in place, in a full upright position, until all construction activity on the site is completed, the site is ready for the final landscape grading, and removal of the fence has been approved by the Director of Planning & Zoning, or his designee.

#### 4.1.2 Type

Tree protection fencing shall be wood, plastic or chain link fencing. The fence shall be four feet (4'-0") in height with steel supporting posts eight feet (8'-0") to ten feet (10'-0") on center. The posts shall be driven into the ground to hold the fence in an upright position throughout construction on the site. Based on the review of the site plan, a chain link fence may be required by the Director of Planning & Zoning, or his designee, in situations where construction activity must occur in areas that are close to trees or areas to be preserved.

### ***Section 4.2 Location of Utilities***

Each utility shall be identified consistent with J.U.L.I.E. guidelines.

#### 4.2.1 Augering

The augering of utilities shall be required and specified on the approved fencing plan where utility locations have the potential to materially damage trees six inches (6") DBH or larger or clusters of three (3) or more trees at least four inches (4") DBH.

### ***Section 4.3 Site Inspections and Approvals – Tree Fencing and Utility Locations***

At any time that an inspection occurs and tree protection fencing is not properly installed or utilities are not properly located, a re-inspection fee of \$500.00 will be assessed for each follow-up inspection until the site is adequately fenced and the utilities are properly located.

### ***Section 4.4 Site Clearing***

Following review and approval of the site plan and fencing, and the issuance of a demolition or building permit, the lot may be cleared of trees within the approved construction and driveway areas. The removal shall occur by use of manual saws, chain saws and stump grinders only. No other equipment shall be used for removal of trees without the prior written approval of the Director of Public Works, or his designee.

### ***Section 4.5 Excavation***

If there is insufficient cleared area on the site, as determined by the Building Commissioner, or his designee, to store soil from the excavation until it is needed for backfilling without impacting trees identified for protection, the soil shall be temporarily removed from the construction site until the backfilling is to occur.

### ***Section 4.6 Finished Grade***

Fill materials used to establish finished grade in accordance with the approved grading plan shall be top quality black soil. Fill materials shall not be permitted around the trunk of a tree. Changes in soil depth around trees injure root systems. The addition of only 4 to 6 inches of soil over a root zone drastically reduces the amount of oxygen and water available to the roots. To this end, a tree well equal to or larger

than the critical root zone of the trees to protect the tree from fill materials is required. Adequate drainage shall be provided in each tree well to prevent the collection of water. See Figure 4.6 below.

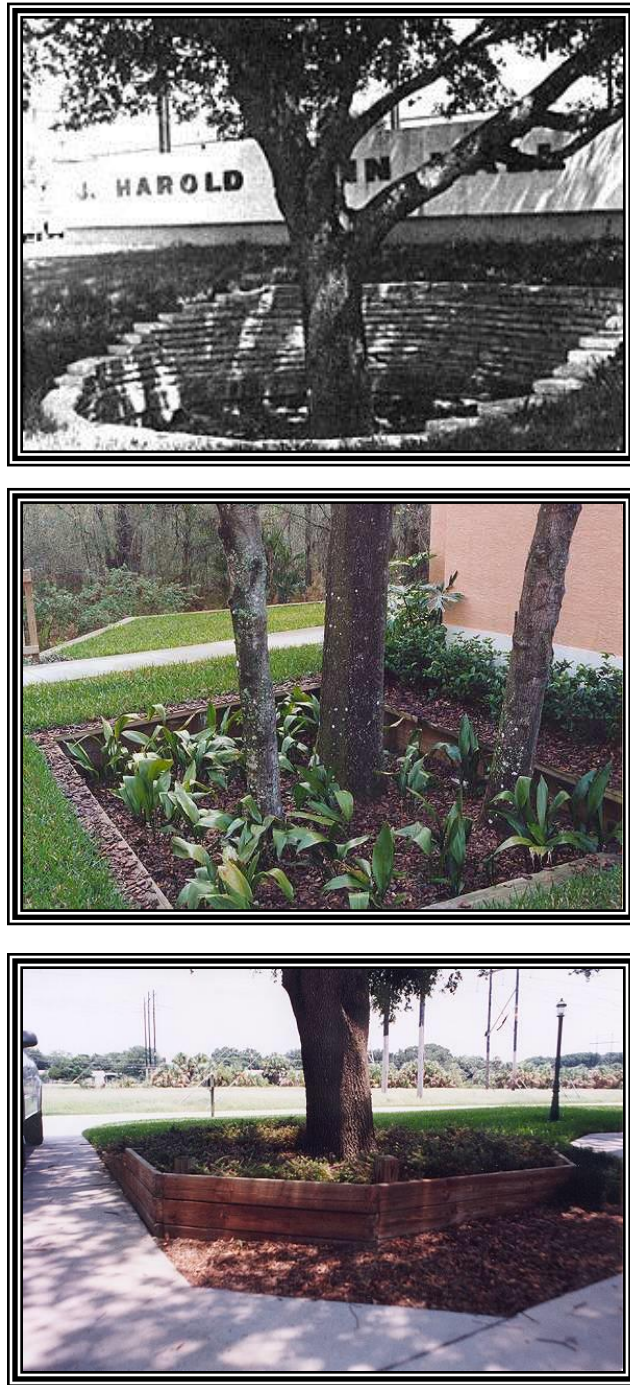


Figure 4.6 Properly Installed Tree Wells

## ARTICLE V LANDSCAPE PLANS

### ***Section 5.1 Required***

A landscape plan, consistent with the plant material standards of this Ordinance, shall be required for all development activity.

### ***Section 5.2 Application***

Landscape plans shall be consistent with the following standards, shall be submitted in a form acceptable to the City, and shall be in conformance with the City of Waukegan Plant Material Standards.

#### 5.2.1 Plan

The plan shall be drawn at a scale one inch (1") equals (=) ten feet (10'-0") scale or larger and shall accurately show property lines and zoning setback lines.

#### 5.2.2 Public Right-of-Way

Private landscaping shall not encroach on to the City right-of-way.

#### 5.2.3 Elements of Plan

The landscape plan shall show all existing trees of at least six inches (6") DBH and clusters of three (3) or more trees of at least four inches (4") DBH, proposed grading and filling, existing natural features on the site including, but not limited to ravines, bluffs and wetlands. In addition, the plan shall show all proposed building foot prints and all hardscape surfaces. The plan shall identify the species (botanical and common name), varieties, size at time of planting and quantity of plant materials. The plan shall identify any existing trees or vegetation which are proposed to remain and note which are proposed for removal.

### ***Section 5.3 Landscape Standards for In-fill Single-Family Residential***

Landscape standards for single-family residential buildings shall be reviewed by the Department of Planning & Zoning. The plans shall be consistent with the guidelines and Plant Material Standards established herein. The following minimum standards shall be met, unless expressly waived by the Tree Board or City Council.

- a. Foundation plantings, as defined herein, of a minimum width of four feet (4'-0").
- b. Street trees, in accordance with the provisions of Section 8.1.1 of this Ordinance.
- c. Front and corner side yards shall be properly sodded or hydro-seeded prior to occupancy.

### ***Section 5.4 Landscape Standards for All Other Residential and Non-Residential***

Landscape plans for all other residential and non-residential developments shall be subject to review and approval by the Department of Planning & Zoning in conjunction with review of the building permit. The following minimum standards shall be met, unless expressly waived by the Tree Board or City Council.

- a. At least 50% of the open space on the site shall be landscaped. The required open space ratios and setback requirements for various zoning districts shall be consistent with the provisions of the City of Waukegan Zoning Ordinance.
- b. At least one (1) tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum of six feet (6'-0") in height. One-third of the trees shall be ornamental a minimum of three inch (3") caliper or six feet (6'-0") in height. And one-third of the trees shall be canopy, or shade trees, a minimum of three inches (3") DBH.
- c. One (1) shrub shall be planted for every fifty (50) square feet of the area required to be landscaped. For shrubs that mature at less than five feet (5'-0") in height, minimum installation



- size shall be two feet (2'-0") tall. For shrubs that mature taller than five feet (5'-0") in height, minimum installation size shall be three feet (3'-0") tall.
- d. Foundation plantings, as defined herein, shall be a minimum width of six feet (6'-0").
  - e. Street trees, in accordance with the provisions of Section 8.1.1 of this Ordinance.
  - f. Front and corner side yards shall be properly sodded or hydro-seeded prior to occupancy.

### ***Section 5.5 Landscape Standards, Parking Lots***

All parking lots of ten (10) or more spaces shall provide landscaping in accordance with the provisions of this Section. In addition, all parking lots of more than five (5) spaces and adjoining property in a Residence, General Residence or Office Districts shall satisfy a parking setback requirement of at least five feet (5'-0") to allow for landscaping. All parking lots fronting a street shall be set back at least ten feet (10'-0") to allow for landscaping.

#### **5.5.1 Interior Landscaping**

Parking lots of ten (10) or more spaces shall be landscaped consistent with the following standards.

- a. A planting island of at least one hundred fifty feet (150'-0") in area shall be provided for every ten (10) parking spaces or a continuous landscape strip at least seven (7) feet in width between parking rows shall be provided and a landscape island of at least one hundred fifty feet (150'-0") shall be provided at the end of each row of parking stalls.
- b. All landscape islands shall be crowned to allow for positive drainage.
- c. One (1) canopy/shade tree shall be provided for every landscape island or one (1) canopy/shade tree shall be provided for every forty (40) linear feet of a continuous landscape strip.
- d. Canopy/Shade trees shall comprise at least sixty percent (60%) of the landscape material. Ornamental trees, shrubbery, hedges and other plant materials may be used to supplement the trees.

#### **5.5.2 Perimeter Landscaping**

Parking lots adjacent to public or private streets shall meet the following standards.

- a. A solid screen of plantings, a minimum of three feet (3'-0") in height, shall be provided. If shrubs are used, at least fifty percent (50%) shall be evergreens.
- b. All landscaped islands shall be crowned to allow for positive drainage.
- c. At least one (1) canopy/shade tree shall be provided for every forty (40) linear feet of parking lot adjacent to a public or private street. The trees shall be planted between the parking lot and lot line. One-third of these trees shall be canopy/shade trees at least three inches (3") DBH, one-third ornamental at least three (3") DBH and one-third evergreen at least Six feet (6'-0"). These trees are in addition to street trees required by Article 8 of this Ordinance.

### ***Section 5.6 Landscape Standards, Right-of-Way***

In conjunction with a subdivision, development or re-development of a property, the publicly owned right-of-way shall be restored consistent with the following standards.

- a. Graded and sodded. The unpaved portion of public right-of-way abutting a parcel shall be finish graded and sodded.
- b. Street trees. Street trees shall be replaced or planted consistent with Article 8 of this Ordinance.

## ARTICLE VI STREET TREES

### ***Section 6.1 Street Tree Plans***

A Street Tree Plan and street tree plantings are required as part of the site plan review process. The following minimum standards shall be met, unless expressly waived as part of the development approval process.

#### 6.1.1 Size and Spacing

Trees and shrubs shall be planted according to the following spacing requirements.

##### Trees

- Street trees shall be at least three inches (3”) caliper at the time of planting.
- When planting more than five (5) street trees, at least two (2) different species shall be planted.
- When planting at least fifteen (15) street trees, at least three (3) different species shall be planted.
- Small trees which have an ultimate height of twenty (20) to thirty (30) feet or a fifteen (15) to twenty-five (25) foot spread shall be planted fifteen (15) to twenty (20) feet on center.
- Medium trees which have an ultimate height of thirty (30) to fifty (50) feet or a thirty (30) to forty (40) foot spread shall be planted twenty-five (25) to thirty (30) feet on center.
- Large trees which have an ultimate height greater than fifty (50) feet or over a forty (40) foot spread shall be planted thirty-five (35) to forty (40) feet on center.

##### Bushes

- Small shrubs with a minimum height of two feet (2’) shall be planted three feet (3’) on center.
- Large shrubs with a minimum height of three feet (3’) shall be planted three feet (3’) on center.

### ***Section 6.2 Tree Removal***

Trees in the parkways and rights-of-way are the property of the City of Waukegan. Residents may not prune or remove such trees. Residents seeking to have trees pruned or removed must contact the City of Waukegan Department of Public Works.

### ***Section 6.3 Exceptions***

In multi-family, commercial or industrial districts, the Director of Planning and Zoning, or his designee, may waive the street tree requirements due to site line concerns.

## **ARTICLE VII CONTAGIOUS OR THREATENING DISEASES AND INFESTATIONS**

### ***Section 7.1 Trees Affected with Contagious or Threatening Diseases or Infestations Declared to be Public Nuisances***

All species and varieties of Elm trees infected with the fungus known as the Dutch Elm Disease and trees infected with Oak Wilt as determined by laboratory analysis conducted by or under the direction of the City Forester and trees infested with Asian Longhorn Beetle or other diseases or infestations that threaten the urban forest are hereby declared to be a public nuisance.

### ***Section 7.2 Breeding Places of Elm Bark Beetles Declared to be Public Nuisances***

All species and varieties of Elm trees that are dead or substantially dead, and all dead Elmwood to which the bark is still attached are hereby declared to be public nuisances.

### ***Section 7.3 Unlawful to Maintain Public Nuisances***

It shall be unlawful for any owner or occupant of any lot or parcel of land in the City of Waukegan to permit or maintain on any such lot or parcel of land, a public nuisance as set out in Section 7.1 and 7.2 above and it shall be the duty of any such owner or occupant to promptly remove any such tree so identified by the City and dispose of it either by chipping or burying it. Trees less than 5% infected may be treated in an effort to save the tree with the permission from the Director of Public Works.

### ***Section 7.4 Enforcement of Article***

In order to carry out the purpose of this Ordinance and to implement the enforcement thereof, the Director of Public Works is hereby authorized and empowered to enter upon any lot or parcel of land in the City of Waukegan at all reasonable hours for the purpose of inspecting any trees or stored wood situated thereon and the Director of Public Works may remove such specimens from any such tree as required for the purposes of the laboratory analysis referred to in Section 7.1 of this Ordinance. It shall be unlawful for any person, firm or corporation to take any action to prevent the director of Public Works from entering onto any lot or parcel of land in the City of Waukegan for the purpose of such inspection, or to interfere with the Director of Public Works in the performance of any duties provided under the provisions of this Article.

### ***Section 7.5 Duty of Owner to Remove Diseased Tree or Breeding Place after Notice***

If it is determined that any tree or stored wood is a public nuisance as provided in Sections 7.1 or 7.2, the Director of Public Works shall serve or cause to be served upon the owner and occupant of the lot or parcel of land on which such tree or stored wood is located, a written notice requiring such owner to comply with the provisions of this Ordinance. If the owner disagrees with the diagnosis of the City of Waukegan, the owner shall be responsible for covering the costs of testing the tree sample. If the owner or occupant upon whom such notice is served fails, neglects or refuses to remove and destroy the public nuisance within thirty (30) days after service of such notice, the Director of Public Works may proceed to remove and dispose of such tree or stored wood and assess the cost thereof against the owner or occupant of such lot or parcel of land, and the amount of such cost shall be paid by such owner to the City of Waukegan.

### ***Section 7.6 Notice to Owner***

Service of notice to an owner or occupant shall be served by personal service or by Certified mail, return receipt requested. For purposes of this Article, an "owner" shall be the person to whom the tax bill for the general taxes for the last preceding year on the lot or parcel on which the diseased or infected tree is located was sent.

**Section 7.7 City may Abate Nuisance and Assess the Cost to the Owner**

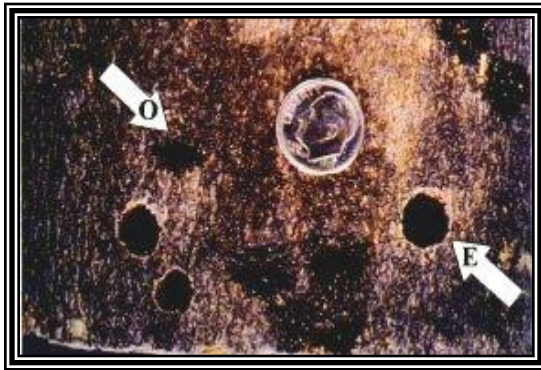
Provided that notice to an owner is sent in accordance with Section 7.6, any costs incurred by the City in the abatement of a public nuisance pursuant to this Article may be assessed against the record owner of the subject property, and the City may place a lien upon such property for those costs in the manner provided by law.

**Section 7.8 Nuisance on City Property**

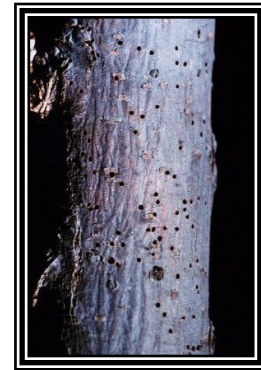
Any tree or stored wood, on property owned by the City of Waukegan which is a public nuisance as provided by Section 7.1 or 7.2 of this Ordinance shall promptly be removed and disposed of under the supervision of the Director of Public Works, at the expense of the City.

**Section 7.9 Penalty for Non-Compliance**

Any person, firm or corporation violating any provision of this Article by failing, neglecting or refusing to comply with the provisions of any notice herein provided for, within thirty (30) days after the service thereof, or, who shall resist or obstruct the Director of Public Works, in carrying out the provisions of this Ordinance, shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 nor more than \$750.00 for each offense. Each day that a violation continues shall be deemed a separate offense.



Trees that have died as a result of the Asian long-horned beetle infestation. “O” shows where eggs were deposited and “E” shows where adults have emerged.



The dark stain beneath the bark of this elm tree and the yellowing and wilting of its leaves is a sure sign that it has Dutch Elm Disease. Death often occurs within the same year. Gypsy moth outbreaks can almost completely defoliate forests.

**Figure 7.9 Diseased Trees**

## **ARTICLE VIII PLANT MATERIAL STANDARDS**

### ***Section 8.1 Plant Materials***

#### 8.1.1 Standards

All plant materials shall conform to the standards adopted by the American Association of Nurserymen and/or the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, current edition.

#### 8.1.2 Source

All plant material shall be grown nursery stock and from a site no further than one sub-zone from delivery site.

#### 8.1.3 Size and Measurement

All measurements shall conform to the minimum standards set forth in the current edition of the International Society of Arboriculture, in their publication entitled, "Tree Pruning Guidelines, 1995."

### ***Section 8.2 Planting Standards***

#### 8.2.1 Tree and Shrub Installation

The diameter of the pits for trees and shrubs shall be at least six inches (6") greater than the diameter of the root ball. The depth of the plant pits shall be the depth of the root ball plus a minimum of six inches (6") more to accommodate a six inch (6") minimum backfill of topsoil prior to installation of the plant. All trees and shrubs shall be planted in a soil mixture consistent with the soil that was removed, and shall be thoroughly watered and tamped as backfilling progresses. Specific site and soil conditions may require site-specific treatment including, but not limited to, under drainage use of native soil, and tree-spade transplanting.

#### 8.2.2 Mulching

Within three (3) days after planting, plants shall be mulched with a minimum three inches (3") of shredded landscape bark with a shallow water basin around the planting.

#### 8.2.3 Wrapping

Commercial tree wraps on deciduous trees may be used or required at the discretion of the Director of Public Works, or his designee.

#### 8.2.4 Pruning

Prune all plant materials to preserve the natural character of the plant. Pruning shall be limited to the minimum necessary to remove injured or broken branches, and to compensate for the loss of roots during transplanting, but never to exceed 1/3 of the branching structure.

#### 8.2.5 Registered Contractors

Any work required in the implementation of the various provisions of this Ordinance of any landscape work generally when done for hire shall be performed by a landscape contractor registered with the City of Waukegan in accordance with Waukegan Contractor Registration Ordinance. The term "landscape contractor" shall include all persons or firms involved in the removal, pruning, maintenance or installation of plant materials; and shall include the application of chemical fertilizers, nutrients, pesticides, and herbicides, and other lawn care firms.

### Section 8.3 Restricted Trees

The following list of trees will not be allowed to be planted as street trees in the dedicated rights-of-way, within ten feet (10') of a right-of-way, or within sewer and water easements where tree roots will damage sewer and water lines.

<b>Botanical Name</b>	<b>Common Name</b>	<b>Problems</b>
<i>Acer negunda</i>	Box Elder Maple	Brittle wood, decay, insects
<i>Acer saccharinum</i>	Silver Maple	Brittle wood, insects and diseases
<i>Ailanthus altissima</i>	Tree of Heaven	Weak wood, aggressive species
<i>Betula pendula</i>	Birch, European White	Insects and diseases, weak wood
<i>Betula populifolia</i>	Birch, Gray	Insects and diseases, weak wood
<i>Betula, papyrifera</i>	Birch, Paper	Insects and diseases, weak wood
<i>Catalpa bignoides</i>	Catalpa	Insects and diseases
<i>Fraxinus, All varieties</i>	Ash	Insects and diseases
<i>Ginkgo biloba</i>	Ginkgo	Foul-smelling fruit
<i>Maclura pomifera</i>	Osage Orange	Foul-smelling fruit and flowers
<i>Morus alba</i>	White Mulberry	Fruit, shallow roots
<i>Populus deltoids</i>	Cottonwood	Brittle wood, decay, seeds
<i>Prunus serotina</i>	Cherry, Black	Insects, diseases, toxic leaves
<i>Prunus padus</i>	Cherry, European Bird	Insects, diseases, toxic leaves
<i>Prunus pensylvanica</i>	Cherry, Pin	Shallow roots, short life span, weak wood
<i>Prunus avium</i>	Cherry, Sweet	Fruit
<i>Rhamnus cathartica</i>	Buckthorn	Very aggressive invasive species
<i>Robinia pseudo-acacia</i>	Black Locust	Invasive species, toxic, pods
<i>Salix biloba</i>	Willow	Weak wood, decay
<i>Ulmus parvifolia</i>	Chinese Elm	Brittle wood, insects
<i>Ulmus pumila</i>	Siberian Elm	Brittle wood, insects
<i>All species</i>	Evergreen/conifers	Create blind spots
<i>All species</i>	Fruit trees	Fruit

## Section 8.4 Recommended Trees

The following list of trees is recommended based on the Chicago Horticulture Society - Chicago Botanic Garden, Best Deciduous Trees for Chicago, and the availability from local nurseries. Recommended street trees are shown with an asterisk (\*).

Botanical Name	Common Name
<i>Acer griseum</i>	Paperbark Maple
<i>Acer rubrum</i> *	Red or Swamp Maple
<i>Acer saccharum</i> *	Sugar or Rock Maple*
<i>Acer triflorum</i> *	Three-Flowered Maple*
<i>Aesculus X carnea</i>	Red Horsechestnut
<i>Amelanchier X grandiflora</i>	Apple Serviceberry
<i>Betula nigra</i>	River or Red Birch
<i>Betula platyphylla</i>	Japanese Whitespire Birch
<i>Carpinus caroliniana</i> *	American Hornbeam*
<i>Celtis occidentalis</i> *	Common Hackberry*
<i>Cercidiphyllum japonicum</i>	Katsuratree
<i>Cercis canadensis</i>	Redbud
<i>Cladrastis lutea</i>	Yellowwood
<i>Cornus alternifolia</i>	Pagoda Dogwood
<i>Cornus mas,</i>	Dogwood, Corneliancherry
<i>Corylus columa</i>	Turkish Filbert
<i>Crataegus crus-galli</i>	Cockspur Hawthorn
<i>Crataegus phaenopyrun</i>	Washington Hawthorn
<i>Crataegus viridis</i>	Green Hawthorn
<i>Fagus sylvatica</i>	European Beech
<i>Gleditsia triacanthos inermis</i> *	Thornless Honeylocust*
<i>Gymnocladus dioica</i>	Kentucky Coffeetree
<i>Koelreuteria paniculata</i>	Goldenraintree
<i>Larix decidua</i>	European Larch
<i>Liriodendron tulipifera</i> *	Tuliptree*
<i>Magnolia X loebneri</i>	Merrill Magnolia
<i>Magnolia X soulangiana</i>	Saucer Magnolia
<i>Magnolia stellata</i>	Star Magnolia
<i>Nyssa sylvatica</i>	Black Tupelo or Sourgum
<i>Ostrya Virginiana</i> *	Ironwood/ Hophornbeam*
<i>Prunus sargentii</i>	Sargent Cherry
<i>Prunus virginia</i>	Choke Cherry
<i>Quercus alba</i> *	White Oak*
<i>Quercus imbricaria</i> *	Shingle Oak*
<i>Quercus macrocarpa</i> *	Bur Oak*
<i>Quercus rubra</i>	Red Oak
<i>Rhus typhina</i>	Staghorn Sumac
<i>Sophora japonica</i>	Japanese Pagodatree
<i>Syringa reticulata</i>	Japanese Tree Lilac
<i>Taxodium distichum</i>	Baldcypress
<i>Tilia cordata</i> *	Littleleaf Linden*
<i>Ulmus parvifolia</i> *	Chinese Elm*

List of crabapple with good disease resistance and/or good forms include Adams, Ames White, *baccata* "jackii", Beverly, Centennial, *floridunda*, Liset, Mary Potter, *sargentii*, snowdrift, and White Angel.

List of crabapple that should not be planted because of disease include Almey, *amoldiana*, Eleyi, Flame, Goldfinch, Hopa, *ioensis*, Irene, Jubilee, Leslie, Pink Perfection, *scheideckeri*, Snowcloud, Strathmore, Vanguard.

### Section 8.5 Recommended Deciduous Shrubs

The following list of deciduous shrubs is recommended based on the Chicago Horticulture Society - Chicago Botanic Garden, Best Deciduous Shrubs for Chicago, and the availability from local nurseries.

Botanical Name	Common Name
<i>Abeliophyllum distichum</i>	White Forsythia
<i>Aesculus parviflora</i>	Bottlebrush Buckeye
<i>Berberis koreana</i>	Korean Barberry
<i>Berberis X mentorensis</i>	Mentor Barberry
<i>Berberis thunbergii</i>	Japanese Barberry
<i>Chaenomeles japonica</i>	Japanese Flowering Quince
<i>Chionanthus virginicus</i>	White Fringetree
<i>Clethra alnifolia</i>	Summersweet
<i>Comptonia peregrina</i>	Sweetfern
<i>Cornus alba</i>	Tatarian Dogwood
<i>Cornus racemosa</i>	Gray Dogwood
<i>Cornus sericea/Cornus stolonifera</i>	Redosier Dogwood
<i>Cotinus coggygria</i>	Smokebush
<i>Cotoneaster adpressus</i>	Creeping Cotoneaster
<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster
<i>Cotoneaster lucidus</i>	Hedge Cotoneaster
<i>Cotoneaster multiflorus</i>	Manyflowered Cotoneaster
<i>Daphne mezereum</i>	February Daphne
<i>Euonymus alata</i>	Winged Euonymus or Burningbush
<i>Euonymus europea</i>	European Euonymus
<i>Forsythia X intermedia</i>	Border Forsythia
<i>Forsythia suspensa</i>	Weeping Forsythia
<i>Forsythia viridissima</i>	Bronx Forsythia
<i>Fothergilla gardenii</i>	Dwarf Fothergilla
<i>Fothergilla major</i>	Large Fothergilla
<i>Genista tinctoria</i>	Common Woadwaxen or Dyer's Greenwood
<i>Hamamelis X intermedia</i>	Intermediate Witchhazel
<i>Hamamelis vernalis</i>	Vernal Witchhazel
<i>Hamamelis virginiana</i>	Common Witchhazel
<i>Hydrangea arborescens</i>	Smooth Hydrangea
<i>Hydrangea heteromalla</i>	Bretschneider Hydrangea
<i>Hydrangea paniculata</i>	Panicle Hydrangea
<i>Hypericum calycinum</i>	Weeping St. John's Wort
<i>Hypericum kalmianum</i>	Kalm St. John's Wort
<i>Hypericum kalmianum patulum</i>	Goldencup St. John's Wort
<i>Ilex verticillata</i>	Winterberry
<i>Itea virginica</i>	Virginia Sweetspire
<i>Kolkwitzia amabilis</i>	Beautybush
<i>Ligustrum obtusifolium</i>	Regel's Border Privet
<i>Myrica pensylvanica</i>	Bayberry
<i>Paeonia suffruticosa</i>	Tree Peony
<i>Philadelphus</i>	Mockorange
<i>Prunus maritima</i>	Beach Plum



**Section 8.5 Recommended Deciduous Shrubs (cont.)**

<b>Botanical Name</b>	<b>Common Name</b>
<i>Prunus X Hally Jolivette</i>	Hally Jolivette Cherry
<i>Prunus tenella</i>	Dwarf Russian Almond
<i>Prunus tomentosa</i>	Nanking or Manchu Cherry
<i>Pentilla fruticosa</i>	Bush Cinquefoil
<i>Pyracantha coccinea</i>	Scarlet Firethorn
<i>Rhamnus frangula asplenifolia</i>	Cutleaf Glossy Buckthorn
<i>Rhododendron arborescens</i>	Sweet Azalea
<i>Rhododendron mucronulatum</i>	Korean Rhododendron
<i>Rhododendron X Northern Lights</i>	Northern Lights Azalea
<i>Rhododendron schlippenbachii</i>	Royal Azalea
<i>Rhodotypos scadens</i>	Jetbead
<i>Rhus aromatica</i>	Fragrant Sumac
<i>Rhus typhina</i>	Staghorn Sumac
<i>Ribes alpinum</i>	Alpine Currant
<i>Rose omeinensis</i>	Omei Rose
<i>Rosa rugosa</i>	Rugosa or Saltspray Rose
<i>Rose wichuraiana</i>	Memorial Rose
<i>Sambucus canadensis</i>	Elderberry
<i>Sorbaria sorbifolia</i>	Ural False Spirea
<i>Spirea X arguta</i>	Garland Spirea
<i>Spirea X albiflora</i>	Japanese White Spirea
<i>Spirea X billiardii</i>	Billiard Spirea
<i>Spirea bullata</i>	Crispleaf Spirea
<i>Spirea X bumalda</i>	Bumalda Spirea
<i>Spirea japonica</i>	Japanese Spirea
<i>Spirea nipponica</i>	Nippon Spirea
<i>Spirea prunifolia</i>	Bridalwreath Spirea
<i>Spirea X vanhouttei</i>	Vanhoutte Spirea
<i>Stephanandra incisa</i>	Cutleaf Stephanandra
<i>Symphoricarpos albus</i>	Common Snowberry
<i>Symphoricarpos X chenaultii</i>	Chenault Coralberry
<i>Symphoricarpos orbiculatus</i>	Indiana Currant
<i>Syringa X chinensis</i>	Chinese Lilac
<i>Syringa meyeri</i>	Palibin Lilac
<i>Syringa</i>	See Lilac Varieties Below
<i>Tamarix ramosissima</i>	Five Stamen Tamarix
<i>Viburnum carlessi</i>	Koreanspice Viburnum
<i>Viburnum cassinoides</i>	Witherod Viburnum
<i>Viburnum dentatum</i>	Arrowwood Viburnum
<i>Viburnum X juddii</i>	Judd Viburnum
<i>Viburnum lantana</i>	Wayfaringtree Viburnum
<i>Viburnum opulus</i>	European Cranberrybush
<i>Viburnum plicatum Forma Tomentosum</i>	Doublefile Viburnum
<i>Viburnum prunifolium</i>	Blackhaw Viburnum
<i>Viburnum sieboldii</i>	Siebold Viburnum
<i>Viburnum trilobum</i>	American Cranberrybush
<i>Weigela florida</i>	Old Fashioned Weigela
<i>Weigela middenorffiana</i>	Middendorf Weigela
<i>Xanthorhiza simplicissima</i>	Yellowroot

Lilac varieties include: Adelaide Dunbar, Agnes Smith, Alphonse Lavallee, Belle De Nancy, Charles Joly, Donald Wyman, Esther Staley, Isabella, Mme Lemoine, Miss Kim, Mont Blanc, President Lincoln, Royalty, Sister Justena, and Victor Lemoine.

### Section 8.6 Recommended Evergreens

The following list of evergreens is recommended based on the Chicago Horticulture Society - Chicago Botanic Garden, Best Evergreens for the Chicago Area, and the availability from local nurseries.

Botanical Name	Common Name
<i>Abies concolor</i>	White Fir
<i>Abies holophylla</i>	Needle Fir
<i>Abies homolepis</i>	Nikko Fir
<i>Abies koreana</i>	Korean Fir
<i>Abies lasiocarpa</i>	Alpine Fir
<i>Abies nordmanniana</i>	Nordman Fir
<i>Chamaecyparis pisifera</i>	Sawara False Cypress
<i>Chamaecyparis pisifera, Filifera</i>	Threadleaf False Cypress
<i>Juniperus Chinesis Cultivars and Varieties</i>	
<i>Armstrongii</i>	Armstrong Juniper
<i>Blue Point</i>	Blue Point Juniper
<i>Columnaris Glauca</i>	Blue Columnar Chinese
<i>Fairview</i>	Fairview Chinese Juniper
<i>Hetzii Columnaris</i>	Hetz Columnar Juniper
<i>Iowa</i>	Iowa Chinese Juniper
<i>Keterleeri</i>	Keterleer Chinese Juniper
<i>Maneyi</i>	Maney Chinese Juniper
<i>Old Gold</i>	Old Gold Juniper
<i>Pfizeriana Compacta</i>	Compact Pfizer Juniper
<i>Pfizeriana Kallay</i>	Kallay Pfizer Juniper
<i>Sargentii</i>	Sargent Juniper
<i>Sargentii Glauca</i>	Blue Sargent Juniper
<i>Mint Julep</i>	Mint Julep Juniper
<i>Juniperus Chinesis Cultivars and Varieties (cont.)</i>	
<i>Wintergreen</i>	Wintergreen Juniper
<i>Juniperus communis Repanda</i>	Creeping Juniper
<i>Juniperus horizontalis Cultivars</i>	
<i>Bar Harbor</i>	Bar Harbor Juniper
<i>Blue Chip</i>	Blue Chip Juniper
<i>Dunvegan Blue</i>	Dunvegan Blue Juniper
<i>Livida</i>	Livida Juniper
<i>Plumosa Compacta</i>	Tures Strain Andorra
<i>Wiltonii</i>	Blue Rag Juniper
<i>Wisconsin</i>	Wisconsin Juniper
<i>Juniperus procumbens</i>	Japanese Garden Juniper
<i>Juniperus procumbens Nana</i>	Dwarf Japanese Garden Juniper
<i>Juniperus sabina Broadmoor</i>	Broadmoor Juniper
<i>Juniperus sabina Buffalo</i>	Buffalo Juniper
<i>Juniperus squamato Blue Star</i>	Blue Star Juniper
<i>Juniperus virginiana Cultivars</i>	
<i>Burkii</i>	Burk Red Cedar
<i>Canaertii</i>	Canaert Red Cedar
<i>Glauca</i>	Blue Red Cedar
<i>Grey Owl</i>	Grey Owl Red Cedar

**Section 8.6 Recommended Evergreens (cont.)**

<b>Botanical Name</b>	<b>Common Name</b>
<i>Juniperus virginiana</i> Cultivars (cont.)	
<i>Hillii</i>	Hill's Red Cedar
<i>Kosteri</i>	Kosteri Red Cedar
<i>Silver Spreader</i>	Silver Spreader Red Cedar
<i>Picea abies</i>	Norway Spruce
<i>Picea abies Nidiformis</i>	Bird's Nest Spruce
<i>Picea glauca</i>	White Spruce
<i>Picea glauca Conica</i>	Dwarf Alberta Spruce
<i>Picea omorika</i>	Serbian Spruce
<i>Picea orientalis</i>	Oriental Spruce
<i>Picea pungens</i>	Colorado Spruce
<i>Picea pungens</i> Cultivars	
<i>Glauca</i>	Blue Colorado Spruce
<i>Hoopsii</i>	Hoopsii
<i>Moerheimii</i>	Moerheim Spruce
<i>Thompson</i>	Thompson Spruce
<i>Pinus cembra</i>	Swiss Stone Pine
<i>Pinus desiflora Umbraculifera</i>	Tanyosho Pine
<i>Pinus flexilis</i>	Limber Pine
<i>Pinus koraiensis</i>	Korean Pine
<i>Pinus mugo</i>	Dwarf Mugho Pine
<i>Pinus parviflora</i>	Japanese White Pine
<i>Pinus strobus</i>	Eastern White Pine
<i>Pinus wallichiana</i>	Himalayan Pine
<i>Pseudotsuga menziesi</i>	Douglas Fir
<i>Taxus cuspidata</i>	Japanese Yew
<i>Taxus cuspidata Capitata</i>	Japanese Yew
<i>Taxus cuspidata Nana</i>	Dwarf Japanese Yew
<i>Taxus X media</i> Cultivars	
<i>Berryhill</i>	Berryhill Yew
<i>Dark Green Spreader</i>	Dark Green Spreading Yew
<i>Densiflora</i>	Dense Yew
<i>Hatfieldii</i>	Hatfield Yew
<i>Hicksii</i>	Hicks Yew
<i>Nigra</i>	Nigra
<i>Tautonii</i>	Tautonii
<i>Thuja occidentalis</i> Cultivars (Arboviate)	
<i>Danica</i>	Danica
<i>Holmstrup</i>	Holmstrup
<i>Little Gem</i>	Little Gem
<i>Nigra</i>	Wintergreen
<i>Techny</i>	Techny
<i>Wareana</i>	Siberian
<i>Thuja plicata</i>	Giant Arborviate
<i>Tsuga canadensis</i>	Canadian Hemlock
<i>B. microphylla</i> var. <i>koreana</i> Cultivars	
<i>Sunnyside</i>	Sunnyside Box
<i>Wintergreen</i>	Wintergreen Box
<i>Winter Beauty</i>	Winter Beauty Box

**Section 8.6 Recommended Evergreens (cont.)**

<b>Botanical Name</b>	<b>Common Name</b>
<i>B. microphylla X B sempervirens Hybrid Cultivars</i>	
<i>Green Gem</i>	Green Gem Box
<i>Green Mountain</i>	Green Mountain Box
<i>Green Velvet</i>	Green Velvet Box

## ARTICLE IX BUILDING APPEARANCE

### ***Section 9.1 Purpose***

The purpose of this Article is to improve real estate values and community appearance by requiring that the façades of buildings which face public streets in commercial and industrial districts be constructed from architectural exterior finish material other than sheet metal and concrete block and to otherwise require the screening of sheet metal buildings, pole barns, quonset huts, concrete block buildings, and prefabricated metal buildings.

### ***Section 9.2 Required Materials***

Any pole barn, quonset hut, or other prefabricated metal building located within two hundred feet (200') of a street right-of-way line shall have the façade facing such street constructed from exterior finish materials other than corrugated sheet metal, sheet metal, or concrete block. Further, any principal or accessory building located within two hundred feet (200') of a street right-of-way line shall have the façade facing the street constructed of exterior finish materials other than corrugated sheet metal, sheet metal, or concrete block. Permitted exterior finish materials may include, but are not limited to, brick, stone, wood siding, ornamental metal siding, glass, architectural glass, enameled metal curtain wall panels, or other similar materials as approved by the Development Review Board on the basis of actual samples submitted by the owner or architect.

### ***Section 9.3 Screening Variance***

Any pole barn, quonset hut, other prefabricated metal building or concrete block building located between one hundred feet (100') and two hundred feet (200') of a street right-of-way line shall have the façade facing the street constructed from exterior finish materials as provided above or, subject to the issuance of a variance as provided by the Development Review Board. The planting screen shall be provided as detailed below.

### ***Section 9.4 Planting Screen Standards***

#### 9.4.1 Location

The planting screen shall be a landscaped area located adjacent to the façade to be screened and shall extend along its full length excepting doorways and windows. The width of a planting screen shall be no less than twenty feet (20').

#### 9.4.2 Plant Materials

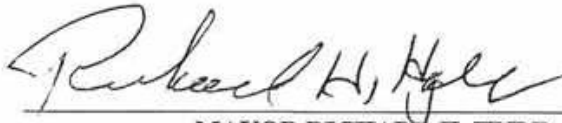
The screen, at a minimum, shall be planted with the following types and sizes of plant materials to be selected from the plant list in Article VIII.

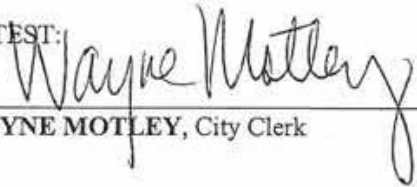
Type	Number Per 100 Feet	Size
Canopy Trees	4	3" Caliper
Ornamental Trees	2	3" Caliper (Tree Form) 8' - 10' Minimum Height
Upright Shrubs	30	3' High
Spreading Shrubs	Optional	

Tree and shrub planting beds shall be mulched with bark mulch. All other areas shall be planted with turf or a suitable ground cover.

#### 9.4.3 Other Requirements

Screen plant materials as required above may be counted as part of the required plant materials in Article V.

  
MAYOR RICHARD H. HYDE

ATTEST:  
  
WAYNE MOTLEY, City Clerk

Presented and Read at a regular meeting of the Waukegan City Council on the 5<sup>th</sup> day of July, 2005.

Passed and Approved at a regular meeting of the Waukegan City Council on the 5<sup>th</sup> day of July, 2005.

ROLL CALL: Cunningham, Balen, Moasio, Figueroa, Newsome, TenPas, Needham, Larsen, Rivera

AYES: Balen, Moasio, Figueroa, Newsome, Larsen, Rivera

NAYS: Cunningham, TenPas, Needham

ABSENT: None

ABSTAIN: None