

ENVIRONMENT AND ENERGY COMMISSION

Meeting Minutes
July 6, 2023, 7:00 p.m.

Village Hall, Room 101

Commission Members Present: Liz Lukehart (Chair), Carly Provost-Rizor, Darryl Baker, Ramona Blaber, Cassandra West

Commission Members Absent: Lisa Boone, Madisyn Burke, Emily Neumann, Tejas Shah

Staff Present: Marcella Bondie Keenan, Chief Sustainability Officer; Abby Zielinski, Sustainability Coordinator

Call to Order: The meeting was called to order by Chairperson Lukehart at 7:00 p.m.

1. **Approval of Agenda:** A Motion was made to approve the agenda, and it was unanimously approved with no revisions.
2. **Approval of Minutes:** A Motion was made to approve the previous meeting minutes, it was unanimously approved with the following revision:

Under item 5, revise energy code amendment to describe electric vehicle readiness instead of electric vehicle charging stations.
3. **Public Comment:** There was one public comment read by Chair Lukehart. The comment is attached with these minutes.
4. **Parkway Planting Ordinance:** Public Works Director, Rob Sproule, presented on the proposed Parkway Planting Ordinance. The draft ordinance would allow residents to plant in the parkway adjacent to their properties, and furthermore to promote the planting of native and pollinator plants in the parkway. The presentation slides are attached with these meeting minutes. Discussion included the following:
 - Commissioner West asked if volcano mulching could become a greater issue due to the ordinance, and Director Sproule replied that continued education on volcano mulching will be needed.
 - Commissioner Baker asked how the draft ordinance compares to other Village's policies. Director Sproule replied that most codes restrict plantings to a maximum height of 8 inches. Staff Liaison Bondie Keenan listed examples of other communities' policies related to native plants and parkway plantings.
 - Commissioner Provost-Rizor asked how the plantings will be tracked, in terms of meeting the Village's goals. Staff Liaison Bondie Keenan replied

that the Village is releasing a Community Biodiversity Survey for residents to share information about existing green infrastructure, native plantings, and pollinator projects. Director Sproule noted that the Village also conducts field surveys of the parkway trees, and parkway gardens could potentially be added to those surveys.

- Chair Lukehart suggested that the ordinance 1) include a requirement or suggestion that the planted area is 70% native plant species, 2) prohibits the use of inorganic pesticides, and 3) includes a list of aggressive non-native plants. Director Sproule explained that a required percentage of native plants would be difficult to enforce. West Cook Wild Ones board member, Carolyn Cullen, also noted native and pollinator plants could be encouraged through education.

Staff Liaisons Bondie Keenen and Zielinski briefly discussed example educational programs to promote the planting of native and pollinator plants. Presentation slides are attached with these meeting minutes. Staff explained that they plan to post a survey on engageoakpark.com for community feedback prior to the EEC's vote on the final ordinance.

5. **Presentation on Environmental Justice from the Loyola Institute of Racial Justice:** Guest presenters, Dr. Malik S. Henfield, Dr. Farzaneh Khayat, and Dr. Kwabena Krah, presented on their work. Projects discussed included drinking water challenges, environmental justice screening tools, environmental vulnerability, health risks, climate threats, urban forests, and training and citizen science programs. The presentation slides are included with these meeting minutes. The presenters shared suggestions on how the EEC can help advance environmental justice, which included understanding tools available, surveying the community, and using community science in order to identify and prioritize vulnerabilities. Dr. Krah also shared an example project with the organization MAPSCORPS, where high school students helped gather data in Chicago neighborhoods.
6. **Work Planning for Waste Rate Ordinance:** Commissioners discussed potential strategies for creating a recommendation on the Village's waste rate structure. The EEC should make a recommendation by September in order for it to be considered by staff and presented to the Board this year. Staff Liaisons will provide EEC members with resources for their consideration, and the EEC will confirm their strategy during the August meeting.
7. **2023 EEC Work Plan Troubleshooting:** There were no questions or concerns about workplan items.
8. **New Business:** The EEC had no new business items to discuss.
9. **Adjourn:** At 8:35 p.m. a motion was made, seconded and unanimously approved to adjourn the meeting.

To the Village Trustees and EEC:

We at West Cook Wild Ones applaud the Village's proposed ordinance regarding parkway plantings, particularly since it mentions using native plants and the references Climate Action Oak Park's 30x30 goal. Done correctly, as you know, these plantings can help manage water, sequester carbon, reduce carbon emissions due to use of chemical pesticides, fertilizers and power tools, and will add beauty to our village.

It also makes sense to have an ordinance that will offer guidelines regarding height, safety, fencing and the like.

We suggest two things:

- Language should discourage not only noxious weeds, but also aggressive, non- native plants such as lily-of-the valley or dame's rocket, and non-native groundcovers such as vinca, creeping euonymus, and English ivy. These offer little to no ecological or habitat value and many are becoming problems in the forest preserves.
- Since 30x30 explicitly mentions wildlife habitat, we believe that language should be inserted that encourages a target proportion of 70% native plants. Scientific studies indicate that 70% or higher is most supportive of pollinators and birds in terms of habitat and forage.

On an additional note, to promote the beauty and utility of native plant gardens perhaps the Village could institute a Native Plant Garden Award, similar to the Historic Preservation Award. The award could be given out at the same event. The award would spotlight front yard and parkway gardens and there could be two categories for individuals and blocks. There could also be a third category for others, such as businesses, non-profits, and congregations. This might be a further incentive for people to thoughtfully landscape their public-facing areas.

WCWO thanks the Village for creating this ordinance and offering guidelines to property owners for landscaping their properties in a manner that is both safe and ecologically beneficial.

Sincerely,

The West Cook Wild Ones Board

Submitted on behalf of the Board by Adrian Ayres Fisher

Programs/Advocacy, West Cook Wild Ones
<https://westcook.wildones.org>



Parkway Planting Ordinance Presentation

DRAFT Ordinance

07-03-2023

Introduction

- Robert Sproule
 - Public Works Director
- Jeff Prior
 - Neighborhood Services Manager
- Building/Energy Code Task Force
 - Representatives from all departments

Purpose

- The Purpose of the presentation is share the work on Chapter 25 (Trees, Shrubs, and Other Plants”), Article 1 (“Planting, Maintenance and Removal of Trees and Shrubs and Creation of the Forestry Commission) of the Village Code that would allow for plantings in the Village Parkways by the Building/Energy Code Task Force and to seek feedback from the ECC.

Village Code Changes – Chapter 25

1. ARTICLE 1: PLANTING, MAINTENANCE AND REMOVAL OF TREES, ~~AND SHRUBS, AND PLANTINGS AND CREATION OF FORESTRY COMMISSION~~

Village Code Changes – Chapter 25

25-1-1: PURPOSE AND INTENT:

A. Purpose: It is the purpose of this article to ~~promote and by providing~~ **provide** for the regulation of the planting, maintenance and removal of trees, ~~and shrubs,~~ and plantings within the Village and to promote the planting of native and pollinator plants in Village parkways.

The Village recognizes that native plants are a necessary part of a healthy ecosystem and perform functions including, but not limited to, wildlife food and habitat, stormwater attenuation and purification, air purification, and community aesthetics. The Village also recognizes that landscaping with native plants encourages environmentally-sound maintenance practices by requiring minimal use of water, pesticides, and fertilizers. Furthermore, the planting of native plants in Village parkways supports the Village's commitment in the adopted Climate Ready Oak Park plan to establish 30% of Oak Park's land as green infrastructure or enhanced park management.

Village Code Changes – Chapter 25

B. Intent: It is the intent of the Village Board that the terms of this article shall be construed so as to promote:

1. The planting, maintenance, restoration and survival of desirable trees, ~~and shrubs~~, and plantings within the Village; and
2. The protection of community residents from personal injury and property damage, and the protection of the Village from property damage, caused or threatened by the improper planting, maintenance or removal of trees, ~~and shrubs~~, and plantings located within the community.

Village Code Changes – Chapter 25

25-1-2: DEFINITIONS:

PARKWAY: The portion of Village owned property generally described as the public property between a public sidewalk and a street curb.

PLANTINGS: All vegetation other than trees and shrubs and that are not “designated exotic weeds” as defined in the Illinois Exotic Weed Act, 525 Illinois Compiled Statutes 10/1 et seq., as amended or that are not “designated noxious weeds” as defined in the Illinois Noxious Weed Law, 505 Illinois Compiled Statutes 100/1 et seq., as amended. The Forester shall maintain a list of native and pollinator plants that are recommended for planting in Village parkways.

TREES AND SHRUBS: All woody vegetation, ~~woody or otherwise,~~ except lawn grass and herbaceous flowers with a height in excess of thirty (30”) inches at maturity.

Village Code Changes – Chapter 25

25-1-5: TREE AND SHRUB MAINTENANCE AND PLANTING APPROVAL:

A. Scope Of Requirement: No person except the Forester...may perform any of the following acts without first obtaining approval from the Forester:

3. Place on Village owned property, either above or below ground level, a container, fence, or structure for trees, or shrubs or plantings; without first obtaining a permit, right of way encroachment agreement and required insurance naming the Village as an additional insured in the amount of five hundred thousand dollars (\$500,000.00) subject to the review and approval of the Village Attorney;

Village Code Changes – Chapter 25

25-1-5: TREE AND SHRUB MAINTENANCE AND PLANTING APPROVAL:

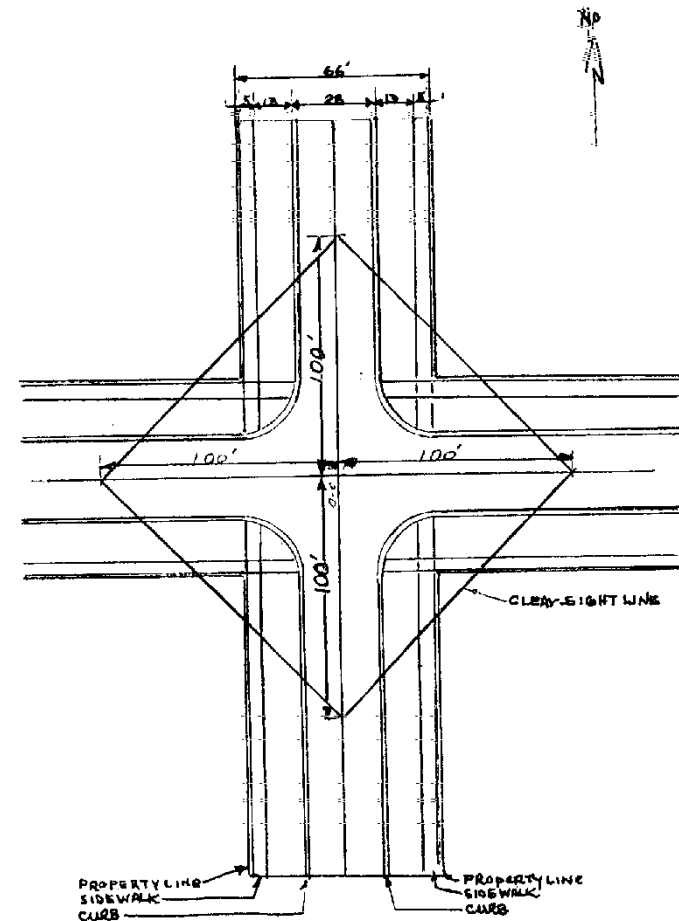
B. Approval: ...the Forester shall grant approval when...

6. Further in regard to the felling of any tree or part thereof located on private property, which as a result of such felling may reasonably be expected to fall upon or across Village owned property, if such felling is done by a contractor or some person other than the owner of the property upon which the tree is located, the contractor shall deposit with the ~~Village Clerk or the Forester~~ a liability insurance policy in the amount of ~~three~~ **five** hundred thousand dollars (~~\$300,000.00~~ **\$500,000.00**) per accident for bodily injury liability and fifty thousand dollars (\$50,000.00) aggregate for property damage liability. A blanket certificate may be filed with the ~~Village Clerk~~ **Forester** covering all tree work by the contractor during the policy period.

Village Code Changes – Chapter 25

25-1-8: CLEAR SIGHT AREAS AT STREET INTERSECTIONS:

B. Definition Of Clear Sight Area: A clear sight area is that area between the roadways of intersecting streets containing no traffic control signs or signals, which is included within lines connecting the centerlines of such intersecting streets at points one hundred feet (100') from the center of the intersection. In a usual four-way intersection, the clear sight area is the area included in a diamond the corners of which are in the centerlines of the intersecting streets and one hundred feet (100') from the center of the intersection as illustrated by the diagram below:



Village Code Changes – Chapter 25

25-1-8: CLEAR SIGHT AREAS AT STREET INTERSECTIONS:

E. Maximum Height Of Shrubs And Plantings: ~~When warranted as set forth in Section 15-11-3 of this Code,~~ sShrubs, bushes and plantings within the clear sight area shall be trimmed or limited to a maximum height of thirty inches (30"). Measurements shall be from the ground to the top of the object. ~~When warranted as set forth in Section 15-11-3 of this Code,~~ a A lesser height must be maintained if necessary to comply with the minimum horizontal sight distance across such clear sight area specified in subsection 25-1-8F of this Section.

Village Code Changes – Chapter 25

25-1-8: CLEAR SIGHT AREAS AT STREET INTERSECTIONS:

F. Minimum Horizontal Sight Distance: ~~When warranted as set forth in Section 15-11-3 of this Code, n~~No overhanging branches, shrubs, bushes or plantings in clear sight areas may be of a height which obstructs horizontal sight lines across such clear sight areas measured from points forty five inches (45") above the centerlines of the intersecting streets along such centerlines for a distance of one hundred feet (100') from the center of the intersection.

Village Code Changes – Chapter 25

25-1-10: PLANTINGS IN PARKWAYS FRONTING OR ABUTTING PARCELS OR LOTS:

A. The owner, occupant, lessee or person otherwise legally in possession and/or control of any lot or parcel in the Village may install plantings without a permit in in the parkway fronting, abutting, or adjacent to any such lot or parcel and shall maintain any and all such plantings, which shall include cultivating or cutting the area.

Village Code Changes – Chapter 25

25-1-10: PLANTINGS IN PARKWAYS FRONTING OR ABUTTING PARCELS OR LOTS:

B. All plantings shall be maintained in a manner consistent with their habit, but in no case shall plantings exceed 36” in height outside of clear sight areas at street intersections, as set forth in section 25-1-8 above, or otherwise by reason of location or which would endanger the public health, safety or welfare.

Village Code Changes – Chapter 25

25-1-10: PLANTINGS IN PARKWAYS FRONTING OR ABUTTING PARCELS OR LOTS:

C. The Village shall not be responsible for compensating, financial or otherwise, persons for plantings, containers, fences, or structures in the parkway if their disturbance is necessary to facilitate work on village owned property.

D. The Village shall endeavor to notify adjacent homeowners two (2) weeks prior to any planned work on the parkway that may cause disturbance to plantings, except in cases of emergency.

Village Code Changes – Chapter 15

Article 11 CLEAR SIGHT AT STREET INTERSECTIONS

15-11-1: FINDING:

In order to promote greater safety at street intersections, it is in the public interest that vegetation, fences which do not comply with the open space and height requirements of subsection ~~17 1 3.1A2~~ of the Village Code the Zoning Ordinance and other interferences with the sight of pedestrians or of operators of vehicles at such intersections be regulated in accordance with the daylighting standards hereinafter set forth.

Village Code Changes – Chapter 15

Article 11 CLEAR SIGHT AT STREET INTERSECTIONS

15-11-1: MAINTENANCE OF CLEAR SIGHT AREA:

The maximum height of shrubs, bushes and plantings and the maximum overhang of tree branches at intersections is governed by chapter 25 of the Village Code. The maximum height and open space requirements for fences erected, constructed, substantially repaired or replaced on or after December 1, 1997, on corner lots within thirty five feet (35') of intersections are governed by ~~subsection 17-1-3.1A2 of the Village Code~~ [the Zoning Ordinance.](#)

Village Code Changes – Chapter 15

Article 11 CLEAR SIGHT AT STREET INTERSECTIONS

15-11-1: MAINTENANCE OF CLEAR SIGHT AREA:

A. ~~When warranted, as set forth in section 15-11-3 of this article, f~~Fences erected, constructed, substantially repaired or replaced on corner lots within thirty five feet (35') of an intersection prior to December 1, 1997, which do not presently comply with the height and open space requirements set forth in subsection ~~17-1-3.1A2~~ of the Village Code **of the Zoning Ordinance** shall be required to comply therewith.

Village Code Changes – Chapter 15

15-11-1: MAINTENANCE OF CLEAR SIGHT AREA:

B. ~~When warranted as set forth in section 15-11-3 of this article,~~
Solid structures, excluding buildings and other solid structures constructed prior to January 19, 1981, within the "clear sight area" as defined in section 25-1-8 of this code, shall be limited to:

1. A maximum height of thirty inches (30") or
2. A height which does not obstruct horizontal sight lines across such clear sight areas measured from points forty five inches (45") above the centerlines of the intersecting streets along such centerlines for a distance of one hundred feet (100') from the center of the intersection, whichever is less.

Village Code Changes – Chapter 15

- ~~15-11-3: WARRANT:~~

- ~~The requirements of section 15-11-2 of this article and subsections 25-1-8C, E and F of this code shall not apply unless both of the following warrants are met:~~

- ~~A. The obstruction is in a clear sight area at an intersection where one or more right angle accidents is either reported in the Public Works Department's most recent annual high hazard review or is reported to the Director of Public Works; and~~

- ~~B. The Transportation Commission finds and determines after hearing pursuant to notice that the obstruction substantially interferes with the sight of pedestrians or of operators of vehicles at the intersection and creates a hazard to the public safety. Notice of the time, place and date of the Commission's hearing shall be mailed to persons who are listed for water service at the property with the obstruction, as well as to persons so listed within one hundred feet (100') of said property. In making its findings and determination, the Transportation Commission shall consider traffic studies, accident experience and testimony from all interested parties, including the Director of Public Works or his designee. The Transportation Commission shall announce its decision at the completion of the hearing. The decision of the Transportation Commission is final.~~

- ~~If the affected owner voluntarily removes the obstruction in the clear sight area prior to a hearing, any scheduled hearing shall be canceled.~~

- ~~If the Transportation Commission determines that a traffic control device is necessary or desirable at an intersection which contains one or more obstructions in clear sight areas, the owner of the property containing the obstruction may pay the full cost of the installation of the traffic control device and street markings in lieu of removing the obstruction.~~

Questions

- What is your feedback on the proposed ordinance?



Native & Pollinator Parkway Garden Programs

July 6, 2023

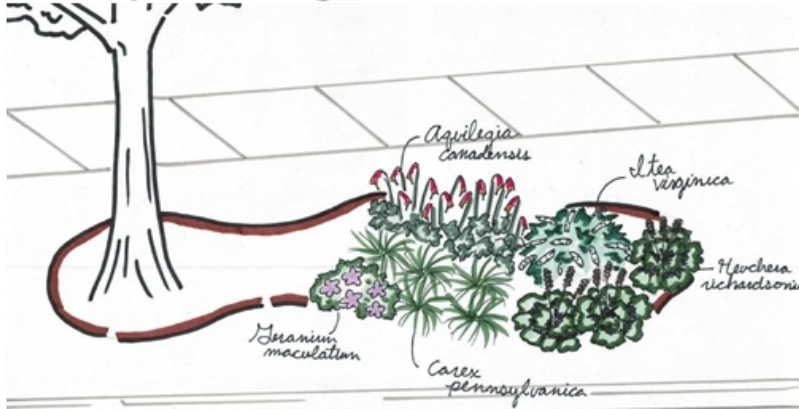


Example Parkway Pollinator Garden Program: River Forest, IL

Sunshine Monarch Garden



Shade pollinator garden



- Size: Gardens should be approximately 4' x 10', in an organic shape
- Full sun is considered to be 6+ hours
- Location: Minimum of 8 feet from a tree trunk
- Pollinators attracted to sun garden:
 - Long-tongued bees, short-tongued bees
 - Small to medium-sized butterflies and skippers
 - Silvery Checkerspot and Monarch caterpillars will feed
 - Asclepias (Butterfly Weed) is a Monarch host plant for larval food and egg laying
- Sporobolus and Schizachrium will feed birds
- Rudbeckia (Showy Black Eyed Susan) feeds goldfinches, nuthatches, cardinals, sparrows

Example Certification or Registration Programs for Native Gardens



Register your Garden to BEE Counted

Add a photo of your garden or landscape to the MPG/S.H.A.R.E map. Anyone and any size garden can join. **We've surpassed a million gardens!** Pollinators still need you. Your garden can fill the gaps and expand the million sites for pollinators!

