

CCGA Talking Points for Proposed Managed Native Garden Registry

What you need to know: This amendment establishes a Native Garden Registry, to be managed by the City of Chicago's Department of Planning and Development (DPD). In the past, tickets have been erroneously issued by Streets and Sanitation inspectors for violating ordinance 7-28-120, the "weed ordinance". Recognizing this, Alderman Hopkins has proposed a Native Garden Registry, allowing listed properties exemption from these tickets. There are nearly a dozen aldermen co-sponsoring.

Definition:

"(b) A managed native garden is a planned, intentional, and maintained planting of native plants."

Eligibility:

(d) To be eligible to be in the registry,

The managed native garden shall be on an occupied property. *

The managed native garden shall contain only plants native to the Chicago region.

The managed native garden shall not have plants taller than ten inches within three feet of a public sidewalk or property line.

Similarly, if a permit for a managed native garden in the parkway is acquired, any managed native garden in a parkway shall not have plants taller than ten inches.

The plants within the garden will have been intentionally planted by seed or transplantation into the garden. Owners need to be able to identify the plants contained within the garden.

*Occupied property means that the property owner is *living on the same site* as the native plant garden.

CCGA concerns are outlined below. You may use these to follow the Town Hall discussion or raise your own concerns. A response from CCGA will come after the town hall on Wednesday. CCGA working groups are invited to address their questions after the Town Hall to Communications.

- 1) This registry exempts occupied-property residents from the same ticket that non-occupied property residents may get for growing the same plants on property that is zoned the same. Exemption of one class of residents from ticketing is inequitable.
- 2) Gardeners should not be getting tickets for their native plants or garden as long as they manage and maintain them based on existing City rules.
- 3) The proposed ordinance sets a dangerous precedent and infringes on Chicagoans' property rights by asking gardeners to voluntarily register as a native garden, removing their ability to garden freely on their property to be exempted from a ticket that they never should have issued as long as they follow existing City rules for management and maintenance.
- 4) The basis for the Native Garden Registry is that the city already acknowledges that tickets are erroneously being issued to home gardeners and community gardens, according to Aldermen's offices and non-profits supporting this registry. While acknowledging that Sanitation inspectors are issuing bad tickets, there is no effort on the part of the City to educate and train inspectors on native plants and gardens. Instead, people are asked to give up their right to plant what is already legally allowed.

- 5) There is acknowledgement that community gardens have also been ticketed erroneously, but community gardens are not eligible to be in the registry. The registry is only for gardens on occupied property or parkways (through a permit). Parkway gardens in the registry cannot have plants taller than ten inches. Most community gardens grow native plants, and some have large dedicated native plant beds.
- 6) Plants native to the Chicago region need to be better defined. How is the Chicago region defined for this amendment?
- 7) A basic best practice of garden design is a "short to tall" format. Most gardens have tall plants against the fence/property line, especially for side property lines.
- 8) The registry only allows "plants native to the Chicago region" and does not allow for other pollinator-friendly plants or food-bearing plants that are not native to the Chicago region. While limiting habitat restoration areas to plants native to the Chicago region is necessary, home gardeners and community gardeners also grow food and pollinator-friendly plants that are not native species in their gardens.
- 9) Limiting plant height and placement of plants in the registry displays a clear lack of understanding of the interactions between native plants and insects. With the proposed limit of 10" for plants in parkways and within 3 feet from property lines, the list of eligible native plants shrinks tremendously. Referring to the City of Chicago Native Plant List published in 2011, there are only 8 species that grow to a mature height of about 10-12": Pasque Flower, Prairie Smoke, Wild Petunia, Prairie Violet, Wild Ginger, Yellow Trout Lily, Bloodroot, and Foamflower. Only three of these plants will be 10" or shorter. Of these, the majority bloom in early spring. Not only do pollinators need nectar and pollen sources throughout the growing season for survival, but their larvae also need specific (and often separate) host plants for forage.

When gardeners choose to grow native plants, they are doing so to support their environment, pollinators, and birds. The height limitation prevents the cultivation of so native species in the bulk of the garden area that the benefits of sustainability would largely be lost. In addition, some of these plants are native to woodland areas and would struggle to thrive on sunny city lots and parkways and would NOT be recommended.