

CCGA FEEDBACK for SUBSTITUTE ORDINANCE

OCCUPIED DEFINITION & WHO CAN APPLY FOR REGISTRATION

1) Although not defined within the ordinance, the term "occupied" in the original proposed ordinance meant "owner-occupied" with only owners being allowed to register their properties. We support tenants being able to register their gardens if they have permission from the property owner for a garden. The mural registry allows non-property owners to register the murals with appropriate permission.

2) The term "occupied" should be defined within the ordinance since it's prominently used within the ordinance. . Is it only for residential property or any property as long as it;s occupied e.g. commercial property, mixed-use?

COMMUNITY GARDENS

1) While section (d)(1) allows community gardens to be in the registry, the wording of (b)-(c) state that only property owners are eligible to register their properties. Most community gardens are managed by garden leaders and not the property owner. We think it's burdensome to require only property owners and not allow the garden leaders to register the garden if they can provide proof of agreement/permission.

This would be similar to the Mural registry where other people are allowed to register the mural. Specifically, the artist or community group or nonprofit group who commissioned the mural. Likewise, garden leaders should be allowed to directly register their gardens that they designed and built. . .

2) Many community gardens are also on City of Chicago, CPS, Chicago Park District, Chicago Public Library property. Who in the City, CPS, Park District, or Public Library would be responsible for filling out the registry forms for all the community gardens who wish to be in the registry if garden leaders are not allowed to register their community gardens?

DPD-RULES & REGULATIOINS

Much of how the registry will operate is still undefined/unknown based on future Rules & Regulations that DPD will promulgate after the ordinance is passed. We are not comfortable with passing an ordinance that provides authority for DPD to create rules without ensuring that there is community input from those most affected. Therefore, we are again requesting that the ordinance provides for the creation of an advisory committee of stakeholders to help develop the rules & regulations with DPD and any future changes, as well as monitor the registry program. .

SERVICE BASED JOB PROGRAMS FOR YOUTH

Erica Nanton of Openlands had suggested a job service program to hire youth to provide garden care service to help seniors who are no longer able to maintain their gardens. We believe that this is a worthwhile program. It provides summer jobs and education training to

youth while at the same time helps seniors or the disabled to maintain and remain in their homes longer. It's this type of program that provides for links that builds a stronger community. It would be similar to seniors signing up for their property to be shoveled out when it snows. This program can also be used to maintain the vacant lots that Greencorps are planting with natives this year.

CCGA's RECOMMENDED REVISIONS TO ORIG NATIVE GARDEN REGISTRY ORD

CCGA's original 14 recommendations are below and are now coded as to what we think should be in the ordinance, eliminated from the ordinance,, DPD rules, or City policy changes.

1. Change the registry to be a Native and Pollinator Garden Registry. **(ORDINANCE - Included in Sub Ord)**
2. Specify explicitly in the ordinance that inclusion of eligible gardens in the registry shall be free, without any fees, processing charges, or unreasonable and burdensome procedure. **(ORDINANCE - Currently Not in Sub Ord)**
3. Eliminate the owner-occupied requirement. Clarify that tenants can submit an application for the registry with a letter of approval from the property owner. **(ORDINANCE - Currently Not in Sub Ord)**
4. Include the following definition for plants as part of the ordinance: the term "plants" as it pertains to the registry shall mean flowers, ornamental grasses, and shrubs. **(ORD or RULES - Not in Sub Ord but could be included as part of DPD rules)**
5. Eliminate the 10 inch requirement within 3 feet of a public sidewalk or property line. Substitute with: "Plants shall not encroach or block the public sidewalk or extend beyond the property line. Tree branches shall be in compliance with Section 10-32-040 and shall provide for a 10 ft clearance above the public way". **(ORD or RULES, please note that we modified this to align with Section 10-21-040 regarding tree branches. Not in Sub Ord but could be included as DPD rules)**
6. Eliminate the "shall contain only plants native to the Chicago region" Replace with "X percentage of plants in the garden beds shall contain plants native to NE Illinois and/or pollinator-friendly plants. Registered gardens may include edibles." **(RULES)**
7. Allow community gardens to be included in the registry, as many community gardens are actively managed and maintained and include areas with native plants. **(ORDINANCE - partially included in Sub Ord but garden leaders are still not able to register their community gardens directly)**
8. Provide a clear list of non-acceptable plants (IL Noxious Weed List) and a list of recommended plants with a focus on plants that will thrive in Chicago. **(DPD Educational Resources for Registry)**

9. Provide training to DSS inspectors about proper plant identification with the goal to eliminate erroneous tickets issued to gardens. CCGA can help to provide training. (**City DSS Training Policy - needs to be addressed and implemented**)
10. Parkway gardens should be included as a category of gardens allowed in the registry. Parkway are part of the public way owned by the City of Chicago; although owners have the responsibility of maintaining the parkways for their properties by law. Currently, DPD approves parkway plantings for major developments without a requirement that plants must be 10 inches or shorter in the parkways. Many of the approved parkway plants are native and include plants over 10 inches. There must be equity in how DPD approves parkway plantings. The same standards and rules must apply uniformly and consistently across Chicago.
 - All parkway gardens shall be eligible for the registry.
 - Eliminate the 10 inch height restriction and replace with “Plants in parkway gardens shall not encroach or block the public sidewalk or street.”.
 - On the side of the parkway abutting the street, X(12 inches?) inches must be unobstructed, not including the curb.
 - No plants or trees shall be installed within 5 feet of a fire hydrant per Section 11-12-080
 - Grant of Privilege Permits shall be issued for free for parkway gardens that include at least 50-75X% native and pollinator friendly plants.

(**Both ORDINANCE & DPD Rules/Process - Sub Ord provides for Parkway gardens. Other can be included in RULES**)

11. CCGA offers to help develop the DPD rules and definitions for administering the registry, however certain revisions must be part of the ordinance language itself. Mechanisms must be established to ensure that gardens are actively maintained and there are procedures for remediation if they are not. Gardeners shall be provided with the opportunity to bring the garden back into compliance before punitive measures are taken. (**DPD - RULES**)
12. Establish an advisory panel with CCGA having 1-2 seats to provide guidance to DPD and DSS for revising rules, definitions, and procedures for administering the registry long-term. Any proposed changes must be submitted to the advisory panel for input. Substantial changes must be opened for public input. (**ORDINANCE - Currently Not in Sub Ord**)
13. Eliminate the requirement that “owners need to be able to identify the plants contained within the garden.” If the DSS inspector can’t ID the plant, this issue is moot. (**REMOVE from Ordinance - Currently Still in Sub Ord**)
14. Eliminate the requirement that “the plants within the garden will have been intentionally planted by seed or transplantation into the garden.” Many plants and natives are grown specifically for their ability to self-sow and hard to determine. The emphasis should be on maintenance. (**REMOVE from Ordinance - Currently Still in Sub Ord**)