

Examples of Environmentally Progressive Ordinances from outside the Tahoe Region

October 13, 2010

Dear Members of the Governing Board,

The TRPA Board has been known to be an innovator in the field of environmental protection. The landmark decision to ban two stroke carbureted engines on the Lake is one such example. The Conservation Community believes that the new Regional Plan should continue in this tradition of innovated practices to protect the environment.

Below is a list of innovative ordinances from other jurisdictions throughout North America currently being implemented that provide environmental protections not afforded to the Lake Tahoe Basin. Similar measures should be examined and adopted as part of the Regional Plan Update. Many of the implementation measures proposed in the Conservation Community Alternative can already be found in practice in these other cities, counties, and states as shown through these ordinances. The TRPA must at the very least adopt these ordinances in addition to incorporating other creative solutions.

Examples of Ordinances

Bulk ordinances

http://library.municode.com/HTML/16332/level3/T30_30.2_C30.23.html

This ordinance uses criteria such as setback, lot coverage, and height and lot dimensions to control bulk in Snohomish County.

http://www.ci.mukilteo.wa.us/files/doc-bulk_matrix.pdf

Another matrix in showing how setback, lot coverage, building height and lot dimensions controls is used to control bulk.

<http://www.town.pendleton.in.us/assets/documents/newbulk499.pdf>

Another example of a matrix that regulates bulk through lot area, lot width, coverage, and height.

Floor area ratio

<http://www.ci.sausalito.ca.us/Index.aspx?page=287> – Chapter 10.24 commercial zoning (pg. 9)

Sausalito, CA – Examples of stringent Commercial Floor Area ratios.

http://www.cambridgema.gov/cdd/cp/zng/zord/zo_article5_1335.pdf

Contains table as an example on page 5-10 (Residential), page 5-14 (Office), and page 5-15 (Business) on how Dimensional Requirements such as floor area ratio are used to control bulk and mass.

<http://millvalleylibrary.org/Modules/ShowDocument.aspx?documentid=160>

Mill Valley, CA – Has strict residential Floor Area ratios. For example a 10,000 sq ft parcel can have a home that is maximum 3000 sq feet.

Strict Design Guidelines

<http://ci.carmel.ca.us/carmel/index.cfm?LinkServID=DB4D7E50-3048-7B3D-C544827F0D93305A&showMeta=0>

<http://ci.carmel.ca.us/carmel/index.cfm?LinkServID=79B4A00E-3048-7B3D-C5CED5A150EFDD4B&showMeta=0>

Carmel, CA - Has the strictest design guidelines for residential and commercial in the country

Carpool parking

<http://www.portlandonline.com/transportation/index.cfm?&a=98116&c=39987>

The city of Portland sells reduced price parking permits for carpoolers who commute together at least four days a week both ways.

Maximum parking – see Appendix A: Sample Ordinances

<http://townhall.townofchapelhill.org/archives/agendas/ca020918/Attachment%204%20-%20Final%20Parking%20Paper%208-12-02.htm>

Portland, Oregon: Limits the amount of parking spaces based on the type of uses the parking is associated with as well as the location. More restrictive maximums occur in locations that are within a quarter mile distance to a frequent transit service.

RV parking – Venice/Los Angeles

<http://latimesblogs.latimes.com/lanow/2010/06/oversized-vehicle-parking-ban-approved-for-venice.html>

Residents can request signs to restrict vehicles greater than 7 feet in height from parking between the hours of 2 and 6 a.m.

Electronic signage for parking capacity - Seattle

<http://www.seattle.gov/transportation/epark/>

In Seattle electronic signs tell the number of open parking currently available at each parking garage.

Road User fees - Oregon

http://www.oregon.gov/ODOT/HWY/RUFPP/docs/RUFPP_finalreport.pdf

The State of Oregon has been exploring a pilot project that involves a distance traveled charge/VMT fee. The amount charged is based on the amount the vehicle uses the road system. The mileage data and payment occurs at the gas pump. An on board device records mileage that is read by the gas pump. Motorists are only charge for miles traveled within the state of Oregon.

Parking reduction – Glendale, CA

http://www.ci.glendale.ca.us/gmc/Zoning_Code/Chapter30-50.pdf

The ordinance allows for the request of parking reductions to occur under specific circumstances.

Tree preservation

<http://www.ci.oswego.or.us/tools/CityCode/GetCode.aspx?55>

Lake Oswego, OR - Very strict public notification requirements, heritage tree designations, and Section 55.08.030.02 creates a tree protection zone within which construction cannot occur.

http://www.eminnetonka.com/public_works/natural_resources/construction_projects/critical_root_zone.cfm

Minnetonka, MN – Uses the critical root zone as the circle around the tree that will not be disturbed during development and construction in order to increase the likelihood of the tree surviving. This is a greater distance than the measuring a circle at the dripline.

Reduce diesel emissions from school buses

<http://www.epa.gov/cleanschoolbus/funding.htm>

The EPA offers grant funded program to assist in replacing traditional school buses with clean technology that reduces emissions.

Prohibition on Idling – Lexington County, South Carolina

<http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/LexingtonCountyAnti-IdlingPolicy.pdf>

Specific ordinance in Lexington County that prohibits drivers of county vehicles to idle vehicle for no longer than 10 minutes with some exceptions including emergency vehicles.

Reduce traffic impacts through flexible work schedules

<http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/FlexibleWorkSchedules.pdf>

Allowing for flexible work schedules reduces traffic congestion at peak times of day.

Practices to improve air quality - Richland County, South Carolina

http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/Richland_County_Air_Quality_Awareness_and_Improvement_Policies.pdf

Richland County requires that new equipment purchased by the County be Tier III EPA approved. It is also the County's goal is to purchase equipment with the smallest available engines to perform the required job. Drivers of county vehicles are not allowed to idle (except emergency). Mowing on county property with gas powered lawn equipment is prohibited on certain bad air quality days. If air quality reaches poor enough levels, the use of gas powered equipment on County property may be prohibited. Landscaping will be designed to reduce the use of equipment/

Lawnmower buyback

<http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/LawnmowerandGasCanTrade-Outs.pdf>

Provides a program to trade in gas powered lawn mowers for an electric powered or reel lawn mower. The intent is to reduce the amount of hydrocarbons and nitrous oxide emitted from gas powered lawn mowers.

Turf fertilizer restrictions – State of Wisconsin and Sanibel, Florida

http://datcp.state.wi.us/arm/agriculture/pest-fert/turf_fertilizer/restrictions_golf.jsp

The State of Wisconsin prohibits the use of turf fertilizers that contain phosphorus on residential and commercial lawns, golf courses, athletic fields, rights of way, boulevards, and other publically owned land. The State also restricts the sale of turf fertilizers containing phosphorus in retail settings (garden centers, hardware stores, home improvement centers, etc).

http://www.leewaterfacts.com/Sanibel_Fertilizer_ordinance.pdf

Ordinance provides specific guidelines for fertilizer management including

- Total phosphorous to be limited to no more than 2 percent
- Total nitrogen limited to 20%
- No fertilizer application allowed within 25 feet of wetlands, streams, ponds, watercourse, or lake
- No fertilizer containing nitrogen or phosphorus is allowed to be applied during the "rainy season."
- Commercial applicators have to obtain a Certificate of Competency endorsement for fertilizer application.
- Commercial applicators have to keep records and perform soil testing

Prohibition on Leaf Blowers

http://www.greenourcity.org/greenourcity_packet_7609.pdf - Takoma Park, Maryland

This ordinance restricts the use of gasoline powered leaf blowers and the use of gasoline powered generators used for powering electric leaf blowers. The purpose is to decrease the emissions of ozone precursors (nitrogen oxides, volatile organic compounds), fine particulate matter transported to the air, and noise in order to protect human and ecosystem health.

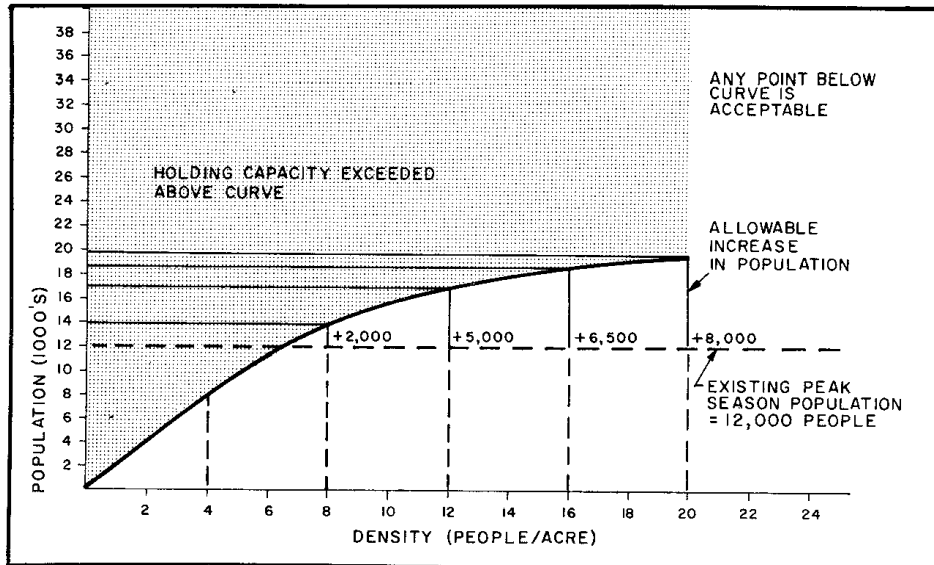
Development Limits – Sanibel, Florida

<http://web.rollins.edu/~jsiry/Sanibel%20Island%20Plan.html>

<http://www.sccf.org/content/122/SCCF-and-The-Sanibel-Report.aspx>

<http://www.sccf.org/files/content/docs/Complete%20Intro%20and%20Part%201+2%20%28Medium%209.pdf> (The Sanibel Report)

Island of Sanibel in Florida, 1976 plan created a limit for the island allowing only 7800 new units to be built. The number was expanded to 9000, but has not changed since 1989. Density and development numbers were based on the ability of the natural environment to absorb the impacts.



Sanibel plans shows relationship between density and carrying capacity (pg. 33 of The Sanibel Report)

Recreation – limited vehicle access/VMT reduction – Maroon Bells/Aspen, Colorado

<http://www.stayaspensnowmass.com/p-maroon-bells-wilderness.php>

Maroon Bells (on Forest Service land outside Aspen Colorado) has restricted limited vehicle access. Private automobiles may drive in the park from 7 AM to 9AM and from 5PM to 7PM for \$10 and can access the roads for free between 7PM and 7 AM. Between the hours of 9 AM and 5 PM, visitors must use mass transit to reach the area and trailheads.

Pervious paver requirements – Pasco County, Florida

<http://library.municode.com/index.aspx?clientId=14292&stateId=9&stateName=Florida>

6.17.4 G (2) of the Pasco County, Florida code requires that large scale retail parking areas consist of at least 10 percent pervious pavement.

Sweeping of residential roads – San Diego

<http://www.sandiego.gov/stormwater/services/streetsweeping.shtml>

San Diego requires street sweeping of all residential roadways.

Frequent street sweeping – Steamboat Springs, Colorado and Long Beach, California

http://yampavalley.info/centers/weather_and_climate/pages/street_sweeping

Steamboat Springs sweeps the main corridor within 24 hours of a snow event with dustless sweepers.

<http://www.worldsweeper.com/Street/Profiles/v8n1longbeach.html>

City of Long Beach sweeps streets every week.

Restrictions on turf – Las Vegas, Nevada

http://www.lvwd.com/conservation/drought_measures_turf.html

In Las Vegas, no new turf allowed in front yards. Only 50% of side/rear yards may have grass with a maximum of 5000 sq ft. On multifamily developments no turf is allowed in common areas or in front yards. Turf is prohibited in non-residential development with exceptions for schools, parks, and cemeteries. Golf courses are restricted to 5 acres of turf per hole and 10 acres for driving ranges.

Dark skies

<http://www.municode.com/Resources/gateway.asp?pid=16632&sid=5> (Chapter 17.34)

Mammoth Lakes has an innovative lighting and signage program that is extremely protective of dark skies.

Green Building Ordinance

<http://www.cityofmillvalley.org/Index.aspx?page=948>

Development over 2500 square feet and all commercial renovation over \$500,000 must achieve LEED silver rating.