

February 24, 2011

**RE: Two Important Issues:**

- **Potential Ban on Leaf Blowers in Residential Areas of Newport Beach**
- **Landscape Maintenance Vehicles in No Parking Zones/Bike Lanes**

Dear Homeowner Association Representative:

We have two issues to cover with you today. The first is just a reminder – it is against the California Vehicle Code – and it's unsafe – for landscape maintenance companies to park their vehicles in No Parking Zones and/or Bike Lanes. They need to find a better place to park completely away from these zones. Putting a cone out does not make it any less illegal or any less unsafe. As you may know, more and more people are cycling in Newport Beach, and our roads and our laws are constructed to accommodate them. Please remember their safety and your own liability by instructing your contractors and maintenance companies to not park in No Parking Zones or bike lanes. Thank you!

Secondly, you may recall that the City of Newport has been considering banning the use of leaf blowers in residential areas of the city. (**Please Note:** Commercial properties would be excluded from any ban.) This letter is to inform you that the City Council is expected to take further action on this item on March 22.

**Community Input**

The City Council first reviewed the matter quite some time ago - during its April 9, 2009 Study Session. Council directed the City staff to gather more input from the community, including homeowners, homeowners associations and landscape maintenance companies. The City mailed surveys to Newport Beach homeowner associations and local landscape companies, and posted a survey on its website to better gauge community sentiment on this issue. A brief summary of the survey results is enclosed.

**November 9, 2010 City Council Study Session**

The survey results were presented to the City Council during its November 9, 2010 Study Session. After reviewing the information presented and hearing testimony from community members, the Council discussed a variety of options to address the concerns raised regarding the use of leaf blowers in Newport Beach. The Council considered a ban on gasoline-powered leaf blowers versus a ban on leaf blowers of all types (including electric), whether a ban would cover all parts of the City or residential areas, and whether to allow homeowner associations to “opt out” of the citywide ban. In response to the Council’s discussion, the City staff developed a draft ordinance that would include the following:

- A citywide ban on the use of gasoline-powered leaf blowers in residential areas. (Electric leaf blowers and vacuums are currently excluded from the ordinance.)
- An option for home owner associations to opt-out of the citywide ban.
- The exclusion of commercial areas, City parks, and medians from the ban.
- A phase-in period to allow efficient implementation.

It's important to note the City Council has the ability to amend any of the provisions in the ordinance such as the types of leaf blowers included and the areas of the city included or excluded. There was some discussion on November 9, 2010 about also banning electric blowers – so please know that that is a possibility, although it is not in our proposed draft ordinance right now.

If you would like additional information about the Council's Study Session discussions on this issue, you may access the meeting minutes or watch the archived video of the April 9, 2009 or November 9, 2010 meetings by visiting [www.newportbeachca.gov](http://www.newportbeachca.gov) and selecting the "Agendas & Minutes" button on the right side of the City's home page.

### **Next Steps**

The ordinance is currently scheduled to go before the City Council for consideration on Tuesday, March 22 at its regular session. The meeting begins at 7 p.m. in the Newport Beach City Council Chambers, 3300 Newport Blvd. The agenda, staff report and draft ordinance will be available on the City website as of March 18, 2011 at [www.newportbeachca.gov](http://www.newportbeachca.gov) or by contacting the City Clerk's Office at 949-644-3005.

### **Your Comments are Welcomed**

We welcome you to attend the meeting and provide comments on behalf of your association or as a Newport Beach property owner. If you prefer, you may contact Rob Houston; by e-mail, [rhouston@newportbeachca.gov](mailto:rhouston@newportbeachca.gov) or call 949-644-3000.

Thank you for reading, for your assistance in the No Parking and Bike Lane issue, and for participating in our leaf blower discussions.

Sincerely,

ROB HOUSTON  
Assistant to the City Manager

## Leaf Blower Survey Results

The City mailed surveys to Newport Beach homeowner associations and local landscape companies, and posted a survey on its website to better gauge community sentiment on a potential ban on gasoline-powered leaf blowers.

Printed surveys and self-addressed, stamped envelopes were sent to each of the known home owner and community associations in the city during the summer of 2010. Surveys were also mailed to each of the landscape maintenance companies listed in the City’s Business Tax Certificate database and an additional 15 companies suggested by the City’s Municipal Operations Department. A third survey, designed for individual residents and City business owners, was posted on the City website. The online survey was promoted through e-mails to those signed up to receive news updates from the City and to local news reporters.

A total of 33 home owner and community associations and 26 landscape maintenance companies returned surveys. Additionally, there were 263 unique responses to the survey posted on the City’s web page. A summary of the responses to the survey’s main question, “Should there be a ban on gasoline-powered leaf blowers in residential neighborhoods?” is provided below.

| <b>Group Surveyed</b>              | <b># Respondents</b> | <b>Yes</b> | <b>No</b> | <b>Unknown</b> |
|------------------------------------|----------------------|------------|-----------|----------------|
| Resident & Home Owner Associations | 32                   | 22 (69%)   | 7 (22%)   | 3 (9%)         |
| Landscape Companies                | 25                   | 4 (16%)    | 19 (76%)  | 2 (8%)         |
| Residents & Business Owners        | 270                  | 192 (71%)  | 74 (28%)  | 4 (1%)         |

In addition, the Corona del Mar Residents Association polled its members in 2009 regarding leaf blower regulations. The association sent e-mails to its 567 members and received 104 responses. The responses indicated that 55 percent of the association members that participated in the poll favored a ban on leaf blowers in the community and 85 percent wanted to ban or limit emissions, days/hours of operations, or decibel levels in residential areas.