

SONA Response to the proposal for changes to the NPLA ordinance | SONA Macon County

by Jim Spaniol · 2020-07-06

SONA recognizes that the proposed changes to the city code for Chapter 48 section 9 contains some provisions that could potentially be good for the environment. We agree that native plant areas should not be restricted to lakefront property and appreciate that Native Prairie Landscape Areas would be allowed on residential and non-residential areas in Decatur.

By requesting the city manager and staff look at the benefits of using native plants, the city council demonstrated concern for citizens and the environment in which we live.

SONA commends the city manager and staff for reaching out to experts in the fields of prairie planting and using native plants to form an ad-hoc advisory committee. We very much appreciate being involved with the working group and hope to continue to do so. Bringing in expert advisors should be a model for future projects.

Although the direction to review the current code and the process used to do so was good, we find the resulting proposed ordinance to have many areas for concern.

SONA's concerns include:

- * Citizens would be better served by an ordinance that encourages the use of best practices for using native plants. The proposed ordinance focuses instead on restricting perceived hazards rather than encouraging known environmentally friendly behavior. Many of the perceived hazards cannot be supported by scientific research. For example, our research found that there is no cause for concern about prairie environments harboring destructive animals or increasing the risk of fire.
- * The size restriction of 20% of land area in residential areas is so small that it will discourage residents from developing and maintaining an environmentally friendly area. We see no reason for a front yard location restriction.
- * There are several restrictions that will be discriminatory. The percent of lot size restrictions will mean that only residents with relatively large lots will be able to establish a Native Prairie Landscape Area. Since lot size and income are correlated, we believe this is a restriction that negatively affects low income households. Similarly, the permit fee is excessively high and obviously disfavors low income residents. The ordinance allows for exceptions based on agreements between government agencies but does not allow for exceptions by agreement between the city and individuals or businesses.
- * The NPLA permitting requirements are unnecessarily restrictive. The permit fee of \$100 and \$200 is excessive. We think that no fee at all or a fee in the range of \$20 for residential and \$40 for commercial is reasonable. Requirements to submit 3 scale drawings and a list of species with scientific names serve to discourage residents from using native plants for landscaping.
- * Height restrictions on plants disregard context. We agree that height restrictions based on safety concerns such as obstruction of view help to protect the public. The other height restrictions are arbitrary and without merit. There are many plants including shrubs and trees that exceed 7 feet even when immature.
- * The ordinance is not yet ready for adoption. We have many concerns about specific wording. For example, there is no definition for the term "uniform average height" nor a specification about how such a height is to be measured or how such an average would be calculated.

* When a revised ordinance is adopted, it should contain a provision to review results after 3 years. Prairie establishment commonly takes 3 years and planting success cannot be evaluated in a shorter time.