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Sebastopol inches toward Laguna policy

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The Sebastopol City Council, like the crowd that filled the council chambers Tuesday evening, wants to protect the Laguna de Santa Rosa from environmentally harmful development; they just aren't sure how to go about it.

Reviewing a map of a proposed "no development" policy for lands along the Laguna channel that remain in their natural state, city planning consultant Bruce Aspinal noted that "most of the parcels, are outside the city limits, but they are in the urban boundary. Should the city adopt a policy, it would only be advisory on those lands." Only three of the 20 parcels on the map lie within the Sebastopol city limits, and one of those is owned by the city.

City attorney Larry McLaughlin also cautioned the council that a blanket

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development ban could run afoul of sensitive property rights issues, leaving the city vulnerable to accusations of inverse condemnation from the affected property owners.

Still, a 90-minute public hearing on the matter found virtually unanimous encouragement for the council to take action, with several of the speakers citing flood concerns, rather than environmental issues. "The restoration of the Laguna should be one of the most important priorities of the citizens of Sonoma County," declared Bill Haigwood.

Bob Sharp, the chairman of the city's Laguna Advisory Committee, warned that "future flooding in the Laguna is likely to be higher than ever before," due to the ever-increasing coverage of the Laguna's drainage area with roads, housing, and other impervious materials. Fifteen percent of the region is paved over now, Sharp said, and that figure is projected to more than double in the next 35 years.

The only property owner represented on the map to address the council was Vincent Siano, who urged the council to take a look at the state and federal flood control laws already on the books, rather than adopting a new policy.

And Laguna Advisory Committee Helen Libeu took exception to the language that would prohibit all development on Laguna lands, pointing out that uses such as a park, garden or agriculture are all positive, but would be outlawed under such a sweeping development ban.

At the conclusion of the hearing, councilman Richard Johnson expressed his mounting impatience with the situation. Noting that the basic goal of Laguna protection was included in Sebastopol's General Plan when it was adopted in 1982, Johnson complained, "It's frustrating to be still struggling with a policy question that should have been settled a long time ago."

He pressed McLaughlin to develop the text for a new city policy to address the issues of allowing only "appropriate development" on lots below the flood level, and also calling for cooperation and coordination with the county's actions in the area, which were outlined earlier in the meeting by Supervisor Ernie Carpenter. The draft policy will be back before the council for action at their Aug. 30 meeting.

At their next session, Aug. 16, the council will again tackle the related issue of a "no net fill" policy for development in the less environmentally sensitive areas of the Laguna.