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Wetlands . . .

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process called an overlay. Zoning is separated into three different types of wetlands, W-1, W-2 and W-3. A parcel of land, for instance, could be zoned rural residential but also fall within a wetlands category.

The W-1 zoning is well within the Laguna floodplain, W-2 is a little farther back and W-3 is on the fringes. How close the property is to the Laguna determines the zoning.

The first zone, W-1, restricts development the most, while W-3 allows more development and less restrictions.

City planning consultant Bruce Aspinall said originally the W-3 district was intended for areas outside the 100-year

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—Richard Nichols

floodplain. Distinctions between W-2 and W-3 are starting to blur, he said.

"Maybe we'll wind up with only two W districts," Aspinall

said.

Perhaps so, since the council is discussing turning the W-1 district into an "open space" zoning.

"The whole idea of the wetlands ordinance is to protect the wetlands we have and to protect the fringes of the wetlands from insensitive development," said City Councilman Richard Johnson.

Nichols wants to protect those wetlands. He's put in endless hours of research and study — at no cost to the city — to come up with the suggestions. While the actual rewriting of the ordinance will be done by Aspinall, Nichols has provided

the impetus for the change.

"He's pretty much a lay expert in the field," said Mayor Anne Magnie.

Magnie said the wetlands ordinance has only been in effect four or five years and needs ironing out.

Defining the wetlands seems to be the biggest hurdle in forming a solid ordinance.

"We want it clean and straight forward so people can understand it," Magnie said.

Councilman Johnson agreed.

"The problem, really, is definition. What's primary and what's secondary," Johnson said.

Several suggestions by Nichols have been met with enthusiasm including the exclusion of residential development in the primary wetlands zone. Nichols joked that only New Orleans bayou-type stilt houses could survive there anyway.

City Attorney Larry McLaughlin said as long as some uses were allowed in W-1, the city could restrict residential structures. Nichols said uses such as agriculture or nurseries could be accommodated.

Nichols also seemed confident the council will consider adding protection of native plants such as oaks and willows, besides protection of rare plant species and vernal pools.

Only one of Nichols' ideas have been rejected by the council so far: his suggestion to allow conservation parties on private property to survey for rare plants or conduct animal counts.

Nichols believes the council is still a long way from final approval of the ordinance. Public hearings have to take place as well as further discussion and zoning rewrites. But he thinks the direction is positive.

"The process becomes slow, almost tortured," Nichols said. "But it's progressing nicely. I'm confident we're going to get there."

And Nichols is encouraged by both the report from Congressman Doug Bosco's Laguna Technical Committee released last week and the Environmental Protection Agency's report released this week.

Both reports call for protection of the wetlands.

"It's nice to have friends in high places," Nichols said.