

Latest state housing legislation is an 'outrage'

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THE CALIFORNIA Legislature is about to usurp the role of local government again and mandate that cities and counties build ever more housing. The latest outrage is Senate Bill 303 by Sen. Denise Ducheny, D-San Diego.

Her bill requires local agencies to immediately pre-zone land at the start of a 10-year term to accommodate so-called "housing needs." Currently, law provides that regional housing allocation are made for a five-year period.

Since California is projecting growth of 12 million by 2020, SB 303 mandates that local government, including Marin's 11 incorporated cities and the county government, promptly indicate locations for their allocated housing share for these new residents, most of whom are immigrants. No matter that the free market and commonsense might induce these newcomers to move to more affordable locales desperate for growth. This doubling of the planning period in effect doubles each city's current "fair share" housing allocation.

SB 303 dictates that once land is pre-zoned, agencies must approve any project consistent with this density regardless that the proposed housing is inconsistent with other elements in the community's general plan. Do not doubt that SB 303's mandates will be vigorously enforced. The legislation allows developers to reap attorney fees from localities if they prevail in litigation to enforce the bill's provisions. Perversely, if local governments win at trials initiated by developers, Ducheny's bill prevents these agencies, e.g. taxpayers, from collecting their attorney fees.

At least SB 303's backers don't participate in the charade that the bill is all about providing affordable housing. Their real intent is to satisfy the never-ending business needs of the bill's sponsors, the California Building Industry Association and allied building trade unions. Their goal is to shove as much residential development as possible, whether market rate or affordable, down the throat of every California jurisdiction, no matter what their citizens think or need.

At last week's Marin Mayors and Council Members session, Anne Solem, a member of the Mill Valley City Council and the group's legislative chairwoman, led its unanimous opposition to SB 303. Solem warned that Ducheny's bill is "a top down planning process designed to limit the discretion of local government."

SB 303 passed the Senate on a 28-2 vote and is headed for the Assembly. Now the fight is between the League of California Cities, which opposes the bill, and big-time developers. Since the cities are prohibited from making campaign contribution and the builders and unions are major political contributors, expect Marin to soon face even more intense development pressure.

ODDS & ENDS: Wednesday's fire on San Rafael's Robert Dollar Hill was a spectacular reminder that the greatest threat to life and property in Marin is wildfire. Fifty homes were threatened in the hills above downtown San Rafael. As the fire raged, at the suggestion of Mayor Al Boro I joined him, City Manager Ken Nordhoff and City Council members at a fire department briefing regarding the ongoing status of the fire, public safety efforts and evacuation procedures. I was impressed. Years of training payed off with all players acting in a well-coordinated fashion. The best news was reports that the multimillion-dollar Marin Emergency radio system operated perfectly. Firefighters from multiple Marin and Sonoma agencies worked in tandem and were always in easy communication. This time, the Mission City was lucky as the wind died down within a few hours. Next time, some other Marin hillside city may not be so fortunate.

ASSEMBLYMAN Jared Huffman, D-San Rafael, is aiming to be the Legislature's version of Yankee third baseman Alex Rodriguez. Huffman will take the infield on behalf of the Democrats when they face their Republican adversaries on Aug. 21 at Sacramento's River Cats stadium during the annual legislative softball game. The GOP may be in the political minority, but if past performance is any guide, it is the favorite on the diamond.

KUDOS to this year's Mountain Play. The six performances of "Hair" drew almost 17,000 people. Despite some controversy over risquŽ dialogue, the 1960s-era rock opera was a critical and financial hit for the Mill Valley nonprofit Mountain Play

Association. Patronage topped last year's play, "Fiddler On The Roof," by 1,100. The 2008 show is "The Wizard of Oz."

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