

CALIFORNIA PLANNING & DEVELOPMENT REPORT

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Growth Movement Gains Momentum

**Special Report:
Growth Control
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The furor over growth control has reached an unprecedented pitch around Southern California in the last few weeks. Sweeping growth initiatives have moved ahead in Orange, Riverside, and San Diego counties, and seem all but certain to appear on the ballot in all three counties this year. The building industry has moved furiously to try to stall or kill the initiatives, particularly in Orange County. But with the exception of a delay the builders have not been successful so far.

As the momentum grows, however, the big question becomes whether the growth control movement can make the big leap from local phenomenon to regional or statewide political movement. Already some coalitions are being formed among local leaders in different parts of the state. Slow-growth leaders in five Southern California counties were scheduled to meet April 9, and on their agenda was how to form a regional coalition and whether to consider sponsoring some sort of statewide initiative. (Details of the three countywide ordinances, along with two case studies of how developers have lived with growth control, are included in a Special Report beginning on page 3.)

As slow-growth leaders have been talking about coalitions, however, these other events have been occurring, all in rapid succession in the last few weeks: *Continued on page 3*

Oil Battle Centers On San Luis County

The battle between oil companies and local governments over onshore oil support facilities continues to heat up, particularly in San Luis Obispo County, where Shell Oil Co. is planning to build a new drilling platform offshore and onshore facilities.

No less than three measures are now scheduled for the June ballot in connection with Shell's plans for the so-called San Miguel project, an onshore dewatering plant to be constructed in connection with the offshore Platform Julius.

The first measure deals with Shell's permit to construct the dewatering plant. The second deals with Shell's plans to build a pipeline from the dewatering plant to its cross-continental pipeline, and the third is a lot-line adjustment associated with the project.

All three will appear on the ballot because of the passage of Measure A in 1986, in which the county's voters ordered that any permit for onshore oil support facilities be subject to an election. That provision was affirmed in late February the Coastal Commission, which rejected its own staff's recommendation and voted to include Measure A as part of San Luis Obispo County's Local Coastal Plan.

Commission staffers questioned the legality of the ordinance and suggested that Measure A be amended to affect only zone changes, but the Coastal Commission itself — which earlier had approved construction of Platform Julius off the San *Continued on page 8*

School Fee Dispute Remains Unresolved

The building industry won a round in the debate over school construction fees in March, when the legislature agreed to retain the upper limit on such fees even if voters reject school bond issues later this year.

The compromise, which eliminated the link between state school bonds and the size of local fees for the next three years, helped break a legislative impasse over the state's entire \$5.3 billion bond package in mid-March. The package includes two \$800 million school construction bond proposals, with one scheduled to go to the voters in June and the other slated for a November election.

Several school fee issues remain unresolved, however, and the legislative conference committee working on revising the law is tentatively scheduled to reconvene in late April. Tops on the list of issues are a clarification of the provisions exempting projects under construction in 1986 from the fee, and the building industry's desire to make school districts' use of the fee money subject to closer scrutiny.

Under a law passed in 1986, school districts may levy fees on new construction (now \$1.53 per square foot for residential construction and 25 cents per square foot for commercial and industrial), in order to provide funds for school construction. These fees are estimated to raise approximately \$200-300 million per year statewide.

The fee was conceived as a way to raise local matching funds for *Continued on page 7*

Housing Issues Gain Attention; Deukmejian Proposes Nine Bills

Housing issues continued to work their way up the public agenda in March, both in California and throughout the country. First, the Joint Center for Housing Studies at Harvard reported that the high cost of housing has created an America "clearly divided between the haves and have-nots." Then the National Housing Task Force, appointed by leading members of Congress, made a series of innovative recommendations. Finally, Gov. George Deukmejian endorsed a package of nine housing bills in the state legislature.

The Joint Center study found that although housing costs have eased somewhat, the situation remains bleak for low-income households. Between 1974 and 1987, the rent burden on young single-parent families with children increased from 34.9% of income to 58.4%. The report was not optimistic about the future, either, predicting level home ownership rates, "a further tightening at the low end of the rental housing market, and a growing rental payments burden for low- and moderate-income households."

The report from the National Housing Task Force, chaired by innovative developer James Rouse, called on the federal government to "reestablish its historic role as a full partner in the effort to revitalize housing."

Among other things, the task force proposed the establishment of a \$3 billion "housing opportunity fund" by the federal government. Half the money would be doled out to state and local governments exclusively for low-income housing programs. The governments would have to match the funds but would have wide latitude in how to spend them. The other half would come in the form of outright grants for low- and moderate-income housing.

The task force also made many other proposals, including the establishment of local community development banks, a low-interest loan fund financed by benevolent lenders, and an increase in

FHA/VA loan limits.

The report was commissioned by the Senate subcommittee on urban affairs. California Sen. Alan Cranston, chairman of the subcommittee, intends to introduce many of the proposals as legislation, though he acknowledges President Reagan probably would veto such a bill.

Deukmejian's nine-bill package is designed to create a "positive development climate" for construction of affordable housing, though it will not directly involve the state in housing construction. Deukmejian's nine bills are:

AB 4624 (Grisham): Would extend the life of the state's Housing Trust Fund, which provides money for a variety of homeless and housing programs.

AB 4625 (LaFollette): Would require six months' notice from landlords pulling out of state subsidized housing programs.

AB 4566 (Ferguson): Would require redevelopment agencies to draw up plans and timetables to spend their housing setaside money, now estimated at \$160 million statewide. (*CPDR Special Report: Housing and Redevelopment*, February 1988.)

AB 4567 (Ferguson): Would expand list of eligible activities for redevelopment housing funds.

SB 2799 (Davis): Would give district and city attorneys greater incentive to prosecute slumlords.

SB 2800 (Rogers): Would open up several state programs to for-profits, co-ops, Indian tribes, and other groups.

SB 2825 (Seymour): Would consolidate state housing programs.

SB 2827 (Leroy Greene): Would make it more difficult for cities to zone out mobile homes.

SB 2860 (Royce): Would require governmental entities to notify housing nonprofits of availability of surplus land.

COURT CASES

Transit Fee Applies 'Retroactively,' High Court Rules

San Francisco's transit fee on downtown office buildings does apply to two office buildings that received permits in 1979, almost two years before the fee was adopted officially, the state Supreme Court has ruled.

The ruling means that Crocker National Bank and Pacific Gateway Associates may be required to pay more than \$2 million each in downtown transit impact fees, part of which they have paid into an escrow account under protest.

Last year, in *Russ Building Partnership v. City and County of San Francisco*, 188 Cal. App.3d 977, the First District Court of Appeal upheld the constitutionality of the \$5-per-square-foot fee on office developers downtown, saying the fee did not constitute a "special tax" under Proposition 13. On appeal, the state Supreme Court chose not to consider that part of the case, thus allowing the Court of Appeal ruling to stand.

However, the high court did accept a different part of the case, involving the question of whether the fee applied to two projects approved in 1979. And, with Chief Justice Malcolm Lucas dissenting, the high court said the Crocker and Pacific Gateway must, indeed, pay the fee.

The city Planning Commission's approval of the two projects stipulated that the developers "shall participate in a downtown assessment district, or similar fair and appropriate mechanism, to provide funds for maintaining and augmenting transportation service, should such a mechanism be established by the city."

Before the Supreme Court, the developers argued that the transit fee (technically the Transit Impact Development Fee, or TIDF) was not similar to an assessment district because it applied only to new development. But the high court disagreed, saying the process used

to establish the fee was similar to the process used to establish an assessment district. The justices also found that, according to the hearing record, the Planning Commission clearly intended to establish such a transit fee at the time the two projects were approved.

In dissent, Chief Justice Lucas said: "Neither the planning commission's uncommunicated intent nor the environmental impact report gave plaintiffs reasonable notice as a matter of law that they would be required to pay the large fee imposed by the TIDF."

The full text of Russ Building Partnership v. City and County of Los Angeles, No. S000156, appeared in the Los Angeles Journal Daily Appellate Report on March 21, beginning at page 3619.

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SPECIAL REPORT

Growth Movement Gains Momentum, But Can It Go Statewide?

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- The Building Industry Association in Orange County has launched a full-throttle effort to keep the countywide growth control initiative off the June ballot. The effort failed in the trial court but a Court of Appeal hearing was scheduled for April 6.

- Meanwhile, some citizen groups and cities in Orange County are suing the Board of Supervisors, saying the board has been ramming through development agreements in order to protect builders from the effects of the initiative. The development agreements involve tens of thousands of units.

- Supervisors in Riverside County exercised the provisions of a new state law, passed last year with the sponsorship of the California Building Industry Association, in order to bump a countywide growth control initiative there from the June ballot to the November ballot. The result could be a rush of development agreements, similar to that in Orange County, which slow-growth advocates say could lead to approval of as many as 115,000 units in the next few months.

- In San Diego, three major initiatives are planned for this year's ballot, two countywide and one in the City of San Diego. City slow-growthers are pushing ahead in spite of the fact that the city council imposed a numerical cap on residential building permits last year.

Even among building industry leaders, the safe bet is that most or all of these initiatives will pass. But how much strength and momentum will this lend to efforts to build a regional coalition? In other words, can growth control go statewide?

The conventional wisdom might say no, simply because growth control is such a local phenomenon; opposition to a particular subdivision or office building might generate a lot of political energy in one jurisdiction, but it is hard to imagine slow-growthers in Los Angeles getting upset about tall buildings in San Diego. And the whole history of the growth control movement in California bears this point out: The vast majority of disputes are extremely local, and the vast majority of ballot measures, particularly during the boom of the last two years, have been on city ballots.

But this year's much-publicized ballot measures in Southern California — measures that are *countywide*, not just local, and are given a good chance of passage — suggest that the conventional wisdom could be wrong. Countywide measures have been successful in the past, but usually in smaller counties with a distinctly environmental orientation, such as Santa Cruz and Santa Barbara. By contrast, the three countywide initiatives headed for this year's ballot come from populous and politically conservative counties.

These countywide drives appear to be winning converts because residents realize that the effects of growth, particularly traffic, are not just local. A tall office building may cast a shadow over your house, but the traffic it creates affects freeways in other parts of the county. And, as the Orange County initiative suggests, traffic frustration can be a powerful political organizing tool.

As early as last summer, Dean Misczynski, principal consultant for the state Senate Office of Research, suggested that traffic congestion could be as powerful a political force as high property tax rates were at the time of Proposition 13. The reasons, Misczynski said, are that traffic congestion, like property tax, is (1) something people care about deeply; (2) a problem the current political system is unable to respond to; and (3) a problem that appears to lend itself to solution by initiative, even if the real-life effects of that solution are somewhat bizarre. If the political energy arising from traffic congestion could be harnessed statewide, it might be a powerful electoral force.

Even if the slow-growthers can't convert local frustration into statewide electoral power, however, they still may be able to make a powerful impression on the regional or statewide scene. Some slow-growth leaders and lawyers around the state, many with a background in the environmental movement, have begun to renew their connections. For example, not long ago a group of slow-growth organizations from around the state joined together in filing an amicus curiae brief in the legal challenge to Walnut Creek's growth control initiative. These organizations included Friends of Westwood (Los Angeles), People for Open Space (San Francisco), Stop Polluting Our Newport (Orange County), Environmental Council of Sacramento, and Heal the Bay (Santa Monica), to name just a few.

The nucleus of the statewide slow-growth movement doesn't just consist of slow-growth groups and their leaders, such as Laura Lake in Westwood, Irvine Mayor Larry Agran, and Linda Martin of Citizens for Limited Growth in San Diego. It also includes a well-established network of environmental lawyers and activists such as Mark Weinberger and Clem Shute of Shute, Mihaly & Weinberger in San Francisco; Carlyle Hall of Center for Law in the Public Interest in Los Angeles; Larry Orman of People for Open Space in San Francisco; and Mike Eaton of the Environmental Council of Sacramento. And environmental organizations are active in growth control movements throughout the state; in Riverside County, for example the Sierra Club is playing a key role.

The heyday of the environmental movement of the '70s may be past, but the slow-growth movement gives these old-line environmentalists a new constituency and a new energy. Even if frustration over traffic congestion can't be converted into statewide electoral power, it can be converted into increased support for certain environmental causes — and that support could continue to stymie the building industry, particularly in court.

Environmental lawyers such as Shute and Hall have always been effective in court, and recent history has only improved their record. Just in the last few months, appellate courts throughout the state have issued several more rulings expanding the power of the California Environmental Quality Act, giving slow-growthers more leverage over builders (*CP&DR*, February and March 1988). And now many of these same lawyers, particularly Weinberger, are back in court all over the state defending the initiative process against attacks by the building industry.

Furthermore, these lawyers and activists understand the potential power of regional agencies such as the South Coast Air Quality Management District in restricting growth. Tapping into these agencies effectively doesn't necessarily require power at the ballot box statewide, particularly if the city and county officials that sit on such boards have been sufficiently terrorized by slow-growthers in local elections.

In all likelihood, the slow-growth initiatives in all three Southern California counties will pass later this year. A slow-growth coalition will undoubtedly emerge and attempt to build a statewide movement. That movement may or may not have a lot of power at the ballot box statewide; but it does appear to have sufficient momentum — and, in the form of environmental lawyers and activists, legal savvy — to make life difficult for the building industry for the foreseeable future.

Orange County

Orange County has been the most intense theater of conflict in

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the last few weeks. The countywide growth initiative appears likely to appear on the June ballot — and will probably pass — but the route there hasn't been easy. Though the Board of Supervisors placed it on the ballot without hesitation, the Building Industry Association of Southern California went to court in an effort to try to keep it off the ballot.

Furthermore, the supervisors have come under intense criticism from citizen groups and some cities in the county because of the rate at which they've been approving development agreements on projects that might otherwise be held up if the initiative passes in June.

The Orange County initiative concentrates on traffic congestion, essentially prohibiting development if congestion rises beyond a certain level. When presented with the initiative petition on March 1, the supervisors placed it on the June ballot immediately.

The Building Industry Association of Southern California, as well as the Lusk Co., sued quickly in an attempt to knock the measure of the ballot before the election. This technique used to be whistling in the dark, but no longer; in the last four years, at least four growth-related ballot measures have been pulled from the ballot before the election, and three times the winning legal team was from Nossaman Guthner Knox & Elliott — the BIA's lawyers in the Orange County case. To successfully knock the initiative off the ballot, however, the BIA had to prove it was invalid on its face.

In challenging the initiative, the BIA made several arguments. First, it claimed the initiative created internal inconsistencies in the county general plan, a violation of state law. BIA also claimed the initiative made it more difficult for the county to meet regional housing needs, and argued that the initiative did not enact legislation but, rather, merely instructed the Board of Supervisors to do so. In addition, Lusk Co. argued that the initiative violates the *Nollan* Supreme Court decision by requiring developers to make "measurable improvement" in existing below-standard traffic conditions before they can build.

BIA argued its case in a two-hour hearing before Superior Court Judge John C. Woolley on March 23. The following week, Woolley ruled that the initiative should stay on the ballot. The BIA appealed the ruling immediately (an appellate hearing was scheduled for April 6), but in the meantime the county printed the June ballots, making an appellate reversal unlikely.

BIA will almost certainly be back in court if the election passes, however. Woolley said the initiative was poorly drafted and confusing in places and that some of its provisions may be legally faulty, even though none of these defects were enough to knock it off the ballot.

Meanwhile, the initiative proponents and the city of Laguna Beach are also in court against the county supervisors on another matter — the supervisors' wholesale approval of development agreements in recent months. County officials say they have used development agreements to extract money for new roads from developers. Using development agreements, the money — totalling hundreds of millions of dollars — will be available up-front, rather than trickling in as development fees.

But the citizen group and Laguna Beach argue that the development agreements have been used for the sole purpose of protecting builders from the effects of the June initiative. Gregory Hile, a drafter of the initiative and a lawyer representing the citizen group, said he has challenged six development agreements in court, containing approvals for more than 30,000 homes. Several more development agreements are pending, and the total number of homes included in the deals could rise to 70,000. (BIA officials insist that the actual

number of new houses contained in the deals is fewer than 70,000, since some homes in multi-phase projects have already been permitted and/or built.)

The development agreements are being challenged in several grounds. Most important are environmental grounds, with the citizen groups and Laguna Beach arguing that most development agreements have been approved with minimum environmental review even though the environmental impact reports for the projects are outdated.

Riverside County

The Riverside County initiative is, if anything, a more complicated measure than Orange County's, restricting the county's residential growth to the statewide average and ratcheting the rate of growth back even further if traffic and jobs/housing balance goals aren't.

The Riverside Board of Supervisors were confronted with valid signature petitions on March 1, the same day the Orange County initiative was presented to the supervisors there. The Riverside supervisors, however, chose to set the initiative aside for 45 days for study of the fiscal impact and other matters. In so doing, the supervisors effectively delayed a vote on the measure from June until November.

The Riverside move was made possible by a law passed by the Legislature last year (Chapter 767, Statutes of 1987) permitting such a delay for review. The bill was sponsored by the California Building Industry Association, though it also had the support of cities and housing activists. CBIA sponsored the bill after a long and unsuccessful attempt to make growth-control initiatives subject to the provisions of the California Environmental Quality Act.

According to Ray Becker of Lusk Co., president of the Riverside County BIA, the building industry did not take a formal position on the postponement of the vote. Nevertheless, Bill Havert of the Riverside County Sierra Club, vice president of Yes of Residents Controlling Growth, called the move a "transparent political ploy." Havert claimed that Supervisor Walt Abraham, who is running in the June primary, did not want to appear on the ballot at the same time as the initiative. Havert further suggested that up to 115,000 pending applications for residential units could be locked in with development agreements before November — and most of them, he claimed, are in Abraham's district.

San Diego County

The growth initiatives in San Diego County are not as far along as those in Orange and Riverside Counties. Citizens for Limited Growth is sponsoring an initiative that would impose a strict housing cap in the city of San Diego unless performance standards could be met — but signature petitions were filed in late March and the group hopes to qualify for the November ballot.

Meanwhile, two countywide measures — a growth cap sponsored by Citizens for Limited Growth and a measure protecting environmentally sensitive lands sponsored by San Diegans for Managed Growth — are still in the signature-gathering stage. In late February, the Board of Supervisors ordered studies on both initiatives. In particular, the county staff is investigating whether the Citizens for Limited Growth's measure is valid. The measure contains a provision that would place certain development proposals on the ballot, but limit voting only to residents of local planning areas, even though the land is located in unincorporated county territory.

SPECIAL REPORT

Details of Countywide Growth Initiatives

Orange County

Like several other recent growth initiatives, most notably the one in Walnut Creek, the Orange County ties growth to traffic congestion. In the findings section, the initiative declares that traffic congestion "increases the risk of traffic accidents, hinders or blocks the passage of public safety vehicles, causes or contributes to increases in air pollution, wastes fuel, degrades the county's economy, contributes to lost productivity, promotes stress both on the roadways and off, and generally degrades the quality of life within the county."

Having made that statement, the initiative includes the following significant provisions:

- If traffic congestion falls below the level traffic engineers refer to as the "standard level of service," development will not be permitted unless a "measurable improvement" in traffic congestion can be achieved.
- New development will be permitted only if it does not cause police, fire, flood control, and parks services to fall below adequate service levels.
- New developments must provide parkland and be protected against a 100-year flood.
- Most of the initiative is written in the form of a general plan amendment that changes county policy, and the Board of Supervisors is instructed to change zoning laws and the general plan to conform to the initiative.

Riverside County

The growth initiative in Riverside County, now scheduled for the November ballot, is substantially different from the Orange County initiative. Whereas the Orange County proposal deals mostly with traffic congestion, the Riverside initiative also tries to address the imbalance between population growth and jobs growth. Here are some of its important provisions:

- Overall residential growth in the county cannot exceed the statewide growth rate. According to Deputy County Counsel Rob Klotz, this would cut residential growth to about 25% of current levels.
- Development would be cut 10% for each year that traffic

congestion does not improve.

- Development would be cut a further 10% for every year that the county's jobs/housing ratio does not improve.
- The county must establish an "urban services line."
- The county must map all agricultural areas, identify prime agricultural land, and zone that land with a minimum parcel size of 40 acres.
- The county must also map all biologically sensitive areas and zone that land with a minimum parcel size of 20 acres.

San Diego County

Three major initiative drives are under way in San Diego County. Two are sponsored by Citizens for Limited Growth, while a third is sponsored by San Diegans for Managed Growth.

The San Diego city initiative sponsored by Citizens for Limited Growth builds on the interim development ordinance passed by the city council last year, which restricted residential construction to 8,000 permits this year.

The initiative establishes performance standards for air quality, water supply, sewage and solid waste disposal, and traffic congestion. If these performance standards are met, there is no limit on construction. If the performance standards are not met, however, there is an annual cap on residential building permits. The cap would be between 7,000 and 9,000 units in 1989, between 6,000 and 8,000 in 1990, between 5,000 and 7,000 in 1991, and between 4,000 and 6,000 every year between 1992 and 2010.

The city initiative also would provide additional protection for hillsides and wetlands, which are now afforded some protection by city ordinances.

The county initiative sponsored by the same group would impose similar provisions in unincorporated county territory. It would impose a yearly cap on building permits equal to a percentage of the county's housing stock from the previous fiscal year. That cap would begin at 2.6% in 1989 and fall to 1.6% in 1992. Performance standards similar to those included in the city initiative would also have to be met. Most importantly, the measure would require that many development proposals be placed on the ballot — though it would permit only those residents of the local planning area to vote on such a proposal.

UC Cities Band Together to Handle Growth Problems

The University of California is growing rapidly, causing concern among many of the nine cities that now host UC campuses and raising the hope among many other cities that a new campus may be created in the near future.

According to UC officials, the tuition gap between UC and private universities is funneling more California high-school graduates into the UC system, and they are predicting a 25% increase in the UC population — from 155,000 to about 200,000 — by the year 2005.

In a recent speech in San Diego, UC President David Gardner said all nine UC campuses are working on master plans, which will be combined into a systemwide master plan to be presented to the university's regents next October. But he and other university officials say that current campuses can handle a 30,000-student increase by the year 2000, and that a new campus is not likely until after that time.

This situation has led the eight cities which host full-service UC

campuses to form the Association of University Communities to deal with the adverse side-effects of university growth in their cities. Representatives of the eight cities met in early February in Davis, a city with a proud slow-growth tradition and a rapidly growing UC campus. Davis's UC campus population is presently growing at a rate of 3-5% per year, making the university a major player in that city's future growth.

Davis and other cities with both a UC campus and a slow-growth orientation, including Santa Barbara and Santa Cruz, hope to push the university into designating a 10th campus at an early date. At the same time, several cities are already lobbying to become the site of that 10th campus, including Fresno, Los Banos, Merced, Redding, and Madera County.

In his San Diego speech, Gardner said that the percentage of California high-school graduates attending UC has grown from 5% in 1981 to 8% today, mostly because of the university's low cost relative to private schools.

Onshore Oil Facilities Fight Centers on San Luis County

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Luis coast — decided to let the measure stand as approved by the voters.

Because the granting of a permit may be an administrative or adjudicatory act rather than a legislative act, coastal staffers argued that it may not be subject to the voters' referendum powers. Although the Western Oil and Gas Association (WOGA) currently is engaged in litigation against 13 coastal cities and counties seeking to restrict onshore oil facilities, WOGA has not specifically challenged the constitutionality of San Luis Obispo's Measure A.

As Interior Secretary Donald Hodel has stepped up efforts to open the California coast to oil drilling, conflict with state and local governments opposed to oil drilling has increased. This friction has increased during the Deukmejian years as the California Coastal Commission has become more development-oriented. The Coastal Commission has sanctioned several new oil rigs in recent years, including three Exxon rigs off the coast of Santa Barbara and Platform Julius.

In the last four years, cities and counties up and down the coast — from Point Arena in Mendocino County down to San Diego — have enacted ordinances seeking to restrict onshore oil facilities or place such proposals on the ballot. Most of these measures have been passed via the initiative process, though some have been enacted by city councils. Local environmentalists have used this method to attack onshore facilities because the local governments have no control over offshore rigs.

The appearance of Measure A on the San Luis Obispo County ballot in November 1986 was directly related to the Coastal Commission's approval of Platform Julius. Shell plans to construct an onshore facility near Nipomo and connect it to Platform Julius via pipeline. But Robert Griffin, a former San Luis Obispo city councilman who helped draft Measure A, said that a measure requiring that zone changes be put on the ballot would not have affected the San Miguel project. The land in question is already properly zoned. So Measure A called for voter approval of permits for onshore oil facilities.

An opinion by the Attorney General's Office said that such local measures were subject to approval by the Coastal Commission even if the commission has already approved the Local Coastal Plan and turned permitting authority back over to the local government. The Coastal Commission approved Measure A as written with the understanding that a popular vote on an oil facility permit is appealable to the commission, just as a decision by the county Board of Supervisors would be.

The Western Oil and Gas Association's lawsuit, filed in U.S. District Court in Los Angeles, alleges that the local ordinances improperly infringe on constitutional rights, including federal supremacy, interstate commerce, and equal protection. The lawsuit names as defendants Sonoma, San Mateo, Monterey, San Luis Obispo, San Diego, and Santa Cruz counties, and the cities of Monterey, Morro Bay, Oceanside, San Diego, San Luis Obispo, San Francisco, and Santa Cruz. The California attorney general's office is assisting the cities and counties in defending the ordinances.

The list could get longer, however, if citizen unrest in Northern California coastal counties continues. Hodel's plan to open the North Coast to offshore drilling has led to vigorous local opposition. Dan Haifley of Save Our Shores, a Santa Cruz-based group coordinating information on local ordinances, predicted that a ballot measure in Mendocino County and city council action in Ft. Bragg may be forthcoming.

A San Francisco Examiner/NewsCenter 4 poll, conducted by Teichner Associates in early March, found that 51% of Californians oppose offshore oil drilling, while 35% favor drilling, and 13% don't know or don't care.

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Roger Beers, attorney for cities and counties on local oil ordinances, (415) 861-1401.

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BRIEFS

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study problems associated with female and minority contractors, and Hamilton Rabinovitz & Alschuler to study "eliminating obstacles to employment of women and minorities which may exist."

Social goals, including construction of 3,700 housing units, were imposed on the Century Freeway project, which will connect Norwalk with the Los Angeles Airport area, in 1979 after a lengthy court battle. Among those goals: 35% of all freeway work and 47% of housing construction work go to female or minority firms. The project goals also call for 50% hiring of minority individuals and 10% hiring of women. According to the *Los Angeles Times*, many female and minority contractors have gone broke or dropped out, and while minority hiring goals have been achieved, female hiring goals have not.

A voter registration drive by the Building Industry Association in San Diego violates the state elections code, according to the county Registrar of Voters.

For the past four years, the registration drive's materials had instructed voters to return their completed forms to the BIA, not to the Registrar of Voters. "This information will be added to the BIA voter file so that we can send you important voter information before every election," the materials said.

Who is the most important development power broker in San Luis Obispo County? According to a new survey of the county's influential

people by Cal Poly SLO's Department of City and Regional Planning, it's not any of the five county supervisors — it's Planning Director Paul Crawford.

Among public officials, Crawford outpolled all five county supervisors, County Administrator William Briam, and all city officials — elected and appointed — in the county. The most influential private individual, according to the survey, is San Luis Obispo developer Rob Rossi.

Marvin Braude and Zev Yaroslavsky, the two Los Angeles city councilmen who sponsored slow-growth Proposition U in 1986, are now taking aim at Occidental Petroleum's plans to drill for oil in the affluent coastal area of Pacific Palisades.

Yaroslavsky and Braude have launched an initiative drive to block the Occidental drilling, hoping to place the measure on the ballot in November.

The drilling proposal, a subject of controversy since the late 1960s, was approved after Mayor Tom Bradley dropped his longstanding opposition in 1985. More recently, a committee of influential L.A. citizens was created to support the proposal, with membership including former Gov. Pat Brown, labor leader William Robertson, and black bishop H.H. Brookins. This group has announced plans to launch a competing initiative in support of the oil drilling.