

AMENDED IN SENATE APRIL 28, 2010
AMENDED IN SENATE SEPTEMBER 2, 2009
AMENDED IN ASSEMBLY JUNE 2, 2009
AMENDED IN ASSEMBLY APRIL 16, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1570

Introduced by Assembly Member Salas

(Principal coauthor: Senator Kehoe)

~~(Coauthors: Assembly Members Anderson, Fletcher, Garrick,
Harkey, Jeffries, and Saldana)~~

~~(Coauthors: Senators Benoit, Ducheny, Hollingsworth, and Wyland)~~

March 16, 2009

~~An act to add Section 30607.8 to the Public Resources Code, relating to coastal development, and declaring the urgency thereof, to take effect immediately.—An act to add Section 5272.4 to the Business and Professions Code, relating to outdoor advertising.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1570, as amended, Salas. ~~Coastal development: desalination facility.—Outdoor advertising.~~

The Outdoor Advertising Act provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act exempts from its provisions, among other things, certain advertising displays that advertise the business conducted or services rendered or goods produced or sold on the property upon which the display is placed, as specified.

This bill would exempt from the provisions of the act an advertising display located within a distance of 4,100 feet of the intersection of State Highway Route 8 and State Highway Route 111, in the County of Imperial, if specified conditions are satisfied.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Imperial.

~~The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, and authorizes the California Coastal Commission to issue permits for, and to regulate, various types of developments within the coastal zone, including industrial developments and thermal electric generating plants.~~

~~This bill would extend the expiration date of a coastal development permit for a seawater desalination facility that was approved after January 1, 2007, as specified, by 12 months and would require that such a permit for a seawater desalination facility would not expire less than 3 years from the date on which the commission or the local government approved the project if development has not begun.~~

~~The bill would also require that the above extension be implemented without additional authorization or action by the commission or the local government and that it be in addition to any extension of the expiration date as provided for in the act, any rules or regulations adopted pursuant to the act, any local coastal program, applicable coastal development permit, or any other provision of state law.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 5272.4 is added to the Business and*
- 2 *Professions Code, to read:*
- 3 *5272.4. None of the provisions of this chapter apply to an*
- 4 *advertising display located within a distance of 4,100 feet of the*
- 5 *intersection of State Highway Route 8 and State Highway Route*
- 6 *111, in the County of Imperial, if all of the of the following*
- 7 *conditions are met:*
- 8 *(a) Written evidence shall be provided to the department*
- 9 *indicating that both the owner or person in control or possession*

1 *of the property upon which the advertising display is to be located*
2 *and the city or county with land use jurisdiction over that property*
3 *have consented to the placing of the display.*

4 *(b) No other display is placed pursuant to this section.*

5 *(c) Placement of the display will not necessitate the immediate*
6 *trimming, pruning, topping, or removal of existing trees in order*
7 *to make the display visible or to improve its visibility, unless done*
8 *as part of the normal landscape maintenance activities that would*
9 *have been undertaken without regard to the placement of the*
10 *display.*

11 *(d) The display does not cause a reduction in federal aid*
12 *highway funds, as provided in Section 131 of Title 23 of the United*
13 *States Code.*

14 *SEC. 2. The Legislature finds and declares that a special law*
15 *is necessary and that a general law cannot be made applicable*
16 *within the meaning of Section 16 of Article IV of the California*
17 *Constitution because of the unique circumstances concerning the*
18 *location of the advertising display set forth in this act and the need*
19 *for advertising in the County of Imperial.*

20 ~~SECTION 1. Section 30607.8 is added to the Public Resources~~
21 ~~Code, to read:~~

22 ~~30607.8. (a) The expiration date of a coastal development~~
23 ~~permit for a seawater desalination facility approved pursuant to~~
24 ~~this division after January 1, 2007, and before the effective date~~
25 ~~of this section, which has not expired as of that date, shall be~~
26 ~~extended by 12 months, and in no event shall that coastal~~
27 ~~development permit for a seawater desalination facility expire less~~
28 ~~than three years from the date on which the commission or local~~
29 ~~government approved the proposed project if development has not~~
30 ~~begun.~~

31 ~~(b) The extension provided by subdivision (a) shall be~~
32 ~~implemented without any additional authorization or action by the~~
33 ~~commission or local government, notwithstanding any provision~~
34 ~~to the contrary contained in this division, any rules or regulations~~
35 ~~adopted pursuant thereto, any local coastal program adopted~~
36 ~~pursuant to this division, the applicable coastal development permit,~~
37 ~~or any other provision of state law.~~

38 ~~(c) The extension provided by subdivision (a) shall be in addition~~
39 ~~to any extension of the expiration date provided for in this division,~~
40 ~~any rules or regulations adopted pursuant thereto, any local coastal~~

1 ~~program adopted pursuant to this division, the applicable coastal~~
2 ~~development permit, or any other provision of state law.~~

3 ~~SEC. 2. This act is an urgency statute necessary for the~~
4 ~~immediate preservation of the public peace, health, or safety within~~
5 ~~the meaning of Article IV of the Constitution and shall go into~~
6 ~~immediate effect. The facts constituting the necessity are:~~

7 ~~To authorize as soon as possible the continuing development of~~
8 ~~desalination plants that have been approved for the augmentation~~
9 ~~of the state's drinking water supply for the protection of the public~~
10 ~~health, safety, and the environment, it is necessary for this act to~~
11 ~~take effect immediately.~~