

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY MAY 18, 1999

AMENDED IN ASSEMBLY MAY 6, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 170

Introduced by Assembly Member Firebaugh

January 15, 1999

An act to ~~amend Section 5273 of~~ *add Section 5273.5 to the Business and Professions Code*, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

AB 170, as amended, Firebaugh. Outdoor advertising: redevelopment districts.

The Outdoor Advertising Act regulates the placement of advertising displays along highways. The act exempts from its provisions 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, except provisions governing licenses and imposing regulations. The act provides an exemption from specified display restrictions for advertising displays that advertise businesses and activities developed within the boundary limits of, or as part of, an individual redevelopment agency project by authorizing those displays to be considered, with the consent of the redevelopment agency governing the project, as being on premises anywhere within the limits of

the project, as specified. The exemption is conditioned on, among other things, all of the land in the project being contiguous or separated only by a public highway or public facilities developed or relocated for inclusion within the project as a part of the original redevelopment plan.

This bill would, *notwithstanding those provisions, for the City of Buena Park in Orange County, the Cities of Commerce, Covina, and South Gate in Los Angeles County, and the City of Victorville in San Bernardino County*, extend the exemption for redevelopment agency projects to include more than one of the agency's project area or ~~areas~~.

~~The bill~~ *areas*, would exempt the display as being on premises if it is anywhere within the legal boundaries of the redevelopment agency's project area or areas, instead of within the limits of the ~~project~~.

~~The bill~~ *project, and* would delete the condition that all of the land in the project be contiguous or separated only by a public highway or public facilities, ~~as specified~~.

The bill would require the governing body of a redevelopment agency *within these cities*, upon approving the purchase, lease, or other authorization for the erection of an advertising display, to prepare, adopt, and submit to the department an application for the issuance of a permit that, at a minimum, includes a finding that the advertising display would not result in a concentration of displays that will have a negative impact on the safety or aesthetic quality of the community. The bill also would authorize the department to deny the application only if the proposed structure would violate specified provisions of law, or if the display would cause a reduction in federal-aid highway funds.

~~The bill would make a technical, nonsubstantive change in existing law.~~

~~The bill would express legislative findings and declarations.~~

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) The Outdoor Advertising Act (Chapter 2
4 (commencing with Section 5200) of Division 3 of the
5 Business and Professions Code) regulates the placement
6 of advertising displays along highways and provides
7 limited exemptions from its provisions.

8 (b) Section 5273 of the Business and Professions Code
9 provides a limited exemption from the act by authorizing
10 a city to advertise a redevelopment project with a sign
11 located adjacent to a highway, but only if the sign is
12 located within the boundary limits of the redevelopment
13 project and advertises a single redevelopment project
14 that is located in one contiguous area.

15 (c) The practical effect of Section 5273 of the Business
16 and Professions Code is that its exemption is limited to
17 cities that have a project that is located adjacent to a
18 highway.

19 (d) ~~Most~~ *Certain* cities have from two to five different
20 redevelopment projects that usually are not located in
21 one contiguous area, and ~~many~~ *cities* have
22 redevelopment projects that are not located adjacent to
23 a highway.

24 ~~(e) Accordingly, Section 5273 of the Business and~~
25 ~~Professions Code should be amended to authorize a city~~

26 *(e) Accordingly, a provision should be added to the*
27 *Business and Professions Code to authorize certain cities*
28 *to use the same sign to advertise all redevelopment*
29 *projects that are within that city, regardless of whether*
30 *the projects are contiguous to each other or are located*
31 *adjacent to a highway.*

32 ~~SEC. 2. Section 5273 of the Business and Professions~~
33 ~~Code is amended to read:~~

34 ~~5273. (a) For the purpose of this chapter, advertising~~

35 *SEC. 2. Section 5273.5 is added to the Business and*
36 *Professions Code, to read:*

37 *5273.5. (a) Notwithstanding Section 5273, for the*
38 *purposes of this chapter, in the City of Buena Park in*



1 *Orange County, the Cities of Commerce, Covina, and*
2 *South Gate in Los Angeles County, and the City of*
3 *Victorville in San Bernardino County, advertising*
4 displays advertising those businesses and activities
5 developed within the boundary limits of, and as a part of,
6 any redevelopment agency project area or areas may,
7 with the consent of the redevelopment agency governing
8 the project area, be considered to be on the premises
9 anywhere within the legal boundaries of the
10 redevelopment agency's project area or areas for a period
11 not to exceed 10 years or the completion of the project,
12 whichever occurs first, after which Sections 5272 and 5405
13 apply, unless an arrangement has been made for
14 extension of the period between the redevelopment
15 agency and the department for good cause.

16 (b) The governing body of a redevelopment agency *in*
17 *the cities set forth in subdivision (a)*, upon approving the
18 purchase, lease, or other authorization for the erection of
19 an advertising display pursuant to this section, shall
20 prepare, adopt, and submit to the department an
21 application for the issuance of a permit that, at a
22 minimum, includes a finding that the advertising display
23 would not result in a concentration of displays that will
24 have a negative impact on the safety or aesthetic quality
25 of the community. The department shall only deny the
26 application if the proposed structure violates Sections
27 5400 to 5405, inclusive, or subdivision (d) of Section 5408,
28 or if the display would cause a reduction in federal-aid
29 highway funds as provided in Section 131 of Title 23 of the
30 United States Code.

31 *SEC. 3. Due to the unique circumstances concerning*
32 *the location of redevelopment projects in the City of*
33 *Buena Park in Orange County, the Cities of Commerce,*
34 *Covina, and South Gate in Los Angeles County, and the*
35 *City of Victorville in San Bernardino County, in relation*
36 *to the nearest highway, and the need to advertise these*
37 *projects, it is necessary that an exemption from the*
38 *Outdoor Advertising Act be provided for those projects,*
39 *and the Legislature finds and declares that a general*



1 *statute cannot be made applicable within the meaning of*
2 *Section 16 of Article IV of the California Constitution.*

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