

SACRAMENTO CITY PLANNING COMMISSION

March 28, 1967

MEMBERS IN SESSION:

Subject: Federal Highway Beautification Act of 1965

The Federal Highway Beautification Act of 1965 requires that payment of compensation shall be made for non-conforming outdoor advertising structures required to be removed at the end of a five-year amortization period. This provision for compensation is contrary to the established regulatory means of administering zoning and similar land use controls through long established police power provisions.

The California Chapter of the American Institute of Planners and the League of California Cities has recognized this conflict and are urging the Congress to delete this provision of the Act. It is recommended the Sacramento City Planning Commission take similar action.

An appropriate Resolution has been prepared for your consideration.

Respectfully submitted,


JOSEPH AVENA
PLANNING DIRECTOR


SACRAMENTO CITY PLANNING COMMISSION

R E S O L U T I O N

- WHEREAS, the Congress of the United States has heretofore enacted the Highway Beautification Act of 1965 for the purpose of providing for scenic development and road beautification of the federal-state highway systems and that such Act contemplates and requires action by the several States; and
- WHEREAS, Section 131(g) of the Act requires payment of compensation upon the removal of certain outdoor advertising signs, displays and devices, such compensation to be shared by the federal government and the States; and
- WHEREAS, with respect to the State of California, payment of compensation for such removal is unnecessary and wasteful because such removal and the consequent securing of "effective control", as defined in the Act, can better be accomplished under the police power of this State; and
- WHEREAS, over a period of many years the police power of the States has become and now is the well established and judicially recognized means of enforcing zoning and similar land use controls, and, accordingly, the compensation provision in the Act is likely to confuse and undermine established practices and procedures,
- NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sacramento that this body hereby declares its opposition to Section 131(g) of Public Law 89-285, the Highway Beautification Act of 1965, and urges the Congress to delete said provision by appropriate amendment to the Act;
- AND IT IS FURTHER RESOLVED that the Clerk be, and he is hereby, directed to prepare a certified copy of these resolutions and forward them to United States Senators Thomas H. Kuchel and George Murphy and to Honorable John Moss, Representative in Congress.

GEORGE W. REED
Chairman

ADOPTED March 28, 1967


CHARLES A. BATTYAN
Secretary