

AMENDED IN SENATE MAY 19, 2020

AMENDED IN SENATE APRIL 17, 2020

SENATE BILL

No. 1373

Introduced by Senator Bates

(Principal coauthor: Assembly Member Brough)

February 21, 2020

~~An act to add Section 65569 to the Government Code, relating to public resources. An act to amend Section 541 of the Streets and Highways Code, relating to state highways.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1373, as amended, Bates. ~~Public resources: San Clemente: road construction. State highways: State Route 241: reduction.~~

Existing law establishes the state highway system throughout the state and designates State Route 241 from State Route 5 south of the City of San Clemente to State Route 91 in the City of Anaheim.

This bill would delete from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo.

~~Existing law vests the Department of Transportation with full possession and control of the state highway system and associated property. The Planning and Zoning Law requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a land use element and an open-space element.~~

~~This bill would prohibit certain governmental entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a new major thoroughfare in San Clemente in an area that is subject to a conservation easement or that is designated as open~~

space protected by a local initiative. The bill would provide that these provisions do not apply to the modification of major thoroughfares that exist in San Clemente on or before January 1, 2020.

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. Section 541 of the Streets and Highways Code is~~
2 ~~amended to read:~~

3 ~~541. Route 241 is from Route 5 south Oso Parkway east of~~
4 ~~San Clemente the City of Mission Viejo to Route 91 in the City of~~
5 ~~Anaheim.~~

6 ~~SECTION 1. Section 65569 is added to the Government Code,~~
7 ~~to read:~~

8 ~~65569. (a) Notwithstanding any other law, a joint powers~~
9 ~~agency acting pursuant to Section 66484.3 of the Government~~
10 ~~Code, state agency, transportation joint powers authority, or~~
11 ~~regional transportation agency, or a successor agency to any of~~
12 ~~those entities, shall not construct, fund, or operate, nor take~~
13 ~~property to construct, fund, or operate, a new major thoroughfare~~
14 ~~in San Clemente in an area that is subject to a conservation~~
15 ~~easement or is designated as open space protected by a local~~
16 ~~initiative.~~

17 ~~(b) This section shall not apply to the modification of major~~
18 ~~thoroughfares that exist in San Clemente on or before January 1,~~
19 ~~2020.~~