

CHAMBER ACTION

1 The Transportation Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5  
6 A bill to be entitled

7 An act relating to outdoor advertising; amending s.  
8 479.106, F.S.; revising provisions relating to the  
9 proximity of vegetation and beautification projects to  
10 outdoor advertising signs; specifying distances which  
11 constitute a view zone for outdoor advertising signs;  
12 authorizing the Department of Transportation and owners of  
13 outdoor advertising signs to enter into agreements  
14 identifying view zone locations; requiring governmental  
15 entities to pay for lost revenues or sign market values  
16 for violation of view zone requirements; amending s.  
17 479.25, F.S.; allowing permitted, conforming, lawfully  
18 erected outdoor advertising signs to be increased in  
19 height if visibility is blocked due to construction of a  
20 noise attenuation barrier; requiring sign reconstruction  
21 to meet Florida Building Code requirements; requiring the  
22 issuance of local permits for the reconstruction of signs  
23 notwithstanding local ordinances or land development

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24 regulations to the contrary; requiring local governments  
25 to pay just compensation for refusal to issue a  
26 reconstruction permit; providing an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:

29  
30 Section 1. Subsection (6) of section 479.106, Florida  
31 Statutes, is amended to read:

32 479.106 Vegetation management.--

33 (6) Beautification projects, trees, or other vegetation  
34 shall not be planted or located in the view zone of an area  
35 which will screen from view legally erected and permitted  
36 outdoor advertising signs which have been permitted prior to the  
37 date of the beautification project or other planting, where such  
38 planting will, at the time of planting or after future growth,  
39 screen such sign from view. The view zone shall consist of 500  
40 linear feet within the first 1,000 feet as measured along the  
41 edge of the pavement in the direction of approaching traffic  
42 from a point on the edge of the pavement perpendicular to the  
43 edge of the sign facing nearest the highway. The view zone shall  
44 be a continuous 500 linear feet unless interrupted by existing,  
45 naturally occurring vegetation. The department and the sign  
46 owner may enter into an agreement identifying the specific  
47 location of the view zone for each sign facing. In the absence  
48 of such agreement, the view zone shall be defined as the first  
49 continuous 500 linear feet from the sign. Any governmental  
50 entity violating this provision shall pay to the sign owner a  
51 penalty equal to the lesser of the revenue from the sign lost

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52 during the time of the screening or the fair market value of the  
53 sign.

54 Section 2. Section 479.25, Florida Statutes, is amended to  
55 read:

56 479.25 Application of chapter.--The owner of a lawfully  
57 erected sign that conforms to state and federal requirements for  
58 land use, size, height, and spacing may increase the height  
59 above ground level of such sign ~~This chapter does not prevent a~~  
60 ~~governmental entity from entering into an agreement allowing the~~  
61 ~~height above ground level of a lawfully erected sign to be~~  
62 ~~increased~~ at its permitted location if a noise-attenuation  
63 barrier, ~~visibility screen, or other highway improvement is~~  
64 erected in such a way as to screen or block visibility of the  
65 sign. ~~However, if a nonconforming sign is located on the~~  
66 ~~federal-aid primary highway system, as such system existed on~~  
67 ~~June 1, 1991, or on any highway that was not a part of such~~  
68 ~~system as of that date but that is or becomes after June 1,~~  
69 ~~1991, a part of the National Highway System, the agreement must~~  
70 ~~be approved by the Federal Highway Administration.~~ Any increase  
71 in height permitted under this section may only be the increase  
72 in height which is required to achieve the same degree of  
73 visibility from the right-of-way which the sign had prior to the  
74 construction of the noise-attenuation barrier, notwithstanding  
75 the restrictions contained in s. 479.07(9)(b). A sign  
76 reconstructed under this section shall comply with the building  
77 standards and wind load requirements set forth in the Florida  
78 Building Code. The local government having jurisdiction shall  
79 issue such permits as may be required for the reconstruction of

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80 a sign pursuant to this section, notwithstanding any provisions  
81 to the contrary contained in the ordinances or land development  
82 regulations of such local government. Any local government  
83 having jurisdiction that refuses to issue required permits for  
84 reconstruction of a sign under this section shall pay just  
85 compensation to the owner of such sign ~~visibility screen, or~~  
86 ~~other highway improvement.~~

87 Section 3. This act shall take effect upon becoming a law.