

1 1,000 feet as measured along the edge of pavement in the
2 direction of approaching traffic from a point on the edge of
3 the pavement perpendicular to the edge of the sign facing
4 nearest the highway. The view zone is a continuous 500 linear
5 feet unless interrupted by existing naturally occurring
6 vegetation. The department and the sign owner may enter into
7 an agreement identifying the specific location of the view
8 zone for each sign facing. In the absence of an agreement, the
9 view zone is the first continuous 500 linear feet from the
10 sign. Any government entity violating this subsection must pay
11 to the sign owner a penalty equal to the lesser of the revenue
12 from the sign lost during the time of the screening or the
13 fair market value of the sign.

14 Section 2. Section 479.25, Florida Statutes, is
15 amended to read:

16 479.25 Application of chapter.--The owner of a
17 lawfully erected sign that conforms with state and federal
18 requirements for land use, size, height, and spacing
19 requirements may increase the height above the ground level of
20 the sign ~~This chapter does not prevent a governmental entity~~
21 ~~from entering into an agreement allowing the height above~~
22 ~~ground level of a lawfully erected sign to be increased at its~~
23 ~~permitted location if a noise-attenuation barrier, visibility~~
24 ~~screen, or other highway improvement is erected in such a way~~
25 ~~as to screen or block visibility of the sign. However, if a~~
26 ~~nonconforming sign is located on the federal aid primary~~
27 ~~highway system, as such system existed on June 1, 1991, or on~~
28 ~~any highway that was not a part of such system as of that date~~
29 ~~but that is or becomes after June 1, 1991, a part of the~~
30 ~~National Highway System, the agreement must be approved by the~~
31 ~~Federal Highway Administration. Any increase in height~~

1 | permitted under this section may only be the increase in
2 | height which is required to achieve the same degree of
3 | visibility from the right-of-way which the sign had prior to
4 | the construction of the noise-attenuation barrier,
5 | notwithstanding the restrictions contained in s. 479.07(9)(b)
6 | visibility screen, or other highway improvement. A sign
7 | reconstructed under this section must comply with the building
8 | standards and wind load requirements set forth in the Florida
9 | Building Code. A local government or local jurisdiction must
10 | issue the permits required for the reconstruction of a sign
11 | under this section, notwithstanding any provision to the
12 | contrary contained in the ordinances or land development
13 | regulations of the local government or local jurisdiction or,
14 | if the local government or local jurisdiction refuses to issue
15 | the required permits for reconstruction of a sign under this
16 | section, the sign may not be reconstructed and the local
17 | government or local jurisdiction must pay just compensation to
18 | the owner of the sign.

19 | Section 3. This act shall take effect July 1, 2005.

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21 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22 | COMMITTEE SUBSTITUTE FOR
23 | Senate Bill 1850

24 | This CS establishes law concerning "viewing zones" for
25 | lawfully permitted outdoor advertising signs and requires any
26 | governmental entity violating the established view zone
27 | provisions to pay the sign's owner a penalty equal to the
28 | lesser of lost revenue from the sign being blocked or the
29 | sign's fair market value.

30 | Additionally, this CS allows the owners of lawfully erected
31 | outdoor advertising signs to increase the sign's height if a
32 | noise wall blocks or screens the sign and specifies if a sign
33 | is reconstructed for this purpose it must comply with the
34 | Florida Building Code standards and wind load requirements.
35 | This CS also specifies local governments are required to issue
36 | permits, if necessary, to reconstruct these signs and those
37 | local governments which refuse to issue such permits are
38 | required to pay just compensation to the sign's owner.