

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

16 Section 2. Section 479.25, Florida Statutes, is
17 amended to read:

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

1 ~~but that is or becomes after June 1, 1991, a part of the~~
2 ~~National Highway System, the agreement must be approved by the~~
3 ~~Federal Highway Administration.~~ Any increase in height
4 permitted under this section may only be the increase in
5 height which is required to achieve the same degree of
6 visibility from the right-of-way which the sign had prior to
7 the construction of the noise-attenuation barrier,
8 notwithstanding the restrictions contained in s. 479.07(9)(b)
9 visibility screen, or other highway improvement. A sign
10 reconstructed under this section must comply with the building
11 standards and wind load requirements set forth in the Florida
12 Building Code. A local government or local jurisdiction must
13 issue the permits required for the reconstruction of a sign
14 under this section, notwithstanding any provision to the
15 contrary contained in the ordinances or land development
16 regulations of the local government or local jurisdiction or,
17 if the local government or local jurisdiction refuses to issue
18 the required permits for reconstruction of a sign under this
19 section, the sign may not be reconstructed and the local
20 government or local jurisdiction must pay just compensation to
21 the owner of the sign.

22 Section 3. This act shall take effect July 1, 2005.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1850

The committee substitute for committee substitute (CS) clarifies that the definition of a view zone applies to the State Highway System and expressways. The CS provides that a party violating the view zone provisions of the bill must pay the sign owner a penalty equal to the lesser of the lost revenue from the screened or blocked billboard or the sign's fair market value. It also clarifies that a noise-attenuation barrier that is permitted by a local government is subject to s. 479.25, F.S. Finally, it also clarifies that the owner of a lawfully erected sign under s. 479.25, F.S., that is governed by and conforms to certain state and federal requirements, may increase the sign's height under certain circumstances.