

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Johnson offered the following:

2  
3 **Amendment (with title amendment)**

4 On page 25, lines 10 and 11,  
5 remove: all of said lines

6  
7 and insert:

8  
9 Section 9. Subsection (6) of section 479.106, Florida  
10 Statutes, is amended to read:

11 479.106 Vegetation management and view zone.--

12 (6) Beautification projects, trees, or other vegetation  
13 shall not be planted or located in the view zone of an area  
14 ~~which will screen from view~~ legally erected and permitted  
15 outdoor advertising signs which have been permitted prior to the

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16 | date of the beautification project or other planting, where such  
17 | planting will, at the time of planting or after future growth,  
18 | screen such sign from view. For the State Highway System and  
19 | expressways, whether or not annexed into the jurisdiction of a  
20 | municipality, the view zone shall consist of 500 linear feet  
21 | within the first 1,000 feet as measured along the edge of the  
22 | pavement in the direction of approaching traffic from a point on  
23 | the edge of the pavement perpendicular to the edge of the sign  
24 | facing nearest the highway. For the State Highway System and  
25 | expressways, whether or not annexed into the jurisdiction of a  
26 | municipality, the view zone shall be a continuous 500 linear  
27 | feet unless interrupted by existing, naturally occurring  
28 | vegetation. The department and the sign owner may enter into an  
29 | agreement identifying the specific location of the view zone for  
30 | each sign facing. In the absence of such agreement, the view  
31 | zone shall be defined as the first continuous 500 linear feet  
32 | from the sign. Any governmental entity or other party violating  
33 | this provision shall pay to the sign owner a penalty equal to  
34 | the lesser of the revenue from the sign lost during the time of  
35 | the screening or the fair market value of the sign.

36 |       Section 10. Section 479.25, Florida Statutes, is amended  
37 | to read:

38 |       479.25 Application of chapter; local government  
39 | permitting.--The owner of a lawfully erected sign that is  
40 | governed by and conforms to state and federal requirements for  
41 | land use, size, height, and spacing may increase the height  
42 | above ground level of such sign ~~This chapter does not prevent a~~

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43 ~~governmental entity from entering into an agreement allowing the~~  
44 ~~height above ground level of a lawfully erected sign to be~~  
45 ~~increased at its permitted location if a noise-attenuation~~  
46 ~~barrier, visibility screen, or other highway improvement is~~  
47 permitted by or erected by any governmental entity in such a way  
48 as to screen or block visibility of the sign. ~~However, if a~~  
49 ~~nonconforming sign is located on the federal-aid primary highway~~  
50 ~~system, as such system existed on June 1, 1991, or on any~~  
51 ~~highway that was not a part of such system as of that date but~~  
52 ~~that is or becomes after June 1, 1991, a part of the National~~  
53 ~~Highway System, the agreement must be approved by the Federal~~  
54 ~~Highway Administration.~~ Any increase in height permitted under  
55 this section may only be the increase in height which is  
56 required to achieve the same degree of visibility from the  
57 right-of-way which the sign had prior to the construction of the  
58 noise-attenuation barrier, notwithstanding the restrictions  
59 contained in s. 479.07(9)(b). A sign reconstructed under this  
60 section shall comply with the building standards and wind load  
61 requirements set forth in the Florida Building Code. A local  
62 government or local jurisdiction must issue the permits required  
63 for the reconstruction of a sign under this section,  
64 notwithstanding any provision to the contrary contained in the  
65 ordinances or land development regulations of the local  
66 government or local jurisdiction or, if the local government or  
67 local jurisdiction refuses to issue the required permits for  
68 reconstruction of a sign under this section, the sign may not be  
69 reconstructed and the local government or local jurisdiction

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70 must pay just compensation to the owner of the sign visibility  
71 screen, or other highway improvement.

72 Section 11. This act shall take effect upon becoming a  
73 law.

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76 ===== T I T L E A M E N D M E N T =====

77 On page 2, line 28,  
78 remove: all of said line

79

80 and insert:

81

82 of ch. 171, F.S.; amending s. 479.106, F.S.; revising  
83 provisions relating to the proximity of vegetation and  
84 beautification projects to outdoor advertising signs;  
85 specifying distances which constitute a view zone on the  
86 State Highway System and expressways for outdoor  
87 advertising signs; authorizing the Department of  
88 Transportation and owners of outdoor advertising signs to  
89 enter into agreements identifying view zone locations;  
90 requiring governmental entities and other violators to pay  
91 for lost revenues or sign market values for violation of  
92 view zone requirements; amending s. 479.25, F.S.; allowing  
93 permitted, conforming, lawfully erected outdoor  
94 advertising signs to be increased in height if visibility  
95 is blocked due to construction of specified noise  
96 attenuation barriers; requiring sign reconstruction to

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97 meet Florida Building Code requirements; requiring the  
98 issuance of local permits for the reconstruction of signs  
99 notwithstanding local ordinances or land development  
100 regulations to the contrary; requiring local governments  
101 or local jurisdictions to pay just compensation for  
102 refusal to issue a reconstruction permit; providing an  
103 effective date.

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