

Bill No. SB 566

Barcode 931374

CHAMBER ACTION

Senate

House

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Comm: RCS
03/08/2006 02:19 PM

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The Committee on Community Affairs (Haridopolos) recommended
the following amendment:

Senate Amendment (with title amendment)

On page 2, line 29, through
page 3, line 31, delete those lines

and insert:

479.25 Application of chapter.--

(1) The owner of a lawfully erected sign that is governed by and conforms to state and federal requirements for land use, size, height, and spacing may increase the height above ground level of such sign ~~This chapter does not prevent a governmental entity from entering into an agreement allowing the height above ground level of a lawfully erected sign to be increased at its permitted location if a noise-attenuation barrier, visibility screen, or other highway improvement is permitted by or erected by any governmental entity in such a way as to screen or block visibility of the sign. However, if a nonconforming sign is located on the federal-aid primary highway system, as such system existed on June 1, 1991, or on~~

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1 ~~any highway that was not a part of such system as of that date~~
2 ~~but that is or becomes after June 1, 1991, a part of the~~
3 ~~National Highway System, the agreement must be approved by the~~
4 ~~Federal Highway Administration. Any increase in height~~
5 permitted under this section may only be the increase in
6 height which is required to achieve the same degree of
7 visibility from the right-of-way which the sign had prior to
8 the construction of the noise-attenuation barrier,
9 notwithstanding the restrictions contained in s. 479.07(9)(b).
10 A sign reconstructed under this section shall comply with the
11 building standards and wind load requirements set forth in the
12 Florida Building Code.

13 (2) If an increase in the height of a sign as
14 permitted under this section will violate a provision of an
15 ordinance or land development regulation of a local government
16 or local jurisdiction, the provisions of such an ordinance or
17 regulation notwithstanding, the local government or local
18 jurisdiction shall choose by resolution to:

19 (a) Issue a permit by variance or otherwise for the
20 reconstruction of a sign under this section;

21 (b) Allow the relocation of a sign, or the
22 construction of another sign, at an alternative location if
23 the sign owner agrees to relocate the sign or construct
24 another sign;

25 (c) Refuse to issue the required permits for
26 reconstruction of a sign under this section and pay to the
27 owner of the sign the fair market value of the sign and its
28 associated interest in the real property; or

29 (d) Notify the department that application of this
30 section will violate a provision of an ordinance or land
31 development regulation of the local government or local

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1 jurisdiction and that the local government or local
 2 jurisdiction prohibits the installation of the
 3 noise-attenuation barrier to the extent the barrier screens or
 4 blocks visibility of the sign, whereupon the department may
 5 not permit or erect the noise-attenuation barrier to the
 6 extent that the barrier screens or blocks visibility of the
 7 sign ~~visibility screen, or other highway improvement.~~

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

11 And the title is amended as follows:

12 On page 1, lines 22-28, delete those lines

13

14 and insert:

15 Florida Building Code; providing alternative
 16 actions that a local government or local
 17 jurisdiction may take if an increase in the
 18 height of a sign would violate an ordinance or
 19 land development regulation;

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