

1                   A bill to be entitled  
 2           An act relating to billboard regulation; amending s.  
 3           479.01, F.S.; revising and clarifying definitions relating  
 4           to the regulation of billboards; amending s. 479.16, F.S.;  
 5           exempting signs placed under the local tourist-oriented  
 6           commerce signs pilot program from certain permit  
 7           requirements; creating s. 479.263, F.S.; creating the  
 8           local tourist-oriented commerce signs pilot program under  
 9           certain conditions; providing criteria; providing for  
 10          expiration of the program; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Subsections (4) and (26) of section 479.01,  
 15 Florida Statutes, are amended to read:

16           479.01 Definitions.—As used in this chapter, the term:

17           (4) "Commercial or industrial zone" means a parcel of land  
 18 designated predominantly for commercial or industrial uses under  
 19 both the future land use map of the comprehensive plan and the  
 20 land use development regulations adopted pursuant to chapter  
 21 163. If a parcel is located in an area designated for multiple  
 22 uses on the future land use map of a comprehensive plan and the  
 23 zoning category of the land development regulations does not  
 24 clearly designate that parcel for a specific use, the area will  
 25 be considered an unzoned commercial or industrial area if it  
 26 meets the criteria of subsection (26).

27           (26) "Unzoned commercial or industrial area" means an area  
 28 ~~a parcel~~ of land designated by the future land use map of the

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29 | comprehensive plan for multiple uses that include commercial or  
 30 | industrial uses but are not specifically designated for  
 31 | commercial or industrial uses under the land development  
 32 | regulations, in which three or more separate and distinct  
 33 | conforming industrial or commercial activities are located.

34 | (a) These activities must satisfy only the following  
 35 | criteria:

36 | 1. At least one of the commercial or industrial activities  
 37 | must be located on the same side of the highway and within 800  
 38 | feet of the sign location;

39 | 2. The commercial or industrial activities must be within  
 40 | 660 feet from the nearest edge of the right-of-way; and

41 | 3. The commercial industrial activities must be within  
 42 | 1,600 feet of each other.

43 |  
 44 | Distances specified in this paragraph must be measured from the  
 45 | nearest outer edge of the primary building or primary building  
 46 | complex when the individual units of the complex are connected  
 47 | by covered walkways.

48 | (b) Certain activities, including, but not limited to, the  
 49 | following, may not be so recognized as commercial or industrial  
 50 | activities:

51 | 1. Signs.

52 | 2. Agricultural, forestry, ranching, grazing, farming, and  
 53 | related activities, including, but not limited to, wayside fresh  
 54 | produce stands.

55 | 3. Transient or temporary activities.

56 | 4. Activities not visible from the main-traveled way.

57 | 5. Activities conducted more than 660 feet from the  
58 | nearest edge of the right-of-way.

59 | 6. Activities conducted in a building principally used as  
60 | a residence.

61 | 7. Railroad tracks and minor sidings.

62 | 8. Communication towers.

63 | Section 2. Subsection (16) is added to section 479.16,  
64 | Florida Statutes, to read:

65 | 479.16 Signs for which permits are not required.—The  
66 | following signs are exempt from the requirement that a permit  
67 | for a sign be obtained under the provisions of this chapter but  
68 | are required to comply with the provisions of s. 479.11(4)-(8):

69 | (16) Signs erected under the local tourist-oriented  
70 | commerce signs pilot program pursuant to s. 479.263.

71 | Section 3. Section 479.263, Florida Statutes, is created  
72 | to read:

73 | 479.263 Tourist-oriented commerce signs pilot program.—The  
74 | local tourist-oriented commerce signs pilot program is created  
75 | in rural areas of critical economic concern as defined by s.  
76 | 288.0656(2)(d) and (e). A permit under this chapter is not  
77 | required for signs erected under this program.

78 | (1) A local tourist-oriented business that is a small  
79 | business as defined in s. 288.703 may erect signs that meet the  
80 | following criteria:

81 | (a) Signs not more than 8 square feet in size or more than  
82 | 4 feet in height.

83 | (b) Signs located only in rural areas along highways that  
84 | are not limited access highways.

85 (c) Signs located within 2 miles of the business location  
 86 and not less than 500 feet apart.

87 (d) The advertising copy on the signs consists only of the  
 88 name of the business or the principle or accessory merchandise  
 89 or services sold or furnished on the premises of the business.

90 (2) A business placing such signs under this section:

91 (a) Must be a minimum of 4 miles from any other business  
 92 placing signs under this program.

93 (b) May not participate in the logo sign program  
 94 authorized pursuant to s. 479.261 or the tourist-oriented  
 95 directional sign program authorized pursuant to s. 479.262.

96 (3) A business that is conducted in a building principally  
 97 used as a residence is not eligible to participate in this  
 98 program.

99 (4) Before placing signs under this program, a business  
 100 must notify the department in writing of its intent to do so.

101 (5) The department shall maintain records of the  
 102 businesses participating in the program.

103 (6) The program shall not take effect if the Federal  
 104 Highway Administration advises the department in writing that  
 105 implementation constitutes a loss of effective control of  
 106 outdoor advertising.

107 (7) The local tourist-oriented commerce signs pilot  
 108 program created in this section expires June 30, 2016.

109 Section 4. This act shall take effect July 1, 2011.