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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2013	.	
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	.	

The Committee on Transportation (Evers) recommended the following:

Senate Amendment

Delete lines 176 - 288
and insert:

(15)~~(16)~~ "New highway" means the construction of any road, paved or unpaved, where no road previously existed or the act of paving any previously unpaved road.

(16)~~(17)~~ "Nonconforming sign" means a sign which was lawfully erected but which does not comply with the land use, setback, size, spacing, and lighting provisions of state or local law, rule, regulation, or ordinance passed at a later date or a sign which was lawfully erected but which later fails to



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13 comply with state or local law, rule, regulation, or ordinance
14 due to changed conditions.

15 ~~(17)-(18)~~ "Premises" means all the land areas under
16 ownership or lease arrangement to the sign owner which are
17 contiguous to the business conducted on the land except for
18 instances where such land is a narrow strip contiguous to the
19 advertised activity or is connected by such narrow strip, the
20 only viable use of such land is to erect or maintain an
21 advertising sign. When the sign owner is a municipality or
22 county, "premises" shall mean all lands owned or leased by such
23 municipality or county within its jurisdictional boundaries as
24 set forth by law.

25 ~~(18)-(19)~~ "Remove" means to disassemble all sign materials
26 above ground level and, transport them from the site, ~~and~~
27 ~~dispose of sign materials by sale or destruction.~~

28 ~~(19)-(20)~~ "Sign" means any combination of structure and
29 message in the form of an outdoor sign, display, device, figure,
30 painting, drawing, message, placard, poster, billboard,
31 advertising structure, advertisement, logo, symbol, or other
32 form, whether placed individually or on a V-type, back-to-back,
33 side-to-side, stacked, or double-faced display or automatic
34 changeable facing, designed, intended, or used to advertise or
35 inform, any part of the advertising message or informative
36 contents of which is visible from any place on the main-traveled
37 way. The term does not include an official traffic control sign,
38 official marker, or specific information panel erected, caused
39 to be erected, or approved by the department.

40 ~~(20)-(21)~~ "Sign direction" means that direction from which
41 the message or informative contents are most visible to oncoming



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42 traffic on the main-traveled way.

43 ~~(21)(22)~~ "Sign face" means the part of the sign, including
44 trim and background, which contains the message or informative
45 contents, including an automatic changeable face.

46 ~~(22)(23)~~ "Sign facing" includes all sign faces and
47 automatic changeable faces displayed at the same location and
48 facing the same direction.

49 ~~(23)(24)~~ "Sign structure" means all the interrelated parts
50 and material, such as beams, poles, and stringers, which are
51 constructed for the purpose of supporting or displaying a
52 message or informative contents.

53 ~~(24)(25)~~ "State Highway System" has the same meaning as in
54 s. 334.03 ~~means the existing, unbuilt, or unopened system of~~
55 ~~highways or portions thereof designated as the State Highway~~
56 ~~System by the department.~~

57 ~~(26)~~ ~~"Unzoned commercial or industrial area" means a parcel~~
58 ~~of land designated by the future land use map of the~~
59 ~~comprehensive plan for multiple uses that include commercial or~~
60 ~~industrial uses but are not specifically designated for~~
61 ~~commercial or industrial uses under the land development~~
62 ~~regulations, in which three or more separate and distinct~~
63 ~~conforming industrial or commercial activities are located.~~

64 ~~(a) These activities must satisfy the following criteria:~~

65 ~~1. At least one of the commercial or industrial activities~~
66 ~~must be located on the same side of the highway and within 800~~
67 ~~feet of the sign location;~~

68 ~~2. The commercial or industrial activities must be within~~
69 ~~660 feet from the nearest edge of the right-of-way; and~~

70 ~~3. The commercial industrial activities must be within~~



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71 ~~1,600 feet of each other.~~

72

73 ~~Distances specified in this paragraph must be measured from the~~
74 ~~nearest outer edge of the primary building or primary building~~
75 ~~complex when the individual units of the complex are connected~~
76 ~~by covered walkways.~~

77 ~~(b) Certain activities, including, but not limited to, the~~
78 ~~following, may not be so recognized as commercial or industrial~~
79 ~~activities:~~

80 ~~1. Signs.~~

81 ~~2. Agricultural, forestry, ranching, grazing, farming, and~~
82 ~~related activities, including, but not limited to, wayside fresh~~
83 ~~produce stands.~~

84 ~~3. Transient or temporary activities.~~

85 ~~4. Activities not visible from the main-traveled way.~~

86 ~~5. Activities conducted more than 660 feet from the nearest~~
87 ~~edge of the right-of-way.~~

88 ~~6. Activities conducted in a building principally used as a~~
89 ~~residence.~~

90 ~~7. Railroad tracks and minor sidings.~~

91 ~~8. Communication towers.~~

92 ~~(25)-(27)~~ "Urban area" has the same meaning as defined in s.
93 334.03(31).

94 ~~(26)-(28)~~ "Visible commercial or industrial activity" means
95 a commercial or industrial activity that is capable of being
96 seen without visual aid by a person of normal visual acuity from
97 the main-traveled way and that is generally recognizable as
98 commercial or industrial.

99 ~~(27)-(29)~~ "Visible sign" means that the advertising message



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100 or informative contents of a sign, whether or not legible, is
101 capable of being seen without visual aid by a person of normal
102 visual acuity.

103 (28)~~(30)~~ "Wall mural" means a sign that is a painting or an
104 artistic work composed of photographs or arrangements of color
105 and that displays a commercial or noncommercial message, relies
106 solely on the side of the building for rigid structural support,
107 and is painted on the building or depicted on vinyl, fabric, or
108 other similarly flexible material that is held in place flush or
109 flat against the surface of the building. The term excludes a
110 painting or work placed on a structure that is erected for the
111 sole or primary purpose of signage.

112 (29)~~(31)~~ "Zoning category" means the designation under the
113 land development regulations or other similar ordinance enacted
114 to regulate the use of land as provided in s. 163.3202(2)(b),
115 which designation sets forth the allowable uses, restrictions,
116 and limitations on use applicable to properties within the
117 category.