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LEGISLATIVE ACTION

Senate . House

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Floor: 7/AD/2R .

04/28/2010 05:03 PM .

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Senator Gardiner moved the following:

Senate Amendment (with title amendment)

Between lines 1636 and 1637

insert:

Section 35. Paragraph (c) of subsection (9) of section
479.07, Florida Statutes, is amended to read:

479.07 Sign permits.—

(9)

(c) Notwithstanding subparagraph (a)1., there is
established a pilot program in Orange, Hillsborough, and Osceola
Counties, and within the boundaries of the City of Miami, under
which the distance between permitted signs on the same side of
an interstate highway may be reduced to 1,000 feet if all other



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14 requirements of this chapter are met and if:

15 1. The local government has adopted a plan, program,
16 resolution, ordinance, or other policy encouraging the voluntary
17 removal of signs in a downtown, historic, redevelopment, infill,
18 or other designated area which also provides for a new or
19 replacement sign to be erected on an interstate highway within
20 that jurisdiction if a sign in the designated area is removed;

21 2. The sign owner and the local government mutually agree
22 to the terms of the removal and replacement; and

23 3. The local government notifies the department of its
24 intention to allow such removal and replacement as agreed upon
25 pursuant to subparagraph 2.

26 4. The new or replacement sign to be erected on an
27 interstate highway within that jurisdiction is to be located on
28 a parcel of land specifically designated for commercial or
29 industrial use under both the future land use map of the
30 comprehensive plan and the land use development regulations
31 adopted pursuant to chapter 163 and such parcel shall not be
32 subject to an evaluation in accordance with the criteria set
33 forth in the s. 479.01(26) to determine if the parcel can be
34 considered an unzoned commercial or industrial area.

35
36 The department shall maintain statistics tracking the use
37 of the provisions of this pilot program based on the
38 notifications received by the department from local governments
39 under this paragraph.

40 Section 36. Section 479.156, Florida Statutes, is amended
41 to read:

42 479.156 Wall murals.—Notwithstanding any other provision of



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43 this chapter, a municipality or county may permit and regulate
44 wall murals within areas designated by such government. If a
45 municipality or county permits wall murals, a wall mural that
46 displays a commercial message and is within 660 feet of the
47 nearest edge of the right-of-way within an area adjacent to the
48 interstate highway system or the federal-aid primary highway
49 system shall be located in an area that is zoned for industrial
50 or commercial use and the municipality or county shall establish
51 and enforce regulations for such areas that, at a minimum, set
52 forth criteria governing the size, lighting, and spacing of wall
53 murals consistent with the intent of the Highway Beautification
54 Act of 1965 and with customary use. Whenever a municipality or
55 county exercises such control and makes a determination of
56 customary use pursuant to 23 U.S.C. s. 131(d), such
57 determination shall be accepted in lieu of controls in the
58 agreement between the state and the United States Department of
59 Transportation, and the department shall notify the Federal
60 Highway Administration pursuant to the agreement, 23 U.S.C. s.
61 131(d), and 23 C.F.R. s. 750.706(c). A wall mural that is
62 subject to municipal or county regulation and the Highway
63 Beautification Act of 1965 must be approved by the Department of
64 Transportation and the Federal Highway Administration when
65 required by federal law and federal regulation under the
66 agreement between the state and the United States Department of
67 Transportation and federal regulations enforced by the
68 Department of Transportation under s. 479.02(1). The existence
69 of a wall mural as defined in s. 479.01(30)~~(27)~~ shall not be
70 considered in determining whether a sign as defined in s.
71 479.01(20)~~(17)~~, either existing or new, is in compliance with s.



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72 479.07(9) (a) .

73

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

75 And the title is amended as follows:

76 Between lines 145 and 146

77 insert:

78 amending s. 479.07, F.S.; providing for the placement of
79 new or replacement signs erected on an interstate highway in
80 certain areas; requiring such sign to be located on land
81 designated for commercial or industrial use under the future
82 land use map and land use development regulations; exempting
83 such location from specified evaluation criteria; amending s.
84 479.156, F.S.; conforming cross-references;