

INNOVATIVE LEGISLATION OUTDOOR ADVERTISING

Outdoor Advertising Signs

Chapter 479.15 (3)-(6), Florida Statutes

- Purpose: Limit state right of way acquisition costs on state and federal highways in eminent domain proceedings
- Optional process
- Subject to FHWA approval
- Affects only signs in a State nonconforming status

Outdoor Advertising Signs

Requirements:

- Within 100 feet of current sign location.
- Zoning cannot be residential
- Written permission from current land owner.

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Requirements:

- Sign must remain the same configuration, height, and size.
- Must comply with state and local setback requirements.
- Must have approval from local government.

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Requirements:

- Federal Authorization is Required: FHWA has advised the State of Florida they will NOT approve relocation of a sign which is nonconforming to federal requirements.
- No representation can be made to a sign owner regarding relocation until authorization has been received.

Outdoor Advertising Signs

Local Government Involvement:

- Locals will not grant a variance?
They become responsible for acquisition costs.
- Should they be named in Department's eminent domain case?
 - District legal strategy decision.

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If the sign can be relocated under this provision of law, the sign owner is responsible for all relocation costs unless we are on a transportation project that is federally funded. In this case, the federal relocation assistance act will require that we pay the relocation costs.