

Representative Kevin S. Garn proposes the following substitute bill:

OUTDOOR ADVERTISING AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Michael G. Waddoups

This act modifies the Transportation Code to amend provisions relating to the location, relocation, and height adjustments of outdoor advertising signs on certain state highways.

The act provides an immediate effective date.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

72-7-505, as last amended by Chapter 21, Laws of Utah 1999

72-7-510.5, as enacted by Chapter 342, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-7-505** is amended to read:

**72-7-505. Sign size -- Sign spacing -- Location in outdoor advertising corridor --
Limit on implementation.**

(1) (a) Except as provided in Subsection (2), a sign face within the state may not exceed the following limits:

(i) maximum area - 1,000 square feet;

(ii) maximum length - 60 feet; and

(iii) maximum height - 25 feet.

(b) No more than two facings visible and readable from the same direction on the main-traveled way may be erected on any one sign structure. Whenever two facings are so positioned, neither shall exceed the maximum allowed square footage.

(c) Two or more advertising messages on a sign face and double-faced, back-to-back, stacked, side-by-side, and V-type signs are permitted as a single sign or structure if both faces



26 enjoy common ownership.

27 (d) A changeable message sign is permitted if the interval between message changes is not
28 more frequent than at least eight seconds and the actual message rotation process is accomplished
29 in three seconds or less.

30 (2) (a) An outdoor sign structure located inside the unincorporated area of a nonurbanized
31 county may have the maximum height allowed by the county for outdoor advertising structures in
32 the commercial or industrial zone in which the sign is located. If no maximum height is provided
33 for the location, the maximum sign height may be 65 feet above the ground or 25 feet above the
34 grade of the main traveled way, whichever is greater.

35 (b) An outdoor sign structure located inside an incorporated municipality or urbanized
36 county may have the maximum height allowed by the municipality or urbanized county for outdoor
37 advertising structures in the commercial or industrial zone in which the sign is located. If no
38 maximum height is provided for the location, the maximum sign height may be 65 feet above the
39 ground or 25 feet above the grade of the main traveled way, whichever is greater.

40 (3) Except as provided in Section 72-7-509:

41 (a) Any sign allowed to be erected by reason of the exceptions set forth in Subsection
42 72-7-504(1) or in H-1 zones may not be closer than 500 feet to an existing off-premise sign
43 adjacent to an interstate highway or limited access primary highway, except that signs may be
44 erected closer than 500 feet if the signs on the same side of the interstate highway or limited access
45 primary highway are not simultaneously visible.

46 (b) Signs may not be located within 500 feet of any of the following which are adjacent
47 to the highway, unless the signs are in an incorporated area:

48 (i) public parks;

49 (ii) public forests;

50 (iii) public playgrounds;

51 (iv) areas designated as scenic areas by the department or other state agency having and
52 exercising this authority; or

53 (v) cemeteries.

54 (c) (i) (A) Except under Subsection (3)(c)(ii), signs may not be located on an interstate
55 highway or limited access highway on the primary system within 500 feet of an interchange, or
56 intersection at grade, or rest area measured along the interstate highway or freeway from the sign

57 to the nearest point of the beginning or ending of pavement widening at the exit from or entrance
58 to the main-traveled way.

59 (B) Interchange and intersection distance limitations shall be measured separately for each
60 direction of travel. A measurement for each direction of travel may not control or affect any other
61 direction of travel.

62 (ii) A sign may be placed closer than 500 feet from the nearest point of the beginning or
63 ending of pavement widening at the exit from or entrance to the main-traveled way, if:

64 [~~(A) the sign is at least 500 feet but not more than 2,640 feet from the nearest point of the~~
65 ~~intersecting highway of the interchange; or]~~

66 [~~(B)~~] (A) the sign is replacing an existing outdoor advertising use or structure which is
67 being removed or displaced to accommodate the widening, construction, or reconstruction of an
68 interstate, federal aid primary highway existing as of June 1, 1991, or national highway system
69 highway[-]; and

70 (B) it is located in a commercial or industrial zoned area inside an urbanized county or an
71 incorporated municipality.

72 (d) The location of signs situated on nonlimited access primary highways in commercial,
73 industrial, or H-1 zoned areas between streets, roads, or highways entering the primary highway
74 shall not exceed the following minimum spacing criteria:

75 (i) Where the distance between centerlines of intersecting streets, roads, or highways is less
76 than 1,000 feet, a minimum spacing between structures of 150 feet may be permitted between the
77 intersecting streets or highways.

78 (ii) Where the distance between centerlines of intersecting streets, roads, or highways is
79 1,000 feet or more, minimum spacing between sign structures shall be 300 feet.

80 (e) All outdoor advertising shall be erected and maintained within the outdoor advertising
81 corridor.

82 (4) Subsection (3)(c)(ii) may not be implemented until:

83 (a) the Utah-Federal Agreement for carrying out national policy relative to control of
84 outdoor advertising in areas adjacent to the national system of interstate and defense highways and
85 the federal-aid primary system is modified to allow the sign placement specified in Subsection
86 (3)(c)(ii); and

87 (b) the modified agreement under Subsection (4)(a) is signed on behalf of both the state

88 and the United States Secretary of Transportation.

89 Section 2. Section **72-7-510.5** is amended to read:

90 **72-7-510.5. Height adjustments for outdoor advertising signs.**

91 (1) If the view and readability of an outdoor advertising sign including a nonconforming
92 sign as defined in Section 72-7-510 is obstructed due to a noise abatement or safety measure, grade
93 change, construction, aesthetic improvement, directional sign, or widening along an interstate,
94 federal aid primary highway existing as of June 1, 1991, or national highway systems highway, the
95 owner of the sign may:

96 (a) adjust the height of the sign~~[-];~~ or

97 (b) relocate the sign to a point within 500 feet of its prior location, if the sign complies
98 with the spacing requirements under Section 72-7-505.

99 (2) A height adjusted sign under this section does not constitute a substantial change to the
100 sign.

101 (3) The county or municipality in which the ~~[nonconforming]~~ outdoor advertising sign is
102 located shall, if necessary, provide for the height adjustment or relocation by ordinance for a
103 special exception to its zoning ordinance.

104 (4) (a) The height adjusted sign may be erected to a height and angle to make it clearly
105 visible to traffic on the main-traveled way of the highway and shall be the same size as the
106 previous sign.

107 ~~[(b) The height adjusted sign under this section may not exceed the height permitted under~~
108 ~~this part.]~~

109 (b) The provisions of Subsection (4)(a) are an exception to the height requirements under
110 Section 72-7-505.

111 Section 3. **Effective date.**

112 If approved by two-thirds of all the members elected to each house, this act takes effect
113 upon approval by the governor, or the day following the constitutional time limit of Utah
114 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
115 date of veto override.