

Highway Expansion Impacts on Signage Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

LONG TITLE**General Description:**

This bill amends provisions related to the relocation of a billboard due to road construction or other highway changes.

Highlighted Provisions:

This bill:

- amends provisions related to the relocation of a billboard if the billboard was impacted by the widening, construction, reconstruction, or other improvements appurtenant to the relevant highway.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-7-510, as last amended by Laws of Utah 2008, Chapter 3

72-7-510.5, as last amended by Laws of Utah 2009, Chapter 170

72-7-513, as last amended by Laws of Utah 1999, Chapter 72

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

Section 1. Section **72-7-510** is amended to read:

72-7-510 . Existing outdoor advertising not in conformity with part -- Procedure -- Eminent domain -- Compensation -- Relocation.

(1) As used in this section, "nonconforming sign" means a sign that has been erected in a zone or area other than commercial or industrial or where outdoor advertising is not permitted under this part.

(2)(a) The department may acquire by gift, purchase, agreement, exchange, or eminent domain, any existing outdoor advertising and all property rights pertaining to the outdoor advertising which were lawfully in existence on May 9, 1967, and which by

- 32 reason of this part become nonconforming.
- 33 (b) If the department, or any town, city, county, governmental entity, public utility, or
34 any agency or the United States Department of Transportation under this part,
35 prevents the maintenance as defined in Section 72-7-502, or requires that
36 maintenance of an existing sign be discontinued, the sign in question shall be
37 considered acquired by the entity and just compensation will become immediately
38 due and payable.
- 39 (c) Eminent domain shall be exercised in accordance with the provision of Title 78B,
40 Chapter 6, Part 5, Eminent Domain.
- 41 (3)(a) Just compensation shall be paid for outdoor advertising and all property rights
42 pertaining to the same, including the right of the landowner upon whose land a sign is
43 located, acquired through the processes of eminent domain.
- 44 (b) For the purposes of this part, just compensation shall include the consideration of
45 damages to remaining properties, contiguous and noncontiguous, of an outdoor
46 advertising sign company's interest, which remaining properties, together with the
47 properties actually condemned, constituted an economic unit.
- 48 (c) The department is empowered to remove signs found in violation of Section 72-7-508
49 without payment of any compensation.
- 50 (4) Except as specifically provided in this section or Section 72-7-513, this part may not be
51 construed to permit a person to place or maintain any outdoor advertising adjacent to
52 any interstate or primary highway system which is prohibited by law or by any town,
53 city, or county ordinance. Any town, city, county, governmental entity, or public utility
54 which requires the removal, relocation, alteration, change, or termination of outdoor
55 advertising shall pay just compensation as defined in this part and in Title 78B, Chapter
56 6, Part 5, Eminent Domain.
- 57 (5) Except as provided in Section 72-7-508, no sign shall be required to be removed by the
58 department nor sign maintenance as described in this section be discontinued unless at
59 the time of removal or discontinuance there are sufficient funds, from whatever source,
60 appropriated and immediately available to pay the just compensation required under this
61 section and unless at that time the federal funds required to be contributed under 23
62 U.S.C., Sec. 131, if any, with respect to the outdoor advertising being removed, have
63 been appropriated and are immediately available to this state.
- 64 (6)(a) If any outdoor advertising use, structure, or permit may not be continued because
65 of the widening, construction, or reconstruction along an interstate, federal aid

66 primary highway existing as of June 1, 1991, or national highway systems highway,
 67 the owner shall have the option to relocate and remodel the use, structure, or permit
 68 to another location:

- 69 (i) on the same property;
- 70 (ii) on adjacent property;
- 71 (iii) ~~[on the same highway within 5280 feet of the previous location, which may be~~
 72 ~~extended 5280 feet outside the areas described in Subsection 72-7-505(3)(e)(i)(A),]~~
 73 on either side of the same highway; or
- 74 (iv) mutually agreed upon by the owner and the county or municipality in which the
 75 use, structure, or permit is located.
- 76 (b) The relocation under Subsection (6)(a) shall be in a commercial or industrial zoned
 77 area or where outdoor advertising is permitted under this part.
- 78 (c) The county or municipality in which the use or structure is located shall, if necessary,
 79 provide for the relocation and remodeling by ordinance for a special exception to its
 80 zoning ordinance.
- 81 (d) The relocated and remodeled use or structure may be:
 - 82 (i) erected to a height and angle to make it clearly visible to traffic on the
 83 main-traveled way of the highway to which it is relocated or remodeled;
 - 84 (ii) the same size and at least the same height as the previous use or structure, but the
 85 relocated use or structure may not exceed the size and height permitted under this
 86 part;
 - 87 (iii) relocated to a comparable vehicular traffic count.

88 (7)(a) The governmental entity, quasi-governmental entity, or public utility that causes
 89 the need for the outdoor advertising relocation or remodeling as provided in
 90 Subsection (6)(a) shall pay the costs related to the relocation, remodeling, or
 91 acquisition.

92 (b) If a governmental entity prohibits the relocation and remodeling as provided in
 93 Subsection (6)(a), it shall pay just compensation as provided in Subsection (3).

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

95 **72-7-510.5 . Height adjustments for outdoor advertising signs.**

- 96 (1) If the view and readability of an outdoor advertising sign, including a sign that is a
 97 nonconforming sign as defined in Section 72-7-510, a noncomplying structure as
 98 defined in Sections 10-9a-103 and 17-27a-103, or a nonconforming use as defined in
 99 Sections 10-9a-103 and 17-27a-103 is obstructed due to a noise abatement or safety

- 100 measure, grade change, construction, directional sign, highway widening, or aesthetic
101 improvement made by an agency of this state, along an interstate, federal aid primary
102 highway existing as of June 1, 1991, national highway systems highway, or state
103 highway or by an improvement created on real property subsequent to the department's
104 disposal of the property under Section 72-5-111, the owner of the sign may:
- 105 (a) adjust the height of the sign; or
 - 106 (b) relocate the sign [~~to a point within 500 feet of its prior location~~] on either side of the
107 same highway, if the sign complies with the spacing requirements under Section
108 72-7-505 and is in a commercial or industrial zone.
- 109 (2) A height adjusted sign under this section does not constitute a substantial change to the
110 sign.
- 111 (3) The county or municipality in which the outdoor advertising sign is located shall, if
112 necessary, provide for the height adjustment or relocation by ordinance for a special
113 exception to its zoning ordinance.
- 114 (4)(a) The height adjusted sign:
- 115 (i) may be erected:
 - 116 (A) to a height to make the entire advertising content of the sign clearly visible;
 - 117 and
 - 118 (B) to an angle to make the entire advertising content of the sign clearly visible;
 - 119 and
 - 120 (ii) shall be the same size as the previous sign.
- 121 (b) The provisions of Subsection (4)(a) are an exception to the height requirements
122 under Section 72-7-505.
- 123 Section 3. Section **72-7-513** is amended to read:
- 124 **72-7-513 . Relocation on state highways.**
- 125 (1) As used in this section, "state highway" means those highways designated as state
126 highways in Title 72, Chapter 4, Designation of State Highways Act, on July 1, 1999,
127 and any subsequently designated state highway.
- 128 (2) If any outdoor advertising use or structure may not be continued because of the
129 widening, construction, or reconstruction along a state highway, the owner shall have
130 the option to relocate and remodel the use or structure to another location:
- 131 (a) on the same property;
 - 132 (b) on adjacent property;
 - 133 (c) [~~within 2640 feet of the previous location~~] on either side of the same highway; or

134 (d) mutually agreed upon by the owner and the county or municipality in which the use,
135 structure, or permit is located.

136 (3) The relocation under Subsection (2) shall be in a commercial or industrial zoned area or
137 where outdoor advertising is permitted under this part.

138 (4) The county or municipality in which the use or structure is located shall, if necessary,
139 provide for the relocation and remodeling by ordinance for a special exception to its
140 zoning ordinance.

141 (5) The relocated and remodeled use or structure may be:

142 (a) erected to a height and angle to make it clearly visible to traffic on the main-traveled
143 way of the highway to which it is relocated or remodeled;

144 (b) the same size and at least the same height as the previous use or structure, but the
145 relocated use or structure may not exceed the size and height permitted under this
146 part;

147 (c) relocated to a comparable vehicular traffic count.

148 (6)(a) The governmental entity, quasi-governmental entity, or public utility that causes
149 the need for the outdoor advertising relocation or remodeling as provided in
150 Subsection (2) shall pay the costs related to the relocation, remodeling, or acquisition.

151 (b) If a governmental entity prohibits the relocation and remodeling as provided in
152 Subsection (2)(a), (b), or (c), it shall pay just compensation as provided in Subsection
153 72-7-510(3).

154 **Section 4. Effective Date.**

155 This bill takes effect on May 7, 2025.