

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

- (1) If the view and readability of an outdoor advertising sign, including a sign that is a nonconforming sign as defined in Section 72-7-510, a noncomplying structure as defined in Sections 10-9a-103 and 17-27a-103, or a nonconforming use as defined in Sections 10-9a-103 and 17-27a-103 is obstructed due to a noise abatement or safety measure, grade change, construction, directional sign, highway widening, or aesthetic improvement made by an agency of this state, along an interstate, federal aid primary highway existing as of June 1, 1991, national highway systems highway, or state highway or by an improvement created on real property subsequent to the department's disposal of the property under Section 72-5-111, the owner of the sign may:
 - (a) adjust the height of the sign; or
 - (b) relocate the sign to a point within 500 feet of its prior location, if the sign complies with the spacing requirements under Section 72-7-505 and is in a commercial or industrial zone.
- (2) A height adjusted sign under this section does not constitute a substantial change to the sign.
- (3) The county or municipality in which the outdoor advertising sign is located shall, if necessary, provide for the height adjustment or relocation by ordinance for a special exception to its zoning ordinance.
- (4)
 - (a) The height adjusted sign:
 - (i) may be erected:
 - (A) to a height to make the entire advertising content of the sign clearly visible; and
 - (B) to an angle to make the entire advertising content of the sign clearly visible; and
 - (ii) shall be the same size as the previous sign.
 - (b) The provisions of Subsection (4)(a) are an exception to the height requirements under Section 72-7-505.

Amended by Chapter 170, 2009 General Session