

Senate Engrossed

~~military compatibility permit zoning~~
(now: sign; military compatibility permit zoning)

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1232

AN ACT

AMENDING SECTION 28-7902, ARIZONA REVISED STATUTES; RELATING TO OUTDOOR
ADVERTISING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-7902, Arizona Revised Statutes, is amended to
3 read:

4 28-7902. Outdoor advertising authorized

5 A. The following outdoor advertising may be placed or maintained
6 along an interstate, secondary or primary system within six hundred sixty
7 feet of the edge of the right-of-way:

8 1. Directional or other official signs or notices that are required
9 or authorized by law, including signs pertaining to natural wonders and
10 scenic and historic attractions.

11 2. Signs, displays and devices that are located on the premises of
12 the activity that they advertise. This paragraph applies to any sign that
13 is located on the premises of a comprehensive development that the sign
14 advertises if the placement of the sign does not cause a reduction of
15 federal aid highway monies pursuant to 23 United States Code section 131.
16 For the purposes of this paragraph, "activity" means the active use or
17 collective uses of the premises.

18 3. Signs, displays and devices advertising the sale or lease of the
19 property on which they are located.

20 4. Signs, displays and devices lawfully placed after April 1, 1970
21 in business areas.

22 5. Signs, displays and devices lawfully placed after either:

23 (a) July 1, 1974 in zoned or unzoned commercial or industrial areas
24 inside municipal limits.

25 (b) April 1, 1972 in unzoned commercial or industrial areas outside
26 municipal limits.

27 6. Signs, displays and devices that are lawfully existing on
28 April 1, 1970 and that are located in business areas and in zoned
29 commercial or industrial areas outside municipal limits.

30 7. Signs, displays and devices lawfully existing on either:

31 (a) July 1, 1974 that are located in zoned or unzoned commercial or
32 industrial areas inside municipal limits.

33 (b) April 1, 1972 in unzoned commercial or industrial areas outside
34 municipal limits.

35 8. Nonconforming tourist related advertising displays that are
36 lawfully erected and in existence on May 5, 1976, that are located in
37 defined hardship areas, that provide specific directional information to
38 the traveling public and that are approved by the United States secretary
39 of transportation pursuant to 23 United States Code section 131(o).

40 9. A sign located in a charter city adjacent to an interstate
41 highway with a changing message for identification of businesses that are
42 located on separate contiguous parcels and that are part of a single
43 development approved by a city council as part of a development agreement
44 entered into before April 22, 1990. The changing message may not contain
45 words or phrases that continuously travel or scroll in a manner that

1 presents a message longer than may be displayed on the sign at one instant
2 in time. The director may adopt rules governing the interval within which
3 a message may be displayed or changed. This paragraph does not alter,
4 change or affect any other statute, rule, regulation, policy or
5 interpretation concerning the use of signs with changing messages or the
6 ownership of property on which the signs are located.

7 10. SIGNS, DISPLAYS AND DEVICES THAT ARE PLACED NOT LESS THAN ONE
8 THOUSAND FEET FROM A RESIDENCE AND THAT ARE LAWFULLY PLACED ON A PROPERTY
9 THAT MEETS ALL OF THE FOLLOWING:

10 (a) IS LOCATED WITHIN A MILITARY AIRPORT AND ANCILLARY MILITARY
11 FACILITY OVERLAY ZONING DISTRICT.

12 (b) HAS BEEN ISSUED A MILITARY COMPATIBILITY PERMIT THAT ALLOWS
13 COMMERCIAL OR INDUSTRIAL USES AND THAT WAS NOT ISSUED PRIMARILY TO ALLOW
14 OUTDOOR ADVERTISING STRUCTURES.

15 (c) IS LOCATED IN A HIGH NOISE OR ACCIDENT POTENTIAL ZONE AS
16 DEFINED IN SECTION 28-8461, PARAGRAPH 9, SUBDIVISION (a).

17 B. Outdoor advertising authorized under subsection A, paragraphs 1,
18 4 and 5 shall conform with standards contained and shall bear permits
19 required in rules adopted by the director under this article, except that
20 the authorized outdoor advertising along highways in the secondary system
21 that are not state highways need only bear permits required by the
22 responsible county or municipal authority.

23 C. Outdoor advertising authorized under subsection A, paragraphs 6
24 and 7 need not conform to standards contained but shall bear permits
25 required in rules adopted by the director under this article, except that
26 the authorized outdoor advertising along highways in the secondary system
27 that are not state highways need only bear permits required by the
28 responsible county or municipal authority.

29 D. If preservation would be consistent with this article, signs may
30 be preserved or maintained if they were lawfully in existence on October
31 22, 1965 and if the director determines, subject to the approval of the
32 United States secretary of transportation as provided for by 23 United
33 States Code section 131(c), that they are landmark signs, including signs
34 on farm structures or natural surfaces, of historic or artistic
35 significance.

36 E. Outdoor advertising that conforms to standards and bears a
37 permit pursuant to subsection B or C of this section may include
38 electronic outdoor advertising only if the electronic outdoor advertising
39 meets the following requirements:

40 1. The electronic outdoor advertising does not contain any form of
41 animation and remains static for at least eight seconds with a transition
42 time of no greater than two seconds.

1 2. Except as provided in subsection H or I of this section, the
2 electronic outdoor advertising is located within the area with the
3 following coordinates:

4 Beginning at state route 95 at mile marker two hundred
5 fifty in Bullhead City, to all points within this state that
6 are within a radius of forty miles from that location, except
7 excluding state route 95 south of interstate 40 and any area
8 east of state route 93 from mile marker forty-two to the
9 Hoover dam, and also including latitude 33.9 north, longitude
10 114.5 west, hence due east to latitude 33.9 north, longitude
11 112.25 west, hence following the circumference of a circle
12 with a radius of seventy-five miles from the coordinates of
13 the discovery channel telescope to latitude 33.66 north,
14 longitude 111.23 west, hence due south to latitude 33.46
15 north, longitude 111.23 west, hence following the
16 circumference of a circle with a radius of seventy-five miles
17 from the coordinates of the Mount Lemmon observatory to
18 latitude 33.02 north, longitude 111.91 west, hence following
19 the circumference of a circle with a radius of seventy-five
20 miles from the coordinates of Kitt Peak observatory to
21 latitude 32.6 north, longitude 112.65 west, hence due west to
22 latitude 32.6 north, longitude 114.802 west, and hence north
23 along the Colorado river to the point of beginning.

24 3. Except as provided in paragraph 4 of this subsection, from
25 sunset until 11:00 P.M., the dimmer for electronic outdoor advertising
26 signs, displays and devices shall not be set to exceed three hundred
27 forty-two NITS in full white mode for signs that are smaller than six
28 hundred seventy-two square feet in area and three hundred NITS in full
29 white mode for signs that are equal to or larger than six hundred
30 seventy-two square feet in area.

31 4. For coordinates beginning at state route 95 at mile marker two
32 hundred fifty in Bullhead City, to all points within this state that are
33 within a radius of forty miles from that location from sunset until
34 11:00 P.M., the dimmer for electronic outdoor advertising signs, displays
35 and devices shall not be set to exceed two hundred NITS in full white mode
36 for all signs.

37 5. From 11:00 P.M. until sunrise, illumination shall be
38 extinguished and electronic outdoor advertising signs, displays and
39 devices shall be equipped with an automatic device to ensure compliance
40 with this paragraph, except for amber alerts and other governmental
41 emergencies. The automatic device shall have the ability to dim the
42 display through a photoelectric sensor that detects ambient light levels
43 and adjusts the display intensity automatically to ensure the maximum NIT
44 levels are enforced.

1 6. The electronic outdoor advertising shall comply with the size
2 and spacing limitations prescribed in section 28-7905, and for coordinates
3 beginning at state route 95 at mile marker two hundred fifty in Bullhead
4 City, to all points within this state that are within a radius of forty
5 miles from that location, the number of electronic outdoor advertising
6 signs, displays and devices shall not exceed thirty-five.

7 F. The director shall prepare a pictorial representation of the
8 coordinates described in subsection E, paragraph 2 of this section. The
9 director shall post the pictorial representation on the department's
10 website.

11 G. The owner of any outdoor advertising that is within the area
12 described in subsection E, paragraph 2 of this section, that bears a
13 permit pursuant to subsection B or C of this section and that is converted
14 to electronic outdoor advertising shall notify the department of the
15 face-type status change. The notice shall include a certification that
16 the sign remains in compliance with this section. The department shall
17 maintain the face-type status change documents in its records. After May
18 9, 2012, the conversion of outdoor advertising to electronic outdoor
19 advertising is only allowed in the area described in subsection E,
20 paragraph 2 of this section.

21 H. Electronic outdoor advertising is deemed to have legal
22 nonconforming status for the purposes of state law, including for the
23 purposes of any permits and approvals issued by the department, if both of
24 the following apply:

25 1. The electronic outdoor advertising is both operational and bears
26 a permit pursuant to subsection B or C of this section before May 9, 2012.

27 2. The electronic outdoor advertising is not located within the
28 area described in subsection E, paragraph 2 of this section.

29 I. Electronic outdoor advertising in existence and operational as
30 of May 9, 2012 is deemed to have legal conforming status for the purposes
31 of state law, including for the purposes of any permits and approvals
32 issued by the department if both of the following apply:

33 1. The electronic outdoor advertising bears a permit pursuant to
34 subsection B or C of this section.

35 2. The electronic outdoor advertising is located within the area
36 described in subsection E, paragraph 2 of this section.

37 J. The electronic outdoor advertising that is described in
38 subsection H or I of this section is subject to the requirements
39 prescribed by subsection E, paragraphs 1, 3, 4 and 5.

40 K. A city, town or county shall not issue a permit for conversion
41 of an existing outdoor advertising use to an electronic outdoor
42 advertising use after May 9, 2012 if the existing outdoor advertising is
43 not located in the area described in subsection E, paragraph 2 of this
44 section.

1 L. This section does not prevent a city, town or county from
2 enforcing or enacting an ordinance regulating outdoor advertising that is
3 authorized by subsection E of this section, including the lighting of the
4 outdoor advertising. The city, town or county may enact an ordinance that
5 is more restrictive than this section but not less restrictive than this
6 section.