

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino and David Hardegree

Date: August 29, 2022

Re: *Text Amendment T22-03. Adding a portion of Old Mill Rd. to the list of allowed streets for electronic billboard signs.*

Tilley Holdings, LLC owns and operates an existing, two-sided, static billboard on property identified as 124 Old Mill Rd. This billboard and the associated property is approx. 700ft. from the intersection of Old Mill Rd and S. Erwin St. The billboard was erected prior to adoption of the sign ordinance (2012) and is considered legal, non-conforming. Variance, V06-22, approved 7/17/06, allowed the billboard to be installed with reduced setbacks.

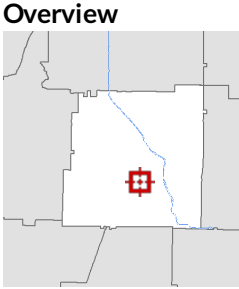
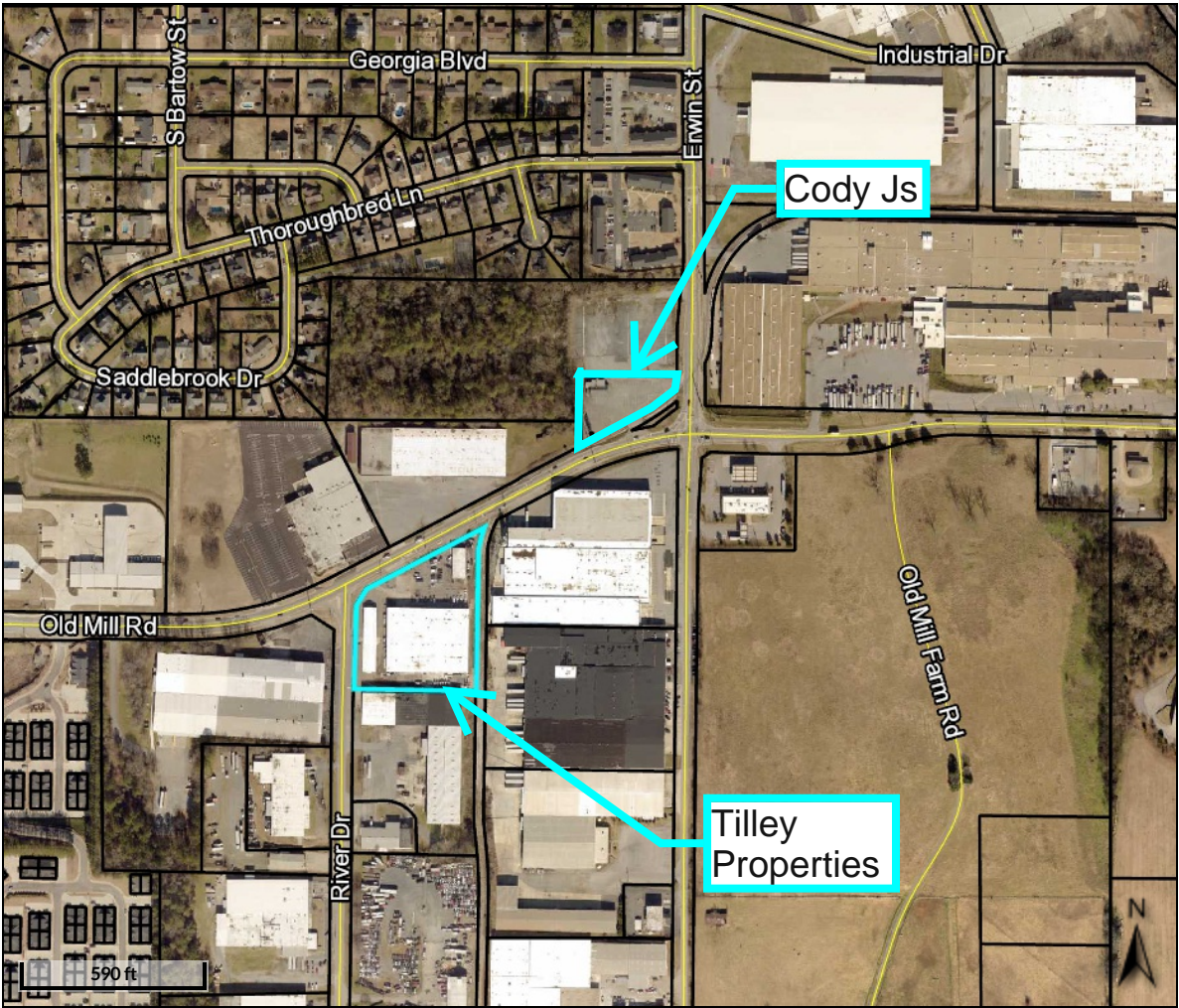
There is also an existing two-sided, double stacked, static billboard on the Cody Js restaurant site located at 675 S. Erwin St. This billboard is legal, non-conforming, located adjacent to Old Mill Rd and approx. 300 ft. from the intersection of Old Mill Rd and S. Erwin St. The separation distance between the Tilley Holdings, LLC billboard and the Cody Js billboards is approx. 500ft.

Tilley Holdings, LLC, proposes an amendment to the Sign Ordinance, Section 20-29, Billboards, (b)(2), Electronic Billboards, to add the following as an allowed street for electronic billboard signs:

“Old Mill Rd. (beginning at the centerline of the Old Mill Rd right-of-way intersection with the Erwin St. center line and continuing west a distance of 1000 ft. Applicable to billboards signs existing as of July 26, 2022).”

Currently, electronic billboards are only allowed along state highways and must be 5,000 ft. from other electronic billboards.

The existing billboard is more than the required 500ft. separation distance from residential zoning districts. The billboard is generally surrounded by Industrial zoning and uses.



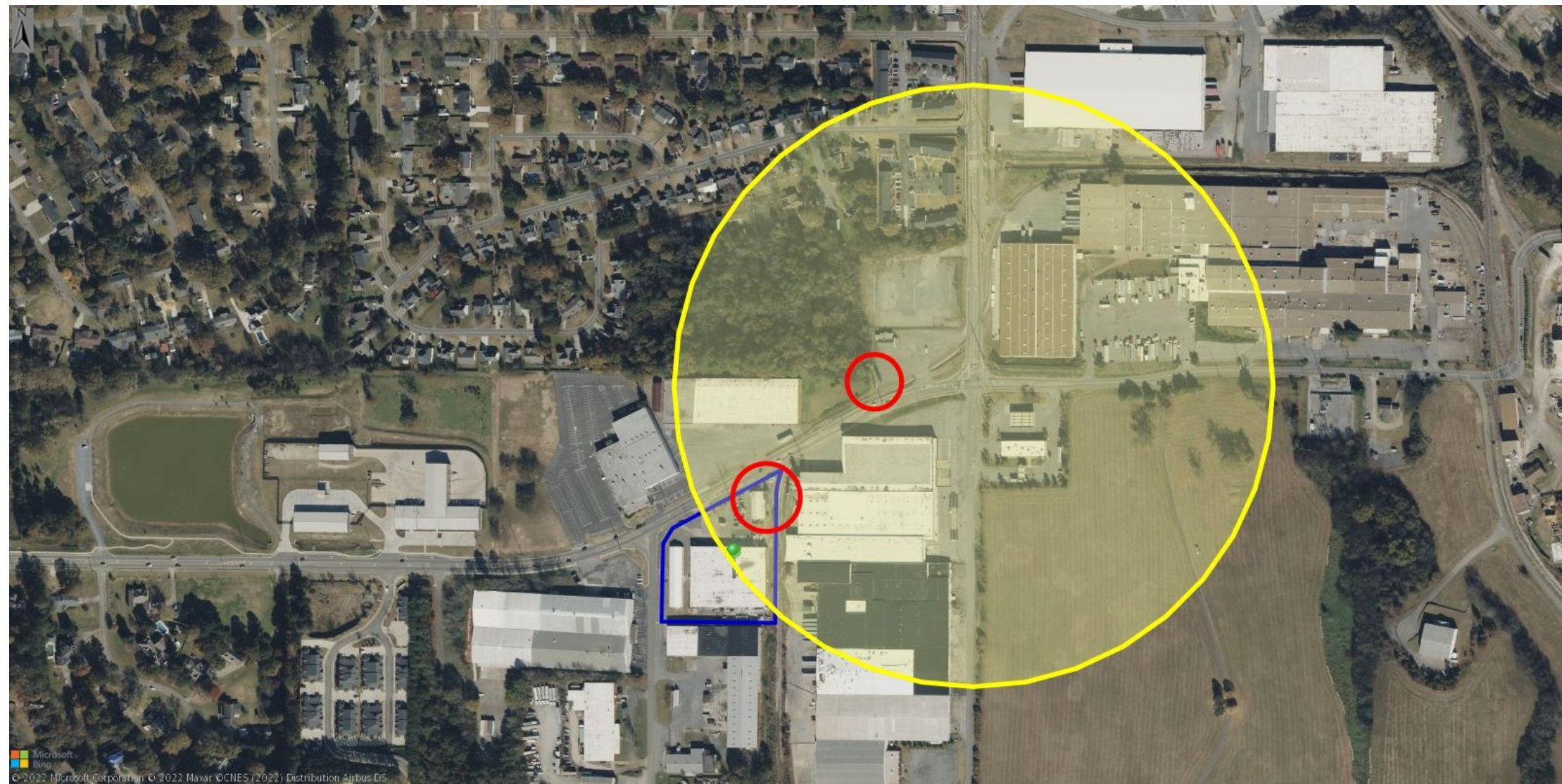
Legend
 □ Parcels
 — Roads

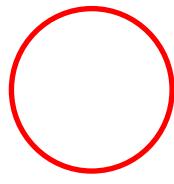
Parcel ID	C019-0005-001	Alternate ID	34555	Owner Address	TILLEY HOLDINGS LLC
Sec/Twp/Rng	n/a	Class	Industrial		EVANS KEVIN CARL
Property Address	124 OLD MILL RD	Acreage	3.12		917 N TENNESSEE ST
					CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	124 OLD MILL RD				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/30/2022
 Last Data Uploaded: 8/29/2022 10:00:32 PM

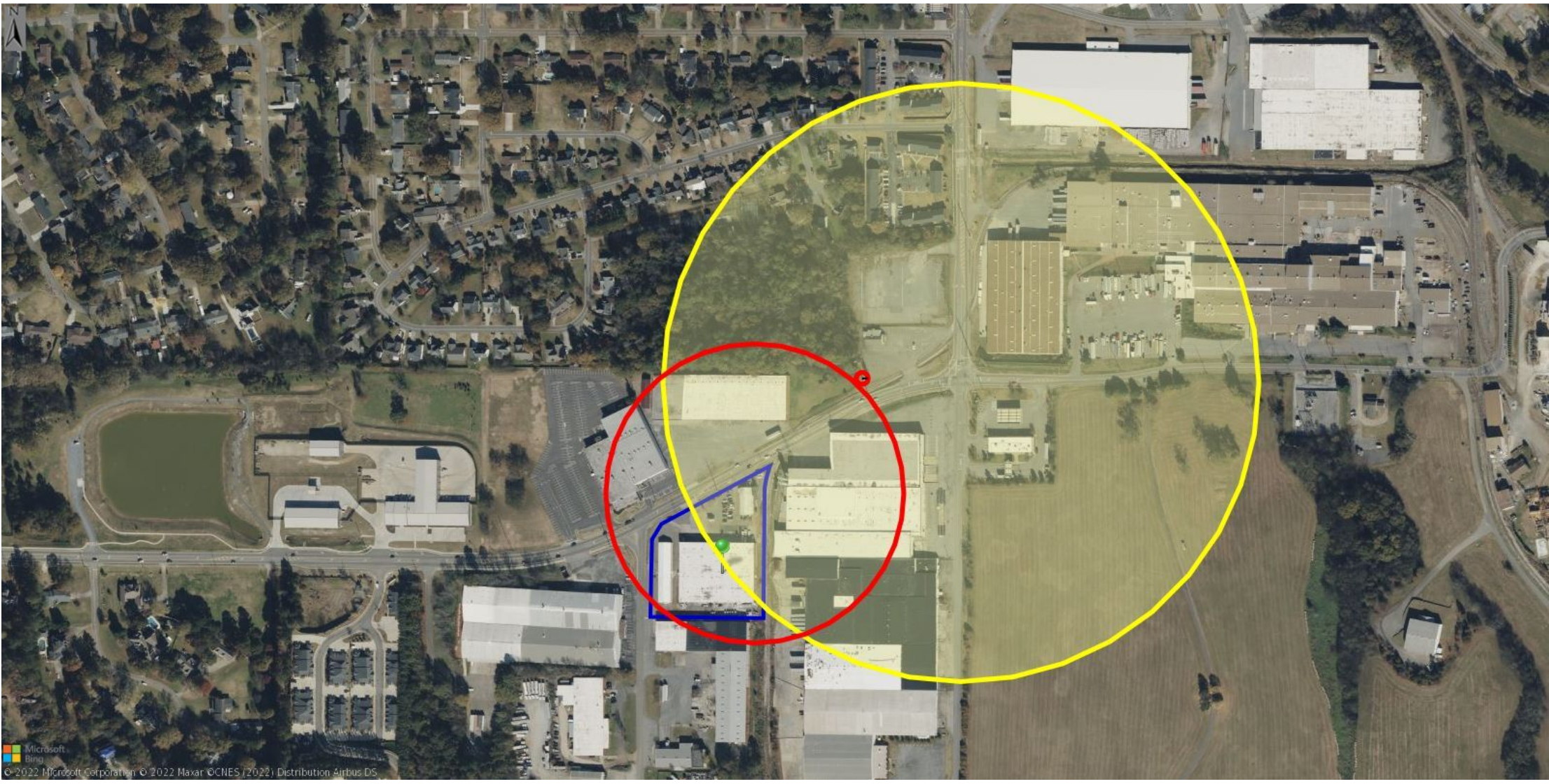
Developed by 

T22-03_1000ft. radius





500ft radius_Tilley BillBoard Residential Setback






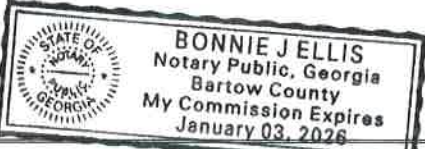
**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**

Case Number: T22-03
Date Received: 7/26/22

Public Hearing Dates:

Planning Commission 9/6/22 5:30pm 1st City Council 9/15/22 7:00pm or 9am 2nd City Council 10/6/22 7:00pm

APPLICANT INFORMATION

Applicant <small>(printed name)</small>	<u>Tilley Holdings, LLC</u>	Office Phone	<u>770 386 0040</u>
Address	<u>917 N. Tennessee St</u>	Mobile/ Other Phone	
City	<u>Cartersville</u>	State	<u>GA</u>
		Zip	<u>30120</u>
		Email	<u>bethtilley@bellsouth.net</u>
Representative's printed name (if other than applicant)	<u>Robert Walker</u>	Phone (Rep)	<u>(770) 387-1373</u>
		Email (Rep)	<u>rwalker@jbcwpc.com</u>
Representative Signature		Applicant Signature	
Signed, sealed and delivered in presence of:		My commission expires:	
Notary Public			

1. Existing Text to be Amended:

Code of Ordinances
Article Chapter 20, Section 20-29, Subsection (b)(2.)a.
Article II.

Existing Text Reads as Follows: _____

2. Proposed Text: Add the following text:

Proposed Text Reads as Follows: Co. Old Mill Road (beginning at the center line of the Old Mill Road right-of-way intersection with the Erwin Street center line and continuing west a distance of 1000 feet.) Applicable to billboard signs existing (Continue on additional sheets as needed) as of July 26, 2022.

**Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville**

Case Number: _____

Date Received: _____

3. Reason(s) for the Amendment Request: To allow an existing billboard sign located 126 Old Mill Road to be converted to an electronic (digital) billboard sign.

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

1. **Completed Application:** Include all signatures. Complete items 1, 2 and 3.
2. **Filing Fee:** A non-refundable filing fee of \$400.00 must accompany the completed application.
3. **Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of \$30.00 which covers the cost of the newspaper ad.
4. **Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

V04-03 - Jeff.
V06-22 - Beth.

David Hardegree

From: David Hardegree
Sent: Friday, July 22, 2022 9:02 AM
To: 'Greg Frisbee'
Subject: RE: [EXTERNAL] Sign Ordinance Text Amendment

The language is fine.

From: Greg Frisbee <gregfrisbee1960@gmail.com>
Sent: Tuesday, July 19, 2022 12:19 PM
To: David Hardegree <dhardegree@cityofcartersville.org>
Subject: [EXTERNAL] Sign Ordinance Text Amendment

CAUTION! : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sender: gregfrisbee1960@gmail.com

Hello David,

Tilley Properties, Applicant, would like to submit an application for a text amendment to the City of Cartersville Sign Ordinance.

We would like to propose the following text amendment:

City of Cartersville Sign Ordinance, Section 20-29 BillBoards
Paragraph (a.)

Add a number (6.) to read as follows:

"Old Mill Road (beginning at the centerline of the Old Mill Road right -of-way intersection with the Erwin Street centerline and continuing west a distance of 1000 feet."

Also Section (b.) (2.) Electronic Billboards

Add a number (6.) to read as follows:

"Old Mill Road (beginning at the centerline of the Old Mill Road right-of-way intersection with the Erwin Street centerline and continuing west a distance of 1000 feet."

Thanks David.

Greg

existing = legal

Sec. 20-29. - Billboards.

- (a) Billboards shall be allowed, in addition to freestanding signs, on nonresidential use properties adjacent to only the following roads:
- (1) State Route 20.
 - (2) U.S. 41 and corresponding frontage roads.
 - (3) U.S. 411 and corresponding frontage roads.
 - (4) West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest).
 - (5) State Route 113 (beginning at the centerline of the I-75 Right-of-Way intersection with the GA Hwy 113 centerline and continuing west a distance of 2,700 feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).
- (b) Billboards require a permit to be erected, and shall comply with the following regulations:

(1) *General standards.*

- a. Shall be allowed a maximum sign area of three hundred (300) square feet.
- b. Shall not exceed a height of thirty (30) feet. Height shall be measured from the nearest road grade elevation.
- c. Shall be set back at least fifty (50) feet from the right-of-way of a public street or highway and twenty-five (25) feet from all property lines and buildings on the site.
- d. Shall be a minimum of five hundred (500) feet from a residential zoning district.
- e. Shall be a minimum of one thousand five hundred (1,500) feet from all other billboards. Distance shall be measured from one (1) billboard to another on the same road.
- f. Shall not be visible from or located along Interstate Highway 75.
- g. Shall not be attached to or painted directly on any building or any other natural or manmade structure or object other than the supporting structure specifically built for said sign.

 (2) *Electronic billboards.*

- a. Billboard which are directly illuminated, exhibit animation; blink, change copy, display moving pictures or images, flash, contain light emitting diode (LED), and/or contain liquid crystal display (LCD) shall be prohibited except when located adjacent to one of the following roads:
 1. State Route 20.
 2. U.S. 41 and corresponding frontage roads.
 3. U.S. 411 and corresponding frontage roads.
 4. West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest).
 5. State Route 113 (beginning at the centerline of the I-75 Right-of-Way intersection with the GA Hwy 113 centerline and continuing west a distance of 2,700 feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).
- b. Shall be a minimum of five thousand (5,000) feet from all other electronic billboards and a minimum of one thousand five hundred (1,500) feet from nonelectronic billboards.

- c. Any permit for an electronic billboard shall include a maximum number of displays per cycle for the structure. More than six (6) displays per minute shall be allowed, and each display shall not change more frequently than ten (10) seconds.
 - d. Such displays shall contain static messages only, changed instantaneously, through dissolve or fade transitions, or other subtle transitions that do not have the appearance of moving text or images. In any event, such billboards may not have movement, or the appearance of or illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating, or varying of light intensity.
 - e. All such billboards shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
 - f. The planning and development department shall be provided with an on-call contact person and phone number for each permitted electronic billboard. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise. In the event the contact person is unobtainable or unresponsive, the permit holder grants to the planning and development department the authority to access and disable the sign in cases of emergency or when the sign poses a threat to public safety.
- (3) *Nonconforming billboards.* Billboard signs legally existing on the date of adoption of this article may be continued even though such signs do not conform to this provision. Such nonconforming signs shall not be expanded, relocated or replaced by another nonconforming sign, except that the substitution of interchangeable poster panels, painted boards or demountable material on nonconforming signs shall be allowed. No such nonconforming sign shall continue after the discontinuance of the nonconforming use for a period of six (6) months.

(Ord. No. 26-12, 5-3-12; Ord. No. 29-18, § 1, 11-1-18)



Image capture: Jun 2022 © 2022 Google

Google

Street View - Jun 2022



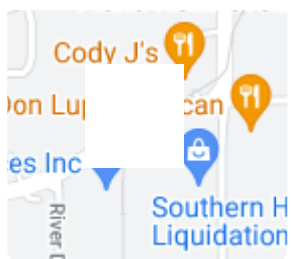


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Cartersville, Georgia

Google

Street View - Jun 2022



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Cartersville, Georgia

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Street View - Jun 2022

