

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino, David Hardegree, and Zack Arnold

Date: February 19, 2025

Re: *Text Amendment T25-02. Adding Market Place Blvd. to the list of allowed streets for electronic billboard signs.*

Bank of the Ozarks, 950 Joe Frank Harris Pkwy, proposes a revision to the Sign Ordinance, *Section 20-25(2)(b), Electronic Freestanding Signs*, to add “Market Place Boulevard” as an allowed street section for electronic freestanding signs on non-residential use properties. Currently, electronic signs are not allowed on any portion of Market Place Blvd. Since a portion of Market Place Blvd is in Bartow County's jurisdiction, this request is only for the portion of Market Place that runs from Joe Frank Harris Pkwy to the northern border of parcel C066-0003-002. A map has been included to illustrate this section of roadway.

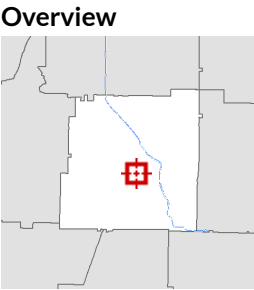
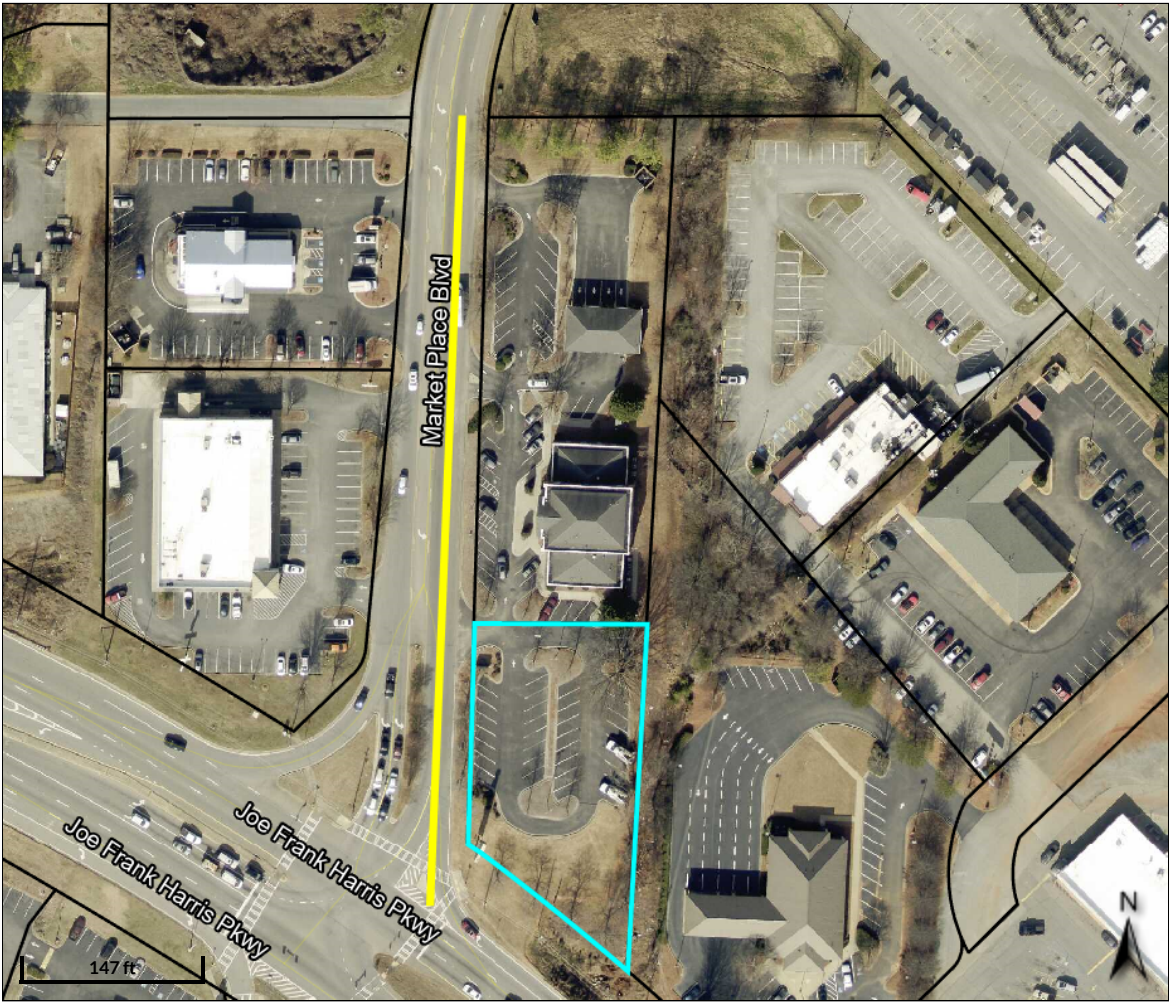
Bank of the Ozarks is proposing this change in order to allow for an updated and more visible sign for their new building being constructed at 950 Joe Frank Harris. The sign will be installed at the business entrance along Market Place Blvd.

The current sign requirements for a non-residential sign in this area of Market Place Blvd are a maximum height of 10ft, a maximum total sign area of 32 sq. ft, for a non-electronic sign face.

The proposed electronic sign is also required to be at least 100ft. from a residential dwelling. This requirement can be met at 950 Joe Frank Harris Pkwy.

It should be noted that Bank of the Ozarks previous sign included a small electronic ticker. A permit for this sign has not been located, making the sign “legal non-conforming”. Recently, Bank of the Ozarks has split the lot and sold the old bank location to build a new, smaller location on the remaining parcel. Since the old sign was non-conforming, an electronic sign can not be reinstalled on the site without amendment of the City Ordinance.

Proposed section of roadway that would allow electronic signs

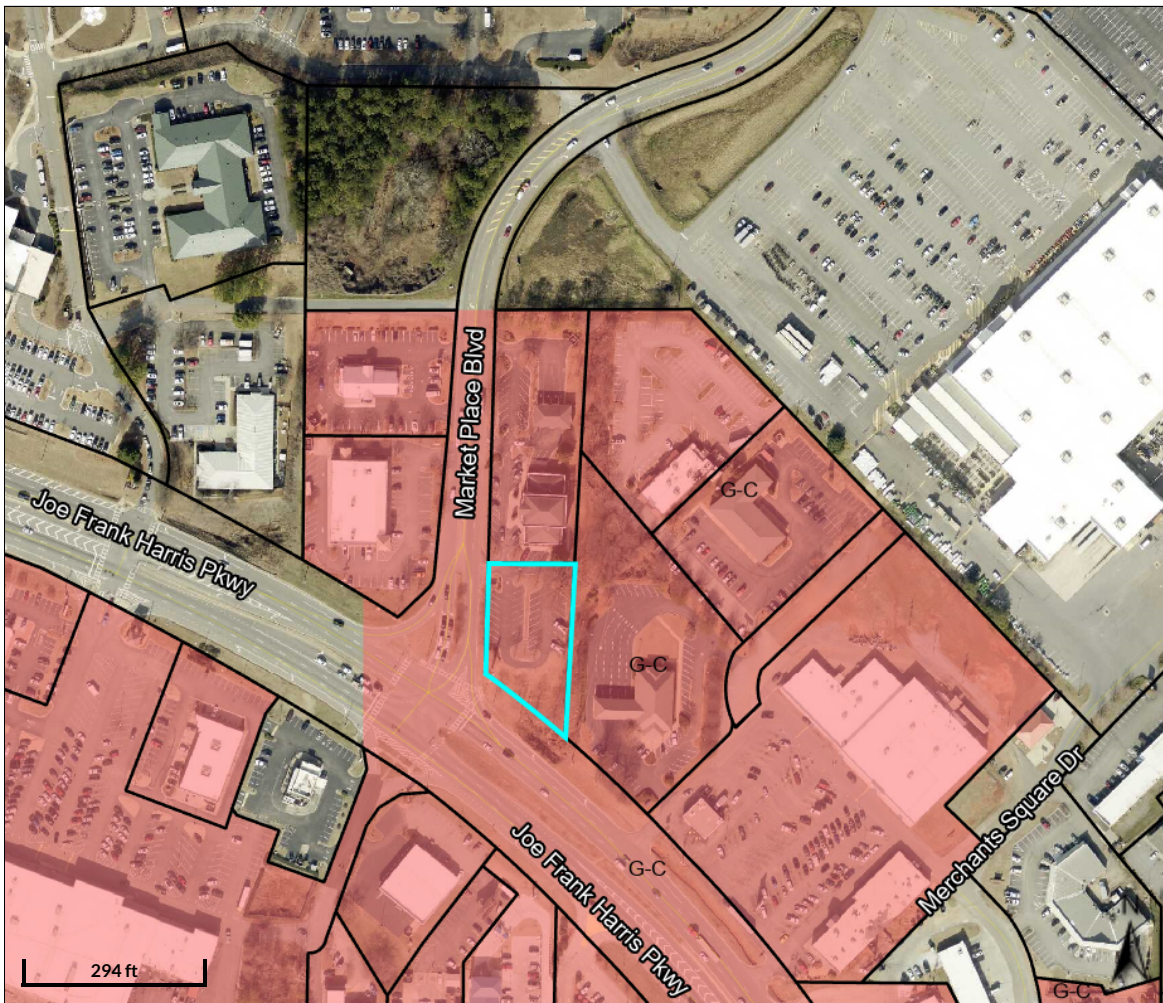


Legend
□ Parcels
— Roads

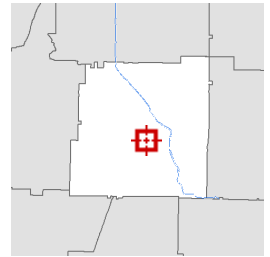
Parcel ID	C066-0003-009	Alternate ID	51688	Owner Address	BANK OF THE OZARKS
Sec/Twp/Rng	n/a	Class	Commercial		PO BOX 8811
Property Address	JOE FRANK HARRIS PKWY	Acreage	0.69		LITTLE ROCK, AR 72231
District	Cartersville				
Brief Tax Description	LL 121 D 4 3RD SEC TRACT 2 PB 2023/173				
	(Note: Not to be used on legal documents)				

Date created: 2/24/2025
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Overview



Legend

 Parcels

 Roads

Cartersville Zoning

-  AG
-  DBD
-  G-C
-  G-C*
-  H-I
-  H-I*
-  L-I
-  L-I*
-  M-U
-  M-U*
-  MF-14
-  MF-14*
-  MN
-  O-C
-  O-C*
-  P-D
-  P-D*
-  P-I
-  P-S
-  P-S*
-  R-10
-  R-10*
-  R-15
-  R-15*
-  R-20
-  R-20*
-  R-7
-  R-7*
-  R-D
-  RA-12
-  RA-12*

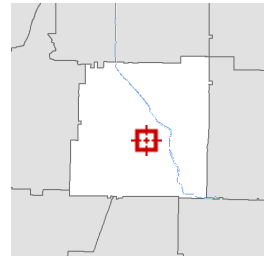
Parcel ID C066-0003-009
Sec/Twp/Rng n/a
Property Address JOE FRANK HARRIS PKWY

Alternate ID 51688
Class Commercial
Acreage 0.69



Owner Address BANK OF THE OZARKS
PO BOX 8811
LITTLE ROCK, AR 72231



Overview



Legend

-  Parcels
-  Roads

Parcel ID	C066-0003-009	Alternate ID	51688	Owner Address	BANK OF THE OZARKS
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District	Cartersville				
Brief Tax Description	LL 121 D 4 3RD SEC TRACT 2 PB 2023/173				
	(Note: Not to be used on legal documents)				

Date created: 2/20/2025

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Click circle's center.

Walgreens

954

954 JOE
FRANK HARRIS
PKWY SE

Market Place Blvd

Market Place Blvd

Market Place Blvd

Bank of the
Ozarks

954 JOE
FRANK HARRIS
PKWY SE

Circle
Area: 8081.1 Square
Feet
Perimeter: 318.7 Feet
Radius: 50.7 Feet

301 MARKET
PLACE BLVD

922 JOE
FRANK HARRIS
PKWY SE

Ameris
Bancorp

922

50 ft
10 m

41

950 Joe Frank Harris Pkwy SE



Share



Market Pk Blvd

Doraville, Georgia

Google Street View

Jun 2024 See more dates

Old Sign



Bank OZK

Inquire Inside

Google

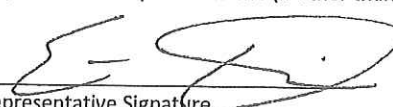

Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville

Case Number: T25-02
Date Received: 1-17-2025

Public Hearing Dates:

Planning Commission 3-11-2025 5:30pm 1st City Council 3-20-2025 7:00pm 2nd City Council 4-3-2025 7:00pm

APPLICANT INFORMATION

Applicant <u>Eric Digsby</u> (printed name)	Office Phone <u>501-978-2223</u>
Address <u>18000 Cantrell Rd</u>	Mobile/ Other Phone <u>770-608-5038</u>
City <u>Little Rock</u> State <u>AR</u> Zip <u>72223</u>	Email <u>Eric.Digsby@ozk.com</u>
Representative's printed name (if other than applicant) <u>Josh In-Toppa</u>	Phone (Rep) <u>704-597-9801</u>
Representative Signature 	Email (Rep) <u>Josh@sigartsign.com</u>
Signed, sealed and delivered in presence of:	My commission expires: <u>Sept 10, 2029</u>
Notary Public 	

SUSAN P RIVERS
NOTARY PUBLIC
MECKLENBURG COUNTY, NC

1. Existing Text to be Amended:

Article II, Section 20-25, Subsection (2) b

Existing Text Reads as Follows: Electronic freestanding signs on nonresidential use properties shall be prohibited except when located adjacent to one of the following roads: U.S 41 and corresponding frontage roads.

2. Proposed Text:

Proposed Text Reads as Follows: Add Market Place Blvd. to the list of corresponding frontage roads that allow electronic signs.

(Continue on additional sheets as needed)

3. Reason(s) for the Amendment Request: The bank currently has one existing electronic sign on the existing monument sign. The bank needs this electronic sign for advertising.

(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 **\$50.00** which covers the cost of the newspaper ad and Publication affidavit.
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).

Sec. 20-25. Freestanding signs.

All signs under this section require a permit.

- (1) *Location.* If a lot has more than one (1) street frontage and a freestanding sign is proposed on each street, then the freestanding sign allowed on each frontage can be no closer to the intersection of said streets than half the distance of the frontage on each street.
- (2) *Electronic freestanding signs.*
 - a. Electronic freestanding signs 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 for residential use properties and the downtown business district (DBD).
 - b. Electronic freestanding signs on nonresidential use properties shall be prohibited except when located adjacent to one (1) of the following roads:
 1. Burnt Hickory Road (beginning at, and including, the intersection with West Avenue and running north).
 2. Cassville Road (beginning at, and including, the intersection with North Erwin Street and running northwest).
 3. Church Street (beginning at, and including, the intersection with North Tennessee Street and running east).
 4. Collins Drive.
 5. Douthit Ferry Road (beginning at, and including, the intersection with West Avenue and running south until, and including, intersection with Indian Mounds Road).
 6. East Main Street, stationary electronic sign only (beginning at U.S. 41 and running east to the east side of the I-75 interchange).
 7. Felton Road (beginning at, and including, the intersection with Tennessee Street and running east until, and including, the intersection with U.S. 41).
 8. Gentilly Boulevard.
 9. Grassdale Road (beginning at, and including, the intersection with U.S. 41 and running north).
 10. Henderson Drive.
 11. Jones Street (within three hundred twenty (320) feet of the intersection with Aubrey Street).
 12. **Market Place Boulevard**
(the following to be renumbered)
 12. Martin Luther King Jr. Drive (between Roosevelt Street and Felton Street).
 13. Old Mill Road (beginning at, and including, the intersection with Henderson Drive and running west).
 14. State Route 20.
 15. Tennessee Street.
 16. U.S. 41 and corresponding frontage roads.

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17. U.S. 411 and corresponding frontage roads.
 18. West Avenue (beginning five hundred (500) feet northeast of the intersection with Henderson Drive as measured from the centerline of Henderson Drive at West Avenue, and running southwest).
- c. Electronic freestanding signs, including animated illumination or effects; electronic sign; electronic sign, stationary; and/or flashing as defined herein, shall in no case exceed fifty (50) percent of total sign face.
 - d. No more than one (1) electronic freestanding sign may exist on a single lot.
 - e. No electronic freestanding sign may be located within one hundred (100) feet of a single-family residential dwelling.
 - f. Any permit for an electronic freestanding sign shall include a maximum number of displays per cycle for the structure. No more than six (6) displays per minute shall be allowed, and each display shall not change more frequently than once every ten (10) seconds.
 - g. 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 signs 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.
 - h. All such signs shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
 - i. The planning and development department shall be provided with an on-call contact person and phone number for each permitted electronic freestanding sign. 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.
 - j. All new electronic freestanding sign installations are required to submit to the city a report certifying that the daytime and nighttime light levels are compliant with the brightness level requirements stated in item (k) below.
 - k. Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change to ensure the brightness is decreased in low light situations. Brightness levels may not exceed more than two-tenths (0.20) foot candles above ambient light levels (at measurement conditions) as measured at a distance of one hundred twenty-five (125) feet.
 - l. If the sign is located in the line of sight of a residential dwelling, such sign shall not operate at brightness levels of more than one-tenth (0.1) foot candles above ambient light levels (at measurement conditions) as measured to the nearest property line of the residential dwelling from the electronic sign.
 - m. In the course of investigating a brightness complaint, the planning and development department may request a certification of the brightness (under measurement conditions) by an independent contractor, if the sign has not been certified within the preceding twelve (12) months. If the investigation and certification indicate that the sign exceeds the brightness levels specified in this chapter, the owner of the sign shall turn off the sign until the brightness of the sign is brought into compliance with this chapter within twenty-four (24) hours of a request. Compliance with these requirements will be at the owner's expense.

- (3) *Nonresidential use properties.* Freestanding signs in all nonresidential use properties except DBD shall comply with the following table of regulations:

FREESTANDING SIGN REGULATIONS FOR NONRESIDENTIAL USE PROPERTIES

Location of Property Frontage	Maximum Number and Size of Sign	Maximum Height of Sign
<ul style="list-style-type: none">- East Main St./State Route 113 (beginning at, and including, U.S. 41 and running east)- State Route 20- U.S. 41 and corresponding frontage roads- U.S. 411 and corresponding frontage roads- West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest)	<p>One (1) sign on each property frontage with maximum 120 square feet sign area.</p> <p>Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum fifteen (15) feet in height.</p>	20 feet
<ul style="list-style-type: none">- Burnt Hickory Rd. (beginning at, and including, the intersection with West Ave. and running north)- Cassville Rd. (beginning at, and including, the intersection with North Erwin St. and running northwest)- Church St. (beginning at, and including the intersection with North Tennessee St. and running east)- Collins Dr.- Douthit Ferry Rd. (beginning at, and including, the intersection with West Ave. and running south until, and including, the intersection with Pine Grove Rd.)- East Main St. (beginning at, and including, the intersection with Tennessee St. and running east to the intersection with U.S. 41)- Felton Rd. (beginning at, and including, the intersection with Tennessee St. and running east until, and including, the	<p>One (1) sign on each property frontage with maximum fifty (50) square feet sign area.</p> <p>Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum ten (10) feet in height.</p>	15 feet

intersection with Roving Rd.) - Gentilly Blvd. - Grassdale Rd. (beginning at, and including, the intersection with U.S. 41 and running north) - Henderson Dr. - Old Mill Rd. (beginning at, and including, the intersection with Henderson Dr. and running west) - Tennessee St.		
All other streets not listed above	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of thirty-two (32) square feet.	10 feet

- (4) *Residential use properties.* Freestanding signs for all residential use properties shall not be directly illuminated, and shall comply with the following tables of regulations:

FREESTANDING SIGN REGULATIONS FOR RESIDENTIAL USE PROPERTIES

Property Frontage Location and Development Type	Maximum Number and Size of Sign	Maximum Height of Sign
Individual lots on all streets	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of six (6) square feet	4 feet
Residential subdivisions and/or developments on all streets	Two (2) subdivision or entrance signs per entrance shall be allowed into any subdivision or development and shall have a maximum sign area of thirty-two (32) square feet	6 feet

(Ord. No. 26-12, 5-3-12; Ord. No. 01-15, § 6, 3-5-15; Ord. No. 10-18, §§ 1, 2, 4-19-18; Ord. No. 12-18, § 1, 6-7-18; Ord. No. 34-19, § 1, 9-5-19; Ord. No. 19-22, § 1, 10-6-22)