

# MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino and David Hardegree

Date: February 16, 2024

Re: *Text Amendment T24-02. Amendment to Chapter 20, Signs and Outdoor advertising, Article II, Sign Ordinance, Sec. 20-29, Billboards*

Text Amendment to Chapter 20, Signs and Outdoor advertising, Article II, Sign Ordinance, Sec. 20-29 (a), Billboards, to add:

“(6). S. Tennessee Street (State Route 293) beginning at the centerline of Justice Robert Benham Drive intersection with S. Tennessee Street centerline and continuing south a distance of 1,000 feet.”

This amendment would permit the applicant to install static billboard at 520 S. Tennessee St.

The closest billboards to this proposed area is 120 S. Gilmer St to the north and near the Old Alabama Rd bridge in Emerson to the south.

Staff is not opposed to the amendment.

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

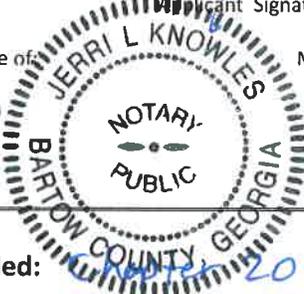
Case Number: T24-02  
Date Received: 1/18/24

Public Hearing Dates:

Planning Commission 3/12 5:30pm      1<sup>st</sup> City Council 3/21 7:00pm      2<sup>nd</sup> City Council 4/4/24 7:00pm

APPLICANT INFORMATION

Applicant Tilley Outdoor, LLC (printed name) Office Phone (770) 386-0040  
 Address 1 N. Tennessee St. Mobile/ Other Phone \_\_\_\_\_  
 City Cartersville State GA Zip 30120 Email bethtilley@bellsouth.net  
 Representative's printed name (if other than applicant) Robert L. Walker Phone (Rep) (770) 387-1373  
 Email (Rep) rwalker@jbwpc.com  
 Representative Signature [Signature] Applicant Signature [Signature]  
 Signed, sealed and delivered in presence of [Signature] My commission expires: 2/22/26  
 Notary Public



1. Existing Text to be Amended:

Article II, Section 20-29, Subsection (a)

Existing Text Reads as Follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Proposed Text:

Proposed Text Reads as Follows: add paragraph (6) to subsection (a) of Sec. 20-29, which shall read as follows: "(6) S. Tennessee Street (beginning at the centerline of Justice Robert Benham Dr. intersection with the S. Tennessee St. centerline) and continuing south a distance of 1,000 feet.

3. Reason(s) for the Amendment Request: To provide for the installation of a billboard sign.

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(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, 2<sup>nd</sup> 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).



Joe Frank Harris Pkwy

Peachtree St

Industrial Dr

S Tennessee St

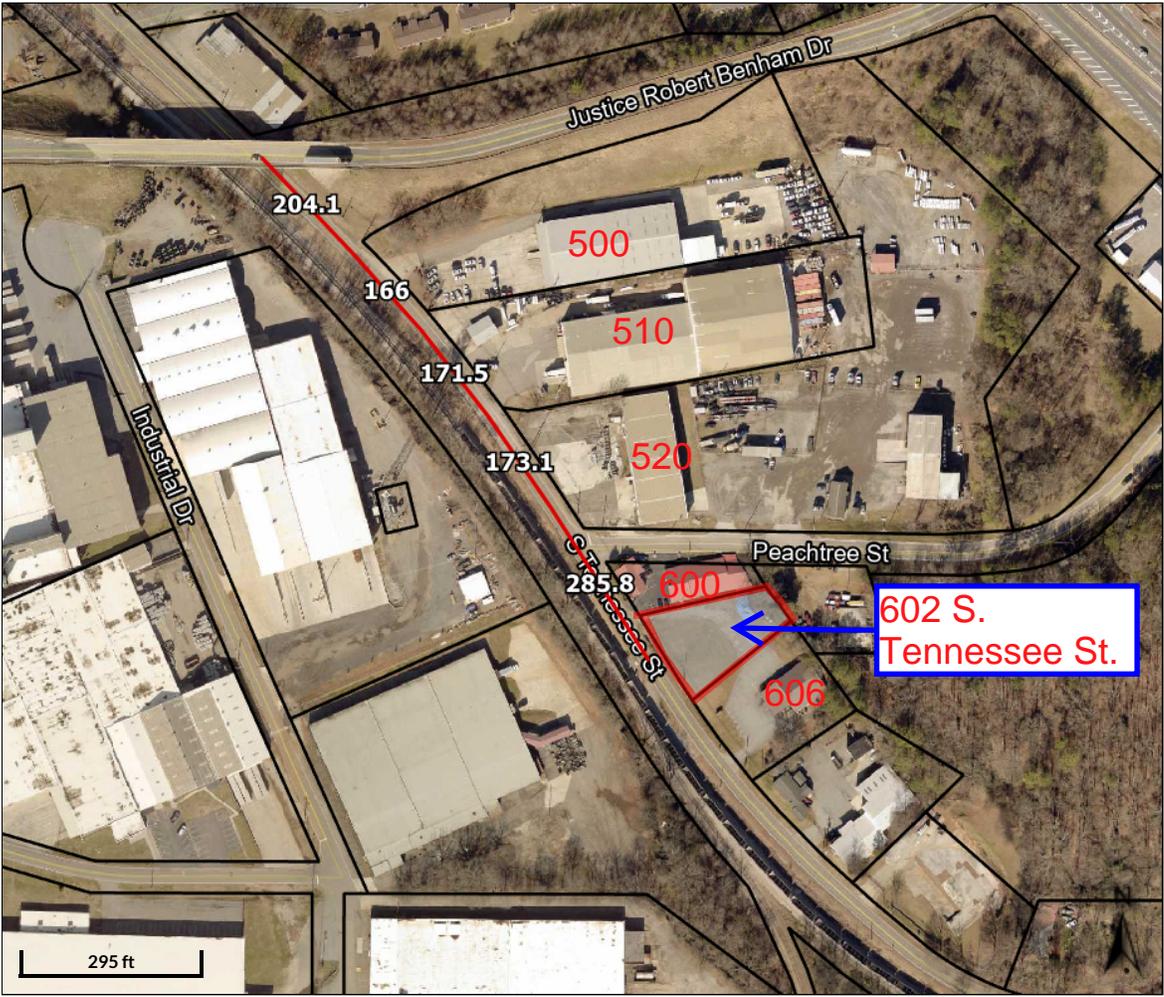
Justice Road

S Dixie Ave

Garson Dr

Brook Dr

1,002



**Legend**

- Parcels
- Roads

<b>Parcel ID</b>	C002-0001-005	<b>Alternate ID</b>	32058	<b>Owner Address</b>	SMITH RUSSELL BROOKSHIRE
<b>Sec/Twp/Rng</b>	n/a	<b>Class</b>	Residential		SMITH REBECCA MARIE
<b>Property Address</b>	120 LEAKE ST	<b>Acreage</b>	0.2		120 LEAKE ST
					CARTERSVILLE, GA 30120
<b>District</b>	Cartersville				
<b>Brief Tax Description</b>	LL 482 D 4				
	(Note: Not to be used on legal documents)				

Date created: 2/19/2024  
 Last Data Uploaded: 2/16/2024 10:44:51 PM

Developed by **Schneider**  
 GEOSPATIAL

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## Proposed Amendment

### 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 two thousand seven hundred (2,700) feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).
  - (6) S. Tennessee Street (State Route 293) (beginning at the centerline of Justice Robert Benham Drive intersection with S. Tennessee Street centerline) and continuing south a distance of 1,000 feet.**
- (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. Billboards 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 (1) 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 Avenue (beginning at, and including, the intersection with Henderson Drive and running southwest).
      5. State Route 113 (beginning at the centerline of the I-75 right-of-way intersection with the Georgia Highway 113 centerline and continuing west a distance of two thousand seven

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hundred (2,700) feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).

6. Old Mill Road (beginning at the centerline of the Old Mill Road right-of-way intersection with the Erwin Street center line and continuing west a distance of one thousand (1,000) feet. Applicable to billboard signs existing as of July 26, 2022).
  - 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. 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.
  - 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; Ord. No. 20-22, § 1, 10-6-22)