



CITY OF ATLANTA

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **Z-24-59 for Grand Bargain Part II**

DATE: October 3, 2024

An Ordinance by Councilmembers Matt Westmoreland, Michael Julian Bond, Amir Farokhi, Liliana Bakhtiari, Alex Wan, Andrea L. Boone, Marci Collier Overstreet and Antonio Lewis to authorize the removal of 103 privately owned billboard faces and their supporting structures, permitted under Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City of Atlanta, as amended, in exchange for the right given to their owners to upgrade and/or relocate 27 billboard faces and their supporting structures; and for other purposes.

FINDINGS OF FACT:

The City of Atlanta Sign Ordinance codified at City Code Sec. 16-28A.001 et. seq. (the “Sign Ordinance”) is established to protect the health, safety and general welfare of the citizens of the City of Atlanta, and to implement the policies and objectives of the comprehensive development plan of the City of Atlanta through the enactment of a comprehensive set of regulations governing signs. Further, the “Sign Ordinance” places reasonable controls on nonconforming signs that are contrary to the public health, safety and welfare while protecting the constitutional rights of the owners of said non-conforming signs. Large signs, defined by the Sign Ordinance, as billboards measuring over 200 square feet but not greater than 672 square feet are allowed in the City in order to provide fair and reasonable opportunities for the advertisement of products, goods or services and to promote the economic vitality of businesses which are located within the city.

PROPOSAL: The legislation proposes to remove 103 billboard faces and supporting structures (the “Takedown Signs”) in exchange for the right to relocate 25 digital and 6 static billboard faces and their supporting structures (“Converted Signs”).

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

Staff finds that there are no known public projects or programs with which the timing of this text amendment would conflict. However, the Sign Ordinance regulates signage allowance based upon applicable zoning districts. As proposed the upgraded billboard relocation sites are not consistent with existing zoning districts and therefore not consistent with existing land use designations.

(2) Availability of and effect of public facilities and services; referral to other agencies:

The location of the sites and current use of surrounding properties indicates there are public facilities and services available to the subject properties. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services to the subject locations. Compliance with all applicable City codes will be required when proposed development plans are submitted to other agencies for permit review.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The relocation sites of billboards that are subject to this amendment have been identified and the existing land uses are not proposed to be changed. Billboard signs are permitted only in the I-1 and I-2 industrial districts. Only one sign of those proposed to be upgraded is in a district that allows billboards. The upgrade sites of the billboards are in areas that are prohibited by the Sign Ordinance and existing billboards are nonconforming and are in quality-of-life districts created with the intent to improve the aesthetics of the built environment. Further, the legislation proposes to waive the requirements of the Sign Ordinance and allow for the removal of existing signs in exchange for the allowance to upgrade those signs inconsistent with the Sign Ordinance and allow for the permitting of such signs. Staff is of the opinion that waiving the code requirements will have a negative effect on the balance of land uses and the proposal is unrelated to the purposes of the Sign Ordinance to protect the public health, safety, and welfare of the residents of Atlanta.

(4) Effect on character of the neighborhood:

Billboard signs are only permitted in the I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts. All billboards located on property not in the I-1 and I-2 zoning districts are non-conforming. Under the current proposal, staff is of the opinion that the proposed relocation sites for the various upgraded billboards do not have a clear rationale, and the approval of these relocation sites will have a negative effect on the character of the neighborhood because the signs could not be permitted under the current Sign Ordinance.

(5) Suitability of proposed land use:

The current land use of existing sign locations will not change.

- (6) **Effect on adjacent property:** Staff is of the opinion the proposed waiver of the Sign regulations would have a negative effect on adjacent properties. This proposal could not exist but for the waiver of the regulations of the Sign Ordinance.
- (7) **Economic use of current zoning:** The economic use of the current non-conforming billboards is realized by their continued allowance under the Sign Ordinance. Additional economic use may be realized, however, the economic use of the billboards existing or upgraded is unrelated to the purposes of the Sign Ordinance to protect the public health, safety, and welfare of the residents of Atlanta.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: DENIAL

Z-24-59 Grand Bargain II

	NPU						
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	Comments
Z-24-59 Grand Bargain II	B			1			
	D			1			
	E			1			
	F			1			
	L	1					
	M			1			
	N	1		1			
	V	1					
	Total:	3	0	6	0	0	