

CITY OF HOMEWOOD

SIGN ORDINANCE UPDATE

INTRODUCTION TO THE ANNOTATED OUTLINE

CITY COUNCIL, PLANNING COMMISSION, AND STAFF WORKING SESSION

Wednesday, April 24, 2019
9 – 11:30am

BUSINESS OWNERS WORKING SESSION

Wednesday, April 24, 2019
1 – 2:30pm and 3 – 4:30pm

COMMUNITY WORKING SESSION

Thursday, April 25, 2019
5 – 6pm

GOALS OF THE CITY OF HOMEWOOD SIGN ORDINANCE UPATE

The City of Homewood, with assistance from the Greater Birmingham Regional Planning Commission and PlaceMakers, LLC, is asking the community to provide input on the ways to make the citywide Homewood Sign Ordinance more user friendly, able to respond to today's market demands, as well as to get into compliance with recent changes in law. The first step is to consider the five mapped sign districts plus the three special areas we have now in Homewood, which do not align with the boundaries of the zoning districts. One of the interventions on the proposed annotated outline is a simplification to tie sign types to zoning districts, so the separate sign district map would not be needed. Instead, sign types and sizes would be based on the zoning district.

Make it enforceable. The current Homewood Sign Ordinance, last revised in 2015, is hard to enforce. The enforcement challenges include the large number of variances for size of sign and number of signs per business. The new ordinance should be more in keeping with today's market demands. Regulating by zoning district will help, because the places where people mainly drive need bigger signage than the places where people mainly walk.

Make it comply with current case law. In 2015, the Supreme Court ruled that signs must be content neutral, in the case of *Reed v Town of Gilbert*. Regulating signs by their categories is not content neutral. That is, making rules for the type of sign, such as: Political; Real estate; Directional; Instructional; Construction; Nameplate; Price; and Occupation, which are regulated in today's Homewood Sign Ordinance. If you need to read a sign to know how to regulate it, then it is content based. In general, categorical signs are content based. To make the code more user friendly as well as to comply with *Reed*

v. the Town of Gilbert, the recommendation is for the new sign code to be simplified to regulate type, number, size and style of sign.

ELEMENTS TO REGULATE

The Homewood Sign Ordinance draft annotated outline proposes the regulation of these elements:

- Size + height
- Location + density
- Private vs. public property
- Lighting + animation
- Materials + color
- Temporary vs. permanent signs
- Portable signs
- Building signs
- Freestanding Signs

SIGN ORDINANCE ORGANIZATION

The way those elements are proposed to be organized within the sign ordinance update are simplified into these eight sections:

- Purpose and Scope
- Prohibited Signs
- General Requirements
- Freestanding Sign Requirements
- Attached Sign Requirements
- Specific Area Signs
- Definitions
- Administration and Enforcement

PROJECT TIMELINE

The project is at phase one: the listening phase. Public input is being received on the project website, www.HomewoodSignCode.com, April 25 to May 27, 2019, via a community sign survey, as well as in person on the April 24 and 25 working sessions. Shortly after the initial community comment period ends on May 27, the consultant team will provide an updated Sign Ordinance annotated outline to the City Council and Planning Commission.

On June 27, 2019, the RPCGB and PlaceMakers team will return to Homewood for work sessions to receive edits to the ordinance, in meetings shared with the Heart of Homewood Downtown Code update. This will include hour-long public input sessions at noon and 5:30pm on June 27, along with a working sessions with City Council, Planning Commission, city staff on June 27, and with city staff on June 28. The first draft will also be available online for public comment and input from June 27 through July 27.

The final draft is scheduled for delivery in September, which will then go through the standard City hearing process for consideration for adoption.



APRIL – MAY

April 24: City Council, Planning Commission, city staff working session

April 24: Business Owners Working Session

April 25: Community Working Session

April 25 – May 27: Public input to outline via online survey and HomewoodSignCode.com

JUNE – JULY

June 27: City Council, Planning Commission, city staff working session

June 27: Community Working Session: 12-1pm; 5:30-6:30PM

June 28: City staff working session

June 25– July 25: Public input online to draft one via homewoodsigncode.com

AUG. – SEPT.

Sept. 20: Estimated completion of final draft is Sept. 20, 2019. could be shorter or longer based on feedback time required by the City.

CITY COUNCIL AND PLANNING COMMISSION CRITIQUE & COMMENT

- Numbers of signs and sizes of signs are the biggest variance requests.
- Downtown murals should be limited by percentage of wall - 50% seems to be most favorable.
- Delete neon signs downtown and throughout the city, except size-limited window signs.
- Strong resistance to off-premises sales and political signs. There is a major enforcement issues with temporary signs.
- Illustrate and regulate pole signs with a reduction of height and area for further consideration.
- Consider limitations to box signs on buildings - definitely limit them downtown.
- Multiple types of signs are permitted - and everyone is ok with that.

BUSINESS OWNERS CRITIQUE & COMMENT

- Sign ordinance rarely gets enforced.

COMMUNITY CRITIQUE & COMMENT

- **Signs permitted per zoning district makes perfect sense.** Instead of having mapped sign districts.
- **In the middle of 29th there's a billboard, but isn't it illegal?** Anything that is built today is legal non-conforming and may continue as long as it is in use and maintained.
- **Will the draft go to the city's business owners for comment?** For the city-wide sign ordinance update, the city and Chamber will reach out to business to provide a means of comment and people can also go to the project website, www.HomewoodSignCode.com, to review the public presentation from April 25, take the sign survey, and offer community comments. For the other project occurring simultaneously, the Heart of Homewood Downtown Code update, downtown business owners have been invited to a number of working sessions where they have been responding and work in progress is also available for public comment at www.heartofhomewoodplan.com.
- **People request more signs and bigger signs - are you considering increasing the number and size?** Yes. Signs will be proposed to be more in line with best practices which vary according to suburban or urban context.

- **How will you regulate office buildings with multiple tenants? Can the building have one sign per tenant?** Those solutions are still in progress. This scenario is a challenge in a multi-story office building to provide identification without too much sign clutter.
- **How can you control signs that move and flutter?** They are illegal now and they will be illegal in the new ordinance. The biggest issue is with enforcement.
- **How can you make sure the code has proper enforcement?** The ordinance draft cannot ensure proper enforcement, which is a staffing issue along with the challenge with access for removal on private property.
- **The guaranteed variance issue is a problem we need to avoid in the future. All variance requests should be tied to hardship, so when a store goes out of business, doesn't that hardship expire with the business?** Yes, the variance does run out with the applicant.
- **Monument signs are limited to 6' in height, but large trucks and SUVs block the visibility.** Consider taller monuments in suburban conditions.
- **Signs that don't belong** - billboards, digital signs, moving signs, temporary signs. Temporary signs cannot be placed legally in the public right-of-way now or under the new code.
- **Signs need to reflect what our local businesses need.** Agreed.
- **Write criteria to permit multiple attached signs if they do not exceed the maximum area permitted by a single sign.** Agreed.
- **Murals can be great or not great and there is not consistency in what we are seeing today.** Current direction from City Council proposes to limit the mural to 50% of the wall. However, if the mural includes the name of the lessee, it qualifies as a sign and not a mural, and must meet attach sign area limitations.
- **Gas station where the entire building is wrapped in neon colors is pretty unsightly. This is a Marathon station on Green Springs.** This ordinance would not permit it, but would require resistance to variance approvals and enforcement to see the ordinance be observed. There should be a plan for future enforcement.