

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: May 1, 2025

To: Appearance Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 25-01: Village Sign Code Update

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Proposed Village Sign Code		Economic and Community Development (ECD) Department	04/25/2024
Code Comparative Table		Economic and Community Development (ECD) Department	04/25/2025
Existing Village Sign Code (Section 30, Village Code of Ordinances) - Municode		Village of Homewood	07/13/2021

PROJECT INTRODUCTION

The Village Sign Code, Section 30 of the Village Code of Ordinances, is the Village's set of regulations for any property owner or applicant seeking to install signage within Village limits. The regulations dictate sign form and construction requirements and define Village procedures related to the approval and regulation of signs.

The Village initiated a process to overhaul the Village Sign Code in late 2022. The last major amendment to the Village Sign Code was completed in 1997, with another set of minor amendments completed in 2004. The Sign Code predates the Appearance Commission (established in 1998). The Commission reviews and approves sign variances and the Appearance Plan (also established in 1998). The Appearance Plan provides additional design guidelines for signage in the Village.

The Sign Code also predates the recently adopted new zoning ordinance by 26 years. In the 28 years since the adoption of the original Sign Code, there have been broad changes to how signs are designed and reviewed, including changes in signage and lighting technology and shifts in legal precedent surrounding sign regulation and its role in protecting (or limiting) constitutional rights. Additionally, the built environment of Homewood has seen significant changes since the adoption of the current Village Sign Code. These include development in the Downtown area and changing development demands in the Village's other commercial corridors. A new Sign Code would modernize the Sign Code to meet current legal, technological, and aesthetic challenges surrounding signage in Homewood.

Project Goals

The proposed amendments are designed to organize, strengthen and professionalize sign regulation in the Village of Homewood while achieving a range of goals, including:

1. **Improve organization of sign regulations.** The current Sign Code has numerous organization issues that limit the ability for staff, Commissioners, developers and the public to understand and engage with sign regulations. Changes are proposed to modernize, simplify and improve the readability of sign regulations in the Village Sign Code.
2. **Meet current legal requirements.** Sign regulations intersect with First Amendment rights of property owners and residents. Since 1997, several legal cases in state and federal courts, including *Reed v. Gilbert* (2016), have significantly changed the way municipalities may regulate signage. Revisions to the Code reflect court decisions, and additional language and standards are provided to protect the Village from legal challenges to sign decisions.
3. **Provide greater clarity for specific sign types.** The current Sign Code has limited regulations for specific types of signs, and is missing sign types that are typically found in modern sign regulations. New regulations clarify standards for individual types of signs that are more detailed and responsive to the built environment around signs.
4. **Integrate new sign technology into sign regulation.** The current Sign Code, written in 1997, includes few regulations for modern sign technology that include electronic changing message (ECM) signs, LED lighting, and other common sign features. The Village has limited regulations to mitigate the impacts of such sign technology, and variances are required to accommodate these signs. New technology commonly found in more modern sign codes will be accommodated with the new Sign Code.
5. **Create new sign review procedures for multi-tenant centers/sites with multiple buildings.** Many challenges with current sign regulation stem from limited language for regulating signage on multi-tenant buildings, creating challenges for building tenants, staff and Commissioners. Changes to the Code clarify how sign regulations are applied to multi-tenant buildings, including clarifications for measuring signs and processes by which such signage shall be approved.
6. **Add guidance for murals and public art.** This update to the sign code is designed to provide review procedures for murals and public art. The code update differentiates murals and public art from signs and defines procedures for review of these types of similar improvements by the Appearance Commission and Village Board.
7. **Improve aesthetic quality of signage.** The changes to the sign code improve the aesthetic control over individual sign types, providing signage that is contextually sensitive to different areas of the Village.
8. **Clarify authority of Appearance Commission.** The current Village Code of Ordinances broadly defines the authority of the Appearance Commission, but lacks clarity in how the Appearance Commission makes decisions on specific reviews involving signage, including Appearance Reviews

and Sign Variance reviews. Changes to the Code clarify the Appearance Commission's authority as a decision-making body and add legally defensible standards for sign decisions.

9. **Reduce need for sign variances.** The Village currently sees a wide range of sign variances, including 10 unique requests for variances in 2024. Changes to the Code address specific regulations where variances are frequently requested and approved, including sign standards for properties with multiple frontages and with large building setbacks.
10. **Clarify and modernize sign procedures.** The current processes for sign permits, sign variances, and other procedures related to sign reviews are not clearly identified in the current Village code. This update is designed to align the detail of these procedures with other Village procedures.
11. **Align side code with peer and aspirational communities.** Many of the sign regulations in the current Village Sign Code, including methods of sign regulation, do not align with sign codes in communities that have achieved planning goals inline with the Village of Homewood's goals. The update to the Sign Code provides solutions to better align the Sign Code with other communities which have modernized sign codes to meet current planning goals.

DISCUSSION

Staff has summarized the changes included in the proposed revision of the Village Sign Code.

Improved Organization

Integrate Village Sign Code into Zoning Ordinance (Chapter 44, Village Code of Ordinances). This update eliminates Chapter 30 (Signs) of the Village Code of Ordinances and moves most sign regulations into Chapter 44 (Zoning) of the Code of Ordinances. Most sign regulations will be in Section 44-10 of the Village Zoning Ordinance, with sign review procedures in Section 44-07 alongside other development review procedures.

This change ensures that all regulations governing the development of property, including signage, are contained within a single Chapter of the Code of Ordinances – the zoning ordinance. While the placement of a sign code within a zoning ordinance is not a universal practice, it is a common method of organizing development regulations.

Establish Clear Purpose and Intent Statements. New purpose and intent statements are written into the sign code. This change aligns the sign code with other chapters in the Village Zoning Ordinance.

Regulations Grouped by Sign Type. Sign regulations are grouped by land use and sign type, with clarified definitions for each type of sign. All sign regulations are removed from definitions and other sections where regulatory language should not be located.

Replace Text Regulations with Tables. Long blocks of text in the current regulations are replaced with tables to provide sign regulation by zoning district, quickly present key information, and maintain consistency with the existing Village Zoning Ordinance.

Add Graphics to Sign Code Text. Graphics are added to clarify sign regulations. The Village has partnered with Houseal-Lavigne, the consulting firm that the Village engaged to rewrite the Zoning Ordinance in 2023, to provide graphics that match the style and layout of the Zoning Ordinance.

Add “How To” Information for Using Sign Measurements. Sections have been added to the code to demonstrate how to measure attributes of various types of signs, including height, area, and clearance. Other important measurements for sign review, such as tenant and lot frontage, are clarified. Sections describing measurements are supplemented with graphics to further clarify how sign measurements should be taken.

Add Definitions and Remove Regulatory Language from Definitions. Regulatory language, such as requirements for sign size, height, and location, is removed from the definitions. Missing definitions in the current code have been added, and new definitions have been added as needed to support new regulations in the code. Definitions have been adjusted based on past interpretations and legal best practice guides.

New Sign Regulations

Add Non-Residential Sign Regulations. New sign types for non-residential properties are defined and provided with clear regulations for most aspects of sign design. Sign regulations for civic/charitable organizations are expanded to resolve the current sign code regulations.

Define Maximum Sign Area by Zoning District, Individual Sign Type. Maximum sizes for signs are defined by individual sign type based on the zoning district in which the sign is located. The proposed code will remove the maximum sign area in favor of regulating the form of individual signs and the number of each type of sign to avoid excess signage. The regulations favor managing the form of individual signs rather than setting a broad standard for all signs on a property.

Define Sign Regulations for Individual Sign Types. The proposed sign code provides form regulations for individual types of commercial signs. Several new types of signs are included, including canopy signs, additional types of projecting signs, and instructional signs. Sign regulations for individual sign types, such as maximum size and height, will vary by zoning district to reflect differences in character between districts. Additional form standards, such as materials, wall projection, and placement requirements, are provided in addition to the core regulations for each sign type.

Adjust Sign Requirements for Existing Sign Types (Wall, Monument, etc.). Revisions adjust the regulations governing maximum allowable size and height, placement, and number of allowed signs.

Add Sign Types Missing from Current Code. Sign regulations for sign types that are commonly proposed in non-residential development but are not included in the current sign code, including: canopy signs, gas station canopy signs, marquee signs, electronic changing message (ECM) signs, instructional signs, marquee signs, and painted wall signs. Signs are regulated in number, placement, size, and other form characteristics.

Clarify and Rewrite Legal Non-Conforming Sign Requirements. Language is added to clearly define when a sign becomes non-conforming. Limitations on alteration and replacement are defined for legal non-conforming signs. Exceptions for non-conformance are provided to protect both the free speech rights of

property owners and the legal liability of the Village. Sections are added to require the removal of abandoned signs after 180 days and the amortization of non-conforming signs after 10 years.

New Construction and Maintenance Standards. Revised construction and maintenance standards reflect current building codes and integrate requested language from the Building Division. More detail is provided for maintenance requirements to improve enforcement of sign maintenance of existing signs within the Village.

New Procedures

Revise and Clarify Sign Permit Approval Procedures. Language has been added to codify all steps of the current sign permit review process. Detail is provided for when and how a sign permit may be elevated to the Appearance Commission. The roles of staff and Commission members are in the new sign permit review process. Language is added to clarify the expiration timeline of sign permits.

Revise Sign Variance Procedures/Add Standards of Variance. A new section has been added to detail procedures for approving sign variance applications. The process is separate from standard zoning variances (Section 44-07-12) to account for the unique attention required in consideration of a sign variance, and to preserve the authority of the Appearance Commission as a decision-making body for sign variances. Standards are provided for sign variance processes in a manner that is defensible by local ordinance. Sign variances are more narrowly defined as a mechanism to provide relief from sign regulations if circumstances outside of the control of a property owner restrict the ability to install signage allowed by right.

Temporary Sign Permits. Language is provided to allow temporary signs and define specific allowed temporary sign types. Additional regulations for specific types of temporary signs, including temporary hanging banners, ground-mounted pennants, and temporary window signs. Procedures are defined for temporary sign approval and removal.

Add Landmark Signs Procedure. Sign regulations are added to Chapter 22, *Historical Preservation*, of the Village Code of Ordinances to allow signs to be considered as a landmarked object. Legal allowances for non-conformity with sign regulations are written to allow landmarked signs to remain in place, with limitations on modifications that may be made to such signs.

Add Comprehensive Sign Program (CSP) Procedure. A new process for Comprehensive Sign Programs, which define signage for centers with multiple tenants or buildings, is proposed. The Comprehensive Sign Program defines the location, maximum size, and form standards for signs in multi-tenant centers. Procedures for review and approval, amendment, and repeal are provided.

Add Procedures for Sign Abandonment. Procedures are proposed for the determination and removal of abandoned signs after 180 days.

Add Appearance Commission Responsibilities and Duties in Zoning Ordinance. The Appearance Commission is added to the Zoning Procedures (Section 44-07) of the Zoning Ordinance as a decision-making body with a set of clearly defined powers and duties. Tables are amended to identify which review processes the Appearance Commission is to serve within.

Define Appearance Review and Procedures for Appearance Review of Signs. Add language that defines the procedures for review and approval by the Appearance Commission are provided. The Appearance Plan is incorporated into the Appearance Review process formally as the set of standards by which Appearance Review decisions should be made.

Add Process for Approval of Murals and Public Art. Code changes define the application process for murals and public art projects, and establish the Appearance Commission as a recommending body for applications for these types of improvements.

Changes Following Staff Review/Commission Workshops

Staff conducted three workshops with the Appearance Commission (January 16, February 6, and March 6) to collect feedback from the Commission on draft changes to sign regulations. Staff also reviewed the draft changes with staff from other Village departments who will interact with the administration and enforcement of sign requirements.

Based on feedback collected from staff and Commission members, the following changes have been proposed:

1. ***Adjusted Exempt Sign Types:*** Address signs for non-residential properties, contractor/architect signs required by Village building codes, real estate signs for both residential and non-residential properties, and additional flags were added as sign types exempt from requirements in the new sign code.
2. ***Adjusted Requirements for Monument and Pylon Signs:*** Height and area allowances for monument signs were increased in the B-4 zoning district. Height allowances were modified to be different between B-3 and B-4 districts to decrease maximum height in the B-3 zone and increase height in the B-4 zone. Requirements were adjusted to minimize non-conformities for existing signage in the B-3 and B-4 districts. Added allowances for specific percentages of monument and pylon sign area to be used as electronic changing message (ECM) signs.
3. ***Added Appearance Review Requirements:*** Appearance Review was added as a requirement for additional sign types, including canopy signs in the B-1 and B-2 districts, painted wall signs, and ECM signs.
4. ***Modified Window Signage Requirements.*** Maximum window sign coverage was reduced to 25% for both permanent and temporary window signs. Added allowance for neon/illuminated tubing in window signs to permit "Open" signs and other small decorative neon signs to be installed.
5. ***Changed Marquee Sign Allowances:*** Additional height restrictions proposed for marquee signs were removed to allow signs to be constructed up to the maximum height of the zoning district. Additional design restrictions were removed, including requirements for marquee signs to be flush to a building and below the roofline of a building. Other requirements, such as illumination method, were adjusted to incorporate feedback from the Appearance Commission.
6. ***Strengthened Sign Abandonment Requirements:*** Village authority was strengthened to remove abandoned signs at the sole expense of a property owner.

7. **Removed Amortization Requirements:** The requirement for legal non-conforming signs to be removed by a given amortization date (10 years after the adoption of the ordinance) was removed from the proposed sign code.
8. **Added Construction and Maintenance Standards:** Additional construction and maintenance standards for electronic and illuminated signs were included, and language was strengthened to align construction standards with Village building codes.
9. **Added Comprehensive Signage Plan (CSP) Modification Standards:** Modification standards for comprehensive signage plans (CSPs) were added. Procedures for reviewing proposed modifications in CSPs were also added to guide staff and Commission members reviewing proposed signage that does not conform to Village sign regulations but is included in CSP applications.
10. **Reviewed and Modified Sign Definitions:** Sign definitions were removed or modified to reflect any changes in language after Appearance Commission feedback was incorporated into the proposed sign code text.
11. **Added Graphics:** Added graphics to illustrate sign measurements, regulations on specific sign types, and various sign procedures. *Graphics prepared by consultants from Houseal-Lavigne.*
12. **Clarified Language:** All legally binding language in the code (“shall,” “should,” etc.) was reviewed and adjusted as needed to ensure proper enforcement of the proposed sign regulations.

PROCESS

Since 2022, Village staff have completed a lengthy process to prepare an updated Village sign code. The process has included widespread public engagement for input on future sign regulation in the Village, analysis of best practices for sign regulation in peer and aspirational communities, and legal review with resources from various planning and legal agencies. The full process timeline is included below.

Review	Date
Public Engagement – Fall Fest 2022	September 24, 2022
Public Charrette/Workshop – Sign Code and Appearance Plan	March 8, 2023
Public Engagement – Holiday Lights	December 6, 2023
Resident Public Survey – Sign Code and Appearance Plan	December 2023 – January 2024

Business Public Survey – Sign Code and Appearance Plan	December 2023 – January 2024
Appearance Commission Workshop	March 3, 2024
Peer/Aspirational Community Research and Code Analysis	April 2024 – June 2024
Sign Code Draft Development	July 2024 – December 2024
Administrative Staff Review	January 2025 - present
Appearance Commission Workshop (3)	January 2025 – March 2025
Final Draft Preparation	March 2025 – April 2025

This meeting is a hearing to provide a recommendation on the proposed Sign Code by the Appearance Commission. The Appearance Commission may recommend approval, approval with conditions or denial of the proposed sign code changes. The Appearance Commission may also be recommended for continuation to a future hearing date if the Commission determines that further discussion is warranted.

Following a recommendation at this public hearing from the Appearance Commission, a recommendation will also be required from the Planning and Zoning Commission at a public hearing. The recommendations of both Commissions will then be considered in a final approval decision made by the Village Board of Trustees. A tentative schedule of dates for required hearings is provided below.

Review	Date
Appearance Commission Public Meeting	May 1, 2025
Planning and Zoning Commission Public Hearing	May 22, 2025
Village Board of Trustees Public Meeting	June 10, 2025

All dates are subject to change during review of the Village Sign Code text.

RECOMMENDED APPEARANCE COMMISSION ACTION

This item is presented at this meeting for first review by the Appearance Commission. The complete/final Village Sign Code amendments will be reviewed for a formal recommendation at a future public meeting of the Appearance Commission.

Recommend approval of Case 25-01: Village Sign Code Update, proposing amendments to the text of the zoning ordinance including:

1. Amendment of the zoning text of Section 44-04-14 to establish murals and public art installations as an accessory structure subject to accessory use and structure requirements;
2. Amendment of the zoning text of Section 44-07, to establish development review procedures for sign permits, sign variances, comprehensive sign plans, appearance reviews and public art and mural reviews;
3. Establishment of Section 44-10 of the Zoning Ordinance, to: (a) set standards for permitted, prohibited and exempted sign types; (b) allow for the regulation of permitted signs and sign structures in the Zoning Ordinance; (c) allow for the regulation of temporary signs in the Zoning Ordinance; (d) set requirements, standards and modification authority for comprehensive sign plans, (e) establish definitions, limitations and procedures for legal non-conforming signs, (f) create new construction and maintenance requirements for permitted signs, and (g) establish definitions for terms related to the regulation of signs and sign structures.