

# VILLAGE OF HOMEWOOD



## MEMORANDUM

DATE OF MEETING: May 22, 2025

**To:** Planning and Zoning 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	Prepared by	Date
Proposed Village Sign Code Outline	Economic and Community Development (ECD) Department	04/25/2024

**LEGAL NOTICE** Legal notice was published in *Daily Southtown* on May 8, 2025. No mailed notice is required for text amendments.

## PROJECT BACKGROUND

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 current 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. Since the adoption of the current Sign Code, there have been broad changes to how signs are designed and reviewed, including changes in signage and lighting technology and the rising popularity of new creative sign types. The past several decades have also major shifts in legal precedent surrounding sign regulation and its role in protecting constitutional rights of free speech and expression. Additionally, the built environment of Homewood has seen significant changes since the adoption of the current Village Sign Code, including new development in the Downtown area and changing development demands in the Village's other commercial corridors. A new Sign Code will 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 the organization of sign regulations.** The current Sign Code has numerous organizational issues that limit the ability for staff, Commissioners, developers, and the public to understand and engage with sign regulations. The proposed changes 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 the 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 that have modernized sign codes to meet current planning goals.

## DISCUSSION

As a key component of this proposed update to the Village Sign Code, staff has proposed to move the sign code into the Zoning Ordinance (Chapter 44, Village Code of Ordinances) from its current location (Section 30, Village Code of Ordinances). This update eliminates Chapter 30 (Signs) of the Village Code of Ordinances and creates a new section of the Zoning Ordinance, which will contain most sign regulations for the Village (Section 44-10). Additionally, sign review procedures are created and added to the Zoning Ordinance (Section 44-07-13 through 15). Procedures are also formalized with the Appearance Commission for appearance reviews and reviews of public art and mural installations, both of which lack formal procedures in the current Code of Ordinances.

This change places all regulations governing the development of property, including signage, within the zoning ordinance. While the placement of a sign code within a zoning ordinance is not a universal practice for all municipalities, it is a common method of organizing development regulations and has become a common practice in organizing municipal ordinances.

## TEXT AMENDMENT STANDARDS

To add the new sign code to the zoning ordinance, the move must be approved as a zoning text amendment by the Planning and Zoning Commission and the Village Board of Trustees. The Planning and Zoning Commission should review the proposed text amendment against the Standards for a Text Amendment.

*a) Is the proposed text amendment consistent with the stated goals in the comprehensive plan?* The updated Sign Code will allow for the Village to produce signage design standards in alignment with the stated goals of the Downtown Transit-Oriented Development Master Plan. The updated Sign Code will also help carry out key goals of the 1999 Comprehensive Plan, including establishing appropriate development standards to support mixed-use development and improving the overall aesthetic quality of the Village.

*b) Does the proposed text amendment address a particular issue or concern for the village?* The updated Sign Code addresses a critical need to modernize sign regulations in the Village. The current Sign Code does not address numerous sign types and technologies which are common in modern development practice, which are eventually reviewed as sign variances or denied by Village staff. The current Sign Code limits Village control on the placement and aesthetics of signage, especially in pedestrian-oriented areas such as Downtown Homewood. The current Sign Code does not fully address varying sign needs in different parts of the Village, such as Downtown and Halsted Street. The current Sign Code lacks the language needed to establish and formalize procedures for sign reviews and reviews adjacent to sign review (such as Appearance Reviews and public art/mural reviews), and an update is needed to codify these procedures. The current code lacks protections for content neutrality and other required elements of sign codes which are the result of current federal legislation or judicial rulings.

*c) Will the proposed text amendment impose an unreasonable hardship on existing uses?* Staff has updated the Sign Code and carefully analyzed to ensure minimal creation of new non-conformities; staff has designed the new Sign Code in a manner that minimizes impact on businesses with existing signage. New signage regulations have been crafted with research from best practices and peer communities to ensure that Homewood's sign regulations are not uniquely burdensome on current land uses in the Village.

*d) Have major land uses, conditions or circumstances changed since the original zoning ordinance text was established?* The previous Sign Code was written in 1997. Since the adoption of the current code, sign technology has changed dramatically, including the widespread adoption of electronic changing message board signs, new illumination methods, and new sign structure types. Legal precedent has also changed, with cases such as Reed v. Gilbert (2016) and GKL v. City of Lake Oswego (2006) significantly greater scrutiny placed on municipal sign regulation to protect content neutrality and fair administration of sign regulations. The development pattern of Homewood has changed significantly since the adoption of the original Sign Code in 1997, with an increased focus on transit-oriented development in the Downtown and changing retail patterns along Halsted requiring significant changes to sign administration.

*e) Is the requested change compatible with the existing uses and development patterns of the community?* Economic and Community Development staff authoring this amendment have worked closely with Village officials, staff from other departments, and members of the public to ensure the updated Sign Code is appropriate for the current uses and development patterns of the Village. Staff has researched sign codes in other communities with development patterns similar to or aspirational to Homewood to ensure that new sign regulations were compatible with the existing uses and development patterns of the Village. The proposed procedure changes also ensure improved administration of current development in the Village.

*f) Will the proposed change be detrimental to the health, safety and welfare of the neighborhood or of the village as a whole?* The new Village Sign Code is designed to increase overall community health, safety and welfare. Staff have added additional construction and maintenance standards, increased requirements for illuminated and changing message signs, and other sign design standards in order to explicitly protect community health and safety.

**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 – April 2025
Appearance Commission Workshops (3)	January 2025 – March 2025
Final Draft Preparation	March 2025 – April 2025
Appearance Commission Recommendation	May 1, 2025 (recommended approval)

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.

The Appearance Commission, the primary appointed body to review and approve sign code changes, recommended approval of the new Sign Code by the Village Board of Trustees on May 1, 2025. Due to the new Sign Code being located in the Zoning Ordinance, a public hearing and recommendation is also required from the Planning and Zoning Commission. 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
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.*

**STAFF COMMENTS**

The content of the Sign Code, similar to the content of the Appearance Plan, is subject to review and approval by the Appearance Commission. The decision required from the Planning and Zoning Commission is to determine whether to recommend the addition of an updated Sign Code as a new section of the Village Zoning Ordinance. **The Planning and Zoning Commission is to assess the appropriateness of a) the addition of the Sign Code to the Zoning Ordinance, and b) the proposed structure of the updated Sign Code as proposed to be located within the Zoning Ordinance.**

The updated Sign Code does not cause any changes to Planning and Zoning Commission business. All signage reviews will continue to be reviewed by the Appearance Commission, whose authority is clearly defined in the updated procedures of this ordinance.

**FINDINGS OF FACT**

The staff has prepared the *draft* findings of fact following the standards outlined in Section 44-07-10 of the Village Zoning Ordinance for text amendment applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The current Village Sign Code is located in Section 30 of the Village Code of Ordinances.
2. The current Village Sign Code was adopted in 1997.
3. Upon completion of research and assessment of current signage conditions, signage best practices and future land use plans, the Village has initiated a text amendment to update and reorganize the Village Sign Code.
4. The Village proposes the creation of a new section (Section 44-10) within the Zoning Ordinance (Chapter 44 of the Code of Ordinances) to unify all development regulations, formalize sign review and design review procedures, and simplify development regulations in the Village.
5. The Village also proposes the additional of subsections in Zoning Procedures (Section 44-07) to allow for the creation of formal procedures for sign reviews, sign variances, appearance reviews and other reviews conducted by the Appearance Commission.

**RECOMMENDED PLANNING AND ZONING COMMISSION ACTION**

The Planning and Zoning Commission may wish to make the following motion:

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.

AND

Incorporate the Findings of Fact into the record.