



City of Homer

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Homer City Council

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Memorandum 22-179

TO: Mayor Castner and Homer City Council

FROM: Rachel Lord, Councilmember

DATE: October 24, 2022

SUBJECT: Ordinance 22-70 Amending Homer City Code 21.60.100 Regarding Signs Legible from Public Rights of Ways

Background

Thank you for your consideration of Ordinance 22-70. This action was inspired by the sign in front of Paul Banks Elementary, which is almost 400 feet downhill from the public right-of-way (ROW), and impossible to see from the road. It is falling apart and the school staff and Parent Teacher Association would like to replace it. My understanding is that last year they were told by the City that they've already maxed out their sign allotment and so if they took that one down they would not be permitted to replace it. That made no sense to me at all.

I asked City Planner Abboud about this situation and he said that as a matter of practicality, if it's not visible from the right-of-way to the public, it would not be considered a sign subject to regulation under the code. But he noted that he hadn't looked at that specific sign. I went to look at the code to see where that exemption might be explicitly stated, and I found the verbiage about the interior signs only. Nothing about signs not visible from the public ROW.

In this amendment, I am suggesting that we fully replace subsection HCC 21.60.100(c) to limit the City's regulation to signs clearly visible from the public ROW and intended to be viewed by the public. Below I have provided some examples from other Alaskan municipalities sign codes.

While I believe this is a fairly straightforward and simple amendment to code, I look forward to feedback from the Planning Commission. I would like to see the City limit resources to regulating what is in the interest of the public. Signs that cannot be seen by the public from the public right-of-way should be clearly exempt from regulation under Homer City Code.

Wasilla: 16.32.020 Scope.

This chapter shall not regulate: building design; official traffic or government signs; the copy and message of signs; ***signs not intended to be viewed from a public right-of-way***; window displays, product dispensers, and point of purchase displays; scoreboards on athletic fields; flags of any nation, government, or noncommercial organization, unless part of a sign; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined in this chapter as a sign. (Ord. 17-09 § 3, 2017; prior code § 16.43.902)

Seward: 15.20.015 - Definitions.

Sign. Any device fixed to, painted on, or incorporated into the building surface; displayed from or within a building or structure; or free-standing upon the site, and **which is (a) visible from a public right-of-way and (b) designed to convey or direct a message to the public concerning the identification of the premises or to advertise or promote the interests of any private or public firm, person or organization.**

Soldotna:

15.08.010 - Administration. C. Scope .1.

General. **The scope of this chapter shall be to regulate signs of a commercial nature intended to be viewed from public rights-of-way.** This code does not regulate government signs; the copy and message of signs; window signs; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government, or non-commercial organization; gravestones; commemorative plaques; display of addresses; or any display or construction not defined herein as a sign.