

**SPECIAL CALLED MEETING OF THE CITY COUNCIL OF
THE CITY OF HOMEWOOD, ALABAMA**

January 29, 2024

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, January 29, 2024 at City Hall at 6:00 p.m.

The invocation was given by Bo Seagrist, Senior Revenue Examiner, after which the pledge of allegiance was given.

The meeting was called to order by President Pro-Tempore Jones at 6:02 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton, Walter Jones, Barry Smith, Jalete Nelms, Jennifer Andress, and John Hardin, constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; J.J. Bischoff, Chief of Staff; Mayor Patrick McClusky; and Bo Seagrist, Senior Revenue Examiner. Absent: Nick Sims and Alex Wyatt.

At this time, Councilor Alemán moved to dispense with the reading of the Minutes of the Council Meeting of January 8, 2024 and approve them as presented. Councilor Smith seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

At this time, Councilor Smith moved to appoint Jeremy Bernstein to the At-Large Park Board position. Councilor Gwaltney seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

Councilor Smith moved to re-appoint John Geer to a supernumerary position of the BZA. Councilor Andress seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

Councilor Smith moved to appoint Winslow Armstead to a supernumerary position of the BZA. Councilor Andress seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

President Pro-Tempore Jones stated that interviews would need to be set for the BZA Ward 4 position.

President Pro-Tempore Jones stated that application periods would be open for two positions of the At-Large Arts Council as well as Ward 4 and Ward 5 positions of the Arts Council until February 26, 2024.

At this time, President Pro-Tempore Jones amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 28.01.24 – Request to appoint Bo Seagrist as Assistant City Clerk – Mayor McClusky.

Councilor Hardin moved for the approval of the amended Council Agenda. Councilor Smith seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

CONSENT AGENDA

11.12.23 Request for consideration of improvements to crosswalk at Oxmoor Road and Bridge Lane – **Councilor Gwaltney**

Action Taken: The Public Safety Committee met on January 22, 2024 and voted 4-0 to recommend dropping this item. The motion was made by Councilor Jones and seconded by Councilor Hardin.

Councilor Nelms moved for the approval of the amended Council Agenda. Councilor Gwaltney seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 01.12.23 – Bid Opening set for January 8, 2024 at 4:30 p.m. for Reese Street Sidewalk Improvements – Cale Smith, PE (Carried Over 1/8/24).

Councilor Smith stated that the Finance Committee met on January 22, 2024 and voted 4-0 to recommend accepting bid from Bulls Construction.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-04

(A Resolution to accept bid from Bulls Construction for Reese Street Sidewalk Improvements)

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Finance Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 01.01.24 – Request for consideration of budget amendment FY 23-24 – Cale Smith, PE / Robert Burgett, Finance Director.

Councilor Smith stated that the Finance Committee met on January 22, 2024 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-05

(A Resolution for Budget amendment FY 23-24)

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Finance Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 02.01.24 – Request to declare the following items surplus: 2015 Chevrolet Tahoe (VIN 1GNLC2EC9FR560047) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR128347) – Gordon Jaynes, Fleet Maintenance.

Councilor Smith stated that the Finance Committee met on January 22, 2024 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:15 p.m.:

Ordinance No.

(An Ordinance to declare the following items surplus: 2015 Chevrolet Tahoe (VIN 1GNLC2EC9FR560047) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR128347))

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. Councilor Address seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Address, and Hardin.

The motion for unanimous consent carried.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration:

Ordinance No. 2885

(An Ordinance to declare the following items surplus: 2015 Chevrolet Tahoe (VIN 1GNLC2EC9FR560047) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR128347))

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2885. Councilor Wolverton seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Address, and Hardin.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.01.24 – Request to authorize the Mayor to sign an agreement with Alabama Graphics / Ages Funding for 36-month plotter lease – Cale Smith.

Councilor Smith stated that the Finance Committee met on January 22, 2024 and voted 5-0 to recommend approval.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-06

(A Resolution to authorize the Mayor to sign an agreement with Alabama Graphics / Ages Funding for 36-month plotter lease)

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Finance Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 06.12.23 – Request for consideration to permit a retaining wall in the right-of-way adjacent to 1629 25th Terrace South – Padilla Malco and Camacho Patricia / Wyatt Pugh, Building Official.

Councilor Hardin stated that the Public Works Committee met on January 22, 2024 and voted 5-0 to recommend approval pending indemnification agreement.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-07

(A Resolution to permit a retaining wall in the right-of-way adjacent to 1629 25th Terrace South)

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Public Works Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 03.01.24 – Request for consideration to permit replacement of existing retaining walls in the right-of-way at 214 Edgewood Boulevard – Clayton & Rachel Mobley, Owners / Wyatt Pugh, Building Official.

Councilor Hardin stated that the Public Works Committee met on January 22, 2024 and voted 5-0 to recommend approval pending indemnification agreement.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-08

(A Resolution to permit replacement of existing retaining walls in the right-of-way at 214 Edgewood Boulevard)

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Public Works Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.12.24 – Public Hearing Continued from January 8, 2024 at 6:00 p.m. for consideration of sign variances for SouthPoint Bank at 1720 28th Avenue South – SouthPoint Bank / Melissa Zavaleta, Knight Signs / Wyatt Pugh, Building Official (Carried Over 1/8/24).

Councilor Smith stated that the Special Issues Committee met January 22, 2024 and voted 5-0 to refer to the full Council without a recommendation pending the Public Hearing.

Wyatt Pugh addressed the Council regarding this item.

President Pro-Tempore Jones declared the Public Hearing opened at 6:20 p.m.

President Pro-Tempore Jones asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item. There was no response from the audience.

President Pro-Tempore Jones declared the Public Hearing closed at 6:22 p.m.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. The Council then held discussion.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration:

Resolution No. 24-09

(A Resolution for sign variances for SouthPoint Bank at 1720 28th Avenue South)

Councilor Smith moved for the adoption and enrollment of Resolution No. 24-09. Councilor Alemán seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried on a vote of 8-1. Councilor Gwaltney voted no.

The next item on the Agenda under Old Business was Item No. 04.01.24 – Request to set a Public Hearing for consideration of a sign variance at 1916 28th AVE S, White House Interiors / Cassie Burchell, Alpha Graphics/ Wyatt Pugh, Building Official.

Councilor Smith stated that the Special Issues Committee met on January 22, 2024 and voted 5-0 to recommend setting a Public Hearing for February 12, 2024 at 6:00 p.m. and to refer this item to the full Council without recommendation pending the Public Hearing.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

President Pro-Tempore Jones stated that the Public Hearing would be set for February 12, 2024 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 07.10.24 – Public Hearing set for January 29, 2024 at 6:00 p.m. for consideration of proposed revisions to the City’s Zoning Ordinance (Planning Commission voted 9-0 in favor of recommending approval) –Cale Smith, PE.

Cale Smith addressed the Council regarding this item.

At this time, Mr. Kendrick presented a summary of revisions for the first reading of the proposed Ordinance for the Council’s consideration at 6:31 p.m.

(See Page 17-41 for the full proposed revisions)

Councilor Andress stated that the Planning and Development Committee met December 18, 2023 and voted 5-0 to refer to the full Council without a recommendation pending the Public Hearing.

President Pro-Tempore Jones declared the Public Hearing opened at 6:37 p.m.

President Pro-Tempore Jones asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

Cale Smith and Jeffrey Ketchum addressed the Council regarding this item.

President Pro-Tempore Jones declared the Public Hearing closed at 6:38 p.m.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding this item. The Council then held discussion.

Councilor Andress read a letter from David Siegel.

Councilor Wolverton moved for the unanimous consent of the proposed Ordinance as read. Councilor Geer seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion for unanimous consent carried.

Councilor Wolverton moved for amending the proposed zoning ordinance. Councilor Alemán seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. The Council then held discussion.

On a roll call vote, the votes were: Yeas: Councilors Wolverton and Smith. Nays: Councilors Gwaltney, Geer, Alemán, Jones, Nelms, Andress, and Hardin.

The motion failed on a vote of 2-7.

Ordinance No. 2886

(An Ordinance for proposed revisions to the City's Zoning Ordinance)

(See Page 17-41 for the full proposed revisions)

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2886. Councilor Andress seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 11.11.23 – Public Hearing set for January 29, 2024 at 6:00 p.m. to consider proposed amendments to the Homewood Sign Ordinance – Wyatt Pugh, Building Official.

Wyatt Pugh addressed the Council regarding this item.

Councilor Andress stated that the Planning and Development Committee met December 18, 2023 and voted 5-0 to refer to the full Council without a recommendation pending the Public Hearing.

President Pro-Tempore Jones declared the Public Hearing opened at 6:56 p.m.

President Pro-Tempore Jones asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item. There was no response from the audience.

President Pro-Tempore Jones declared the Public Hearing closed at 6:56 p.m.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding this item. The Council then held discussion.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:56 p.m.:

Ordinance No.

(An Ordinance for proposed amendments to the Homewood Sign Ordinance)

Councilor Andress moved for the unanimous consent of the proposed Ordinance as read. Councilor Wolverton seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion for unanimous consent carried.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration:

Ordinance No. 2887

(An Ordinance for proposed amendments to the Homewood Sign Ordinance)

Councilor Hardin moved for the enrollment and adoption and publication according to law of Ordinance No. 2887. Councilor Nelms seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 12.12.23 – Public Hearing set for January 29, 2024 at 6:00 p.m. for consideration to approve amendment to the previously approved Final Development Plan at 815 Green Springs Highway (PID # 29-00-23-1-002-002.000) for the “the Edge” mixed-use development project intended to reflect the approved resurvey and subdivision of the subject property's current 4-acre site into two separate lots to facilitate future development. (Zoning: GURD (Green Springs Urban Renewal District) Applicant: Brian Hatcher / LBYD Engineers, Inc./ Owner: Greensprings Development, LLC / J.J. Thomas. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – Cale Smith, PE.

Councilor Andress stated that the Planning and Development Committee met January 22, 2024 and voted 5-0 to refer to the full Council without a recommendation pending the Public Hearing.

President Pro-Tempore Jones declared the Public Hearing opened at 7:01 p.m.

President Pro-Tempore Jones asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item. There was no response from the audience.

President Pro-Tempore Jones declared the Public Hearing closed at 7:01 p.m.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding this item. The Council then held discussion.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:02 p.m.:

Ordinance No.

(An Ordinance to approve amendment to the previously approved Final Development Plan at 815 Green Springs Highway (PID # 29-00-23-1-002-002.000) for the "the Edge" mixed-use development project intended to reflect the approved resurvey and subdivision of the subject property's current 4-acre site into two separate lots to facilitate future development)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. Councilor Andress seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion for unanimous consent carried.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration:

Ordinance No. 2888

(An Ordinance to approve amendment to the previously approved Final Development Plan at 815 Green Springs Highway (PID # 29-00-23-1-002-002.000) for the "the Edge" mixed-use development project intended to reflect the approved resurvey and subdivision of the subject property's current 4-acre site into two separate lots to facilitate future development)

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2888. Councilor Nelms seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 13.12.23 – Public Hearing set for January 29, 2024 at 6:00 p.m. for consideration to rezone 3011 Firefighter Lane (PID # 28-00-07-3-032-008.001) from R-5 (Attached Dwelling Unit District) to R-7 (Attached Dwelling Unit District). Applicant: R. Shane Davis; Owner: Laura Brasseale to permit the construction of a two-unit townhouse development, consisting of a total of 3,647 sq.ft. (The Planning Commission had a vote of 5-0 for a favorable recommendation) – Cale Smith, PE.

Councilor Andress stated that the Planning and Development Committee met January 8, 2024 and voted 5-0 to refer to the full Council without a recommendation pending the Public Hearing.

President Pro-Tempore Jones declared the Public Hearing opened at 7:05 p.m.

President Pro-Tempore Jones asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

Cale Smith and Buffy Allen addressed the Council regarding this item.

President Pro-Tempore Jones declared the Public Hearing closed at 7:05 p.m.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding this item. The Council then held discussion regarding this item.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:06 p.m.:

Ordinance No.

(An Ordinance to rezone 3011 Firefighter Lane (PID # 28-00-07-3-032-008.001) from R-5 (Attached Dwelling Unit District) to R-7 (Attached Dwelling Unit District))

Councilor Andress moved for the unanimous consent of the proposed Ordinance as read. Councilor Smith seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion for unanimous consent carried.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration:

Ordinance No. 2889

(An Ordinance to rezone 3011 Firefighter Lane (PID # 28-00-07-3-032-008.001) from R-5 (Attached Dwelling Unit District) to R-7 (Attached Dwelling Unit District))

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2889. Councilor Smith seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 10.01.24** Request to authorize the Mayor to sign an agreement with ALDOT for the Operation of Traffic Control Signals along US 31 and AL 149 (Lakeshore) – **Cale Smith, PE – Finance Committee**
- 11.01.24** Request for consideration of placing full-page ad in the Chamber of Commerce Magazine – **Councilor Andress – Finance Committee**
- 12.01.24** Request to authorize the Mayor to acquire Alabama Firefighter Disability Insurance – **Robert Burgett, Finance Director – Finance Committee**
- 13.01.24** Request for consideration of budget amendment FY 23-24 – **John Morgan, Court / Robert Burgett, Finance Director – Finance Committee**
- 14.01.24** Request for permission to add a crosswalk with pedestrian signals at Saulter Road and South Wellington Road – **Cale Smith, PE – Public Safety Committee**
- 15.01.24** Request for consideration for Special Event Liquor License at the Battery at 2821 Central Ave – **Jeremy Stephens / J.J. Bischoff – Public Safety Committee**
- 16.01.24** Request for consideration for Special Event Liquor License for the Taste of Homewood on the City Hall Plaza – **Meredith Drennen, Chamber of Commerce / J.J. Bischoff – Public Safety Committee**
- 17.01.24** Request for consideration to permit replacement of existing retaining wall in the right-of-way at 608 Warwick Road – **Kathy Welch / Wyatt Pugh, Building Official – Public Works Committee**

- 18.01.24** Request for permission for a tent in the City Right-of-Way in front of Trak Shak from February 21st through February 25th – **Councilor Andress – Special Issues Committee**
- 19.01.24** Request for permission for use of the Plaza for Vulcan Vault Competition in July – **Chris Spear, Peak Athletics / J.J. Bischoff – Special Issues Committee**
- 20.01.24** Request for permission for facility use agreement for the plaza for Taste of Homewood – **Meredith Drennen, Chamber of Commerce and J.J. Bischoff – Special Issues Committee**

Councilor Nelms moved to approve the Committee Referral Agenda. Councilor Gwaltney seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 21.01.24 – Request for consideration to surplus Cannon ImagePrograf iPF825 (SN AAKR1272) – Cale Smith, PE.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:19 p.m.:

Ordinance No.

(An Ordinance to declare the following items surplus: Cannon ImagePrograf iPF825 (SN AAKR1272))

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. Councilor Nelms seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Andress, and Hardin.

The motion for unanimous consent carried.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration:

Ordinance No. 2890

(An Ordinance to declare the following items surplus: Cannon ImagePrograf iPF825 (SN AAKR1272))

Councilor Hardin moved for the enrollment and adoption and publication according to law of Ordinance No. 2890. Councilor Wolverton seconded the motion.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Jones, Smith, Nelms, Address, and Hardin.

The motion carried without dissent.

The next item considered under Other New Business, taken out of order, was Item No. 28.01.24 – Request to appoint Bo Seagrist as Assistant City Clerk – Mayor McClusky.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

Resolution No. 24-10

(A Resolution to appoint Bo Seagrist as Assistant City Clerk)

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-10. Councilor Gwaltney seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 22.01.24 – Request for consideration of changing authorized signatures for Bryant Bank, Iberia Bank, Raymond James, and Regions Bank – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

Resolution No. 24-11

(A Resolution for changing authorized signatures for Bryant Bank, Iberia Bank, Raymond James, and Regions Bank)

Councilor Smith moved for the adoption and enrollment of Resolution No. 23-10. Councilor Nelms seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 23.01.24 – Request for consideration of renewal of Cobbs Allen Insurance Policy– Mayor McClusky.

At this time, Mr. Kendrick presented the following Resolution for the Council’s consideration.

Resolution No. 24-12

(A Resolution for renewal of Cobbs Allen Insurance Policy)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 23-12. Councilor Smith seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 24.01.24 – Request for consideration of an ABC 160 – Special Retail – More Than 30 Days – License for AUM Homewood dba Residence Inn Homewood located at 2790 US 280 – Melody Salter, CPA, City Clerk.

Councilor Gwaltney moved for having no objection to the issuance of the license pending letter of no objection from the Fire Department. Councilor Hardin seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 25.01.24 – Request for consideration of an ABC 011 – Lounge Retail Liquor Class II (Package) License for Bhairav LLC dba Toddies located at 1919 28th Ave S, Ste 108 (Ownership Change) – Melody Salter, CPA, City Clerk.

Councilor Wolverton moved for having no objection to the issuance of the license. Councilor Alemán seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 26.01.24 – Request for consideration of an ABC 020 – Restaurant Retail Liquor License for Hero Acquisition Co LLC dba Hero Doughnuts and Buns located at 1726 28th Ave S – Melody Salter, CPA, City Clerk.

Councilor Gwaltney moved for having no objection to the issuance of the license pending letter of no objection from the Fire Department. Councilor Wolverton seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 27.01.24 – Request for consideration of approval of vouchers for period of January 9, 2024 through January 29, 2024 – Robert Burgett, Finance Director and Melody Salter, CPA, City Clerk.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

Resolution No. 24-13

(A Resolution for approval of vouchers for period of January 9, 2024 through January 29, 2024)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 23-13. Councilor Smith seconded the motion.

President Pro-Tempore Jones asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

President Pro-Tempore Jones stated that the Committees would meet on February 5, 2024 starting with the Finance Committee at 5:00 p.m. with Public Safety, Public Works, and Special Issues meeting immediately following the previous meeting. The Planning and Development Committee Meeting was not scheduled.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:36 p.m.

List of Completed Edits to the Zoning Ordinance

Key: Black – Completed | Red – Revised Language

Table of Contents – Note, the page numbers have not been updated yet.

- Article I – Introduction
- Article II – Definitions
- Article III – General Regulations
- Article IV – District Uses
- Article V – Supplemental Use Regulations
- Article VI – District Development Criteria includes fence and walls ordinance.
- Article VII – Required Development Plan
- Article VIII – Off Street Parking Requirements
- Article IX – Tree Protection and Landscaping
- Article X – Reserved
- Article XI – Administration and Review Procedures

Article I. Introduction

- Section C. Purpose: Added reference to the Homewood Master Plan.

Article II. Definitions

- City staff inserted the following definitions from the Tree and Landscape Ordinance:
 - Caliper
 - Canopy tree
 - Dripline
- City staff updated the following definitions from the Tree and Landscape Ordinance:
 - Artificial turf
- RPC inserted the following definitions from the Tree and Landscape Ordinance:
 - Critical root zone
 - Crown
 - DBH
 - Deciduous plants

- Evergreen plant
- Ground cover, organic
- Ground cover, inorganic
- Hazardous tree
- Invasive plant
- Landscape plan
- Land disturbance activity
- Land disturbance permit
- Minimum tree density
- Native plant
- Native tree
- Public tree
- Qualifying tree
- Replacement tree
- Street yard
- Tree permit
- Tree disturbance activity
- Tree inventory
- Tree protection zone
- Tree protection zone barrier
- Tree replacement assessment
- Understory tree
- Vehicular use area
- RPC inserted the following definitions from the Fence Ordinance or revised existing definitions to match those from the Fence Ordinance:
 - Alley (revised)
 - Alley, accessible (inserted)
 - Alteration
 - Corner lot (revised and inserted image)
 - Fence (inserted)
 - Fence, natural (inserted)
 - Fence, privacy (inserted)

- Fence, wall (inserted)
- Property line (revised and images)
 - Front property line (revised)
 - Side property line (revised)
 - Rear property line (revised)
 - Corner lots (revised)
 - Interior lot and corner lot images
- Wall, Sitting
- RPC updated the following definitions:
 - Building height
 - Driveway, Impervious
 - Driveway, Pervious
 - Dwelling unit
 - Family
 - Nursing home
 - Place of worship (formerly religious institution or church)
 - Rehabilitation center
 - Rehabilitation clinic
 - Structure
 - Structure, accessory
 - Structure, principal (formerly Building, main)
- Added the following new definitions:
 - Assisted living
 - Dwelling unit, accessory
 - Grade plane
 - Impervious surface
 - Impervious surface area
 - Lot coverage
 - Manufactured (mobile) home
 - Modular home
 - Setback
 - Front setback

- Rear setback
- Side setback
- Sexually oriented business
- Single room occupancy (SRO) housing
- Substantial improvement
- Yard
- Zoning Official

Article III. General Regulations

- SEC. C – Replaced Zoning Administrator with Zoning Official.
- SEC. E. Interpretation of Uses – Added section and renumbered as needed.
- SEC. F. Unclassified Uses – Added section and renumbered as needed.
- SEC G. Nonconforming uses of Land and Buildings: Changed to Nonconforming Uses and Structures. Section I deals with nonconforming land.
 - SEC. G. (1), (6) and (7) Minor typo corrections
 - SEC. G. (4) – Defined current replacement value in relation to current International Code Council construction costs.
 - SEC. G. (5) Added clause clarifying non-conforming structures may undergo minor maintenance, repairs, and modifications that do not increase the size of the structure or the degree of non-conformity.
- SEC H. Occupancy of Dwelling Units – Deleted section, renumbered as needed.
- SEC I. Nonconforming Lots – Added numbering.
 - SEC. I. (2) – Clarified that nonconforming lots which allow for all required setbacks are considered buildable, and if not, may be appeal for variance.
 - SEC. I. (3) Clarified that when adjacent lots under common ownership are nonconforming and not buildable, they shall be resurveyed to create one or more conforming lots.
 - SEC. I. (6) Clarified that Article IX Tree Protection and Landscape applies to nonconforming lots, as specified in Article IX.

Article IV. District Uses

- SEC. A: NPD Neighborhood Preservation Unit.
 - Duplicated the NPD corner lot requirements in front setback modifications under district development criteria.
 - SEC A (2) – Permitted Use was updated to Use Regulations: **Refer to Section K in Article IV.**
 - SEC A (3) d – Removed setback definitions and added to definitions for Yard in Article II, which acknowledges the outside face of finish of the primary structure.
 - SEC A (3) d. 2 – Side Setback - Updated the feet in the table to ft.
 - Updated table to reflect 5’ min, 14’ total both sides, and deleted the footnote. Changed Lot Width to Predominant Front Lot Width.
 - SEC A (3) e – Maximum Building Height - Updated feet in the table to ft. Changed Lot Width to Predominant Front Lot Width.
 - Updated Article V SEC D (6) to measure align how accessory structure height is measured with primary structure height. No change here.
 - SEC A (3) f – Maximum Living Area of Dwelling - Updated feet in the table to ft. Updated square feet to sq. ft. Changed Lot Width to Predominant Front Lot Width.
 - SEC A (3) g – Clarified that maximum lot coverage area of the primary structure is 37%.
 - SEC A (3) h – Clarified that maximum impervious surface coverage is 45%.
 - SEC A (3) j – **“Supplemental Use Regulations, Article V.”**
 - Updated SEC A (3) k and l since the table of contents changed.
 - SEC A (3) m – Updated the Sign Regulation reference to **“Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”**
 - SEC A (3) n – **“City of Homewood Subdivision Regulations.”**
- SEC B. R-1 Detached Dwelling District
 - Inserted new intent.
 - Updated SEC B (2) Area and Dimension Regulations to **“Use Regulations: Refer to Section K in Article IV.”**

- SEC B (3) Inserted area and dimensional regulations from Table 1 and added 37% maximum lot coverage requirement and the 45% maximum impervious surface area coverage requirement.
- SEC B (3) A – “Supplemental Use Regulations, Article V.”
- Updated SEC B (4) B and C since the table of contents changed.
- Updated SEC B (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC B (4) E – “City of Homewood Subdivision Regulations.”
- SEC C. R-2 Detached Dwelling Unit District
 - Inserted new intent.
 - Updated SEC C (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV.”
 - SEC C (3) Inserted area and dimensional regulations from Table 1 and added 37% maximum lot coverage requirement and the 45% maximum impervious surface area coverage requirement.
 - SEC C (3) A – “Supplemental Use Regulations, Article V.”
 - Updated SEC C (4) B and C since the table of contents changed.
 - Updated SEC B (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
 - SEC C (4) E – “City of Homewood Subdivision Regulations.”
- SEC D. R-3 Detached Dwelling Unit District
 - Inserted new intent.
 - Updated SEC D (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV.”
 - SEC D (3) Inserted area and dimensional regulations from Table 1 and added 37% maximum lot coverage requirement and the 45% maximum impervious surface area coverage requirement.
 - SEC D (3) A – “Supplemental Use Regulations, Article V.”
 - Updated SEC D (4) B and C since the table of contents changed.
 - Updated SEC D (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
 - SEC D (4) E – “City of Homewood Subdivision Regulations.”
- SEC E. R-4 Attached Dwelling Unit District

- Inserted new intent.
- Updated SEC E (2) Area and Dimension Regulations to "Use Regulations: Refer to Section K in Article IV."
- SEC E (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
- SEC E (3) A – "Supplemental Use Regulations, Article V."
- Updated SEC E (4) B and D since the table of contents changed.
- SEC E (4) C – "Open Space, Article VI Sec. M."
- Updated SEC E 4 (E), Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC E (4) F – "City of Homewood Subdivision Regulations."
- SEC F. R-5 Attached Dwelling Unit District
 - Inserted new intent.
 - Updated SEC F (2) Area and Dimension Regulations to "Use Regulations: Refer to Section K in Article IV."
 - SEC F (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Added the following provisions for townhouses which match the R-7 district:
 - SEC F (4) which provides a separate area and dimensional table for townhouses and accompanying statement clarifying side setbacks.
 - SEC F (5) Parking, loading and garage regulations:
 - Where the regulations in this section conflict with Article VII: Off-Street Parking and Loading Regulations, the regulations in this section shall prevail.
 - All required parking shall be accessed at the rear of the units by an alley or common drive.
 - SEC F (6) A – "Supplemental Use Regulations, Article V."
 - SEC F (6) B – Updated District Development Criteria from Article V to Article VI.
 - SEC F (6) C – "Open Space, Article VI Sec. M."
 - SEC F (6) D – "Required Development Plans, Article VII."
 - SEC F (6) E which states that, "No less than three (3) nor more than eight (8) townhouses shall be located within a continuous building group."

- SEC F (6) F – Updated Off Street Parking and Loading Requirements from Article VII to Article VIII.
- Updated SEC F (6) G, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC F (6) H– “City of Homewood Subdivision Regulations.”
- SEC G. R-6 Attached Dwelling Unit District
 - Inserted new intent.
 - Updated SEC G (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV and the provisions below” and kept existing restrictions on entertainment and health club uses.
 - SEC G (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - SEC G (3) A – “Supplemental Use Regulations, Article V.”
 - SEC G (4) C – “Open Space, Article VI Sec. M.”
 - Updated SEC G (4) F, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
 - SEC G (4) G – “City of Homewood Subdivision Regulations.”
 - Updated subsection number as needed.
- SEC H. R-7 Attached Dwelling Unit District
 - Inserted new intent.
 - Updated SEC H (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV.”
 - Updated Sec H (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated SEC H (3) A to clarify that side setbacks are, “Zero (0) ft for interior units and ten (10) ft for end units, and no closer than 12 feet (ft) from the district boundary.”
 - Added SEC H (4) to include parking and loading requirements for townhouse-specific regulations.
 - Parking, loading and garage regulations:
 - Where the regulations in this section conflict with Article VII: Off-Street Parking and Loading Regulations, the regulations in this section shall prevail.

- All required parking shall be accessed at the rear of the units by an alley or common drive.
 - SEC H (5) A – “Supplemental Use Regulations, Article V.”
 - SEC H (5) C – “Open Space, Article VI Sec. M.”
 - Added SEC H (4) D which states that, “No less than three (3) nor more than eight (8) townhouses shall be located within a continuous building group.”
 - Updated SEC H (5) F, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
 - SEC F (5) G – “City of Homewood Subdivision Regulations.”
- SEC I. PR - Planned Residential District
 - Inserted new intent.
 - Updated SEC I (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV.”
 - Updated Sec I (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC I (4)B-D since the table of contents changed.
 - SEC I (4) A – “Supplemental Use Regulations, Article V.”
 - Updated SEC I (4) E, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC J. PR - 2 Planned Residential District
 - Inserted new intent.
 - Updated SEC J (2) Area and Dimension Regulations to “Use Regulations: Refer to Section K in Article IV.”
 - Updated Sec J (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC J (4) B-D since the table of contents changed.
 - SEC J (4) A – “Supplemental Use Regulations, Article V.”
 - Updated SEC J (4) E, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- Inserted Section K in Article IV. Residential Use Table.
 - Renumbered nonresidential district sections as needed.
 - Added other residential uses, including assisted living, nursing homes, and SROs.
- SEC L. C-1 Office Building District

- Updated SEC L (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on office buildings.
- Updated Sec L (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
- Updated article numbers in SEC L (4) since the table of contents changed.
- Updated SEC L (4) A to reference Supplemental Use Regulations.
- Updated SEC L (4) C, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC M. C-2 Neighborhood Shopping District
 - Updated SEC M (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on auto parts stores, office buildings, and rent-to-own stores.
 - Updated Sec M (3): Inserted area and dimensional regulations from Table 1 (which was deleted). Updated article numbers as needed.
 - Updated article numbers in SEC M (4) since the table of contents changed.
 - Updated SEC M (4) A to reference Supplemental Use Regulations.
 - Updated SEC M (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC N. C-3 Community Shopping District
 - Updated SEC N (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on auto parts stores, building material sales and home improvement centers, office buildings, major vehicle repair, minor vehicle repair, and rent-to-own stores.
 - Updated Sec N (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC N (4) since the table of contents changed.
 - Updated SEC N (4) A to reference Supplemental Use Regulations.
 - Updated SEC N (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC O. C-4 Central Business District

- Updated SEC O (2) Area and Dimension Regulations to **"Use Regulations: Refer to Section GG in Article IV and the provisions below"** and kept existing restrictions on auto parts stores, plant nurseries, office buildings, and rent-to-own stores.
- Updated SEC O (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
- Updated article numbers in SEC O (4) since the table of contents changed.
- Updated SEC O (4) A to reference Supplemental Use Regulations.
- Updated SEC O (4) E, Sign Regulations, Article VIII to **"Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."**
- SEC P. C-4(a) Retail Shopping District
 - Updated SEC P (2) Area and Dimension Regulations to **"Use Regulations: Refer to Section GG in Article IV and the provisions below"** and kept existing restrictions on auto parts stores and office uses.
 - Updated Sec P (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC P (4) since the table of contents changed.
 - Updated SEC P (4) A to reference Supplemental Use Regulations.
 - Updated SEC P (4) C, Sign Regulations, Article VIII to **"Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."**
- SEC Q. C-4(b) High Rise Office/ Commercial District.
 - Updated SEC Q (2) Area and Dimension Regulations to **"Use Regulations: Refer to Section GG in Article IV and the provisions below"** and kept existing restrictions on auto parts stores, health clubs and fitness centers, and fast food restaurants."
 - Updated Sec Q (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC Q (4) since the table of contents changed.
 - Updated SEC Q (4) A to reference Supplemental Use Regulations.
 - Updated SEC Q (4) K, Sign Regulations, Article VIII to **"Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."**
- SEC R. C-5 General Business District
 - Updated SEC R (2) Area and Dimension Regulations to **"Use Regulations: Refer to Section GG in Article IV and the provisions below"** and kept existing restrictions on auto

parts stores, building material sales, office buildings, major vehicle repair, minor vehicle repair, artisanal manufacturing and industrial, light industrial and manufacturing, and rent-to-own stores.

- Updated Sec R (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
- Updated article numbers in SEC R (4) since the table of contents changed.
- Updated SEC R (4) A to reference Supplemental Use Regulations.
- Updated SEC R (4) E, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC S. I-1 Institutional District
 - Updated SEC S. (1) Intent.
 - Updated SEC S (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV."
 - Updated Sec S (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC S (4) since the table of contents changed.
 - Updated SEC S (4) D, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC T. I-2 Institutional District
 - Updated SEC T (1) Intent.
 - Updated SEC T (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV."
 - Updated Sec T (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated SEC T (3) Area and Dimension Regulations to include the dimensional regulations under Article V. District Development Criteria.
 - Updated article numbers in SEC T (4) since the table of contents changed.
 - Updated SEC T (4) D, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC U. I-3 Institutional District
 - Updated SEC U (1) Intent.
 - Updated SEC U (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV."

- Updated Sec I (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
- Updated article numbers in SEC U (4) since the table of contents changed.
- Updated SEC U (4) D, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC V. PCD-1 Planned Office District
 - Updated SEC V (1) Intent.
 - Updated SEC V (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV and the provisions below" and kept existing restrictions on office buildings.
 - Updated Sec V (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC V (4) since the table of contents changed.
 - Updated SEC V (4) A to reference Supplemental Use Regulations.
 - Updated SEC V (4) E, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC W. PCD-2 Planned Commercial District
 - Updated SEC W. (1) Intent.
 - Updated SEC W (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV and the provisions below" and kept existing restrictions on auto parts stores, building material sales and home improvement centers, office buildings, major vehicle repair, minor vehicle repair, and rent-to-own stores.
 - Updated Sec W (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC W (4) since the table of contents changed.
 - Updated SEC W (4) A to reference Supplemental Use Regulations.
 - Updated SEC W (4) D, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- SEC X. M-1 Light Manufacturing District
 - Updated SEC X (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV and the provisions below" and kept existing restrictions on auto parts stores, building material sales and home improvement centers, office

- buildings, major vehicle repair, minor vehicle repair, light manufacturing and industrial, heavy manufacturing and industrial, and rent-to-own stores.
 - Updated Sec X (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC X (4) since the table of contents changed.
 - Updated SEC X (4) A to reference Supplemental Use Regulations.
 - Updated SEC X (4) D, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC Y. PI Planned Industrial District
 - Updated SEC Y. (1) Intent.
 - Updated Section Y (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on office buildings, artisanal manufacturing and industrial, and light manufacturing and industrial.
 - Updated Sec Y (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC Y (4) since the table of contents changed.
 - Updated SEC X (4) C to reference Supplemental Use Regulations.
 - Updated SEC X (4) F, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC Z. PMUD Planned Mixed Use District
 - Updated SEC Z (1) Intent.
 - Updated Section Z (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on artisanal manufacturing and industrial, light manufacturing and industrial, and retail and storage uses.
 - Updated Sec Z (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated SEC Z (4) a ii: Fixed minor typo.
 - Updated article numbers in SEC Z (4) since the table of contents changed.
 - Updated SEC Z (4) B to reference Supplemental Use Regulations.

- Updated SEC Z (4) E, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC AA. MXD Mixed Use District
 - Inserted new intent.
 - Updated SEC AA (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on auto parts stores.
 - Updated Sec AA (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - SEC AA (9): Added Supplemental Use Regulations to list of other regulations which do not apply.
 - Updated reference to zoning amendment section.
 - Updated bullet numbers as needed.
- SEC BB. EURD Edgewood Urban Renewal District
 - Updated SEC BB (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on auto parts stores, office buildings, pet shops, and rent-to-own stores.
 - Updated Sec BB (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC BB (4) since the table of contents changed.
 - Updated SEC BB (4) B to reference Supplemental Use Regulations.
 - Updated SEC BB (4) E, Sign Regulations, Article VIII to “Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances.”
- SEC CC. GURD Greensprings Urban Renewal District
 - Updated SEC CC (2) Area and Dimension Regulations to “Use Regulations: Refer to Section GG in Article IV and the provisions below” and kept existing restrictions on building material sales and home improvement centers, office buildings, minor vehicle repair, pet shops, rent-to-own stores, and sales showrooms.
 - Updated Sec CC (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - Updated article numbers in SEC CC (4) since the table of contents changed.
 - Updated SEC CC (4) B to reference Supplemental Use Regulations.

- Updated SEC CC (4) D, Sign Regulations, Article VIII to "Signs, see Article V in Chapter 5 of the City of Homewood Code of Ordinances."
- Renumbered SEC. CC BOD Brookwood Overlay District to **Sec. DD. BOD Brookwood Overlay District.**
- SEC EE. LPD Land Preserve District
 - Updated SEC EE (2) Area and Dimension Regulations to "Use Regulations: Refer to Section GG in Article IV and the provisions below" and kept existing restrictions on recreational facilities.
 - Updated Sec EE (3): Inserted area and dimensional regulations from Table 1 (which was deleted).
 - SEC EE (4) Fixed minor typos and renumbered as needed. Changed Zoning Administrator to **Zoning Official.**
 - SEC EE (9): Added Supplemental Use Regulations to list of other regulations which do not apply.
- Inserted SEC GG. Permitted Uses for Non-residential districts.
 - Added uses including sexually oriented businesses and outdoor kennels.

Article V. Supplemental Use Regulations

- Inserted Supplementary Use Article.
- SEC A. Community Gardens – Moved community gardens regulations from Article VI District Development Criteria and incorporated edits from the City.
 - SEC A (2) a: Established community gardens as a permitted use on lots of one acre or larger in institution zoning districts.
 - SEC A (3) a: Simplified water source requirement.
 - SEC A (3) d: Stipulated that required soil tests must come from university extension offices, and typo correction and language cleanup.
 - SEC A (3) e (vi): Typo correction.
 - SEC A (3) h: Changed to Board of Zoning Adjustment.
 - SEC A (4) a: Removed allowance for retail sales on site.

- SEC B. Tobacco and Vape Shops – Inserted this section to limit the proliferation of tobacco and vape shops. This section defines these businesses and establishes location requirements limiting their proximity to each other and to other land uses.
- SEC C. Alternative Financial Services – Inserted this section to limit the proliferation of alternative financial services, including check cashing businesses, pawnbrokers, payday loan businesses, and title loan businesses. This section defines these businesses and establishes location requirements limiting their proximity to each other and to other land uses.
- SEC D. Tattoo and/or Body Art Establishments – Inserted this section to limit the proliferation of Tattoo and/or Body Art Establishments. This section defines these businesses and establishes location requirements limiting their proximity to each other and to other land uses.
- SEC E. Outdoor Kennel or Boarding – Inserted this section to establish screening requirements for outdoor kennels and boarding and to establish buffering requirements between these uses and residential districts and uses.
- SEC F. Assisted Living and Nursing Home Facilities – Inserted this section establishing conditions for granting special exceptions for these facilities, including meeting all applicable laws, providing common open space, and proximity or transportation to destinations.
- SEC G. Single Room Occupancy (SRO) Housing – Inserted this section establishing conditions for granting special exceptions for SRO housing, including meeting all applicable laws and providing common open space.

Article VI. District Development Criteria

- SEC A. Quantitative Development Criteria – changed yards to setbacks.
- SEC B. General setback modifications
 - SEC B (1): Removed “open to the sky” reference.
 - SEC B (2): Added other architectural features.
 - SEC B (4): Updated lot line to property line, and typo correction.
- SEC C: Front Setback Modifications
 - SEC C (1): Updated to reflect what was written in NPD.

- SEC C (2): Stipulated that, “Along the front property line in residential districts, the front setback shall meet the front setback requirements described in Article VI., Section C. (1).”
- SEC D. Accessory Structures:
 - Moved accessory structure definition from this location to Article II (see structure, accessory).
 - SEC D (1): Added provision about time of construction.
 - SEC D (2): Limited the location of accessory structures to the side and rear setbacks. In residential districts, accessory structures may not be attached via a breezeway. Those under 15’ have a 5’ side and rear setback, and all others have a 10’ side and rear setback.
 - SEC D (3): Added regulations of size and height of accessory structures.
 - Updated to ensure that accessory structure height is measured the same way primary structure height is measured.
- Inserted SEC E. Accessory Dwelling Units
 - Defined Accessory Dwelling Units in Article II (see accessory dwelling unit).
 - SEC E (1): Accessory dwelling units (ADUs) are permitted in all detached residential districts.
 - SEC E (2): Limited the number of ADUs allowed to one per lot.
 - SEC E (3): Limited ADU occupancy to members of the family of the primary structure.
 - SEC E (4): Regulated utilities.
 - SEC E (5): ADUs must have kitchen and bathroom facilities.
 - SEC E (6) Other Regulations - All standards applicable to setbacks, lot coverage, etc. that pertain to accessory structures in residential districts (Section E, Article VI) shall be adhered to with the development of the ADU unless otherwise addressed within this section.
- SEC H: Commercial Glazing Requirements
 - Added this new section which states requiring clear, unobstructed glazing in commercial and mixed use districts.
 - SEC H (1): Requires clear glass, permitting at least 90% light transmission on ground floor and 75% light transmission on all others.

- SEC H (2): Disallows any window tints, wraps, or opaque window treatments except those intended to provide sun protection and reduce solar gain.
- Renumbered sections as needed.
- SEC I. (1) – Buffer Strip
 - SEC I (1a) Applied the regulation to R-7.
 - SEC I (3): Updated buffer strip regulations – removed “from a street or alley” to be consistent with regulations in the City of Vestavia Hills and City of Mountain Brook.
- SEC K: Garbage and Trash Disposal.
 - SEC K (1) - Inserted “This section only applies to non-residential districts or uses and attached dwelling units.”
 - SEC K (2) – Revised to say “Shall be located: No closer to the front property line than the front face of finish of the primary structure and to meet the required side setbacks of the zoning district.”
- Table 1 (Quantitative Dev Criteria) was deleted. Dimensional criteria for each district has been inserted under each district in Article V.
- SEC L – The Fence Ordinance (Erection, Location, and Construction of Exterior Fences and Walls) has been inserted into Article VI. The section numbers have been updated as necessary. Clarified that if the predominant front yard is in conflict with the apparent front of the dwelling , the Zoning Official may not permit a fence in the secondary front yard.
- Added SEC M – Open Space for Attached Residential Districts. This section requires a minimum percentage of land be set aside as common, usable open space in developments over a certain size in attached residential districts. This section also requires that the property owners maintain this common open space in perpetuity.

Article VII. Required Development Plan

- Inserted article as revised by City staff.

Article VIII. Off Street Parking and Loading Requirements

- SEC C. – Clarified that spaces for mixed/joint uses are not computed separately in Urban Renewal and Mixed Use Districts, as stated in Section O, which clarified that the Zoning Administrator is responsible for categorizing new or uncategorized uses.
- SEC. D. – Added section stating that space requirements are calculated according to net floor area and defined net floor area.
- SEC E. – Updated to clarify that for off-street parking provided on a separate lot, distance is measured from the property line to the main entrance, and that site plan approval for both lots is required.
- SEC F. – Updated to allow counting publicly owned off-street spaces to count toward the required minimum if they share a property line.
- SEC G. – Revised shared parking regulations to include more plain language. In general, multiple uses may share parking if they sign a joint parking agreement.
- SEC H. – Removed section and inserted into Section D. Renumbered sections as needed.
- SEC K. – Deleted this section, which stated that, “No off-street parking spaces, except for detached dwelling unit districts, shall be entered or exited directly from a public street or alley.” Renumbered sections as needed.
- SEC K. – Replaced required parking table with a new one which is more in line with the permitted use tables. For the majority of uses, the table was revised so that it utilizes net floor area.
 - Aligned table with residential and non-residential use tables.
- SEC M (2) – deleted “The planning commission shall approve the design and location of loading areas in the interest of convenience, safety, and other public requirements.”
- SEC M (3) – added “loading” before spaces.
- SEC N – Added numbering to aid in legibility. Specified that adjacent on-street parking must be on-street public parking.
- SEC O – Rewrote to allow developments requiring a development plan to determine parking as part of that process.

Article IX. Tree Protection and Landscape

- Inserted Article X Tree Protection and Landscape

- Changed references to Director of Department of Engineering and Zoning (DEZ) to Zoning Official, City official, or other term, as appropriate. Some references remain, e.g., Director of Department of Engineering & Zoning determines job duties of City Arborist. Correct department title.
- Spelled out “minimum tree density” and “diameter at breast height” when first abbreviated.
- SEC G (1) b – Removed extreme hardship as a reason for variance and referred to new variance section.
- SEC I (4) a – Foundation landscaping is required for attached residential, commercial, institutional, and parking garages regardless of zoning district.
- Appendix A: Native Tree Species List, revised the “understory” to understory.

Article X. Reserved

- No changes.

Article XI. Administration and Review Procedures

- SEC A. – Inserted Zoning Official, City Engineer, or Building Official to administer and enforce.
 - Removed sentence about entering buildings to enforce the Zoning Ordinance.
- SEC A (2) – Added section detailing other technical codes adopted by the City and renumbered below sections as needed.
- SEC A (3) – Replaced reference to the Standard Building Code with reference to the International Building Code
- SEC A (4) – Added an “or” after “excavation”.
- SEC A (5) – Clarified that the Zoning Official authorizes the Final Development Plan.
- SEC B. Variances – Inserted new section to delineate intent, procedure, and conditions for variances and renumbered as needed.
- SEC B (2) – Updated to refer to relevant notice requirement section.
- SEC D (1) f – Removed this clause, as barring home occupation signage is not facially content-neutral.

Incorporated the following Ordinances:

- 2585 Location of Certain Businesses within 500' of a School or Place of Worship
- 2857 Fences and Walls
- 2859 Tree Protection and Landscape

Sign Ordinance Updates

- Recommend modifying Sec 5-152 (1) I – General Requirements.
 - “Temporary signs. Temporary signs must meet the criteria in this section. A ~~temporary sign may be displayed as a freestanding sign or an attached sign, including window signs.~~ No temporary sign may be displayed as an attached sign or window sign.
 - 1. General criteria. A temporary sign is unlawful if it does not meet the criteria established for the land use in which it is located according to Table 2. General Sign Restrictions.
 - 2. Extended events. Events that last over multiple days or weeks, such as construction signs, are not subject to the duration criteria. Signs associated with a construction site may be erected when a building permit is issued and must be removed upon receipt of a certificate of occupancy. They must be removed within forty-eight (48) hours after the conclusion of the event or certificate of completion.
 - 3. Temporary banners. A banner may be displayed if it is associated with a specific event and must be erected on the address where the event is to take place. Banners are limited to one (1) per address, or as specified elsewhere in this article. Banners are limited to thirty (30) square feet and may not be displayed longer than the event or thirty (30) days. Temporary banners are limited to twice a year per tenant, separated by a span of thirty (30) days.”
- Recommend modifying Sec. 5-152 – Table 1. Temporary Sign Restrictions to include the following row in red:

Restriction	Residential zoning districts	Non-residential zoning districts	Edgewood Urban Renewal District	Brookwood Mall	Wildwood Centre
May be attached	No	No	No	No	No

sign or window sign					
---------------------	--	--	--	--	--

- Recommend modifying Sec. 5-152 – Table 1. Temporary Sign Restrictions to delete the following row and footnote:

Restriction	Residential zoning districts	Non-residential zoning districts	Edgewood Urban Renewal District	Brookwood Mall	Wildwood Centre
Maximum height for an attached sign ³	N/A	15 ft.	15 ft.	Per sec. 5-155	Per final development plan

³Window signs may not cover more than twenty five (25) percent of the window area.

- Renumbered footnotes in Sec. 5-152 – Table 1. Temporary Sign Restrictions.
- Recommend modifying Sec. 5-152 – Table 2. General Sign Restrictions to the following:

Sign type	Residential zoning districts	Non-residential zoning districts	Edgewood Urban Renewal District	Brookwood Mall	Wildwood Centre
Window	X	P	P	P	P
Sign number	n/a	Multiple per tenant	Multiple per tenant	Multiple per tenant	Multiple per tenant
Max. area	n/a	20% of each window area, neon is limited to 24 in. in width and	20% of each window area, neon is limited to 24 in. in width and	20% of each window area, neon is limited to 24 in. in width	20% of each window area, neon is limited to 24 in. in width and

		12 in. in height	12 in. in height	and 12 in. in height	12 in. in height
Max. copy height	n/a	12 in.	12 in.	12 in.	12 in.

- Recommend modifying Table 3. Specific Freestanding Sign Regulations and Illustrations to the following:

Monument Sign	
Requirements	<p>a. Sign must be set back at least five (5) feet from any public right-of-way or as approved by the City Engineer.</p> <p>b. Monument signs must be constructed of durable materials.</p> <p>c. Sign must be attached directly to the ground by its entire base.</p>