

STAFF REPORT – Text Amendments  
Public Hearing Date: January 16, 2025  
City Council Meeting: February 3, 2025

**Case:** TA-2025-01

**Proposed Request:** Text Amendments to The City of Forest Park Zoning Code of Ordinance

**Staff Report Compiled By:** SaVaughn Irons-Kumassah, Principal Planner

**Staff Recommendation:** Approval to amend Zoning Ordinance

**PROPOSED TEXT AMENDMENTS**

1. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-11 includes an amendment to Title 8. – Planning and Development, Chapter 8. Zoning, Article F. – Boards and Commissions, of the City of Forest Park Code of Ordinances to amend such section, adding section 8-8-169 Public Arts Review Board.

**BACKGROUND**

The purpose of this amendment is to establish the Public Arts Review Board (PARB) and to oversee and promote the integration of art into public spaces, which fosters a vibrant, inclusive, and culturally enriched community. The board will work to support local artists, advocate for public art projects, and ensure that art reflects and enhances the identity and values of the community. Establishing the Public Arts Review Board, will promote creativity, community engagement, and the accessibility of art for all, while contributing to urban revitalization, tourism, and a deeper appreciation of culture within the city of Forest Park.

The following text amendments have been proposed:

1. An amendment to Title 8. – Planning and Development, Chapter 8. Zoning, Article F. – Boards and Commissions, of the City of Forest Park Code of Ordinances to amend such section, adding section 8-8-169 Public Arts Review Board.

**ARTICLE F. BOARDS & COMMISSIONS**

**Section 8-8-169 Public Arts Review Board.**

*The City of Forest Park hereby establishes the Public Arts Review Board (PARB) which shall be responsible for administering the city public arts program “Forest Park Arts.” The PARB is responsible for reviewing and approving public art proposals submitted for installation within public spaces and other designated areas within the city and shall conduct business consistent with all requirements of this chapter:*

- 1) **Composition of Board:** *The Public Arts Review board shall consist of five (5) members, one representative from the Downtown Development Authority (Appointed by the Mayor or City Manager), one representative from the Urban Redevelopment Agency (Appointed by the Mayor or City Manager), one (1) Arts Clayton Representative, one (1) local artist (selected by application process) and one (1) member of the community (selected by application process). The planning and community development director shall provide advice and recommendations per approval and qualifications of individuals considered by appointment/application selection to the board. On and after the effective date of this section, each person appointed to the board shall meet either one (1) of the two (2) following minimum preferred requirements:*
- a) *He or she shall possess a demonstrated interest in and commitment to the arts, culture, and public art, and be educated and/or experienced in the field of visual arts, arts and culture, architecture, community engagement, public policy, arts administration, or similar professional field; or*
  - b) *He or she shall be a design professional with expertise in the fields of visual arts, or related disciplines, possessing a demonstrated commitment to public art and community engagement.*

**2) Term of Service**

*Board members shall serve for a term of two (2) years and may be reappointed. Any vacancy in the membership of the Public Arts Review Board will be filled for the unexpired term in the same manner as the initial appointment. board members may serve without compensation.*

**Section 8-8-170. – Powers and duties.**

- a) *Duties of the Public Arts Review Board. The Public Arts Review Board shall elect officers consisting of a chairperson, a vice-chairperson, and a secretary and shall adopt rules and guidelines for review of applications. Meetings of the board shall be held at such times as the board may determine on an as-needed basis. All meetings shall be open to the public. The board shall review and approve or disapprove development proposals as set forth in Section 8-8-170(b).*
- b) *Regulation of all murals citywide. The Public Arts Review Board shall review all proposed public art displays and shall approve or disapprove all in accordance with the requirements set forth in the following subsections.*

**Section 8-8-171. - Public Arts Review Boards Responsibilities**

*The Boards shall:*

- a) *Review and approve public art display proposals submitted by artists, organizations, or property owners.*
- b) *Ensure that proposed public art displays comply with the guidelines set forth in this ordinance.*
- c) *Ensure that the public art displays reflect the aesthetic and cultural values of the City of Forest Park.*
- d) *Provide feedback to applicants regarding necessary revisions, if applicable.*
- e) *Maintain a record of all public art approved and their locations within the city.*

**Section 8-8-172. – Public Art Display Guidelines for Approval**

**a. Eligibility**

*The following art displays are eligible for review and approval:*

- 1. *Murals and/or statues on private property visible from a public space or right-of-way.*

2. *Murals and/or statues on public property, including city-owned buildings, parks, or other designated locations.*

**b. General Guidelines**

*The following criteria will be used by the Public Arts Review Board to evaluate proposals:*

*a. Artistic Quality: The display should be of high artistic quality and demonstrate a thoughtful design approach.*

*b. Community Relevance: The display should reflect the values, history, and culture of The City of Forest Park or contribute positively to the city's visual environment.*

*c. Content Restrictions:*

1. *Art displays must not contain offensive, obscene, or discriminatory imagery or language.*
2. *Art displays must not advocate violence, illegal activities, or political campaigns.*
3. *Art displays must comply with all applicable local, state, and federal laws.*
4. *Durability and Materials: Public art displays must be designed with materials that are durable and suitable for the environmental conditions of the installation location.*
5. *Safety: The Display must not pose any safety hazards to pedestrians, drivers, or the surrounding environment.*
6. *Site Considerations: The location for the art display should be approved by the Public Arts Review Board, ensuring it is consistent with the urban fabric and existing architecture.*
7. *Displays should not obstruct traffic visibility, signage, or other essential city infrastructure.*

**Section 8-8- 173. - Process for Public Art displays Submission and Approval**

*a. **Pre-application meeting.** Prior to submitting an application for approval or design plan, the applicant may meet with the planning and community development director, building official, or Public Arts Review Board member(s). The purpose of this informal meeting is to ensure the artists understanding of this section and design plan application requirements; to inform the applicant of city public art program design policies and standards; and to provide an opportunity for review of any preliminary artwork and site plans.*

*b) **Application review.** A Public Art Display application shall be submitted in triplicate to the planning and community development director for review to ensure compliance with provisions of this section and/or transmission of two (2) copies to the Public Arts Review Board for review and final action. The arts display application is to be submitted in completion by the second (2<sup>nd</sup>) Wednesday of each month by close of business to be reviewed on the following month calendar. The chairperson of the board shall call a formal meeting once each month on the third Wednesday of each month of the application's acceptance. Within seventy-two (72) hours after the date of the formal review meeting, the board shall take final action on the mural plan application. If the board shall fail to take final action upon the application, the application shall be deemed to be approved. The board may extend this deadline by a majority vote of those members present. When circumstances necessitate, the board may defer action on an application until its next meeting.*

*c) **Decisions of the Board.** The Public Arts Review Board shall take final action by rendering one (1) of the following decisions on the mural design plan:*

*1. Approval. The applicant shall be authorized to file for appropriate building permits in accordance with the approved design plan.*

*2. Conditional Approval. The applicant shall be authorized to file for appropriate building permits with approved conditions or modifications to the design plan. Conditions imposed by the board shall be to achieve public purposes and shall still permit development as accorded high-quality similar developments within the City of Forest Park.*

*3. Denial. The applicant shall not be granted a building permit. The board shall specify in writing to the applicant and governing body the reasons for denial. The reasons for denial shall include negative impacts on the environment, property values, surrounding properties, or public health, safety, or welfare.*

*d) **Design approval.** Upon approval of the design plan, the chairperson of the board shall notify the planning and community development director of the approval and transmit a copy of the approved design plan, with any conditions noted.*

*1. Approval Notification: The applicant shall be notified in writing of the Public Arts Review Board's decision.*

*e) **Enforcement.** All exterior architectural design and landscaping and other on-site improvements shall be completed in accordance with the approved design plan. The building inspector and/or code compliance department shall make periodic field inspections as required. If a violation is found to exist, the building inspector and/or code compliance department shall take immediate appropriate action to ensure compliance.*

*f) **Approval duration and extension.** Approval for a design plan submitted under provisions of this section shall expire or be extended subject to provisions in [section 8-8-235](#), building permit process.*

*g) **Application Submission Requirements:** The specific administrative requirements for any pre-application and final application for design plan approval shall be established by the City of Forest Park; however, Artists, property owners, or organizations wishing to install a mural must submit a complete application to the Board, including:*

- (1) Title of Proposed Public Art Display*
- (2) A site map or plan detailing the proposed location of the mural. (specifying the wall or area for proposed mural or statue)*
- (3) A detailed rendering of the proposed display in color, showing dimensions of the mural.*
- (4) A description of the art displays meaning, theme, or cultural significance.*
- (5) Information about the materials and techniques to be used.*
- (6) A timeline for installation and maintenance plans.*

*h) **Administrative waiver.** The Public Arts Review Board may waive administrative requirements of this section as needed to facilitate the review process, where such requirements are inappropriate or unnecessary.*

**Section 8-8-174. - Maintenance and Preservation**

- a. *The applicant displaying art on a private structure or location is responsible for maintaining the display in good condition for a minimum of 5 years after installation.*
- b. *The Public Arts Review Board reserves the right to review and recommend repairs or removals if the display becomes damaged, deteriorates, or becomes inconsistent with city standards.*
- c. *If the display becomes a public safety issue, the Board may recommend immediate remediation or removal.*

**Section 8-8-175. - Fees and Funding**

1. *Funding Sources*

*The City may allocate funds for projects or seek sponsorships, partnerships, grants, or private donations to support installations. The City may also provide partial funding or matching funds for eligible projects.*

2. *Permit Fees*

*Applicants may be required to pay a reasonable permit fee to cover the cost of processing the application and review.*

**Section 8-8-176. - Appeals**

*Any party aggrieved by the decision of the Public Arts Review Board shall be entitled to file an appeal with the mayor and city council.*

- 1) *Said appeal must be submitted in writing and addressed to the mayor and city council of the City of Forest Park.*
- 2) *Said appeal shall set forth each and every basis upon which the application was denied and shall set forth each and every reason that the said denial should be overruled.*
- 3) *The governing body shall then set a time and date at the next regular meeting of the governing body whereby the aggrieved party may come before it and submit proof to said governing body that the denial is improper.*
- 4) *The governing body shall afford the applicant sufficient time in which the applicant may address each reason that said party contends the board was in error. The governing body shall then hear from the director and/or a representative of the urban design review board as to why said application was originally denied, and what negative impact said structure would have on the city.*
- 5) *The governing body may question either the applicant, the director, the board representative, or all, in order to clarify or expand upon the position taken by either the applicant or the board.*
- 6) *Thereafter, the mayor and city council shall vote and decide whether to overrule the initial decision of the Public Arts Review Board or whether to permit the decision of same to stand.*