



CITY OF FOREST PARK
PLANNING COMMISSION MEETING

Thursday, January 16, 2025 at 6:00 PM
City Hall | 745 Forest Parkway, Forest Park, GA 30297

Website: www.forestparkga.gov
Phone Number: (404) 366-4720

PLANNING & COMMUNITY DEVELOPMENT
785 Forest Parkway
Forest Park, GA 30297

AGENDA

Azfar Haque, *Chairman*
Michael Clinkscales, *Vice Chairman*
Roderick Jackson, *Member*
Donald Williams, *Member*
Lois Wright, *Member*

CALL TO ORDER/WELCOME:

ROLL CALL:

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

APPROVAL OF MINUTES:

1. Approval of December 19, 2024 Meeting Minutes

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

OLD BUSINESS:

NEW BUSINESS:

2. Case# VAR-2025-01 - Variance Request for 5240 Old Dixie Highway., Parcel # 13077B A005, Ward 4. The applicant, Jennifer Wolfe, is requesting a Variance to increase the maximum height requirements for ground signs from the required ten (10) feet to twelve (12) feet to allow the installation of a replacement sign totaling a square footage of thirty-two (32) square feet within the Light Industrial District (LI).
3. Case# TA-2025-01 - Text Amendment for 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 Committee.

ADJOURNMENT:

In compliance with the Americans with Disabilities Act,
those requiring accommodation for meetings should notify
the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720.



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MINUTES

- Azfar Haque, Chairman**
- Michael Clinkscales, Vice Chairman**
- Roderick Jackson, Member**
- Donald Williams, Member**
- Lois Wright, Member**

CALL TO ORDER/WELCOME: Chairman Haque called the meeting to order at 6:07pm.

ROLL CALL: A quorum was established.

PRESENT:

Azfar Haque, Chairman; Michael Clinkscales, Vice Chairman; Roderick Jackson, Member; Lois Wright, Member

ABSENT:

Donald Williams, Member

ALSO PRESENT:

Nicole Dozier, Director of Planning & Community Development; Danielle Matricardi, City Attorney; SaVaughn Irons-Kumassah, Principal Planner; Latemia Richards, Planner I; Latonya Turner, Board Secretary and Department of Planning & Community Development Office Coordinator

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

It was motioned to delete agenda items #4 and #8 and adopt the amended agenda. Motion made by Member Wright, Seconded by Member Clinkscales. Motion carried.

APPROVAL OF MINUTES:

1. Approval of October 17, 2024 Meeting Minutes

It was motioned to approve the October 17, 2024 Meeting Minutes as printed.

Motion made by Member Wright, Seconded by Member Clinkscales. Motion carried.

OLD BUSINESS: None

NEW BUSINESS:

2. **Case# VAR-2024-08 - Variance Request for 885 Kennesaw Dr., Parcel# 13018B D015, Ward 1. The applicant, Sophia Parrish, is requesting a Variance to decrease the minimum side yard setback from the required ten (10) feet to six (6) feet on the right side of the property and decrease the minimum side yard setback from the required ten (10) feet to nine (9) feet on the left side of the property to allow the installation of a fence at the residential home within the Single-Family Residential District (RS).**

Background/History:

The subject property is a residential home located on approximately 0.24 +/- acres of land. The tract of land and its peculiar shape has caused hardship and conformity issues for the applicant and has limited the property owner's ability to be compliant with the district standards. The applicant is requesting a variance to decrease the minimum side yard setback from the required ten (10) feet to six (6) feet on the right side of the property and decrease the minimum side yard setback from the required ten (10) feet to nine (9) feet on the left side of the property to allow the installation of a fence at the residential home within the Single-Family Residential District (RS). Per Sec **8-8-29. Single family residential district (RS) standards** the required Minimum Side Yard Setback is 10 feet. Per **Sec. 8-8-94. - Fences and walls standards** (2) All required setbacks for fences and walls shall be measured from the property line or existing street right-of-way line. (4) Fences and walls located within required side and rear yards may be erected on the property line with the submission of written consent from all adjacent property owners or a certified survey verifying the location of lot boundaries. The applicant has provided all necessary information to assist with staff analysis.

It was motioned to approve the Variance for 885 Kennesaw Dr., Parcel# 13018B D015.
Motion made by Member Wright, Seconded by Member Clinkscales. Motion carried.

3. **Case# VAR-2024-09 - Variance Request for 0 Jones Rd., Parcel# 13078A A010, Ward 4. The applicant, Justin Muckle, is requesting a Variance to decrease the minimum lot area from the required 8,200 sq. ft to 7,500 sq. ft and decrease the minimum lot width from the required eighty (80) feet to fifty (50) feet to allow the construction of a new single-family home within the Single-Family Residential District (RS).**

Background/History:

The subject property is a vacant lot located on approximately 0.16 +/- acres of land. The tract of land and its size has caused hardship and conformity issues for the applicant and has limited the property owner's ability to be compliant with the district standards. The applicant is requesting a variance to decrease the minimum lot area from the required 8,200 sq. ft to 7,500 sq. ft and decrease the Minimum Lot Width from the required eighty (80) feet to fifty (50) feet to allow the construction of a new single-family home within the Single-Family Residential District (RS). Per Sec **8-8-29. Single family residential district (RS) standards** the required minimum lot area allowed is 8,200 sq ft and the required minimum lot width is eighty (80) ft.

Resident Ann Keith stated the lot is so small she wants to know how close the house will be to the other homes and how many stories it will be.

Applicant Justin Muckle stated the this will be a 2-story 3-bedroom 2-bathroom house. Per his site plan he meets all the setback requirements set forth by the city. The only issue is that the lot itself is small.

It was motioned to approve the Variance for 0 Jones Rd., Parcel# 13078A A10.
Motion made by Member Wright, Seconded by Member Jackson. Motion carried.

- ~~4. Case# VAR-2024-10 - Variance Request for 4888 Evans Dr., Parcel# 13050B H003, Ward 2. The applicant, Ima Udoh (Hillview LLC/Udoh Enterprises), is requesting a parking Variance to decrease the minimum parking requirements for retail sales uses from 20 spaces to 14 spaces to allow the construction of a new 4 story mixed used townhome development within the Downtown Mainstreet District (DM).~~

5. **Case# CUP-2024-04 - Conditional Use for 528 Forest Pkwy, Suite G, Parcel# 13051B B010, Ward 2 - The applicant, Universal Kingdom of God, Inc (Glen Husbands Jr.) is requesting a Conditional Use Permit to operate a place of worship within the Institutional Commercial District (IC).**

Background/History:

The applicant is requesting a Conditional Use permit to open and operate a place of worship at 528 Forest Pkwy Ste. G. This property is found within a commercial strip plaza that has 9 additional business suites on site. The square footage of the suite is approximately 1,270 square feet and the applicant is proposing to utilize this space to host worship services, gatherings, and church events. The hours of operation will be Monday to Friday 10am -5pm for administration, planning, and ministry functions, Friday, and Saturday 7pm-10pm, and Sunday services will be held at 10:30am. The proposed capacity would be about twenty (20) to thirty (30) members in attendance for Sunday service and on Friday and Saturday, the applicant advised that there would be approximately fifty (50) to sixty (60) or more members in attendance. This property is located within the Institutional Commercial District (IC). **Per Section 8-8-38 Institutional Commercial District (IC)**, Places of assembly and places of worship require a conditional use permit to operate in the Institutional Commercial District. Prior to applying for the conditional use permit, the applicant was informed by staff that the use would not be suitable due to the size, capacity and parking requirements needed to operate. **Per Sec 8-8-90 Parking Standards**, Public Assembly Uses, would require one (1) parking space for each six (6) seats or total parking area equal to 3 times the gross floor area, whichever is greater. Where there are no fixed seats each 24 inches of bench or pew shall be considered 1 seat. Where there are no seats, benches, or pews, each 20 square feet of ground or floor area usable for seating shall be considered 1 seat. The same text also states Places of Worship are required to maintain one parking space for every six seats. With the surrounding businesses, some of which are medical centers and other commercial services, there are a requirement for 5 spaces for each doctor or dentist, plus one space for each two employees or one space for each 150 square feet of gross floor area, whichever is greater.

Applicant Glen Husbands Jr stated that he is the leader and pastor of the Universal Kingdom of God. He stated that his realtor assured him there would be no impediment to local businesses due to the size of his congregation. His average Sunday service size is 20-25 members, and he doesn't anticipate ever having more than 40-50 members in that space. He noted that Friday and Saturday night services are rare and that there are never close to 50-60 cars and that he would be in communication with neighboring businesses to ensure there would be no conflict of interest.

Principal Planner SaVaughn Irons-Kumassah stated that the proposed use is not suitable for the nearby properties, will have significant impact on traffic, and is not compatible or consistent with the city's land use and development goals.

It was motioned to deny the Conditional Use Permit for 528 Forest Pkwy, Suite G, Parcel# 13051B B010 due to the property not meeting the size, capacity, and parking requirements needed to operate a place of worship.

Motion made by Member Jackson, Seconded by Member Wright. Motion carried.

- 6. Case# TA-2024-06 - Text Amendment for Article B. – Zoning Districts, and Design Guidelines Established, Section 8-8-50 Gillem District (GZ) of the City of Forest Park Code of Ordinances to amend such section, adding provisions to allow additional housing types within the GZ District.**

Background/History:

This update provides clarity on the available housing types that will be permitted in the Gillem District (GZ) and adding Tiny House/Cottage Dwelling as a conditional use for residential development.

It was motioned to approve Text Amendment TA-2024-06.

Motion made by Member Wright, Seconded by Member Jackson. Motion carried.

- 7. Case# TA-2024-07 - Text Amendment for Article B. – Zoning Districts, and Design Guidelines Established, Section 8-8-42 Urban Village District (UV) of the City of Forest Park Code of Ordinances to amend such section, adding provisions to allow tiny homes as a permitted housing type within the UV District.**

Background/History:

This update provides clarity on the available housing types that will be permitted in the Urban Village District (UV), adding Tiny House/Cottage Dwelling as a permitted use type for residential development within the district.

It was motioned to approve Text Amendment TA-2024-07.

Motion made by Member Jackson, Member Wright. Motion carried.

- ~~**8. Case# TA-2024-08 – Text Amendment for Title 8. – Planning and Development, Chapter 2. – Building Regulation and Code Enforcement, Article C. – Plumbing, Section 8-2-21 Plumbing Code Adopted, of the City of Forest Park Code of Ordinances to amend such section, adding subsection A. Water efficiency code.**~~

- 9. Case# TA-2024-09 - Text Amendment for Title 8. – Planning and Development, Chapter 7. Subdivisions, Article G. – Fees, Section 8-7-81 Fee Schedule, of the City of Forest Park Code of Ordinances to amend such section and update fee schedule text.**

Background/History:

For purposes of ensuring that fees cover the cost of service while remaining competitive with neighboring cities, the fees have been updated. Additionally, the text have been updated to reflect current practice in determining fees.

It was motioned to approve Text Amendment TA-2024-09.

Motion made by Member Jackson, Member Wright. Motion carried.

- 10. Case# TA-2024-10 - Text Amendment for Title 8. – Planning and Development, Chapter 7. Subdivisions, Article B. – Procedure, Article C. Plats and Data of the City of Forest Park Code of Ordinances to amend such section, and update plat instructions.**

Background/History:

For purposes of clarity and transparency the plat procedures must be updated to reflect the current review and approval process.

It was motioned to approve Text Amendment TA-2024-10.

Motion made by Member Clinkscales, Member Wright. Motion carried.

- 11. Case# TA-2024-11 - Text Amendment for Title 8. – Planning and Development, Chapter 8. Zoning, Article E. – Tree Protection, of the City of Forest Park Code of Ordinances to amend such section, adding section 8-8-142 Tree Bank Ordinance.**

Background/History:

This update promotes environmental sustainability, enhances urban greenery, and mitigates the loss of trees due to development. A tree bank allows developers to offset tree removal by contributing to a fund dedicated to tree planting and maintenance in other areas, ensuring that the community continues to benefit from tree cover. This approach helps improve air quality, manage stormwater, and preserve biodiversity, while also fostering compliance with environmental regulations.

It was motioned to approve Text Amendment TA-2024-11.

Motion made by Member Clinkscales, Member Wright. Motion carried.

ADJOURNMENT: It was motioned to adjourn the meeting at 6:58pm.
Motion made by Member Wright, Seconded by Member Clinkscales. Motion carried.

In compliance with the Americans with Disabilities Act,
those requiring accommodation for meetings should notify
the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720



CITY OF FOREST PARK

Item #2.

Planning & Community Development Department
 785 Forest Parkway
 Forest Park, Georgia 30297
 (404) 366-4720

Staff Report – Variance

Public Hearing Date: January 16, 2025

Case: VAR-2025-01

Current Zoning: LI – Light Industrial District

Ward: 4

Proposed Request: Sign variance request to increase the maximum height requirements for freestanding ground signs from the required ten (10) feet to twelve (12) feet to allow the installation of a replacement sign totaling a square footage of 32 square feet within the Light Industrial District (LI).

Staff Report Compiled By: Latemia Richards, Planner I

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Xiao Lu
 5240 Old Dixie Highway
 Forest Park, GA 30297

Applicant:

Jennifer Wolfe
 4113 N. Swann Street
 Covington, GA 30350

PROPERTY INFORMATION

Parcel Number: 13077B A005

Acreage: 6.95 +/-

Address: 5240 Old Dixie Highway

FLU: Industrial

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

Direction	Zoning & Use	Direction	Zoning & Use
North	LI: Light Industrial District	East	LI: Light Industrial District / RS: Single Family Residential
South	LI: Light Industrial District	West	PI: Planned Industrial District



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SUMMARY & BACKGROUND

The subject property is a parcel with approximately 6.95 +/- land acreage at intersection of Old Dixie Highway and Agnew Drive. The site location has caused hardship and code conformity to the current zoning ordinance. Currently, high traffic volume reduces visibility which causes challenges for identifying the property and ensuring safe navigation for vehicles approaching the property. The property location is along Old Dixie Highway, a major arterial road, that necessitates a sign height that ensures adequate visibility for motorists. The proposed replacement sign will enhance the visual landscape along Old Dixie Highway and prioritize safety and visibility for motorists and pedestrians. **Per Sec. 8-3-23(9). - Restrictions based on location,** (1) One maximum thirty-two (32) square foot, freestanding monuments signs is permitted for each street on which the lot has up to and including five hundred (500) feet of frontage. The sign has a maximum height of eight (8) feet within the industrial districts. (5) Freestanding monument signs on arterial streets may be ten (10) feet in height within the industrial districts.

The approval of this sign variance will allow the applicant to remove and replace the current sign within the Light Industrial District.

AERIAL MAP





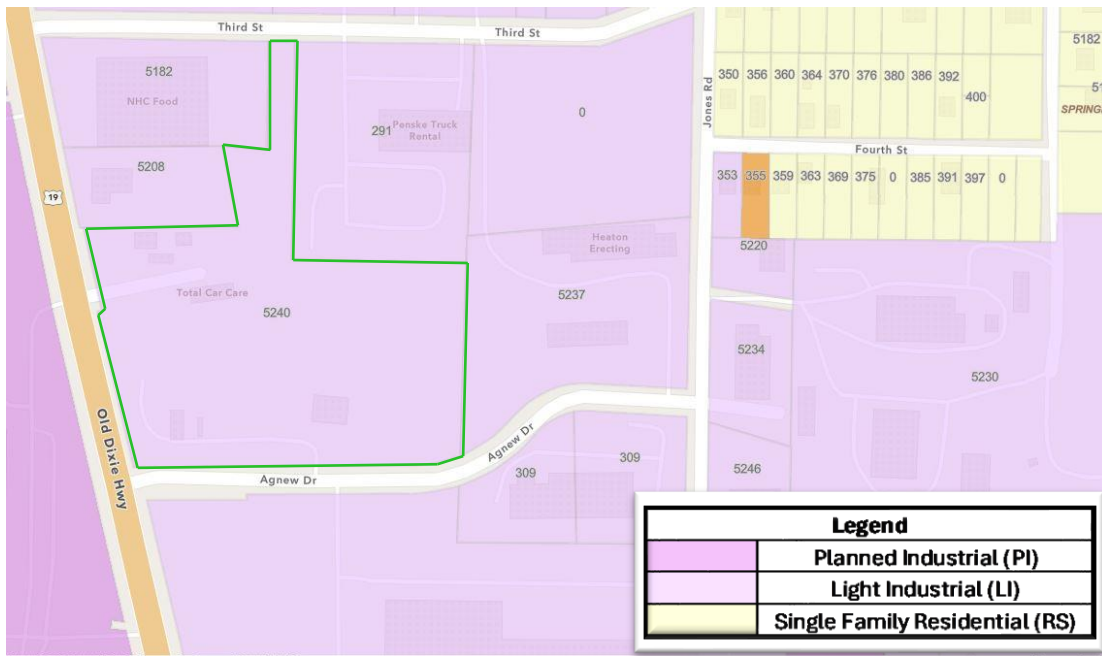
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ZONING MAP





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Sign Location

Scale: Not To Scale

Pylon Location Shown

UL LISTED **Designed for 120v**

Electrical To Be Brought To Within 5 Feet Of New Install Location (By Others)
 One (1) Dedicated 20 AMP Circuit Required

One (1) NEW D/F Illuminated Pylon Sign
 Scale: As Shown

HENRY INCORPORATED
 770.593.1234 Phone
 770.593.1513 Fax
 www.henryincorporated.com

HEATON
 11-05-2024

Issued For I.F.A. Approval
 11-05-2024

ST-01: DF Illum. Pylon
 Project Address
 5240 Old Dixie Hwy
 Forest Park, GA 30297

Project Number
 96074

Account Manager
 Dean Morgan

Drawn By
 B. Bernhardt

Date
 07-22-2024

Revision
 07-30-24BB
 11-05-24BB

Customer Approval

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Description
 Remove EXISTING Pylon Sign
 Install NEW in SAME Location

241105_BA 96074
 Heaton Inc - Fylen

Pg. 2



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Sign Rendering

Work Scope:
Removing The EXISTING Pylon Sign And Installing A NEW Pylon In It's Place - SAME Location. Permit Allowable Size: 8'-0" OAH & Total Of 32 Sq.Ft. Requires Variance For Over All Height @ 12'-0".

Scale: 1/2"=1'-0" Side A Shown

Photo Showing EXISTING Sign To Be Removed - NEW Sign To Be Installed In SAME Spot

Photo Not To Scale

Low Resolution Logo Jpgs From Client

NOTE: Clear Quality Logo Art Will Be Required To Produce Legible Prints On Faces

UL LISTED Designed for 120v Electrical To Be Brought To Within 5 Feet Of New Install Location (By Others) One (1) Dedicated 20 AMP Circuit Required

Detail 1 One (1) NEW D/F Illuminated Pylon Sign
Scale: As Shown

Customer Approval

Customer Approval

Customer Approval

ST-01: D/F Illum. Pylon
Project Address: 6340 Old Skille Hwy, Forest Park, GA 30297
Project Number: 96074
Account Manager: Diogen Morgan
Drawn by: B. Bernhardt
Date: 07-22-2024
Revision: 07-30-2488, 11-05-2488

Customer Approval

Customer Approval

Customer Approval



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SITE PHOTOS





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(404) 366-4720



PUBLIC NOTICE
PLANNING COMMISSION HEARING DATE: 3/24/2016
TIME: 6:00 PM
LOCATION: 785 FOREST PARKWAY FOREST PARK, GA. 30297
CITY COUNCIL HEARING DATE:
TIME:
LOCATION: 785 FOREST PARKWAY FOREST PARK, GA. 30297
SUBJECT PROPERTY: VARE, JANE
5240 Old Dixie Hwy
Parcel ID# 1305718 ACC#
CONTACT PLANNING & COMMUNITY DEVELOPMENT 404-366-4720



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VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter in permittance under this chapter, if, after a public hearing, it makes findings of facts in writing, that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community, per Sec. 8-8-193. (a) (1) of the Code of Ordinances.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner per Sec. 8-8-193. (a) (2) of the Code of Ordinances; and
3. The strict application of the terms of this ordinance will result in practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain, per Sec. 8-8-193. (a) (3) of the Code of Ordinances.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the sign variance to increase the maximum height requirement for freestanding monument signs from 10 feet to 12 feet within the Light Industrial District (LI). The requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Attachments Included

- Justification Letter

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 (2nd) 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 Funding1. *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.*