

Comments: There are various sections in the code that prescribe a number of days to follow or precede certain actions. These are typically dealing with processing applications, giving notice and rendering final decisions. P&Z may want to discuss the varying dates and consider whether any administrative efficiencies can be achieved by further standardizing these timelines. A previous code revision to Chapter 1111 was to make a consistent 45 day deadline for final zoning action by ARB, P&Z and Council.

1109.05 REVIEW AND APPROVAL PROCEDURES

B. Notice. Ten days prior to the initial review of an application that allows for the exercise of discretion, the Architectural Board of Review shall notify by first class mail owners of property abutting, and directly across the street from, the location of the property involved in the application request. The notification shall set forth the time and place of the meeting and a summary of the proposed application request. Notice shall be given for applications that include the erection of a dwelling unit. Other applicable sections of the code where discretion is given to the Board and notice is required are:

(2) Planning and Zoning Commission. The Planning and Zoning Commission shall approve or disapprove all subdivision applications subsequent to or conditional upon approval by the Municipal Engineer. The Commission shall also approve or disapprove Zoning Certificate applications which propose an action as follows:

A. A change of use or enlargement of a use which affects the number of parking spaces; and any change in the number or arrangement of off-street parking or loading spaces.

B. Erection or moving of main buildings in all zoning districts except R1 and R2F Districts.

The Planning and Zoning Commission shall review such applications for compliance with the Zoning Code. Ten days prior to the initial review of an application that allows for the exercise of discretion, the Planning and Zoning Commission shall notify by first class mail owners of property abutting, and directly across the street from, the location of the property involved in the application request. The notification shall set forth the time and place of the meeting and a summary of the proposed application request.

(c) Time Limitations for Review. In order to ensure expeditious handling of applications, the following time limitations for review are established for applications which require approval of the Architectural Board of Review, Planning and Zoning Commission, Municipal Engineer or Village Council. Where various plans required as components of a building permit application are submitted separately, the time limitations shall apply to each separate submission from the date of its acceptance.

(1) Architectural Board of Review. Applications submitted to the Architectural Board of Review shall be considered at the next regularly scheduled meeting which occurs twenty or more days after official acceptance of the application by the Administrator. Applications for the review of signs shall be considered at the next regularly scheduled meeting which occurs ten days or more after official acceptance. The Board shall make its final determination no later than forty-five days after the date of its required initial consideration.

(2) Planning and Zoning Commission. Applications submitted to the Planning and Zoning Commission shall be considered at the next regularly scheduled meeting which occurs ten or more days after official acceptance of the application by the Administrator and after the satisfaction of the notification period required in Sections 1161.04 or 1109.05(b)(2). The

Commission shall make its final determination no later than forty-five days after the date of its required initial consideration.

(3) Board of Zoning Appeals. Applications submitted to the Board of Zoning Appeals shall be considered in accordance with the provisions of Section 1111.04. The Board shall make its final determination no later than forty-five days after the date of its required initial consideration.

(4) Bureau of Fire Prevention. Applications submitted for review and recommendation to the Bureau of Fire Prevention shall be reviewed within thirty days after official acceptance by the Administrator.

(5) Municipal Engineer. Applications submitted to the Municipal Engineer for review and consideration shall be reviewed within thirty days after official acceptance by the Administrator.

(6) Council. Applications submitted to Council shall be approved or disapproved within forty-five days after all other required approvals have been granted.

1111.03 APPLICATION FOR APPEALS OR VARIANCES.

An appeal shall be considered by the Board of Zoning Appeals only after formal action has been taken by the Administrator or other officers, boards or commissions with regard to an application for a building permit, zoning certificate, issuance of a stop order, specific referral or some similar action; provided that:

(a) Within ten (10) days of such action, application for appeal from a decision shall be filed with the Administrator; and when applicable, an application for a variance shall be filed with the Administrator; and

1111.04 NOTICES.

(a) Advertised Notice of Hearing. The Board of Zoning Appeals, upon receiving an application for a variance, or an appeal from the decision of the Administrator, Architectural Board of Review or other administrative entity, shall advertise for and hold a public hearing. Such application request shall be given at least one notice in a newspaper of general circulation in the Municipality at least fifteen (15) days before the date of the hearing.

(b) Notice Mailed to Neighboring Owners. If such application concerns any request other than an interpretation of the text of such zoning ordinance, notice of the hearing shall also be mailed by the Clerk of Council, by first class mail, at least fifteen (15) days before the hearing date, to owners of property within and contiguous to, and directly across the street from, the location of the property involved in the application request, as well as to all owners of property within three hundred (300) feet of the location of the property involved in the application request. The addresses of such owners shall be obtained from the addresses appearing on the County Auditor's tax list or the County Treasurer's mailing list. The failure to mail notices to owners whose names do not appear on such lists, as well as the failure of delivery of such notice, shall not invalidate any such action by the Board.

(c) Contents of Notice. The published and mailed notification shall set forth the time and place of the public hearing and a summary of the proposed application request. The Board shall hold at least

one public hearing every month unless there is no business to transact. During the fifteen (15) days preceding the hearing, a copy of the application submitted by the applicant shall be on file for public inspection in the office of the Clerk of Council.

1113.04 ACTION BY COUNCIL

Upon receiving the recommendation of the Planning and Zoning Commission on a proposed amendment, Council shall advertise for and hold a public hearing. For all proposed text or Map amendments at least one notice shall be given in a newspaper of general circulation in the Municipality at least thirty days before the date of the hearing. **COMMENT: THIS 30 DAY NOTICE REQUIRED BY ORC IF NOT SPECIFICALLY ADDRESSED IN THE CHARTER.**

If a Map amendment proposes to rezone or redistrict ten contiguous parcels or less, notice of the hearing shall also be mailed by the Clerk of Council, by first class mail, at least twenty days before the hearing date [**CONSIDER CHANGING TO 15 CONSISTENT WITH BZA??**], to owners of property within and contiguous to, and directly across the street from, the parcel or parcels subject to the proposed amendment, as well as notice to all owners of property within 300 feet of the location of the property involved in the amendment request. The addresses of such owner shall be obtained from the addresses appearing on the County Auditor's tax list or the County Treasurer's mailing list. The failure to mail notices to owners whose names do not appear on such lists, as well as the failure of delivery of such notice, shall not invalidate any such amendment.

1149.03 ADMINISTRATIVE PROCEDURES.

In addition to the requirements of Chapter 1109, the following procedures are established to govern the processing of applications for placement and operation of wireless telecommunication facilities as regulated in this chapter.

(1) Upon receiving the recommendation of the Planning and Zoning Commission, Council shall advertise for and hold a public hearing. Such application request shall be given at least one notice in a newspaper of general circulation at least thirty days prior to the date of the hearing. Notice of the hearing shall also be mailed, by first class mail, at least twenty days before the hearing date, [**CONSIDER CHANGING TO 15 CONSISTENT WITH BZA??**], to owners of property within 300 feet of the subject property. The addresses of such owner shall be obtained from the addresses appearing on the County Auditor's tax list or the County Treasurer's mailing list. The failure to mail notice to owners whose names do not appear on such lists, as well as the failure of delivery of such notice, shall not invalidate any subsequent Council action. The published and mailed notification shall set forth the time and place of the public hearing and a summary of the proposed application. During the thirty days preceding the hearing, a copy of the application shall be on file for public inspection in the office of the Clerk of Council.

1161.04 (Subdivision Regulations)

(h) Notification of Abutting Property Owners.

(1) Twenty days prior to the Planning and Zoning Commission's initial review [**CONSIDER CHANGING TO 10??**], of the preliminary plat, the Village Administrator shall notify by registered, return receipt mail [**FIRST CLASS??**], all persons who own land which at any point abuts any land within the proposed subdivision. The notice shall advise the landowners that a plat has been submitted to the Village for development of land which abuts theirs, that details of the proposal and its status may be obtained from the Village Administrator's office and that the

landowner may submit comments to the Planning and Zoning Commission concerning the proposal.

(2) A notice not received by an abutting property owner shall not affect the validity of approval by this Village of any subdivision which in all other respects is lawfully given.

(Ord. 1999-47. Passed 9-13-99.)

1161.09 SUBDIVISION PROCEDURES.

(3) Administrator:

A. Notify by registered receipt return mail [FIRST CLASS??], abutting property owners at least ten days before the Planning and Zoning Commission meeting for their information and input.

B. Forward, for review, copies of the preliminary plat to the Village Engineer and other officials and agencies as may be necessary for the purpose of study and recommendation. Review and make recommendations

1161.09 (d) (2) Planning and Zoning Commission:

A. Shall approve and disapprove the final plat at the next regularly scheduled meeting which occurs seven days or more after official acceptance [CONSIDER CHANGING TO 10 CONSISTENT WITH 1109??], of the application by the Administrator. The Commission shall make its final determination no later than thirty-five days after the date of its required initial consideration. [CONSIDER CHANGING TO 45 CONSISTENT WITH 1109??].

Building Code

1355.14 APPEALS. [Sediment and Erosion Control]

Any person aggrieved by any order, requirement, determination, or any other action by the Village in relation to this regulation may appeal to the Board of Zoning appeals within 30 days [CONSIDER CHANGING TO 10 CONSISTENT WITH BZA 1111??], of such official action. Such an appeal shall be made in conformity with Chapter 1111. Written notice of appeal shall be served on the Village.

1357.18 APPEALS. [Comprehensive Stormwater Management]

Any person aggrieved by any order, requirement, determination, or any other action by the Village in relation to this regulation may appeal to the Board of Zoning Appeals within 30 days of such official action. [CONSIDER CHANGING TO 10 CONSISTENT WITH BZA 1111??], Such an appeal shall be made in conformity with Chapter 1111. Written notice of appeal shall be served on the Village.

Respectfully Submitted,
Julie S. Lindner, AICP
August 16, 2012

**VILLAGE OF CHAGRIN FALLS
PLANNING AND ZONING COMMISSION
October 15, 2012**

Members present: Rogoff, Baker, Chess, Feniger
Also present: Lindner, Edwards

The meeting was called to order at 7:30 p.m. by Chairman Nancy Rogoff.

APPROVAL OF MINUTES

The minutes of the meeting held August 20, 2012 were approved.

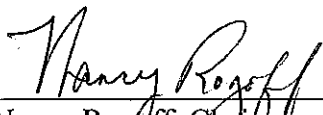
PUBLIC ART GUIDELINES

The commission discussed instituting guidelines for public art.

REVIEW CODE FOR CONSISTENCY

The commission discussed proposed zoning code revisions.

The meeting adjourned at 9:12 p.m.



Nancy Rogoff, Chairman
lgb

Columbus, Ohio

Entire policy can be found at:

http://development.columbus.gov/uploadedFiles/Development/Planning_Division/Public_Art/FINAL%20CAC%20Gift%20Policy.pdf

Additional Submission Requirements for Loaned or Donated Works of Art

Materials will include, but are not limited to:

- A) Estimated costs for transporting and installing the artwork (to be done at the owner's expense unless otherwise agreed by the City). For loaned artworks, the persons or organizations requesting to temporarily display artwork in or on City property or in the right-of-way, must also provide a written description of the proposed budget and method for the de-installation and removal of the artwork.
- B) Documentation of ownership, value and provenance (past ownership) of the artwork.
- C) Information about the artist (biography, selective list of completed works when available, selected publications) and about the gifted or loaned work, including color photographs, a list of sketches, maquettes, or studies in any media.
- D) Provision of a technical and maintenance service schedule, including estimated costs.

Criteria for Accepting or Declining Artwork

- A) **Artistic quality/excellence.** Does the artwork merit inclusion in and add enduring value to the City's collection?
- B) **Appropriateness to the site.** The proposed artwork's compatibility with the physical, cultural, social and historical conditions of the existing or planned site will be evaluated. Future plans for the site will also be taken into consideration.
- C) **Originality.** Artwork must be unique and one-of-a-kind, or part of a limited collection. Reproductions of originals will not be considered.
- D) **Permanence.** Artwork should be structurally sound and reasonably able to withstand the conditions of its placement, especially if the work will be sited outdoors with limited supervision. Artwork requiring immediate maintenance or conservation will rarely be considered.
- E) **Safety.** The artwork will not pose a safety hazard and will be in compliance with public safety requirements standards for play equipment, ADA (if applicable), etc.
- F) **Feasibility.** Technical considerations and budget will be carefully considered.
- G) **Maintenance.** Ongoing maintenance is a primary consideration. The donor must provide a maintenance schedule with detailed instructions for routine care and estimated costs. The donor must inform the Commission and appropriate City Department with jurisdiction over the piece if unusual or extraordinary maintenance is required. Donor must provide a reasonable cost estimate for all maintenance requirements.
- H) **Donor requirements.** All donor requirements and restrictions must be clearly identified.

Kirkland Washington

Entire policy can be found at:

<http://www.kirklandwa.gov/Assets/Boards+and+Commissions/Boards+and+Commissions+PDFs/Cultural/Public+Art+Policy.pdf>

GOALS

The City of Kirkland is committed to providing public art of exceptional quality and diversity which adds to the community's vibrancy and identity. Specifically, the City's public art program strives to:

Make public art and artistic expressions available to the public.

Use public art as a vehicle to express the City's history and cultural heritage.

Educate the community about public art.

Use public art as a means to foster the community's sense of spirit, pride, and community values.

Recognize public art's contribution in cultural tourism and economic development.

Disseminate public art throughout Kirkland.

Guidelines

Proposed gifts or loans to the City of Kirkland shall be reviewed by the Kirkland Cultural Council. The Council will make a recommendation to the City Council for final action. For proposed art work siting in a City park, a recommendation from the Park Board will be requested.

Proposed gifts or loans will be evaluated on the following criteria:

A. The quality of the art work.

B. Context in the City collection. Does art work enhance the existing collection or add diversity? How does the piece engage the public? Are the materials appropriate? Is the piece susceptible to vandalism or graffiti?

C. Availability of an appropriate site.

D. Coordination with the Park Board concerning siting, costs of installation, and maintenance of art work.

E. Donor conditions, if applicable.

F. Condition of the art work.

G. Durability of the art work.

H. Ability to maintain the art work.

I. Aesthetic merit.

For a work proposed for loan to the City, the owner or owner's representative will be required to enter into an Art Display Agreement setting forth the length of the loan and other terms such as location, maintenance requirements, insurance, value of art work, installation and removal responsibility, and other conditions pertinent to the agreement.

Whenever appropriate, siting decisions will be determined by a public art jury made up of surrounding neighbors, businesses, or associations (i.e., business, neighborhood) impacted by art work location.

Donated or loaned art work will include identifying plaques.

All donated works become part of the City art collection and, as such, may be relocated.

Monetary donations to help fund public art acquisitions will be accepted at any time.

Hillsboro, Oregon

complete plan can be found at :

<http://www.ci.hillsboro.or.us/Arts/HACC/documents/HillsboroPublicArtPlan2008.pdf>

Donations Policy

Public art collection may be greatly enriched through the generosity of private and corporate donors. Hillsboro has a strong history of donor contributions to public projects that have enhanced the quality of community life. Since public space is such a valuable asset, any addition to the public realm should be undertaken in a considered and thoughtful way, ensuring that the addition is of lasting value.

To maintain the continued high quality of the collection, all donations should go through a review to meet the selection criteria of art for the city. Donations may include funding a commission or donating an existing work of art.

Acceptance of a donation brings with it the responsibility for installation of the work and maintenance of the work over time. As a basic principle, any donation of artwork must include funding for site preparation, engineering review, permits, utility connections, installation, lighting (if desired), recognition plaque, landscaping of the site, promotional materials and ongoing maintenance.

Often donations of art are envisioned with a public park setting in mind. The City of Hillsboro Parks and Recreation Department is in the process of creating a donations policy and revising its Parks Master Plan. Discussion should take place to coordinate the donations policies of HACC and Parks, clarify decision-making procedures and ensure that donations of artwork in the parks make a positive contribution to both the parks and the public art collection.

Commissioned works of art

The most desirable donation is the funding of a commission, or funds added to augment a commission. An example is Doernbecher Children's hospital in which a major contribution was made to create a supportive environment through the infusion of art throughout the hospital. The artworks were a contribution in honor of a strong supporter of the arts. The artwork was commissioned while the building was still in design, so the work could have the most impact.

Procedure for donation of commissioned works of art

1. The donor contacts the Public Art staff to discuss the commission, the process for creating a commission and the review criteria (following).
2. If the donation meets the criteria for acceptance of donations, staff presents the proposal to the HACC which accepts or rejects the proposal and approves the process for selecting an artist.
3. The commission follows the procedures for selecting an artist with the donor as a member of the selection panel.
4. The budget for the project includes a contribution to the public art maintenance fund.
5. The Public Art Program acknowledges the donor with a plaque (if desired) and in promotional materials.

Existing work of art

The HACC oversees the City's collection, and in that role makes a decision whether to accept or decline a donation, using the goals and guidelines for the public art program.

Procedure for donation of an existing work of art

1. Donor contacts Public Art staff for a meeting to discuss the potential gift and provides photos or the work itself.
2. Staff either declines the gift or proposes the gift to the HACC. If submitted in photo form, the HACC either declines the gift or asks to see it first-hand.
3. HACC accepts or declines the gift. If accepted, the donor is acknowledged (if requested) in plaques and materials. Funds for the preparing the site, installation, lighting, maintenance and promotional materials are deposited by the donor in the public art maintenance fund.

Criteria for Acceptance of Donations

1. Donations adhere to the high artistic standards for the public art collection, and are relevant to the City of Hillsboro. The public art collection strives for work of high artistic merit and enduring value.
2. The desired site is available and appropriate to the artwork's content, scale and material, and meets review standards for safety and maintenance.
3. Artworks must be one of a kind or part of an original series.
4. Restrictions from the donor are clearly identified, noted in writing and acceptable to the city.
5. The surrounding community should be consulted in siting the work.
6. Costs of site work, permits, installation, lighting, maintenance and promotional materials are defined and dedicated.
7. Electricity, plumbing or other utility requirements over the expected life of the artwork are estimated and dedicated.

Deaccession Policy

Deaccession is the process of withdrawing a work from the art collection. While the intent of the acquisition of artworks for the public art collection is for a permanent lifespan, circumstances may arise in which the HACC decides to relocate or withdraw an artwork from public display. It should be the policy of the HACC not to remove or relocate an artwork prior to the work having been in place for at least five years. The City of Hillsboro reserves the right to deaccession works of art in its public art collection in the best interests of the public and as a means of improving the overall quality of the City's public art collection. At the beginning of the process, the HACC will make reasonable effort to notify any living artist whose work is being considered for deaccession. All proceeds from the sale or auction of the artwork will be deposited in the public art fund.

Criteria for Deaccession of Artworks

An artwork may be considered for deaccession if one or more of the following conditions apply.

- The artwork presents a threat to public safety
- The condition or security of the artwork cannot be guaranteed, or the City cannot properly care for or store the artwork
- The artwork requires excessive maintenance
- The artwork has serious faults in design or workmanship

- The condition of the artwork requires restoration in excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible or would render the work essentially false.

The artwork is of poor quality or is judged to have little artistic merit, historic or cultural value

- The site for the artwork has become inappropriate, is no longer accessible to the public, is unsafe or is due to be demolished
- Significant changes to the use, character or design of the site require the re-evaluation of the relationship of the artwork to the site
- The work can be sold to finance, or can be traded for, a work of greater importance by the same artist
- There has been sustained and overwhelming public objection to the artwork
- A written request from the artist has been received to remove the work from public display
- The work is not, or is rarely displayed

Process for Deaccession

A Deaccession Review Panel is formed, consisting of 2 HACC members, 2 arts professionals and an art conservator or curator. This panel shall determine if one of the criteria for deaccession has been met. The HACC reserves the option of hiring a consultant to advise on whether the artwork meets the criteria.

The HACC staff shall prepare a report which indicates:

1. All information from the public art inventory form (Appendix C)
 2. Detailed report on the condition of the artwork, supported by photographs
 3. Copy of title or other ownership documents
 4. Appraised value of the work by two independent consultants, if obtainable
 5. Justification for deaccession, according to the criteria of the Deaccession Policy
 6. Documentation of correspondence, press or other evidence of public debate documenting extended adverse public reaction
 7. Suggested methods of deaccession (sale, transfer, auction, disposal)
 8. Alternatives to deaccession and costs of doing so
 9. Documentation of notification of the artist, if living, and any related correspondence.
 10. The opinion of the City Attorney on any restrictions which may apply to this specific work
- The report is presented to the HACC for decision by a majority vote of the full Council.

Methods of Deaccession

The HACC may choose one of these methods of deaccession or may suggest alternatives appropriate to the particular case. All proceeds from the sale or auction of the artwork will be deposited in the public art fund. The preferred methods of deaccession are as follows:

1. Relocation of the artwork. (This method should be given the highest priority.)
2. Withdrawal of the artwork from public display and subsequent storage
3. Sale or exchange of the artwork through the following means:
4. Offer the artist the right of first refusal to buy back the artwork at the current appraised value or a price to be negotiated
5. Obtain a professional appraisal of the artwork's value and advertise it for sale by auction
6. Seek competitive bids for the purchase of the artwork
7. Donate the artwork to another government or nonprofit organization
8. Dispose of the artwork using City surplus property procedures.

Cary, North Carolina

complete plan can be found at:

<http://www.townofcarv.org/Assets/Parks%2c+Recreation+and+Cultural+Resources+Department/Parks%2c+Recreation+%26+Cultural+Resources+Department+PDFs/culturalresources/pubart/FinalPAMP.pdf>

DEACCESSION REVIEW STANDARDS

The Public Art Advisory Board shall review any proposal for **deaccession**, or relocation of an artwork. Procedures for deaccession or relocation shall be as deliberate as those practiced during the initial selection. This process shall operate independently from short-term public pressures and fluctuations in artistic taste. During the review process, the artwork shall remain accessible to the public in its original location. Artwork may be considered for review toward deaccessioning from the Public Art Collection if one or more of the following conditions apply:

- The condition or security of the artwork cannot be reasonably guaranteed.
- The artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible.
- The artwork has been damaged and repair is impractical or unfeasible.
- The artwork's physical or structural condition endangers public safety.
- No suitable site is available, or significant changes in the use, character, or design of the site have occurred which affect the integrity of the work.
- Significant adverse public reaction has continued unabated over an extended period of time (at least ten years).
- Removal is requested by the artist, and
- The Facility housing the work is undergoing privatization.

GIFTS OR LOANS

OBJECTIVES

A review process shall be followed, by the Public Art Advisory Board to meet the following objectives:

- To provide uniform procedures for the review and acceptance of gifts or loans of artworks to the Town;
- To vest in a single Town agency the responsibility of ensuring the management and maintenance of the donation;
- To facilitate planning for the placement of artworks on Town-owned property;
- To maintain high artistic standards for artworks displayed in Town facilities;
- To provide appropriate recognition for donors of artworks to the Town; and
- Protect significant public sites from placement of work that is not of lasting significance to the Town.

REVIEW PROCESS CRITERIA

The review process is based on the following criteria:

- Aesthetic considerations that ensure artworks of the highest quality, based on a detailed written proposal and concept drawings for the proposal, or photographs of an existing artwork, documentation of the artist's professional qualifications, and a current certified appraisal of the artwork;

- Financial considerations that are based on the cost of installation, sources of funding for the project, a maintenance agreement between the Town and the donor, and the estimated cost of maintenance and repair over the expected life of the artwork;
- The liability associated with the artwork, based on the susceptibility of the artwork to damage and vandalism, potential danger to the public, and special insurance requirements; and
- Environmental considerations that are based on the physical appropriateness of the artwork to the site and the scale of the artwork. This review shall give special attention to protecting important civic places from placement of artworks that are not of lasting significance to the Town.

EXCEPTIONS TO THE REVIEW PROCESS

Gifts of state presented to the Town by foreign governments or by other political jurisdictions of the United States - municipal, state or national - which may be accepted by the Town Council or Town administration on behalf of the Town shall be reviewed as follows:

- The Public Art Advisory Board shall determine the permanent placement of artworks;
- Appropriate recognition and publicity shall be the responsibility of the Public Art Advisory Board in collaboration with the Town Site Facility; and
- If not provided by the donor, maintenance of the artwork(s) shall be the responsibility of the Site Facility, in consultation with the Public Art Advisory Board.

CONSERVATION/MAINTENANCE OBJECTIVES

A review process shall be followed by the Public Art Advisory Board to meet the following objectives:

- To ensure regular maintenance of public artworks;
- To provide for the regular inspection of public artworks; and
- To establish a regular procedure for effecting necessary repairs to public artworks

RESPONSIBILITIES

Artist

- Within the terms of the contract, the artist shall guarantee and repair the work of art against all defects of material or workmanship for a period of one-year following installation.
- Within the terms of the contract, the artist shall provide the Public Art Program with drawings of the installation and with detailed instructions regarding routine maintenance of the artwork.
- Within the terms of the contract, the artist shall have the opportunity to comment on, and participate in, all repairs and restoration, which are made during his/her lifetime.

Site Facility

- Routine maintenance of artwork shall be the responsibility of the Facility that houses the artwork, upon the advice of the Public Art Program, and be consistent with conservation requirements supplied by the artist.
- Responsibility for extraordinary maintenance or repairs of artworks shall be referred to the Public Art Advisory Board.
- The Facility shall not affect any maintenance or repairs to artworks without the consent of the Public Art Advisory Board.
- The agency shall not move any artwork from the site for which it was selected, nor remove it from display and/or block access or site to it, without the consent of the Public Art Advisory Board.

Public Art Staff

The Public Art Staff shall at least once in every three-year period provide for the inspection of each work in the Collection and shall report on each work, including:

- Present location of the artwork;
- Present condition of the artwork; and
- Recommendation regarding needed maintenance or repairs.

Within procedures authorized by the Public Art Advisory Board, this regular inspection may be accomplished by the staff itself or by another individual or group contracted to perform this service. The Public Art Advisory Board shall review the condition report and make a recommendation for procedure.

On the basis of the condition report, the Public Art Advisory Board may for those works in need of attention recommend:

- That no action be taken;
- That Staff work with the Site Facility to ensure the work is sufficiently repaired;
- That the Site Facility make the necessary repairs, in whole or in part, or suggest means of accomplishing the repairs;
- That the Site Facility hire a professional conservator to further evaluate the condition of the work;
- That the Site Facility offer the artist the opportunity to repair the work for a fair market value fee;
- and
- That, in the event the repairs are excessive, the work is deaccessioned.

**VILLAGE OF CHAGRIN FALLS
PLANNING AND ZONING COMMISSION
November 19, 2012**

Members present: Rogoff, Houston, Feniger
Also present: Himes, Lindner

The meeting was called to order at 7:30 p.m. by Chairman Nancy Rogoff.

PUBLIC ART GUIDELINES

Mrs. Rogoff said at the last meeting they asked for a map of public property. Mr. Himes said he will follow up with Mr. Lannon.

Mrs. Lindner presented to the commission an outline for a Public Arts Master Plan. They discussed instituting guidelines for public art. Comments were heard and questions were answered. This will be discussed further.

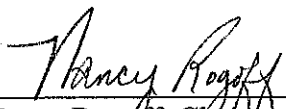
REVIEW CODE FOR CONSISTENCY

The commission discussed proposed zoning code revisions. This will be discussed further.

MISCELLANEOUS

Mrs. Rogoff announced that the next meeting will be held on Monday, January 21, 2013 at 7:30 p.m.

The meeting adjourned at 8:22 p.m.



Nancy Rogoff, Chairman
lgb

**Village of Chagrin Falls Public Arts Master Plan
proposed contents/outline**

Introduction	Purpose Community benefits of art in public places Definitions
Overseeing authority	Within existing administrative framework? New administrative framework such as a Public Arts Commission? Flow of decision making process
Current Inventory of public art in the Village	List and map
Possible locations for future works of art	Map Village owned property (inside/outside?) Other public property? Schools?
Types of art suited for particular locations	Functional art (furnishings) Sculpture Interactive Other
Prioritization of Public Arts Projects	
Site Selection Criteria	
Maintenance of Public Art	
Artwork Selection Criteria	
Gift and Loan Policy	
Resiting and De-accession Policy	
Funding	General fund Grants Donations and private fundraising efforts
Marketing/Publicity	Donor recognition Public Input
Educational Opportunities	

Sample Public Arts Plans for Comparably Sized Communities

Dexter, Michigan (NW of Ann Arbor)
Population 4,106
http://www.villageofdexter.org/arts_committee/Public_Art_Plan.pdf

Cherry Hills Village, Colorado (S of Denver)
Population 6,121
<http://www.cherryhillsvillage.com/resources/1/Parks/Public%20Art%20Master%20Plan.pdf>

Respectfully Submitted
Julie S. Lindner, AICP
November 14, 2012

DRAFT

VILLAGE OF CHAGRIN FALLS PLANNING AND ZONING COMMISSION January 21, 2013

Members present: Rogoff, Houston, Feniger, Baker
Also present: Himes, Lindner, Edwards

The meeting was called to order at 7:30 p.m. by Chairman Nancy Rogoff.

ORGANIZATION

Mrs. Rogoff opened nominations for Planning and Zoning Chairman. Moved by Mr. Houston, seconded by Mrs. Baker that Mrs. Rogoff serve as Chairman for the year 2013. Carried. Ayes: Houston, Baker, Feniger, Rogoff. Nays: None. Mrs. Rogoff closed the nominations.

Mrs. Rogoff opened nominations for Planning and Zoning Secretary. Moved by Mrs. Rogoff, seconded by Mr. Houston that Mrs. Baker serve as Secretary for the year 2013. Carried. Ayes: Houston, Baker, Rogoff, Feniger. Nays: None. Mrs. Rogoff closed the nominations.

APPROVAL OF MINUTES

Moved by Mrs. Feniger, seconded by Mrs. Baker that the minutes of the meeting held October 15, 2012 be approved. Carried. Ayes: Rogoff, Feniger, Baker. Abstain: Houston. Nays: None.

Moved by Mrs. Feniger, seconded by Mr. Houston that the minutes of the meeting held November 19, 2012 be approved. Carried. Ayes: Rogoff, Feniger, Houston. Abstain: Baker. Nays: None.

PUBLIC ART GUIDELINES

The Commission reviewed a map of village-owned property where public art could be displayed.

Mrs. Rogoff suggested that they keep this simple and have guidelines that would be more procedural than anything else. If somebody came to the village and wanted to have a piece of art displayed they would probably have to fill out an application and then they would be sent to the Arts Commission, the Planning and Zoning Commission, and the Parks Commission for consideration and recommendations. Final approval would come from Council. She said consideration would have to be given to the cost of installation, maintenance, and the life of the object. They would have the right to prohibit things such as fountains or something that is animated or makes noise. There was further discussion regarding aesthetics, actual ownership of the art, safety, and liability.

Mr. Houston mentioned that maybe not having a policy is still the way to go. As soon as you start creating guidelines and policies you have to follow them and if you don't then you open yourself up to headaches. There isn't necessarily any problem with saying we are going to take every matter that might come before us on a case-by-case basis or on a discretionary basis.