

**THIS INFORMATION IS TO BE USED FOR PLANNING/BUDGETING PURPOSES OF
THE TRANSFORMATIVE ARTS FUND APPLICATION DUE MARCH 30, 2024**

Transformative Arts Fund Application Budgeting & Project Planning UPDATE

Below please find additional information to consider as you are working on your TAF application and budget. The intent of this document is to provide additional information about City requirements, ordinances, permits, or processes that are important for planning/budgeting for your application. Please note, this information is important and may require additional communications with city departments/staff to answer further questions.

FOR VACANT LAND (CLEVELAND LAND BANK):

The City of Cleveland Land Bank application process ensures that vacant property is transferred to responsible parties committed to restoring the property to productive use. Interested parties must submit an application online and outline details of their proposals.

General application process:

1. Applicant completes a Land Bank application including required information and site plan
2. Proposal is evaluated to determine if the development is suitable for the neighborhood; proposed improvements may be subject to the City's design review process
3. The Councilperson for the area is informed of the proposal and comments from the City Planning Commission and area Community Development Corporation are gathered
4. Applicant is notified of decision on application; if approved, conditions may be attached
5. Administrative approvals are obtained, a deed is prepared for signature, and the property is transferred to the interested party

Where to complete and application:

1. <https://www.clevelandohio.gov/> (City of Cleveland Website)
2. Click on the City Hall dropdown, and select Community Development under Departments
3. Select Divisions from on the left side of the page (see under the Director's name)
4. The next page will illuminate photos, select the middle image (Division of Neighborhood Development)
5. Under Programs, select Learn more for the Cleveland Land Bank
6. Select Land Bank Expression of Interest and complete the online application (you will have the option to select which type of application you are requesting i.e. lease/license, garden, development, side yard, etc.)

How to choose a vacant lot:

Applicants should log into the Cleveland Land Bank Inventory, by following the path above through step 5. Step 6 at this point would be to select the Land Bank Inventory (please see the Inventory Viewer (Quick Guide))

Cost of Land Bank Lots:

1. License/Lease - Generally \$1 per year for garden/greening uses. Representative Appraisal rate for non-greening uses. For purposes identified as public arts projects for the limited term of 1 year or less, a license fee of \$1 per year fee will also apply.
2. Agriculture/Greening – If approved for sale, \$200 with claw back provision that is triggered when used for non-agriculture purposes, plus other associated fees.
3. Other Development – Representative Appraisal (new housing construction, commercial, industrial, parking lots, etc.) based on location of lot (Opportunity, Middle Neighborhood, and Market rate areas)
4. Side Yard Expansion - \$200 plus other associated fees.

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DESIGN REVIEW:

Design Review is a process in which the City reviews the architectural and site planning elements of an exterior project to ensure it meets the highest standards of design and will enhance the character of the surrounding neighborhood or district. It is also a step in the process of obtaining a Building Permit from the Department of Building and Housing.

2-D and 3-D OUTDOOR WORKS OF ART:

Defined as any work of art to be installed in an outdoor location; which will be visible from a public street or from another property.

OUTDOOR WORKS OF ART ORDINANCE:

The Outdoor Works of Art ordinance requires obtaining approval through this process prior to any public art installation. This approval is not required before you apply to TAF.

347.13: https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland_oh/0-0-0-14679

How long does Design Review take? The Design Review process can take 1 to 3 weeks, dependent upon how many steps of approval are needed. If the building/parcel is in a Design Review District or Landmark Historic District (or is an individually Landmarked building/parcel), there may be multiple reviews and approvals needed (from the local/neighborhood Design Review Committee, as well as City Planning or Landmarks Commission). If the committees/commissions decide more is required of the applicant and postpones the project, additional time may be required. Design Review is not required before you submit your TAF application.

Who do I contact to begin the Design Review process, and what should be included? You should contact the Public Art Coordinator, Tarra Petras, at tpetras@clevelandohio.gov or (216) 664-6740. You would fill out and submit a Design Review Application, and a presentation packet that contains (but is not limited to): contextual photos of the site and surrounding area; information on building materials; renderings of the artwork; how the artwork is being installed (technical drawings, with foundations, if it is a structure); dimensions; placement on the building or site; evidence of support and permission from the building/parcel owner.

Installations on City-owned property: All installations on City-owned property (i.e., a park, a parcel, recreation center, etc.) for a duration of less than 1 year require a license agreement, and there is a nominal fee (e.g. \$1.00). Art that will occupy City property for more than 1 year requires legislation to be completed by the Division of Real Estate, once the project parameters are clear. The outcome from the legislation is a City-issued a license agreement authorized by Cleveland City Council. This agreement requires renewal at the expiration of the term. Although there is typically no cost for the license, the artist is generally required to provide a certificate of insurance with a minimum of \$1,000,000 coverage, naming the City as additional insured, cover the cost of any property taxes, and the cost to restore the property to pre-installation condition.

What permits (and associated costs) will I need to obtain for my installation?

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If the artwork is structurally applied/mounted with framing to a building, or is a free-standing structure on a parcel, it will require a **Building Permit** and zoning review, as part of that permitting process. There is a \$20 initial application fee, plus the permit fee is based on the total cost of construction and rounded to the nearest 1,000th.

The fee is \$12 per \$1000 of that cost, in addition to a 3% surcharge. **Example:** Installation cost of \$25,000: (25 x 12 = \$300) (\$300 + \$20 x 3% = \$9.60) (\$300 + \$20 + \$9.60 + \$20 = \$349.60 total permit fee). A minimum permit fee would be \$92.10.

ART IN THE PUBLIC RIGHT OF WAY: If your public art project is in the public right-of-way or will block the public right-of-way during installation, it will require a **Street Opening/Obstruction Permit** to place (\$20) and possibly an **Encroachment Permit** if it is going to be there permanently/semi-permanently. Although there is no additional cost for an encroachment permit, it will require legislation, which may take 3-6 months. This would not need to be completed before the TAF Application is submitted.

PUBLIC RIGHT OF WAY: As a general rule, a city right-of-way is an easement for public travel. (An easement is a privilege or a right, distinct from ownership, to use in some way the land of another.) So, typically, a city does not own the fee title to the property underlying the public right-of-way; the abutting property owners have that fee title, and that title usually extends to the centerline of the right-of-way. (Because this is a “general rule,” there are always exceptions.) The right-of-way easement generally extends beyond the improved roadway and includes sidewalks, if any, and parking strips (the area between the sidewalk and the paved street or road).

STREETSCAPE AMENITIES PERMIT (\$150 base, plus \$10 per amenity) would be required if the installation is temporary. If the temporary artwork will be bolted to the ground, another permit would be required for removal (see **Street Opening/Obstruction Permit**).

STREET OPENING/OBSTRUCTION PERMIT (\$145) would need to be obtained for replacing sidewalk after the artwork is removed.

OTHER IMPORTANT CONSIDERATIONS:

- Murals that are *painted directly on buildings* (or similarly applied) do not currently require a permit unless the right-of-way will be obstructed during installation (see **Streetscape Amenities Permit**).
- Anything painted in the right-of-way, in accordance with the [Decorative Street Painting Ordinance](#), has specific guidelines and restrictions, and there is an application fee of \$20.
- **No** installation may proceed prior to obtaining approvals from the appropriate Design Review bodies.
- If the project is on a parcel that is a local landmark ([listing is on the city website](#)) or a parcel in a historic district ([found on this map here](#)), then the project will go to Landmarks Commission to be reviewed for a “Certificate of Appropriateness” using the [U.S. Secretary of the Interior Standards](#). The Landmarks Commission will review the site, placement, history of the site or building and determine if the installation is appropriate for the landmark or within a historic district.
- Any project that requires legislation should have approximately six months additional time figured into the project timeline.

Who do I contact for Building Permits? Caitlin Flannery, in the Department of Building and Housing, at cflannery@clevelandohio.gov or by phone at (216) 664-3538.

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Who do I contact for any of the Right-of-Way Permits? Robert Knopf, in the Division of Engineering and Construction at rknopf@clevelandohio.gov or by phone at (216) 664-7296.

Additionally, you may find the permits online through the Accela Citizens Access Portal link, which is: <https://aca-prod.accela.com/coc> (Building & Housing or Public Service tabs) or by accessing the City of Cleveland website.

PLANNING PERFORMANCES/FESTIVALS:

Any person, or entity, planning to conduct a Special Event on City of Cleveland parks and/or properties are required to obtain a permit by completing the enclosed application and filing it with Office of Special Events. All Performances and Festivals require special events permit.

To apply for a special event permit the artist must apply through the following link:
<http://clevelandohio.gov/sites/clevelandohio/files/2023-06/SpecialEventsPermitApplication0222.pdf>

All events in city owned parks or city green space require a special events permit. After you apply it is reviewed by a team in the Department of Public Works Special Events Office. This review can take up to two weeks depending on the type of event request.

After your initial application is reviewed and any pertinent questions asked, the application goes to the Special Events Steering Committee which meets every Wednesday. The committee consists of members of the fire and police department, building and housing/public works and public utilities. This may net more inquiry and requests for additional permits depending on the type of event proposed. Events of large scale do require liability insurance.

To learn more about the ordinance please click below [Street Performers Ordinance:](#)

https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland_oh/0-0-0-2632

What are the permit costs? The cost for permits ranges from \$0-\$150 depending on the event request.

Who do I contact for Special Event Permits? Tangee Johnson in the Department of Public Works at TJohnson10@clevelandohio.gov or by phone at (216) 664-2012

IMPORTANT REMINDER FOR USE OF THE ABOVE LISTED INFORMATION:

This information is for **budgeting and planning purposes only** for the TRANSFORMATIVE ARTS FUND Application.

Do not apply or purchase any permits as a part of your application.

Only after the announcement of the awardees would TAF Artists working on awarded projects would complete these requirements above based the project.