



## Town of Surfside

### DOWNTOWN VISION ADVISORY COMMITTEE AGENDA

**September 12, 2019 – 6:00 p.m.**

Town Hall Commission Chambers –  
9293 Harding Ave, 2<sup>nd</sup> Floor, Surfside, FL 33154

**The following also applies to all Boards and Committees:**

*Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.*

*Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.*

*\*\*If the public wishes to speak on a matter on this agenda they must inform the Town Clerk prior to the start of the meeting and they will be recognized to speak prior to the approval of the item. \*\**

**Opening Items:**

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes: June 20, 2019**
- 3. Meeting Recap**
  - A. Parking Lot Rate Recommendation update from July 9, 2019 Town Commission Meeting (verbal)**
  - B. Parking Waiver update from July 9, 2019 Town Commission Meeting (verbal)**
- 4. Skype Meeting with Mainstreet USA**

## **5. Discussion Items**

- A. LGBTQ Sensitivity Training: GMCVB + Yes Institute Session 9/26/2019 Offered to Local Businesses and Hotels – Frank Trigueros, Marketing & Special Projects Coordinator**
- B. Art in Public Places – Review of other Municipalities’ Ordinances**
- C. Design Guidelines from Planning & Zoning (deferred from June 20, 2019 meeting)**
- D. Code Compliance – Downtown maintenance code section**
- E. Local Business Tax Receipts and Vacancies (verbal – deferred from June 20, 2019 meeting)**
- F. Addition of new Ride Share Drop Off Point**
- G. Downtown Alleys**

## **6. Future Meeting Dates**

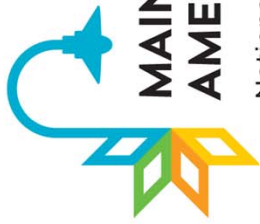
## **7. Adjournment**

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov).

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



**MAIN STREET  
AMERICA™**

Nationally recognized.  
Locally powered.™



# Main Street America

An Overview of Our Programs and Services

# ABOUT MAIN STREET AMERICA

- + Main Street America is a program of the National Main Street Center. It is a national network of 1,000+ local organizations and 42 State, City, County-level Main Street Coordinating Programs.
- + Main Street programs operate locally and support revitalization of small towns, mid-sized communities, and urban commercial districts.
- + The Main Street Approach equips local leaders and residents with a practical framework for improving the quality of life in their own communities.
- + Main Street America is united by a commitment to revitalizing older and historic commercial districts, supporting strong local economies, and enhancing the distinctive character that makes communities attractive to residents, visitors and businesses.

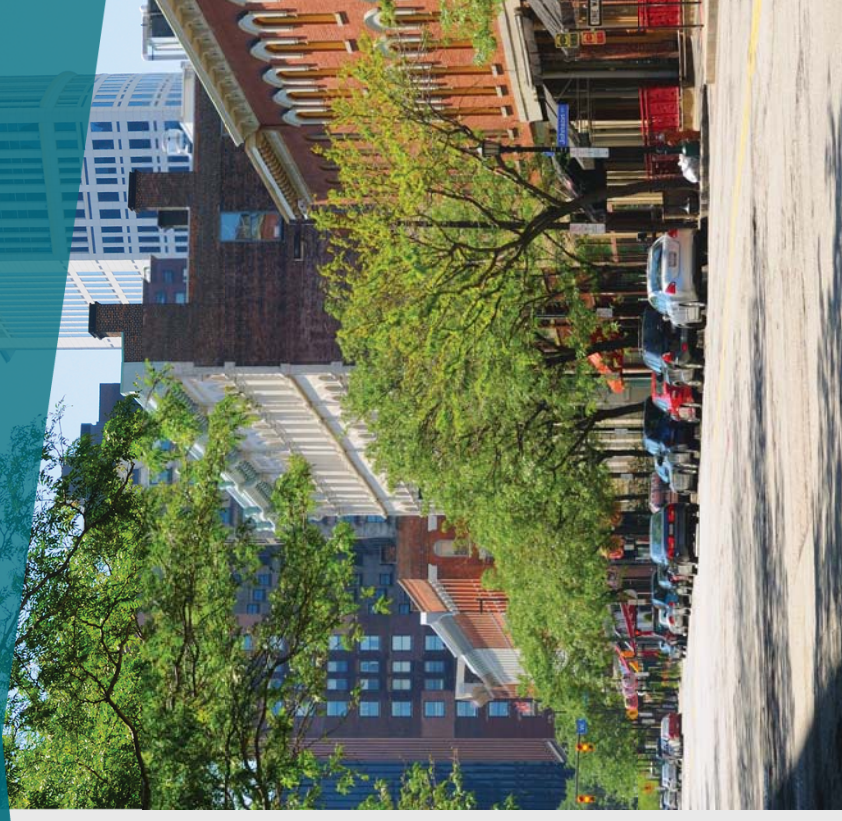


# MAIN STREET'S IMPACT

Since 1980, over 2,000 programs have used the Main Street Approach, resulting in:

- + **\$71.3 Billion** Reinvested in Communities
- + **\$9.6 Billion** increase in 2016
- + **583,757** Net New Jobs
- + **11,406** increase in 2016
- + **131,916** Net Gain in Businesses
- + **55,200** increase in 2016
- + **267,538** Buildings Rehabilitated
- + **15,700** increase in 2016

*\*For every \$1 of public money, it leveraged \$39.75 of private money on Main Street*



# THE MAIN STREET APPROACH



# THE MAIN STREET APPROACH



# THE MAIN STREET APPROACH

## Key Benefits

- + Focus on economic impact and unique market position
- + Tangible, quantifiable outcomes
- + Relevant for communities of all sizes and organizational types



# Membership Benefits

- + Access to The Point, our exclusive online member networking platform;
- + *Main Street News*, a weekly newsletter on new trends, stories from the field, and need-to-know information;
- + Discounts at the annual Main Street Now Conference, and the Main Street America Institute;
- + *State of Main*, our annual printed publication;
- + Access to our digital library of must-read revitalization publications and resource guides, including exclusive training materials on the Main Street Approach and full archives of the Main Street Now journal;
- + Full access to the Main Street Resource Center with sample documents, articles, reports, and more from your peers and experts in the field—all at your fingertips;
- + And more!

# Main Street Now Conference

Each year, leaders and volunteers from Main Street communities across the country gather for networking, learning and renewal at **Main Street Now**.

**MAIN STREET**  
*Now*

A CONFERENCE OF THE  
NATIONAL MAIN STREET CENTER

SEATTLE, WA // MARCH 25-27, 2019



# MAIN STREET AMERICA INSTITUTE

Downtown and commercial district managers have a strong interest in deepening their skills, expertise, and leadership. The **Main Street America Institute** supports these community leaders with a comprehensive set of courses and certifications to help advance their efforts to lead and manage community revitalization efforts.



# Technical Services

With decades of combined experience in commercial district revitalization, the Main Street America technical services team offers unparalleled support to local, city, and state-wide partners. Our team offers a wide range of services, all tailored to your needs. Services include:

- + Leadership development training
- + Strategies for revitalizing rural economies
- + Fundraising, planning, and organizational assessment
- + Entrepreneurial ecosystem development
- + Comprehensive Main Street Approach planning and implementation
- + Urban district revitalization support
- + And much more!

# URBANMAIN

For many years, urban neighborhood commercial districts from Boston to Seattle have found the Main Street Approach an ideal revitalization strategy. In the fall of 2017, a special network of these communities is being established under the **UrbanMain** brand.

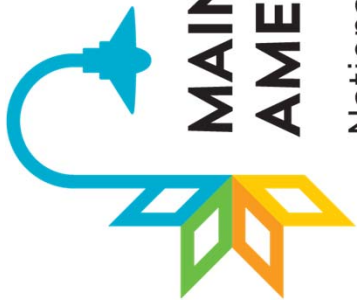


NATIONAL MAIN  
STREET CENTER



Across the country, Main Street America programs are revitalizing local economies and bringing new life to downtown through using the Main Street Approach.





**MAIN STREET  
AMERICA®**

Nationally recognized.  
Locally powered.™

Contact us

E [mainstreet@savingplaces.org](mailto:mainstreet@savingplaces.org)

P 312.610.5611 | F 202.588.6050

National Main Street Center  
53 West Jackson Blvd. Suite 350  
Chicago, IL 60604  
[mainstreet.org](http://mainstreet.org)

# FLORIDA MAIN STREET PROGRAM APPLICATION



Florida Main Street is a program of the Florida Department of State,  
Division of Historical Resources, Bureau of Historic Preservation

**COMPLETED APPLICATIONS MUST BE DIGITALLY SUBMITTED (VIA  
DROPBOX) TO [FLORIDAMAINSTREET@DOS.MYFLORIDA.COM](mailto:FLORIDAMAINSTREET@DOS.MYFLORIDA.COM) ON OR  
BEFORE 5:00 P.M. ON FRIDAY, JUNE 22, 2018**

Florida Department of State  
Division of Historical Resources  
FORM HR4E023R0102  
(Effective March 12, 2003)

# FREQUENTLY ASKED QUESTIONS

## I. WHAT IS THE FLORIDA MAIN STREET PROGRAM?

Florida Main Street is a program of the Florida Department of State, Division of Historical Resources, which provides training and technical assistance to local organizations in support of their efforts to revitalize their traditional downtown and neighborhood commercial districts. From small towns to large cities, these areas are often a reflection of the community as whole. However, this symbolic heart of the community is often a complex environment that is affected by a diversity of physical, economic, cultural, and political influences. In order to revitalize and sustain these districts, a community must address this broad range of influences. The Florida Main Street Program can assist in this process, and is structured around the “Main Street Approach®”, a strategy for revitalization developed by the National Trust for Historic Preservation.

The Main Street Approach™ was developed by the National Main Street Center of the National Trust for Historic Preservation, a partner of Florida Main Street. Over 2,000 local revitalization programs nationwide have adopted this preservation-based approach. While concentrating on revitalization of the community’s historic commercial center, these local volunteer-based programs enhance the economic vitality, quality of life, and civic pride of the whole community while countering sprawl and encouraging greater citizen participation in the decisions that are shaping their future.

The Main Street Approach™ is not a quick fix. It builds sustainable, positive change in incremental steps. Communities that establish and maintain a focus on the Main Street Approach™ in their district can achieve:

### **Greater economic stability and vitality**

- ❑ Rehabilitation and re-use of existing building stock, protecting historic resources and encouraging infill development - thereby countering sprawl
- ❑ Reduced vacancy, increasing property values and property tax revenues
- ❑ Restoration of the district as a center of commerce, increasing sales tax revenues

### **Greater quality of life and civic pride**

- ❑ Enhancing the district as a center of civic and cultural activities
- ❑ Enhancing its place as a symbol of community identity and pride

Since 1985, the Florida Main Street Program has assisted downtown revitalization efforts in over 90 communities across the state.

## II. HOW CAN WE PARTICIPATE IN THE FLORIDA MAIN STREET PROGRAM?

Local Programs are added to the Florida Main Street network on an annual basis through a competitive process. A predetermined number of applicants found to be qualified and to have scored highly in the established evaluation criteria are eligible for designation each year. Once designated, intensive training and technical assistance will be provided to the Local Program over a three-year period.

Communities may participate from the programs and services of the Florida Main Street Program as described below:

**–Active Local Program** shall include:

- (a) Local Programs in the first three years of participation in the Florida Main Street Program, and
- (b) Local Programs that have successfully completed three years of participation in the Florida Main Street Program and are currently conducting a program consistent with the Main Street Approach.®

To retain Active Local Program status, Local Programs in both aforementioned categories must conform to the criteria established by the National Main Street Center of the National Trust for Historic Preservation, as described in Section IX, and must meet the reporting requirements, described in Rule 1A-36, F.A. C.

- **Renewing** – In some cases, Local Programs may become either noncompliant or inactive.
  - (a) Noncompliant – Local Programs not conducted in accordance with the requirements will be notified by the Division in writing of noncompliance and will be allowed 90 days from the date of notification to bring the Local Program back into compliance with the cited requirements. All training and technical assistance shall be postponed during the 90-day period or until the Local Program is brought back into compliance.
  - (b) Inactive – Local Programs may become temporarily inactive by their own volition. To regain Active Local program status, an inactive Local Program needs to contact the Florida Main Street office. They are always welcome to rejoin the Florida Main Street Program and may participate in statewide training programs and conferences. Upon meeting the criteria of the National Main Street Center, as described in Section IX, they may receive technical assistance on the same terms as Active Local Programs.

**Self-Initiated Communities** -- Any Florida city, county, or community is invited to learn about and follow the Main Street Approach® and is welcome to participate in the statewide training programs and conferences of the Florida Main Street Program. They may also receive technical assistance on a fee-for-service or peer-to-peer basis. Communities that participate under this status, if qualified, are encouraged to work toward making application for designation as a Local Program.



**Renewing Local Programs and Self-Initiated Communities** need not complete the attached Florida Main Street Application, but instead should contact the Florida Main Street office

### **III. HOW ARE COMMUNITIES DESIGNATED?**

Each year, Florida's Secretary of State forms an ad hoc Florida Main Street Selection Advisory Committee to assist in evaluating applications and selecting local programs for participation in the Florida Main Street Program. In a public meeting, the Selection Committee reviews and ranks applications received in response to an annual solicitation. The Selection Committee's rankings are based on established selection criteria, described in Section V., and constitute its recommendations to the Secretary of State for Local Program designation. The Secretary of State designates Local Programs for participation in the Florida Main Street Program, based on recommendations of the Selection Committee.

### **IV. WHO CAN APPLY FOR DESIGNATION?**

Categories of communities that may apply for designation include:

- ❑ Small Cities (less than 5,000 in population)
- ❑ Mid-sized Cities (5,000 - 50,000 in population)
- ❑ Large Cities (more than 50,000 in population)
- ❑ Urban Districts (traditional neighborhood commercial districts within a city with a population greater than 50,000)
- ❑ County-wide, Regional, or Unincorporated Community Programs (with one or more traditional commercial districts -- such regions may include groups of smaller communities connected by a waterway or roadway)

### **V. WHAT ARE THE CRITERIA FOR EVALUATION OF APPLICATIONS?**

#### **The District and Local Community**

***Extent to which the proposed Local Program Area as a significant group of historic resources in a compact, cohesive, pedestrian-oriented area - downtown or neighborhood commercial district.***

- ❑ Strong historic character
- ❑ Based on a grid, around a square, park or other urban form - walkable
- ❑ Gateways, public spaces, parking, buildings, businesses, and events are accessible
- ❑ Diverse businesses - products, services, experiences that support community industries and residents
- ❑ Need and potential for economic growth, design improvement and marketing/promotional efforts

- ❑ Related issues: housing, history, demographics, economic base, activities, events, and facilities

### **Community Understanding of and Commitment to the Main Street Approach™**

#### ***Demonstrated understanding of Main Street Approach™ and Principles***

- ❑ Compatible preservation and redevelopment ethic as evidenced by the following:
  - a. Has or is putting into place an active design assistance program
  - b. Encourages building renovation or rehabilitation consistent with *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*
  - c. Encourages public awareness of the historic properties in the proposed Program Area and the importance of their preservation
  - d. Works toward putting in place land use policies that encourage development of property in the proposed Program Area
  - e. Encourages development of financial mechanisms and incentives to attract investment to the proposed Program Area
- ❑ Broad community support and understanding
- ❑ Staff supported, active volunteer organization
- ❑ Relevant purpose as reflected in a clear mission statement
- ❑ Consistency of local goals with the Main Street Approach

### **Organizational Readiness and Financial Strength**

#### ***Adequate budget and support: full time, paid Program Manager***

- ❑ Active board and committees with clearly defined objectives
- ❑ Local government, business, and citizen support
- ❑ At a minimum, dedicated public and private funding and in-kind resources for a one-year operating budget sufficient to cover the cost of:
  - a. Program Manager salary and fringe benefits
  - b. Rent and general office expenses
  - c. Travel for participation in Florida Main Street Quarterly Meetings and Annual Conference
  - d. Program Manager professional development
  - e. Activities and programs conducted by Local Program committees
- Note: A three-year funding commitment is preferred*
- ❑ Paid, professional, full-time Program Manager (Exception: Minimum of half-time paid Program Manager is acceptable for communities with populations of less than 5,000)
- ❑ Built out board and committees with realistic work plans
- ❑ Commitment to network with other Local Programs

<b>VI. WHAT OTHER FACTORS AFFECT SELECTION?</b>
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**Applicants** must be:

- ❑ A local non-profit corporation whose articles of incorporation have been filed by the Department of State;
- ❑ A community redevelopment agency;
- ❑ A downtown development authority;
- ❑ The government of an incorporated municipality
- ❑ A county government
- ❑

**Funding** – Description and verification of the resources available for at least the first three years of the local program, including salary, benefits, and travel for a full-time Executive Director, and operating expenses. Regional Program budgets should include the cost of transportation and, perhaps, satellite office locations.

**Staffing** -- Applicants with a population over 5,000 are required to provide a full time, paid, professional Executive Director. Applicants with a population of less than 5,000 are required to provide at least a half-time paid professional Executive Director.

**Additional Considerations:**

**County and Regional Programs** may contain up to three Program Areas related by proximity and located along a common highway or waterway. No town or city should contain a population of over 10,000 nor should any two have over 5,000 each in population. Program Areas should be no more than 15 miles from one another. Travel, communications, and office support should reflect their dispersed arrangement. The organizational structure for such programs may include separate local boards and committees, with an overall executive committee. The local organizations from each Program Area will be expected to engage in joint marketing or festival projects. Organizations conducting county and regional programs are encouraged to hire experienced Executive Directors.

**Equitable Distribution** -- Geographic Distribution of the applicants relative to existing Local Programs will be considered during the application evaluation process. All other factors being equal, preference shall be given to Applications from areas of the state not currently served by the Florida Main Street Program.

**Designation or Selection of another Local Program Area** – In communities where there is an existing Local Program has been previously designated, a local organization or agency may make application for designation of a separate, neighborhood commercial district.

## VII. WHAT SERVICES DOES FLORIDA MAIN STREET PROVIDE TO LOCAL PROGRAMS?

All Communities in the State have access to:

- ❑ **The Program Coordinator** who is responsible for conducting the statewide Florida Main Street Program and delivery of related training and technical assistance services.
- ❑ **Annual Florida Main Street Conference** -- This multi-day conference focuses on current downtown revitalization and preservation issues, and includes plenary sessions, educational sessions, and networking opportunities. Presenters include practicing professionals of regional and national repute.
- ❑ **Quarterly Florida Main Street Meetings** that rotate among regions of the state - Each quarter, Executive Directors, board members and others gather for a one to two-day meeting that may include single or multiple topic workshops, presentations from Local Programs, and tours or demonstrations by the host program, and may include specialized presentations or training by a consultant in one of the areas of specialization listed herein.
- ❑ **Advanced Training Program**– Conducted as one of the Quarterly Meetings, this training program will address issues of special interest to Local Programs who have already benefited from many of the basic services provided by the Florida Main Street Program.
- ❑ **Statewide Main Street Basic Training** that includes the Main Street Four Approach® and historic preservation training for all Executive Directors, board members and volunteers.
- ❑ **Technical Assistance** and on-site visits, as feasible, to monitor the Active Local Program and assist with work plan and board development.
- ❑ **Pre-Application Assistance** – On request, Florida Main Street will provide technical assistance to entities interested in making application for participation in the Florida Main Street Program. At a minimum, such assistance shall include meeting with community representatives, conducting a pre-application webinar annually, and responding to inquiries. Depending upon availability of resources, such assistance may also include an assessment visit to the proposed Local Program Area by the Program Coordinator.

**Newly Designated Local Programs** are required to participate in all the services available to Active Local Programs, described in Section VII and the annual National Main Street Conference. In addition, shall receive services to be delivered over three years that shall include:

- **Reconnaissance Visit** by the Program Coordinator – one-day visit to community following designation to promote the Local Program and meet local stakeholders.
- **Resource Team Visit --** A 3-day Resource Team Visit by an interdisciplinary team of experts in downtown issues will typically be one of three technical assistance services provided to first-year communities. Resource Team Visits include an intensive series of meetings and workshops to assist the Local Program in establishing a sound work plan that will address Local Program needs in each of the areas of the Main Street Approach. Each Resource Team Visit will be concluded with a public meeting to present team findings and recommendations, and will be documented by a written report.
- **Annual Assessment --** A one-day visit to the Local Program Area by the Program Coordinator to (a) assess Local Program progress toward annual and long-term goals, (b) assist with goal setting for the coming year, and (c) identify training and technical assistance needs for the coming year. Observations and recommendations will be included in a written report provided to the Local Program.
- **Consultant Assistance –** The Local Program may choose from the following topics/issues to be addressed by Consultant Assistance **(up to four services over the first three years) --**
  - Organizational development
  - Legal issues of initiating, managing a not-for-profit organization
  - Fund-raising
  - Market analysis
  - Visual merchandising, store design
  - Small business operations
  - Business recruitment
  - Property development
  - Writing/re-writing comprehensive plans, zoning codes, other redevelopment-supportive ordinances
  - Entrepreneurial and business development
  - Promotion, public relations, branding and advertising
  - Website development
  - Signage system design
  - Transportation planning
  - Special event management
  - Urban design



- Q. Support of historic preservation
- **Florida Main Street Start-up Grant of \$25,000**  
During the first year following designation, each Local Program will be eligible to apply for a one-time \$25,000 start-up grant from the Historical Resources Small Matching Grant Program to assist initial development of the Local Program. All Local Program activities assisted through this grant shall be in accordance with the Main Street Approach®. Award and administration of all such grants shall be in accordance with provisions of Chapter 1A- 39, F.A.C.

## **VIII. WHY ARE MAIN STREETS IMPORTANT?**

With the understanding that a healthy, vibrant community builds its future on its past, the Florida Main Street Program promotes sensible, sustained economic growth based on local assets: natural, built, cultural, financial, and human. To accomplish this goal, Florida Main Street assists communities in revitalizing their traditional downtown and neighborhood business districts by offering a diversity of services, including training, technical assistance, and networking.

Restoring and sustaining the downtown or neighborhood business district's physical and economic vitality should be a priority for any community, because those districts are the heart of the community, the symbol of local history, the "commons," the site for parades, celebrations, and other community events – a venue reflecting the community's quality of life. They display community pride or its lack.

Such business districts are also important economically. They are indicators of the overall community's economic health. They're a significant source of property tax and other public revenues. They're the "incubator" of new businesses and the home of independent, locally owned businesses that collectively are a major employer in the community, the state, and the nation. And they offer a mix of goods and services--retail, entertainment, government, and professional--that isn't found anywhere else. Vibrant and redeveloped traditional commercial districts yield a return on a community's substantial investment in infrastructure and building stock -and they help avoid sprawl.

## **IX. WHAT IS THE MAIN STREET APPROACH®?**

Once the social and commercial center of American life, thousands of downtown and neighborhood business districts across the United States fell by the wayside in the 1950s and 1960s, abandoned in the post-World War II rush to the suburbs. Some downtowns tried to compete with trendy malls by hanging garish signs and hiding grand old buildings behind modern facades. Others simply gave up and let time take its toll.

But Main Street refused to die. In the late 1970s, town after town awoke to the realization that so-called “progress” had failed in its promise to create a better life. Instead, modernization had extracted a high price: congested streets and highways, uncontrolled growth and cookie-cutter architecture that reflected neither a sense of place nor a sense of pride. Troubled by the heavy cost to their communities, people looked again at Main Street, imagining its faded glory transformed into a fresh source of community pride.

Today, hundreds of once-deserted downtowns are booming again. Main Streets that once teetered on the brink of extinction have come back to life. Shops are thriving, streets are bustling, and citizens have rediscovered the pride and pleasure that come from belonging to a real community.

Breathing new economic life into an old commercial district presents a special challenge. Rehabilitating a few downtown buildings or sponsoring an annual festival is an important move in the right direction, but it’s not enough. Nor is it necessary to bankroll the kind of “big fix” project advocated by many so-called development experts.

*So, what is the solution? Simply put, to give a downtown a prosperous new lease on life, a community must direct its time, energy and resources to the challenge of rediscovering that area’s unique assets and rebuilding it step-by-step into a vibrant and viable commercial district.*

To help communities achieve their economic goals, the National Main Street Center has developed a comprehensive revitalization strategy that pairs thoughtful preservation of historic assets with sensible business practices. By blending common sense with sound planning, economic development, promotion and design - all tailored for local needs - the Main Street Four-Point Approach® has already produced dramatic results. The cumulative success of the Main Street Programs on the local level has earned Main Street the reputation as one of the most powerful economic revitalization tools in the nation.

## **The Main Street Four-Point Approach®**

**Design** involves improving the downtown’s image by enhancing its physical appearance - not just the appearance of buildings, but also that of streetlights, window displays, parking areas, signs, sidewalks, promotional materials and all other elements that convey a visual message about the downtown and what it has to offer.

**Organization** means building cooperation and consensus among all the groups that play roles in the downtown - bankers, civic groups, government, merchants and individual citizens - to ensure that the Main Street program benefits from a community-wide vision of the future.

**Promotion** involves marketing the downtown’s unique characteristics to shoppers, investors, new businesses, tourists and others. Effective promotion creates a

positive image of downtown through retail promotional activity, special events and ongoing programs that build positive perceptions of the district.

**Economic Vitality** means strengthening the existing economic base of downtown while diversifying it. Economic vitality activities include helping existing businesses expand, recruiting new businesses to provide a balanced mix, converting unused space into productive property and sharpening the competitiveness of downtown merchants. By strengthening the downtown's economy, communities are able to support the ongoing use of historic commercial buildings, preserving unique community assets.

## **Main Street's Guiding Principles**

While the Main Street Four-Point Approach provides the format for successful revitalization, implementation of the four-point approach is based on eight principles that pertain to all areas of the revitalization effort:

**Comprehensive.** Downtown revitalization is a complex process and cannot be accomplished through a single project. For successful long-term revitalization, a comprehensive approach must be used.

**Incremental.** Small projects and simple activities lead to a more sophisticated understanding of the revitalization process and help to develop skills so that more complex problems can be addressed and more ambitious projects undertaken.

**Self-help.** Local leaders must have the desire and the will to make the project successful. The National Main Street Center and the state Main Street program provide direction, ideas, and training; but continued and long-term success depends upon the involvement and commitment of the community.

**Public/private partnership.** Both the public and private sectors have a vital interest in the economic health and physical viability of the downtown. Each sector has a role to play, and each must understand the other's strengths and limitations so that an effective partnership can be forged.

**Identifying and capitalizing on existing assets.** Business districts must capitalize on the assets that make them unique. Every district has unique qualities – like distinctive buildings and human scale that give people a sense of belonging. These local assets must serve as the foundation for all aspects of the revitalization process.

**Quality.** Quality must be emphasized in every aspect of the revitalization program. This applies equally to each element of the program, from storefront design to promotional campaigns and to educational programs.

**Change.** Changes in attitude and practice are necessary to improve current economic conditions. Public support for change will build as the program grows.

**Implementation-oriented.** Activity creates confidence in the program and ever-greater levels of participation. Frequent, visible changes are a reminder that the revitalization effort is under way. Small projects at the beginning of the program pave the way for larger activities as the revitalization effort matures.

## **National Main Street Accreditation Standards**

The National Main Street standards of performance is used for designating programs at the Accredited level that is “a mark of distinction that signifies commitment to comprehensive revitalization, community engagements, and rigorous outcome measurement.”

1. Broad-based public/private support for the commercial district revitalization process, with strong support from both the public and private sectors;
2. Vision and mission statements relevant to community conditions and to the Local Program’s organizational stage;
3. Comprehensive Main Street work plan; active in all four-points;
4. Historic preservation ethic;
5. Active board of directors and committees, following the Four-Point Approach®;
6. Adequate operating budget;
7. Paid, full time Executive Director (annual review);
8. On-going training for staff and volunteers. Attendance at all quarterly meetings, annual state conference and national conference are required;
9. Reporting of key reinvestment statistics; and
10. Current member of the National Main Street network

### **X. WHAT OTHER BENEFITS ARE AVAILABLE TO ACTIVE LOCAL PROGRAMS?**

In addition to participation in all regional and statewide conferences and training programs conducted under the auspices of the Florida Main Street Program and the technical assistance described in Section VII, Active Local Programs are also eligible for the following benefits:

- ❑ Scholarships to training programs and conferences sponsored by the National Main Street Center.
- ❑ Assistance in promotion of local Main Street areas and events.
- ❑ Books, publications, and videos
- ❑ Inclusion on Florida Main Street’s list serve with regular e-mails concerning leads for grants opportunities, Main Street network queries, and information updates on all aspects of the Four-Point Main Street Approach®.

- ❑ Eligibility to submit and be recognized for outstanding achievement by the Secretary of State at the annual Awards Banquet.
- ❑ Networking and peer assistance points for Small Cities Community Development Block Grant (CDBG) and Florida Communities Trust application scoring.
- ❑ Social media outreach with all Local Programs
- ❑ Eligibility to be designated “Program of the Month” by the Secretary of State.

## **XI. HELPFUL HINTS FOR APPLICATION COMPLETION**

MAKE SURE THE APPLICATION IS COMPLETE. Use the enclosed Application Checklist to insure that all required items are included with your application.

- A. Follow the application format when answering questions. Keep responses brief and in the order indicated.
- B. Proposed Local Program Area(s) should be the small, well-defined traditional commercial core of your community. Select the area that has the strongest concentration of historic commercial buildings. Avoid the temptation to include peripheral areas with scattered buildings and vacant land. This form was designed for applicants with a single district.
- C. All applicants must demonstrate a commitment to actively participate in the Florida Main Street Program.
- D. Offer a competitive salary to attract a qualified Executive Director. Offer job security by providing stable program funding. Do not expect the Executive Director to raise funds for the Local Program.
- E. Provide a generous travel budget. The Executive Director is required to attend Florida Main Street training sessions, meetings and annual State conferences, and, for the first three years after designation, the National Main Street Conference. Other members of the Local Program board and volunteers are encouraged to attend these meetings also.
- F. Population, income, poverty, and demographic data is available from the Bureau of Economic and Business Research at the University of Florida (BEBR) ([www.bebr.ufl.edu](http://www.bebr.ufl.edu)) – email: [info@bebr.ufl.edu](mailto:info@bebr.ufl.edu) – (352) 392-0171. These estimates can be accessed in the book titled *Florida Statistical Abstract*, which is published each year and should be available in any local library. Additional Florida Census data can be found through the Office of Economic and Demographic Research (850) 487-1402 – <http://edr.state.fl.us> and at <http://www.census.gov>. At this web site, “State and County Quick Facts” will provide census results for your county, and “American Factfinder” will provide census results for your city.
- G. Unemployment data is available through the Agency for Workforce Innovation. Most information can be obtained from their web site at [www.labormarketinfo.com](http://www.labormarketinfo.com). If you

need additional information, the phone number for the agency is (850) 245-7205 or 1-866-537-3615.

- H. The Florida Department of Revenue, Tax Research Office provides sales tax data for Florida Counties and Cities. The web site for the Florida Department of Revenue is [www.dor.myflorida.com/dor/taxes/sales\\_tax](http://www.dor.myflorida.com/dor/taxes/sales_tax)
- I. The tax base information requested in the application is available from your county's tax assessor. The appraised value is the value assigned to the property before any exemptions. The assessed value of property is the value upon which property taxes (revenue) are based, usually after all exemptions have been taken. Information for the city is sometimes compiled by the tax assessor's office, but proposed Local Program Area data is not. To find the total appraised and assessed values for the Local Program Area, it may be necessary to add the appraised or assessed value for the individual properties in the program area.
- J. Each applicant will have time to present digital photographs and additional material during the public meeting at which applications are considered.

## **XII. MATERIALS TO BE SUBMITTED**

- A. The original signed application and attachments plus eight (8) copies of the completed application and all attachments (excluding digital photographs) must be submitted.
- B. ONE SET of twenty-five (25) color **digital** photographs of the proposed Local Program Area must be submitted. Each photo file shall be labeled with the name of the city and a number. The number shall key the photo to a description sheet giving the address of the building, the direction from which the slide was taken (North, South, etc.). The photos shall also be keyed to a map of the proposed Local Program Area.
- C. Each copy of the application form must be accompanied by the following attachments in a separate binder labeled "Appendices":

### Appendix A:

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1. City street map on which the boundaries of the proposed Local Program Area are clearly defined and to which the digital photographs are keyed.
2. Description sheet providing the information indicated in B above for each digital photograph.
3. Copy (can be a photocopy) of a photograph at least 8" x 10" which shows an aerial view of the Local proposed Program Area within the context of the

downtown. The proposed Local Program Area should be clearly outlined on the photograph.

#### Appendix B:

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1. Certification of the availability of full funding for the first year of the Local Program (see Appendix to this document).
2. Certification of employment of a full time Executive Director (see Appendix in this document).
3. Resolution passed by the local government(s) showing support for the local program (a sample resolution is included in the Appendix in this document).
4. Attach verification for funding of all years applicable. A commitment of funding for at least three years is required.
5. Attach verification of public sector funding in the form of an official city and/or county resolution supporting a specific contribution to the local program.
6. List of all in-kind services donated to the local program. This list should include the service description, donor, cash value and duration for each in-kind service.
7. Attach Articles of Incorporation or enabling legislation for applicant organization or agency (unless a local government).

#### Appendix C:

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1. Specific letters and resolutions of commitment from key community organizations, governmental entities and institutions. General letters and resolutions of support from other organizations, governmental entities, institutions, elected officials, merchants and citizens.

#### Appendix D:

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1. Press clippings.
2. Miscellaneous supporting materials.
3. Application Summary Sheet.

**NOTE: All application materials submitted become the property of Florida Main Street and will not be returned.**



**For Further Information about the Florida Main Street Program:**

Write to the Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street (Fourth Floor), Tallahassee, Florida 32399-0250 or call (800) 847-7278 or (850) 245-6333 FAX (850) 245-6437.

# FLORIDA MAIN STREET PROGRAM APPLICATION

The Bureau of Historic Preservation is now accepting applications for participation in the Florida Main Street Program. The statewide Florida Main Street Program is administered by the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation. Each year, the Florida Secretary of State selects local Main Street programs to participate in the statewide program from the applications received. The maximum number of Local Programs to be selected this year for participation in the program is indicated in the application solicitation announcement published in the Florida Administrative Weekly. Applications are evaluated on a competitive basis consistent with the provisions of Chapter 1A-38, Florida Administrative Code.

**NOTE: COMPLETED APPLICATIONS MUST BE DIGITALLY SUBMITTED (VIA DROPBOX) TO [FLORIDAMAINSTREET@DOS.MYFLORIDA.COM](mailto:FLORIDAMAINSTREET@DOS.MYFLORIDA.COM) ON OR BEFORE 5:00 P.M. ON FRIDAY, JUNE 22, 2018**

This application is intended to serve two purposes: First, it provides an opportunity for the local Main Street organization to collect baseline information about the community, the district, and itself that will be useful in conducting a local Main Street program. Second, it allows the applicant to organize and present information relating to the Criteria for Evaluation of Applications (see pages IV and V above) to facilitate the competitive process by which local programs are selected for participation in the statewide Florida Main Street Program.

## APPLICANT IDENTIFICATION

City: \_\_\_\_\_ County: \_\_\_\_\_

Applicant Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_

Name of Application Contact: \_\_\_\_\_

Title: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

E-mail Address (required): \_\_\_\_\_

<b>APPLICANT CERTIFICATION</b>
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I certify that I am a duly authorized representative of the applicant and that, to the best of my knowledge, the information presented in this application is accurate. I further certify that it is the intent of the applicant to execute the Florida Main Street Agreement and submit a Historic Preservation Grants-in-Aid Application upon designation as a Local Florida Main Street Program. I also acknowledge that selection of applicants for participation in the Florida Main Street Program is made on a competitive basis, and neither the submission of this application nor acceptance of this application by the Bureau of Historic Preservation in any way constitutes any manner of commitment by the Bureau to select the applicant for participation in the Florida Main Street Program or to provide funding or technical assistance to the applicant.

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 Signature

Date

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 Typed name and title of duly authorized representative of applicant organization

<p><b>s. 837.06, Florida Statutes, False official statements</b> -- Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.</p>
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<b>APPLICATION PREPARATION</b>
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The Florida Main Street Program Application contains four sections, each requiring different skills and types of information for completion. Applicants are encouraged to use a committee approach (one committee per section) in preparing their applications, in lieu of hiring a consultant to do so. If a consultant is used, the various committees of the local Main Street organization are encouraged to take an active role in gathering the data required for application completion.

The community members whose signatures appear below assisted in the completion of this application.

**Section I. The Community:**

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 Signature

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 Signature

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 Signature

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 Signature

**Section II. The Local Organization:**

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 Signature

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 Signature

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 Signature

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 Signature

**Section III. The Local Program Area:**

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 Signature

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 Signature

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 Signature

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 Signature

**Section IV. Overall Assessment**

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 Signature

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 Signature

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 Signature

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 Signature

**If a consultant prepared this application, completion of the following section is required:**

Consultant Firm Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Name of Consultant Contact: \_\_\_\_\_

Title: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

E-mail Address (required): \_\_\_\_\_

# I. THE COMMUNITY

## A. CATEGORY APPLYING UNDER

- 
- Small City (<5,000 in population)
- Mid-sized City (5,000 - 50,000 in population)
- Large City (>50,000 in population)
- Urban District (traditional neighborhood commercial district within a city with population >50,000)
- County-wide or Regional Programs (with one or more traditional commercial districts)

## B. HISTORICAL OVERVIEW

1. Provide a brief historical overview of your community dating back to incorporation or settlement.

## C. DEMOGRAPHIC AND ECONOMIC INFORMATION

1. Population

	2000	2010	Seasonal Peak
(a) City			
(b) County			
(c) State	15,982,378	18,801,310	

2. Median Age

	2000	2010
(a) City		
(b) County		
(c) State	38.7	40.7



3. City - Persons by Race (Percentage of population total will exceed 100%)

	2000	2010
White		
African-American		
Asian/ Pacific Islands		
Native American		
Hispanic		
Other		

4. County - Persons by Race (Percentage of population total will exceed 100%)

	2000	2010
White		
African-American		
Asian/ Pacific Islands		
Native American		
Hispanic		
Other		

5. State - Persons by Race (Percentage of population total will exceed 100%)

	2000	2010
White	12,734,292	14,488,435
African-American	2,471,730	3,200,663
Asian/ Pacific Islands	333,013	612,997
Native American	117,880	162,562
Hispanic	2,682,715	4,223,806
Other	697,074	844,318

6. Median Household Income

	2000	2010
(a) City		
(b) County		
(c) State	38,819	39,973

7. Persons below poverty level

(a) City

	# of Persons	% of Population
1980		
1990		
2000		

(b) County

	# of Persons	% of Population
1980		
1990		
2000		

(c) State

	# of Persons	% of Population
1990	1,604,000	12.45
2000	1,952,629	22.2
2010	3,048,621	16.5

8. Unemployment Rate as compiled by the Florida Department of Labor and Employment Security (at two points in year to show any seasonal variations).

	(a) City	(b) County	(c) State
March 2000			3.8
August 2000			3.8
March 2010 (Past Year)			10.7
August 2010 (Past Year)			10.5

9. What is the nearest Metropolitan Statistical Area (MSA)? How far is it from your city?

10. What types of regional transportation facilities are located in your community? Please include names.

- |                         |                             |
|-------------------------|-----------------------------|
| a) Commercial Airport   | e) Bus Service:             |
| b) Airlines:            | f) Taxi Service             |
| c) Passenger Railroads: | g) Interstates and highways |
| d) Freight Railroads:   | h) Other:                   |

Provide a brief assessment of the state of transportation resources:

11. What newspapers, radio, television stations and cable systems service the area?

12. Is tourism a major industry in your community? Are there major resorts or attractions nearby? If so, identify them. Are there major events held nearby? If so, identify them.

13. Is there a marked seasonal population fluctuation due to tourism, winter residency, educational facilities, etc.? If so, explain why.

14. List the five largest employers in your community:

Employer Name	Type of Business	Number of Employees

15. How many industrial parks are in your community? Identify them and the approximate number of businesses and employees in each. \_

Number of industrial parks:\_\_\_\_\_

Industrial Park Name	# of Businesses	# of Employees	Distance from Program Area

16. How many “big box” stores or “super centers” serve your community? Identify them and indicate the distance of each from the Local Program Area.

Number of big box stores or super centers: \_\_\_\_\_

Store Name	Distance from Local Program Area

17. How many strip shopping centers serve your community? Identify them and approximate the number of businesses in each. Indicate the distance of each from the Local Program Area.

Number of strip shopping centers: \_\_\_\_\_

Shopping Center Name	Number of Businesses	Distance from Local Program Area

18. How many enclosed regional malls serve your community? Identify them and approximate the number of businesses in each mall. Indicate the distance of each mall from the Local Program Area.

Number of enclosed regional malls: \_\_\_\_\_

Mall Name	Number of Businesses	Distance from Local Program Area

19. Summarize the current development, demographic and economic trends in your community:

**D. EXISTING PLANS FOR REDEVELOPMENT**

1. Provide a brief list of goals/objectives for any organization(s) currently overseeing redevelopment efforts in your community (i.e. Regional Planning Council programs, Community Redevelopment Agencies, special municipal task forces, etc.)

**E. MUNICIPAL RESOURCES**

1. What is your form of local government?
  
2. Does your local government have: (Answer Yes or No. Explain briefly if appropriate.)
  - a) A comprehensive plan as defined under Chapter 163, F.S.?
  - b) A historic preservation element in that plan?
  - c) A downtown revitalization element in that plan?
  - d) A zoning ordinance?
  - e) A sign control ordinance?
  - f) An historic preservation ordinance?
  - g) An historic district ordinance?
  - h) A design review ordinance?

- i) A minimum maintenance ordinance?
  - j) A central business district plan?
  - k) A planning and zoning commission?
  - l) A public housing authority?
  - m) A building inspector?
  - n) A staff person responsible solely for downtown revitalization? How many hours per week? What is the source of funding?
3. Has the city received grants or transfers of funds from other governmental units, (i.e., Community Development Block Grant) in the past three years? How have they been used? Have any of these activities occurred in the proposed Local Program Area? If yes, briefly describe.
4. Are there un-obligated Community Development Block Grant or other funds that could be used for redevelopment in the proposed Local Program Area? If so, describe.
5. Has your community been a designated Rural Area of Critical Economic Concern?
6. Does your community have a designated enterprise zone area? If yes, is the proposed Local Program Area included in this zone?
7. Has your city participated in any other federal, state or local economic development programs (i.e., Small Business Administration (SBA) programs, Florida Community Contribution Tax Incentives, etc.)? If so, describe the program activities and indicate if the proposed Local Program Area is included in any of these activities.
8. Does the city have any bonds or other available funds that could be used for redevelopment within the proposed Local Program Area? If so, describe.

<b>F. ECONOMIC INDICATORS</b>
-------------------------------

1. What are the annual sales tax receipts (shared revenue) for the city? For the county?
2. What is the number of and dollar volume of building permits issued by the city in the last year?
3. How many financial institutions are in the city. How many are in the proposed Local Program Area? Have they indicated a willingness to support the local program and invest in the proposed Local Program Area? If yes, in what way?
4. Has a commercial revitalization loan program been established in your city? If so, briefly describe the program, indicate participating agencies or institutions, and include the dollar value of loans processed to date. Is there a design review committee to review loan applications in the proposed Local Program Area?



**G. ORGANIZATIONS**

1. Community Redevelopment Agency (CRA)
  - a) Date established:
  - b) Make-up of Board:
  - c) Is there an approved CRA plan?
  - d) Has a Tax Increment Financing Fund been established? If so, when?
  - e) Is the proposed Local Program Area included in the CRA plan?
  - f) What support activities has this organization provided the local program to date?
  - g) Within the last five years, what have been the major activities and accomplishments of the CRA?
  - h) Budget expenditures (previous two years):
  
2. Chamber of Commerce
  - a) Name of organization:
  - b) Date established:
  - c) Make-up of Board:
  - d) Sources of funding:
  - e) Budget expenditures (previous two years):
  - f) Size of membership (previous two years):
  - g) What support activities has the Chamber provided within the proposed Local Program Area to date?
  - h) Within the last five years, what have been the major activities and accomplishments of the Chamber?

3. Merchants/Professional Association

- a) Name of organization:
- b) Date established:
- c) Make-up of Board:
- d) Sources of funding:
- e) Budget expenditures (previous two years):
- f) Size of membership (previous two years):
- g) What support activities has this organization provided within the proposed Local Program Area to date?
- h) Within the last five years, what have been the major activities and accomplishments of the organization?

4. Downtown Development Authority (or Special Assessment District)

- a) Date established:
- b) Make-up of Board:
- c) Sources of funding:
- d) Budget expenditures (previous two years):
- e) What support activities has the DDA provided within the proposed Local Program Area to date?
- f) Within the last five years, what have been the major activities and accomplishments of the DDA?

5. Local Historic Preservation Organization

- a) Name of organization:
- b) Date established:
- c) Make-up of Board:
- d) Source of funding:

- e) Budget expenditures (previous two years):
  - f) Size of membership (previous two years):
  - g) What support activities has this organization provided within the proposed Local Program Area to date?
  - h) Within the last five years, what have been the major activities and accomplishments of the organization?
6. Other Downtown Associations
- a) Name of organization:
  - b) Date established:
  - c) Make-up of Board:
  - d) Sources of funding:
  - e) Budget expenditures (previous two years):
  - f) Size of membership (previous two years):
  - g) What support activities has this organization provided within the proposed Local Program Area to date?
  - h) Within the last five years, what have been the major activities and accomplishments of the organization?
- 
- aa) Name of organization:
  - bb) Date established:
  - cc) Make-up of Board:
  - dd) Sources of funding:
  - ee) Budget expenditures (previous two years):
  - ff) Size of membership (previous two years):
  - gg) What support activities has this organization provided within the proposed Local Program Area to date?
  - hh) Within the last five years, what have been the major activities and accomplishments of the organization?

7. Are there any cultural or recreational organizations that have programs or activities that directly affect the proposed Local Program Area? If so, described them, their activities and programs. (Include festivals, theaters, arts councils, schools, etc.)

## II. THE LOCAL ORGANIZATION

### A. ORGANIZATIONAL READINESS

1. Name of organization or agency to administer the local program:
  
2. Date established: \_\_\_\_\_ Size of current membership: \_\_\_\_\_
  
3. For the preceding two years from the date of this application, what were the budget expenditures of the organization or agency to administer the local program?
  - a. Budget expenditures for last year (entire fiscal year): \_\_\_\_\_  
Sources of funding:
  
  - b) Budget expenditures for year before last (entire fiscal year): \_\_\_\_\_  
Sources of funding:
  
4. Federal Employer Identification (FEID) Number: \_\_\_\_\_
  
5. Taxing Status (i.e., 501(c)(3), etc.):
  
6. List the current officers of the organization; indicate their terms of office, and affiliation, such as representative of Chamber of Commerce, merchant, etc. (If the applicant is a municipality, indicate N/A or indicate the membership of the organization's Advisory Board if such a board has been established.)
  
7. What is the composition of the Board that will determine policy for the local program? (If the same as #6, indicate so).
  
8. How are the members of the Board selected?

9. What commitment do you require from Board members. (job description, hours per month, membership dues, attendance at FMS training sessions, etc.).
  
10. Insert following this page a narrative describing the organizational structure of the local program, including the Board, standing committees, general membership and other partners. Include a list of the members of each committee.
  
11. Indicate what projects are planned under the Four Points of the Main Street Approach: Organization, Design, Promotion, and Economic Restructuring and what project money has been budgeted (beyond operating funds).
  
12. Describe your long-term funding strategy, describing anticipated grants, contracts for services, fund raising events, membership dues, etc.
  
13. Please complete the form on the next page regarding income and expenses **for the current year and the next two years** of the local program (one form per fiscal year).

**CURRENT (FIRST YEAR) BUDGET SUMMARY \* \_\_\_\_\_ TO \_\_\_\_\_**

**Income**

Sources	Cash in Hand	Cash Pledged **	Total Cash	In-Kind Pledged	Total Value
City Government					
CRA Trust Fund					
County Government					
Private Contributions					
<b>TOTAL CASH INCOME ***</b>					
			<b>TOTAL IN-KIND PLEDGED ****</b>		
					<b>TOTAL INCOME **</b>

**Expenses**

	Cash Needs	In-Kind Pledged	Total Expense
Program Manager Salary			
Program Manager Benefits			
Additional Staff Salary			
Additional Staff Benefits			
Travel and Professional Development			
Advertising/Promotion			
Postage			
Office Supplies			
Printing/Photocopying			
Photographic Supplies			
Insurance			
Rent, Utilities			
Telephone			
Professional Development			
Answering Machine or Service			
Contingency or other (explain)			
Project Money (Specify)			
<b>TOTAL CASH NEEDS ***</b>			
<b>TOTAL IN-KIND PLEDGED ****</b>			
		<b>TOTAL EXPENSES *****</b>	

\* This budget format is to be completed for a minimum of three years.  
 \*\* A list of all funding pledges must be submitted in Appendix B.  
 \*\*\* Total Expenses must equal Total Income.  
 \*\*\*\* Total Cash Income must equal or exceed Total Cash Needs.

\*\*\*\*\* Documentation of all in-kind donations must be submitted in Appendix B.

**SECOND YEAR BUDGET SUMMARY \* \_\_\_\_\_ TO \_\_\_\_\_**

**Income**

Sources	Cash in Hand	Cash Pledged **	Total Cash	In-Kind Pledged	Total Value
City Government					
CRA Trust Fund					
County Government					
Private Contributions					
TOTAL CASH INCOME ***					
			TOTAL IN-KIND PLEDGED ****		
					TOTAL INCOME **

**Expenses**

	Cash Needs	In-Kind Pledged	Total Expense
Program Manager Salary			
Program Manager Benefits			
Additional Staff Salary			
Additional Staff Benefits			
Travel and Professional Development			
Advertising/Promotion			
Postage			
Office Supplies			
Printing/Photocopying			
Photographic Supplies			
Insurance			
Rent, Utilities			
Telephone			
Professional Development			
Answering Machine or Service			
Contingency or other (explain)			
Project Money (Specify)			
TOTAL CASH NEEDS ***			
TOTAL IN-KIND PLEDGED ****			
		TOTAL EXPENSES *****	

\* This budget format is to be completed for a minimum of three years.  
 \*\* A list of all funding pledges must be submitted in Appendix B.



\*\*\* Total Expenses must equal Total Income.  
 \*\*\*\* Total Cash Income must equal or exceed Total Cash Needs.  
 \*\*\*\*\* Documentation of all in-kind donations must be submitted in Appendix B.

**THIRD YEAR BUDGET SUMMARY \* \_\_\_\_\_ TO \_\_\_\_\_**

**Income**

Sources	Cash in Hand	Cash Pledged **	Total Cash	In-Kind Pledged	Total Value
City Government					
CRA Trust Fund					
County Government					
Private Contributions					
TOTAL CASH INCOME ***					
			TOTAL IN-KIND PLEDGED ****		
				TOTAL INCOME **	

**Expenses**

	Cash Needs	In-Kind Pledged	Total Expense
Program Manager Salary			
Program Manager Benefits			
Additional Staff Salary			
Additional Staff Benefits			
Travel and Professional Development			
Advertising/Promotion			
Postage			
Office Supplies			
Printing/Photocopying			
Photographic Supplies			
Insurance			
Rent, Utilities			
Telephone			
Professional Development			
Answering Machine or Service			
Contingency or other (explain)			
Project Money (Specify)			
TOTAL CASH NEEDS ***			
TOTAL IN-KIND PLEDGED ****			
		TOTAL EXPENSES *****	

*	This budget format is to be completed for a minimum of three years.
**	A list of all funding pledges must be submitted in Appendix B.
***	Total Expenses must equal Total Income.
****	Total Cash Income must equal or exceed Total Cash Needs.
*****	Documentation of all in-kind donations must be submitted in Appendix B.

## **B. PUBLIC AND PRIVATE SECTOR INVOLVEMENT**

1. How will both municipal and county governments participate in the local program? Be specific regarding responsibilities and roles.
  
2. What support activities will be provided by the organizations listed in Section I-G and how will these organizations interact with the local program? Be specific regarding responsibilities and roles.
  
3. How will any other community groups or service organizations participate in the local program? Be specific about responsibilities and roles.
  
4. How will you continue to generate public awareness of, involvement in, and financial support for the local program?

## **C. UNDERSTANDING OF MAIN STREET APPROACH**

1. What does your community expect to achieve by participating in the Florida Main Street Program? Be specific and identify the outcome or results expected from each of the four points of the Main Street Approach.
  
2. How have you informed other community groups and citizens about your local program and the Main Street Approach?

3. How many years do you anticipate participating in the Florida Main Street Program?
4. Do you agree to participate in the Florida Main Street Reporting System?
5. Did you apply to the Florida Main Street Program in previous years? If yes, what programs, activities or interest resulted from applying? Provide a brief overview of related accomplishments during the time since your last application was made.
6. How do you intend to support staff and volunteers participation in statewide Florida Main Street activities?

<b>D. PROGRAM MANAGER</b>
---------------------------

1. Is the Program Manager or will the Program Manager be a salaried or contract employee? Briefly describe the Program Manager selection process that was or will be used. If you have already hired a Program Manager attach a resume that indicates all relevant work experience of the person chosen.
2. What is the title of the individual providing day-to-day supervision of the Program Manager? What is the relationship between this individual and the Board responsible for setting policy for the local program?
3. How many hours per week does/will the Program Manager work on the local program?
4. What pay/benefits package do/will you offer the Program Manager? How does that package compare to that of an Assistant City Manager, City Planner, Chamber of Commerce Executive Director or other similar professional positions?
5. Provide Program Manager Contract if Manager has been hired or Job Description if Manager has not yet been hired (insert following this page).



<b>B. ECONOMIC ENVIRONMENT</b>
--------------------------------

1. How many businesses are in the proposed Local Program Area?
  
2. What is the appraised value of real property within the proposed Local Program Area? (includes property-tax exempt sites)
  
3. What is the appraised value of real property within the city?
  
4. What is the assessed tax base of the proposed Local Program Area?
  
5. What is the assessed tax base of the city?
  
6. How many workers are employed in the proposed Local Program Area?
  - a) Office: \_\_\_\_\_
  - b) Commercial: \_\_\_\_\_
  - c) Industrial: \_\_\_\_\_
  - d) Governmental: \_\_\_\_\_
  
7. What percentage of the buildings in the proposed Local Program Area is:
  - a) Owner occupied: \_\_\_\_\_%
  - b) Renter occupied: \_\_\_\_\_%
  - c) Vacant: \_\_\_\_\_%
  
8. What percentage of the buildings in the proposed Local Program Area is:
  - a) Privately owned: \_\_\_\_\_%
    - 1) Local owner: \_\_\_\_\_%
    - 2) Absentee landlord: \_\_\_\_\_%
  - b) Publicly owned: \_\_\_\_\_%
  
9. What are the current rents per square foot for commercial space in the proposed Local Program Area?

- a) Average: \_\_\_\_\_ per square foot/year
- b) Lowest: \_\_\_\_\_ per square foot/year
- c) Highest: \_\_\_\_\_ per square foot/year

10. Estimate the number of square feet of first floor vacancies in the proposed Local Program Area:

First floor vacancies: \_\_\_\_\_ square feet.

11. Estimate the number of parking spaces in the proposed Local Program Area:

Total parking spaces: \_\_\_\_\_  
 On-Street Parking: \_\_\_\_\_  
 Off-Street Parking: \_\_\_\_\_

12. Estimate the percentage of the building space in the proposed Local Program Area devoted to the following uses:

	First Floor %	Upper Floor %
Retail		
Professional Offices		
Government Offices		
Restaurants/ Entertainment		
Housing		
Industry		
Warehouse		
Other		
Vacancy		
TOTAL		

13. How many of the following types of economic anchors are located in the proposed Local Program Area?

	Chain	Independent
Department Stores		
Discount Stores		
Food Markets		
Tourist Businesses		
Service Businesses		
Specialty Shops		
Restaurants		
Banks		
Theaters		
Churches		

	Chain	Independent
Hospitals		
City Facilities		
County Facilities		
State Facilities		
Federal facilities		
Court-houses		
Libraries		
Post Offices		
Schools		
Other		

14. Are properties in the proposed Local Program Area subject to the provisions of a local historic preservation ordinance? If so, briefly describe the key provisions of the ordinance.

15. Are there any parks or recreation areas in the proposed Local Program Area? If yes, indicate the acreage of each and describe briefly.

16. What other cultural, social, ethnic features or other special qualities do the proposed Local Program Area or surrounding area possess?

17. Describe the housing stock and any current housing issues within the proposed Local Program Area and/or adjacent areas. How many dwelling units are there in the proposed Local Program Area?

### **C. PREVIOUS REVITALIZATION AND PRESERVATION ACTIVITIES.**

1. How have public and private sector groups shown their support for downtown revitalization in the past? Identify groups and specific activities and programs.
  
2. Within the last 10 years, what major landscaping, infrastructure improvements and public or private sector rehabilitations have taken place within the proposed Local Program Area and what were the sources of funding for these projects? Identify any such projects currently planned for the proposed Local Program Area.



## IV. OVERALL ASSESSMENT

### Why Do the Assessment?

It may not always seem so--particularly in a smaller community or neighborhood--but the downtown or neighborhood commercial district is a complex, dynamic place. Physical, economic, cultural, and political changes are constantly affecting it. Restoring downtown's physical, economic, and civic vitality begins with understanding its status and identifying the internal and external forces that affect it.

The purpose of this assessment is to help you develop that understanding. It addresses general questions like: Is commercial district revitalization a community priority? What's the district's physical condition? What are the perceptions of the district? What's the business environment?

### What Will It Tell Us?

- 1) What the district's general status. Is it in good or poor condition? Where is it heading? Declining, stabilizing, or improving?
- 2) What the priorities are for the district. In which areas (i.e., which of the four points) is it strong? In which areas is it weak? Are there specific issues that take precedence?

### Guidelines for Completing the Assessment

- 1) You don't have to have be an "expert" to complete this assessment. However, don't rely solely on your own judgment. Have several people conduct the assessment independently and then compare results. Bring a diversity of perspectives to your "assessment team."
- 2) Don't worry too much about actual "scores." The purpose of the assessment is to help you understand the dynamics of your district and to identify general priorities within the structure of the Main Street Approach™.
- 3) Don't simply mark responses. Use the "General Observations" sections to write down the reasons for your responses. The "why" behind a response is as important as the response itself.
- 4) Look differently at your business district. Try to look at it "for the first time." And inspect - don't just glance at it. Pay attention to details, not just the overall impression.

- 5) Complete the whole assessment. Don't focus on one or two points. Without an adequate understanding of the district's overall condition, you won't effectively address general issues or specific priorities.
- 6) Contact the Florida Main Street Program if you have any questions about conducting the assessment. When you've completed it, review the results and generate a workplan for revitalization and/or management using the Main Street Approach™ and the Florida Main Street Program.

**A. ASSESSMENT**

**ORGANIZATION**

**What Is Organization About?**

Through Organization, a community creates and maintains a structure and process for revitalizing or managing downtown. Organization is about bringing together a diversity of interests from throughout the community and focusing them on restoring and sustaining downtown's physical beauty and economic viability through a process called Organizational Buildout. Ultimately, sustainable change requires a strong public-private partnership that integrates the interests of elected officials, city administrators, business owners, property owners, customers, visitors, residents, and others in an organization that has a strong board of directors, liaisons with other entities, and volunteer committees.

Most Main Street organizations are formed-for-that-purpose, not-for-profit corporations with strong connections to other stakeholder entities, however, we have had Main Street efforts initiated and managed from within Community Redevelopment Agencies, Chambers of Commerce, etc..

**Assessment: Organization**

**Do the following conditions exist in your community and district?      Yes      No**

Local government actively supports the district \_\_\_\_\_

Business and property owners are working to improve the district \_\_\_\_\_

Local government and business and property owners respect each other \_\_\_\_\_

There is broad-based support from residents for the district \_\_\_\_\_

There is potential long-term private and public funding for revitalization \_\_\_\_\_

Hiring a full time manager is a real possibility \_\_\_\_\_

There is community pride \_\_\_\_\_

### Results: Organization

\_\_\_\_\_ **Favorable** (*More "Yes" than "No" responses*): Your community has a strong organizational foundation for focusing on district issues. However, pay attention to those conditions that are absent. Without them, you won't be able to achieve sustainable improvement.

\_\_\_\_\_ **Unfavorable** (*More "No" than "Yes" responses*): You may be lacking sufficient commitment to build an effective organization for revitalizing or managing the district. Any substantive change requires active involvement from business and property owners, city officials, and residents. If these groups are not cooperating, then the impacts of any one group's efforts will be limited.

### Trend: Organization

Compare district today with district five years ago. Are the conditions for Organization:

\_\_\_\_\_ Declining \_\_\_\_\_ Stabilizing \_\_\_\_\_ Improving

What, specifically, has changed over the past five years? For example: Has leadership within the city administration changed? Have new business and/or property owners moved into district? Have residents shown an increased interest?

- 1.
- 2.
- 3.
- 4.

### General Observations: Organization

**DESIGN**

**What is Design About?**

Design is about how the district looks and functions. For Design to be effective, the district must be cohesive, established by a concentration of traditional, to-scale buildings, in a grid or other urban form, with sidewalks and other public realm. Design focuses on enhancing the district’s appearance with an emphasis on restoring its traditional character, rehabbing and reusing existing building stock. But it also addresses functional issues such as land use and transportation planning, image materials, logos, banners, signage and displays - all possible manifestations of economic vitality, quality of life and community pride.

**Assessment: Design**

**Do the following conditions exist within the district?**

**Yes No**

The district has strong historic character \_\_\_\_\_

The district is based on a grid, around a square, park, or other urban form \_\_\_\_\_

The district is walkable \_\_\_\_\_

Buildings are well-maintained \_\_\_\_\_

The district is clean and functional \_\_\_\_\_

Signs are attractive and effective \_\_\_\_\_

Gateways (entries) are clearly marked \_\_\_\_\_

The “streetscape” (e.g., lightpoles, benches, sidewalks, etc.) is well-maintained \_\_\_\_\_

There is adequate, convenient parking \_\_\_\_\_

Public spaces (e.g., parks, plazas) are well designed, maintained, and utilized \_\_\_\_\_

Businesses are accessible to all customers (i.e., lack of physical barriers) \_\_\_\_\_

Signage (announcement, directional. exit, entryway, street names, traffic and parking control, storefront, and banners) is attractive and informative \_\_\_\_\_

Identity materials (logos, letterhead, business cards, etc.) are attractive and informative \_\_\_\_\_

## Results: Design

\_\_\_\_\_ **Favorable** (*More “Yes” than “No” responses*): Your district is probably in fairly good physical condition. Ensure that resources are in place to maintain that condition. Focus on priorities that emerge from the assessment.

\_\_\_\_\_ **Unfavorable** (*More “No” than “Yes” responses*): To be marketable, your district needs substantial physical improvement. Some of these improvements (e.g., clean up) are relatively easy and inexpensive. Others (e.g., streetscape) are expensive, long-term projects. Plan on starting with projects that will generate immediate, visible change.

## Trend: Design

Compare district today with five years ago. Is district’s physical condition:

\_\_\_\_\_ Declining \_\_\_\_\_ Stabilizing \_\_\_\_\_ Improving

What, specifically, has changed over the past five years? For example: Have business and/or property owners rehabilitated their buildings? Are new signs compatible with the character of the district? Is parking more or less convenient than it was five years ago?

- 1.
- 2.
- 3.
- 4.

## General Observations: Design

## PROMOTION

### What is Promotion About?

Promotion is about the perceptions of the residents, neighbors, and visitors of the community, the district, and the redevelopment organizations, because people decide to visit, patronize or avoid destinations based on those perceptions. Through Promotion, a community establishes positive perceptions of itself, its business district, and its institutions and reinforces those perceptions through an integrated marketing strategy that incorporates advertising, retail promotion and special events. The perceptions of residents, investors, seasonal visitors, and travelers are all involved.

### Assessment: Promotion

**In your opinion, do customers, visitors, and residents have these perceptions of the community, district, and organization?**

	Yes	No
It is physically attractive	_____	_____
It is physically safe	_____	_____
It is easy to get to and get around in	_____	_____
Businesses are staffed by friendly, knowledgeable employees	_____	_____
Advertising of district and its businesses is appealing and effective	_____	_____
Retail displays are attractive and effective	_____	_____
There is a diversity of high-quality goods and services	_____	_____
Special events are worth attending	_____	_____
Organization(s) are worth getting involved with	_____	_____
Folks are proud of their connection(s) to the community and district	_____	_____

### Results: Promotion

\_\_\_\_\_ **Favorable** (More "Yes" than "No" responses): People have a generally positive perception of district. But maintaining this perception requires an active promotion effort, because it is affected not only by the district and its organization(s), but also by individuals businesses and other entities as well as by competitors--shopping malls, other downtowns, even mail order shopping.

\_\_\_\_\_ **Unfavorable** (More “No” than “Yes” responses): People have a generally negative perception of district. Even with this perception, people may still come. However, if the negative elements (“No” responses) aren’t addressed, then over time people will go elsewhere (if they aren’t already starting to).

### **Trend: Promotion**

Compare district today with five years ago. Are the perceptions:

\_\_\_\_\_ Declining \_\_\_\_\_ Stabilizing \_\_\_\_\_ Improving

What, specifically, has changed over the past five years? For example: Have businesses changed their marketing strategy? Are there new events in the district (festivals, parades, etc.)? Has the mix of goods and services changed? Is the district on the “must see” list for family and business visitors?

- 1.
- 2.
- 3.
- 4.

### **General Observations: Promotion**

**ECONOMIC RESTRUCTURING**

**What is Economic Restructuring About?**

The goal of economic restructuring is to make the district (and the whole Community) economically healthy. It's about jobs, businesses, and tax base. Initially, this process should focus on assisting existing businesses. In the long run, repositioning the district in the marketplace means reconfiguring the mix of goods, services, and experiences so that the business district is economically balanced, adaptable, and competitive.

**Assessment: Economic Restructuring**

**Do the following conditions exist?**

**Yes No**

Businesses are driven by the needs of customers not of merchants

Businesses respond to change and capitalize on emerging opportunities

Businesses are profitable

There is a diverse mix of businesses

The vacancy rate is low

A high percentage of buildings are locally owned

Rents and property values are high

District image, services, products, and experiences support other community industries and employees

**Results: Economic Restructuring**

**Favorable** (More "Yes" than "No" responses): The district is probably reasonably stable economically. But the business district's economic stability is affected by a diversity of local, regional, and global factors that are constantly evolving. Sustaining downtown's economic viability requires a continuing management function to address those factors.

**Unfavorable** (More "No" than "Yes" responses): The district is probably experiencing significant economic difficulties. However, these problems may not be readily apparent. Even if your business district appears economically healthy, it may be declining, depending on the quality of businesses and the nature of the competition.



**Trend: Economic Restructuring**

Compare district today with five years ago. Is its economic condition:

\_\_\_ Declining \_\_\_ Stabilizing \_\_\_ Improving

What, specifically, has changed over the past five years? For example: Have new businesses moved in? Or has nothing changed economically (i.e., is business stagnant)? How has the competition changed?

- 1.
- 2.
- 3.
- 4.

**General Observations: Economic Restructuring**

**SUMMARY**

**Status and Trends: Overall**

Which of the four points received “**Unfavorable**” ratings?

\_\_\_ Organization

\_\_\_ Design

\_\_\_ Promotion

\_\_\_ Economic Restructuring

**What is the general trend for your business district over the past five years?**

\_\_\_ Declining      \_\_\_ Stabilizing      \_\_\_ Improving

### **Priorities**

General Priorities. Which of the four points stand out as priorities?

\_\_\_ Organization

\_\_\_ Design

\_\_\_ Promotion

\_\_\_ Economic Restructuring

Specific Priorities. What specific issues/questions stand out as significant?

- 1.
- 2.
- 3.
- 4.

<b>B. NEED AND POTENTIAL FOR SUCCESS</b>
--

1. What are the three major assets and three major liabilities of the proposed Local Program Area, as it exists today?
2. Why does your community need the Florida Main Street Program?
3. What impact will a local Main Street program have on the assets and liabilities outlined above?
4. Why do you think your community would be a successful Florida Main Street community?

# APPENDIX A

**THIS SECTION SHOULD INCLUDE THE FOLLOWING IN THE ORDER INDICATED:**

1. City street map outlining the proposed Local Program Area and to which the digital photographs are keyed.
2. Description sheet for digital photographs.
3. A copy or photocopy of a photograph at least 8" by 10" showing an aerial view of the proposed Local Program Area within the context of the downtown. The proposed Local Program Area should be clearly outlined on the photograph.

# APPENDIX B

**THIS SECTION SHOULD CONTAIN THE FOLLOWING IN THE ORDER INDICATED  
(FORMS FOLLOW  
APPENDIX D):**

1. Certification of the availability of full funding for the first year of the local program (include list of all pledges).
2. Certification of intent to hire a full-time Program Manager (attach copy of job description, performance evaluation standards and procedures, description of benefits, and contract, as applicable).
3. Resolution passed by the local government(s) showing support for the local program.
4. Verification for funding of all years applicable.
5. Verification of public sector funding support.
6. List of all in-kind services donated to the local program (Include letters from individuals and organizations describing what is donated and its fair market value).
7. Articles of incorporation or enabling legislation for applicant organization or agency.

# APPENDIX C

**THIS SELECTION SHOULD CONTAIN THE FOLLOWING:**

1. Specific letters and resolutions of partnership commitment from key community organizations, governmental entities, and institutions.
2. General letters and resolutions of support from other merchants, organizations, institutions, citizens, and elected officials.

# APPENDIX D

**THIS SECTION SHOULD CONTAIN THE FOLLOWING:**

1. Press Clippings.
2. Miscellaneous Supporting Materials.

**FUNDING CERTIFICATION**

I hereby certify that on \_\_\_\_\_ (date) \_\_\_\_\_ (name of organization) has \$\_\_\_\_\_ in-hand and \$\_\_\_\_\_ pledged for year one of the local program's participation in the Florida Main Street Program and that these funds are allocated for this purpose. I further certify that this agency/organization has \$\_\_\_\_\_ in-hand and \$\_\_\_\_\_ pledged for years two and beyond for the local program's participation in the Florida Main Street Program beyond the first year, as indicated in the Budget Summaries included in this application.

\_\_\_\_\_  
Signature of duly authorized representative  
Date

\_\_\_\_\_  
Typed name and title of duly authorized representative

**s. 837.06, Florida Statutes, False official statements** -- Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

**CERTIFICATION OF INTENT TO HIRE A PROGRAM MANAGER**

I hereby certify that \_\_\_\_\_ (name of organization) agrees to employ a full-time Program Manager for a period of at least 12 (twelve) months following execution of a formal Florida Main Street Agreement between the Division of Historical Resources and our agency/organization for participation in the Florida Main Street Program.

\_\_\_\_\_  
Signature of duly authorized representative  
Date

\_\_\_\_\_  
Typed name and title of duly authorized representative



**Sample Municipal Resolution**

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE  
FLORIDA MAIN STREET PROGRAM**

WHEREAS, the Florida Main Street Program (Program) has been created to assist Florida communities in developing public-private efforts to revitalize their “Main Street” areas, and

WHEREAS, the Secretary of State will select a number of communities to participate in the Program in the upcoming year.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF \_\_\_\_\_ that the City hereby endorses submission by \_\_\_\_\_ of an application to participate in the Program with the specific goal of revitalization within the context of the Main Street Approach.

BE IT FURTHER RESOLVED that the City agrees to support that local Main Street program and participate in it activities.

APPROVED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20 .

Commissioner, Mayor: \_\_\_\_\_ Vote: \_\_\_\_\_

Commissioner: \_\_\_\_\_ Vote: \_\_\_\_\_

Commissioner: \_\_\_\_\_ Vote: \_\_\_\_\_

Commissioner: \_\_\_\_\_ Vote: \_\_\_\_\_

Commissioner: \_\_\_\_\_ Vote: \_\_\_\_\_

Attest: \_\_\_\_\_

City Clerk: \_\_\_\_\_

Approved as to legal form: \_\_\_\_\_, City Attorney

**APPLICATION SUMMARY SHEET**

**Community** \_\_\_\_\_ **Category** \_\_\_\_\_

**Community**

1. City Population	
2. Median Household Income	
3. Median Age	
4. Unemployment Rate	
5. % of Families Below Poverty Level	
6. Sales Tax Receipts for City	
7. Community Redevelopment Agency (Y/N)	
8. Date CRA Established	
9. Annual Budget of CRA	
10. Other Downtown Association (Y/N)	
11. Preservation Organization (Y/N):	
12. Seasonal Population Fluctuation	

**Local Program Area**

1. Number of Blocks	
2. Number of Buildings	
3. Total Square Footage	
4. 1 <sup>st</sup> Floor Vacancy (sq. ft.):	

**Ownership of Buildings (%)**

1. Local-Private	
2. Absentee-Private	
3. Public	

**Local Organization**

1. Tax Status	
2. First Year Budget	

**Funding for Local Organization**

1. City	
2. CRA	
3. County	
4. Subtotal Public	
5. Private Funds	

**Program Manager**

1. Manager Salary	
2. Manager Benefits	
3. Travel Budget	

**Age of Buildings (%)**

1. Pre-1900	
2. 1900-1945	
3. 1945-1980	
4. 1980-Present	

**Use of Buildings (%)**

1. Owner Occupied	
2. Renter Occupied	



# MEMORANDUM

ITEM NO. 5A

**To:** Members of the Downtown Vision Advisory Committee

**From:** Lindsay Fast, Tourism Director

**Date:** September 12, 2019

**Subject:** Art in Public Places – Key Biscayne & Miami Beach Ordinances

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At the May 16, 2019 and June 20, 2019 Downtown Vision Advisory Committee meetings discussions ensued regarding art in public places and instagrammable moments.

It was brought to the attention of the Committee that Surfside does not currently have an Ordinance in place governing art in public places. The Committee requested that staff review other municipalities art in public places legislation and provide the information at the next meeting.

Please find the following attachments herein for consideration:

- Attachment A is the Village of Key Biscayne's Art in Public Places Ordinance.
- Attachment B is the City of Miami's Art in Public Places Ordinance.
- Attachment C is Miami-Dade Counties Art in Public Places Ordinance
- Attachment D is the City of Miami Beach's Art in Public Places Ordinance

The Administration will work with DVAC at the September 12, 2019 meeting on a proposed ordinance recommendation to the Town Commission.

Reviewed by

Prepared by

# ATTACHMENT A - Village of Key Biscayne

## ARTICLE VII. - WORKS OF ART IN PUBLIC

### PLACES Sec. 2-141. - Art-in-public-places

program.

(a) *Appropriation for construction to include amount for works of art.* The Village of Key Biscayne, Florida, shall provide for the acquisition of Works of Art equivalent in value to not less than 1½ percent of the Construction Costs of new governmental buildings, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. To the extent the total appropriation is not used for the acquisition of Works of Art for said buildings, the remainder may be used for:

- (1) Program administrative costs, insurance costs or for the repair and maintenance of any Works of Art acquired under this section; or
- (2) To supplement other appropriations for the acquisition of Works of Art under this section or to place works of art in, on, or near government facilities which have already been constructed.

(b) *Definitions.* For the purpose of this section, the following terms are hereby defined:

*Construction cost* is defined to include architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.

*Works of art* is defined as the application of skill and taste to production of tangible objects, according to aesthetic principles, including, but not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, lighting designs and drawings.

(Ord. No. 2001-14, § 1, 11-27-01)

### Sec. 2-142. - Art-in-Public-Places Board.

(a) *Established.* There shall be an Art-in-Public-Places Board to administer the program.

(b) *Purpose.* The Art-in-Public-Places Board shall act in the public interest upon all matters relating to the program and shall support the program's goals and objectives. The Board's responsibilities include recommendations to the Village Council for the selection, maintenance, planning, and curating of all Works of Art acquired by the Village. The Board's responsibilities also include the selection, maintenance, planning, and public education regarding and curating of all Works of Art to be loaned to the Village.

- (1) *Membership; qualifications.* The Board shall be composed of up to eight members appointed by the Mayor, with the approval of the Council, as provided in the Charter, at Section 2.02. Each Board member shall be appointed to a term of two years. Appointments of four members shall be made each year so that the staggered terms of members shall be maintained. If a vacancy occurs prior to the expiration of Board member's term, another appointment shall be made to fill the vacancy for the remainder of the term. Each Board member must be knowledgeable in public art, must be a resident of the Village, and is precluded from participating in and/or voting on any matter which may directly or indirectly benefit the member, any family member or business associate of the member.

- (2) *Term of office.* No Board member shall serve more than eight consecutive years on the Board. Nothing shall prohibit any individual from being reappointed to the Board after a hiatus of two years.
- (3) *Duties.* The Board shall prepare written guidelines for curatorial purposes of acquired Works of Art and loaned Works of Art. The written guidelines shall not be effective unless and until approved by the Village Council. In accordance with the written guidelines, the Board shall recommend to the Village Council which Works of Art should be acquired by the Village. In accordance with the written guidelines, the Board shall select which works of art or exhibits of Works of Art shall be loaned temporarily to the Village.

(Ord. No. 2001-14, § 1, 11-27-01; Ord. No. 2007-10, § 2, 12-4-07; Ord. No. 2009-2, § 2, 2-10-09)

Sec. 2-143. - Selections of Works of Art.

- (a) *Acquisition procedure.* All acquisitions will be in accordance with the written guidelines approved by the Village Council. The Village Manager will negotiate and execute appropriate contracts to acquire each approved Work of Art. Funds may be aggregated to acquire Works of Art.
- (b) *Selection criteria.* In the selection process for acquired Works of Art, the following principles shall be observed:
  - (1) Works of Art shall be located in areas where residents and visitors live and congregate and shall be highly accessible and visible.
  - (2) The Board and the Village Council should consider the inherently intrusive nature of public art on the lives of those frequenting public places. With respect to acquired Works of Art, artworks reflecting enduring artistic concepts, not transitory ones, should be sought.
  - (3) Recommendations by the Board and selections by the Village Council must reflect the cultural and ethnic diversity of the Village without deviation from a standard of excellence.
  - (4) Selections of acquired Works of Art shall also take into account appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood that the artist can successfully complete the work within the available funding, diversity of works already acquired by the Village, diversity of the artists whose work has been acquired by the Village.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-144. - Written guidelines.

The Board shall recommend and the Village Council shall adopt and publish in the Village Council Agenda uniform written guidelines to govern the manner and method of submission of proposed Works of Art for acquisition by the Village. The Board shall recommend and the Village Council shall adopt and publish in the Village Council Agenda uniform written guidelines to govern the manner and method of submission of Works of Art for temporary display by the Village in public spaces owned by the Village, which artworks shall be loaned to the Village from such sources as may loan these artworks to the Village without charge. Purchases of Works of Art shall be approved by the Village Council. Loans of Works of Art shall be approved by the Board.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-145. - Ownership and upkeep.

With respect to both acquired Works of Art and Works of Art temporarily loaned to the Village, the Art-in-Public-Places Board is charged with making recommendations to the Village Council regarding the custody, supervision, maintenance and preservation of Works of Art.

(Ord. No. 2001-14, § 1, 11-27-01)

Sec. 2-146. - Personnel.

The Village Manager shall provide adequate and competent clerical and administrative support as may be reasonably required by the Board for the proper performance of its duties, subject to budget limitations.

(Ord. No. 2001-14, § 1, 11-27-01)

Secs. 2-147—2-149. - Reserved.

# ATTACHMENT B - City of Miami

## ARTICLE XVI. - ART IN PUBLIC PLACES

### Sec. 62-654. - Purpose and intent.

- (a) This article shall be known, cited, and referred to as the "Public Art Program."
- (b) It is the intent and purpose of the public art program to promote the general welfare of the community by uniting citizens through shared cultural and artistic experiences; to enhance the aesthetic diversity of the city through art integrated in architecture, infrastructure, and landscape; to chronicle the city's heritage through the collection and preservation of monuments, artifacts, objects, and documents; to create a cultural legacy for future generations through the curation and exhibition of high quality art; and to develop educational and cultural programs that will further the intent and purpose of the public art program.
- (c) The requirements found in this article are design standards based upon the aesthetic needs of the city and its communities and are not intended to be either an impact fee or a tax.
- (d) This article shall constitute a land development regulation of the city and any amendment shall be subject to a review and recommendation of the planning, zoning appeals board ("PZAB") and the art in public places board established below.
- (e) All terms specified herein shall be as defined in the Miami 21 Code.

(Ord. No. 13657, § 2, 1-12-17)

### Sec. 62-655. - Art in public places board.

- (a) *Establishment.* There is hereby established a board to be known as the city's art in public places board ("AIPPB"). The AIPPB shall consist of nine voting members and two alternate members whose membership, meetings, duties, and other responsibilities are described below.
- (b) *Appointments; qualifications.*
  - (1) No appointment shall be made by the city commission to membership or alternate membership on the AIPPB until the city clerk has given at least 30 days' notice of the vacancies on the city's website and/or in a newspaper of general circulation in the city. The city commission shall solicit and encourage the members of the public and professional and citizen organizations within the area having interest in and knowledge of the purpose and functions of the AIPPB to apply for appointment. At least five days prior to the making of any appointment, the city clerk shall publicly notice the list of names submitted and the names of candidates submitted by the city commission, together with a short statement of the qualifications of each person, prepared and available for public inspection and consideration. No person shall be appointed to the AIPPB whose name and qualifications have not been made publicly available in the manner set out herein. In reaching a decision on an appointment, the city commission shall give due consideration to the qualifications of the candidates.
  - (2) Nomination and appointment. Each city commissioner shall appoint one board member, the mayor shall appoint one member, and the city commission at-large shall appoint three at large members and two alternate members subject to the criteria established herein. Appointees shall be persons in a position to represent the public interest, and no person shall be appointed having personal or private interests likely to conflict with the public interest. No person shall be appointed who has any interest in the profits or emoluments of any contract, job, work, or service for the city or is otherwise not qualified pursuant to the provisions of chapter 2 of this

Code. Before making any appointment, the city commission shall confirm that the person to be appointed has filed the statement required by section 2-615 of this Code.

- (3) Terms of appointment. The terms of appointment shall be the latter of those terms provided in section 2-885 of this Code.
- (4) Qualifications. It is intended that members and alternate members of the AIPPB be persons of knowledge, experience, mature judgment, and background; having ability and desire to act in the public interest; and representing, insofar as may be possible, the various special professional training, experience, and interests required to make informed and equitable decisions concerning development of an artistic, culturally enriching, and visually diverse physical environment. To that end, qualifications of members and alternate members shall be as follows:
  - a. All members shall have an interest and knowledge of the visual and performing arts and the artistic development of the city.
  - b. Eight board members must be knowledgeable and have a bachelor's, master's, or doctorate degree from an accredited university or college in fine arts, art education, museum curation, architecture, art history, architectural history, urban planning, urban design, landscape architecture, interior design, graphic or product design, music, real estate development, construction management, or finance. Additionally, the following shall apply to the same eight members:
    1. Five members shall be chosen from the following fields: fine arts, art education, museum curation, architecture, art history, architectural history, urban planning, urban design, landscape architecture, interior design, and/or graphic or product design;
    2. One member shall be a professional artist; and
    3. Two members shall be from the following fields: finance, real estate development, and/or construction management.
  - c. One member and two alternate members must have an interest in the visual and performing arts. Neither of these members is required to have a bachelor's, master's, or doctorate degree. One alternate member shall be a representative of Miami-Dade County Public Schools. The superintendent of schools shall make a recommendation to the city commission on the appointment of the alternate member.
- (5) Vacancies.
  - a. Vacancies in the membership or alternate membership of the AIPPB shall be filled by the city commission and mayor by appointment, in the manner set forth herein and for the unexpired term of the member or alternate member affected. The city commission may appoint an alternate member of the board to a vacancy as a full member of the board without resorting to the procedural requirements of subsection (b)(1) so long as the alternate member meets the qualifications of subsection (b)(4)c.
  - b. The executive secretary of the AIPPB shall notify the city clerk within ten days after a vacancy occurs and the city clerk shall promptly transmit such information to the city commission for nomination and appointment in accordance with subsection (b)(1).
- (6) Removal.
  - a. Members and the alternate members of the AIPPB may be removed for cause by not less than three affirmative votes of the city commission.
  - b. There is hereby established a point system. Each member, including alternate members, of the AIPPB who arrive after the beginning of the first agenda item or leaves before the termination of the last agenda item, at a regularly scheduled meeting of the AIPPB, shall receive one point. Any member of the AIPPB who accumulates more than seven points in one calendar year shall be brought to the attention of the city commission for its consideration of removal of the member.



- c. Notwithstanding subsection (b)(6)b. above, any member or alternate member of the AIPPB who is absent, for whatever reason, from more than three or more meetings in one calendar year shall be brought to the attention of the city commission for consideration of removal of the member.
- (c) *Functions, powers and duties.* The AIPPB, with the assistance and recommendations of the planning department, public art division, and all other city departments, as necessary, shall have the functions, duties, and powers as follows:
- (1) To recommend the public art program guidelines and amendments to the public art program guidelines thereto to the city commission;
  - (2) To recommend the public art master plan and amendments to the public art master plan thereto to the city commission;
  - (3) To approve expenditures of the public art fund as proposed by the city manager or his/her designee;
  - (4) To approve, approve with conditions, or deny proposed installations, dedications, or donations of art, based on the public art program guidelines and the public art master plan; and
  - (5) To act on any other art in public places related matter as assigned by the city commission.
  - (6) Notwithstanding section 18-115, the AIPPB shall have the authority to accept donations of art in excess of \$25,000.00 in accordance with this article.
- (d) *Proceedings of the art in public places board ("AIPPB").*
- (1) Officers and voting. The AIPPB shall select a chairperson and a vice-chairperson for one-year terms from among its members and may create and fill such other officers as it may determine. The planning director or his/her designee shall attend all meetings of the AIPPB. The office of hearing boards, or its successor, shall be the executive secretary of the AIPPB.
  - (2) Rules of procedure. The AIPPB shall establish rules of procedure necessary for its governing and the conduct of its affairs, in keeping with the applicable provisions of state law, the City Charter, the City Code, and all applicable resolutions. Such rules of procedure shall be available in written form to persons appearing before the AIPPB and to the public upon request and should be on file with the city clerk. For any quasi-judicial procedures, the provisions established in the Miami 21 Code, the zoning ordinance of the City of Miami, Florida, as amended ("Miami 21 Code"), shall control.
  - (3) Meetings. The AIPPB shall hold at least one regularly scheduled meeting each month, except the month of August. Other meetings may be set by the AIPPB, and additional meetings may be held at the call of the chairperson and at such other times as the AIPPB may determine. Meetings that are not regularly scheduled shall not be held without at least ten days' written notice. If the agenda for a regularly scheduled meeting does not contain any items which require action by the AIPPB, the executive secretary for the AIPPB may cancel the meeting.
  - (4) Quorum; public records. A majority of the members who have been appointed shall constitute a quorum. The office of hearing boards shall keep minutes of board proceedings, showing the vote of each member or alternate member, if sitting for a member, or if absent or failing to vote under subsection (d)(5) below, indicating such fact. It shall be the responsibility of the office of hearing boards to handle all procedural activities for all public hearings held by the AIPPB, including the preparation of detailed minutes and official records of such hearings. The official records of such public hearings shall be filed with the city clerk.
  - (5) Disqualification of members or alternate members. The AIPPB members shall comply with F.S. ch. 112, the Miami-Dade County Code of Ethics, and the City Code.
  - (6) All city departments and employees shall, under the direction of the city manager, and upon request and within a reasonable time, furnish to the public art division such available records or information as may be required of the AIPPB. The city manager shall assign a member of the resilience and public works department, planning and zoning department, capital improvement

projects office, parks and recreation department, and fire-rescue department, or their successors, to attend public hearings of the AIPPB and to advise the AIPPB when necessary, and to furnish information, reports, and recommendations upon request of the AIPPB.

- (7) The city attorney, or his/her designee, shall act as counsel and provide legal services to the AIPPB.
- (8) The alternate members shall only vote in the event of a vacancy or absence of a regular member.

(Ord. No. 13657, § 2, 1-12-17; Ord. No. 13792, § 1, 10-11-18)

Sec. 62-656. - City commission.

The city commission, in addition to its duties and obligations under the City Charter, the City Code, and other applicable laws, shall have the following duties specifically in regard to the public art program:

- (1) To appoint members to the AIPPB, as set forth in this article;
- (2) To approve the public art program guidelines and amendments to the public art program guidelines upon recommendation of the AIPPB;
- (3) To approve the public art master plan and amendments to the public art master plan upon recommendation of the AIPPB; and
- (4) To hear appeals of decisions of the AIPPB related to installation, dedication, and donation of art.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-657. - Conflicts of interest.

No member of the AIPPB shall have his/her work of art considered or approved by the AIPPB during his/her term of service on the AIPPB or for one year thereafter.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-658. - Selections of works of art.

The AIPPB shall establish procedures and criteria for the commissioning, selection, and acquisition of art to be acquired using the resources available within the public art fund, and in accordance with the criteria and standards set forth in the adopted public art master plan and the public art program guidelines. The city manager, or his/her designee, may only acquire each piece of art upon affirmative vote of the majority of the AIPPB. The city manager, or his/her designee, will negotiate appropriate contracts to acquire, insure, and maintain the art using available resources within the public art fund and the contract will be executed by the city manager subject to review and approval of the city attorney.

- (1) *Selection process.* The AIPPB shall establish procedures for selecting art works to be purchased from the resources of the city's public arts fund. Those procedures can include the following:
  - a. Open competition;
  - b. Limited competition;
  - c. Invitation;
  - d. Direct purchase;

- e. Donation; or
- f. Any combination of the above.

(2) *Selection criteria.* In the selection process, the AIPPB shall consider the following:

- a. Permanent and temporary works of art shall be located in areas where residents and visitors live and congregate and shall be publicly accessible and/or visible from public property or right-of-way (maximum visual accessibility to pedestrian or vehicular traffic);
- b. Location in areas used by tourists, including the waterfront, parks, thoroughfares, and at public or governmental facilities shall be preferred;
- c. The inherently intrusive nature of public art on the lives of those frequenting a public place. Artworks reflecting enduring artistic concepts, not transitory ones, should be sought;
- d. The cultural and ethnic diversity of the city and South Florida without deviation from a standard of excellence;
- e. The appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood that the artist can successfully complete the work within the available funding, diversity of works already acquired by the city, and diversity of the artists whose work has been acquired by the city;
- f. If the artwork too closely resembles a business logo or sign, has any commercial message or purpose, contains adult content as defined in the Miami 21 Code, and should, therefore, be rejected;
- g. Any other criteria set forth in the public art program guidelines as amended from time to time;
- h. Exhibition and sales history of the artist, as well as works of art in public collections and previous public art purchases or commissions;
- i. The maintenance and insurance expense of the art;
- j. The public health, safety, and welfare;
- k. The ability to safely secure the art against high wind, inclement weather, or other acts of God; and
- l. Whether the art may be reasonably maintained to last for a minimum life cycle of 25 years.

(Ord. No. 13657, § 2, 1-12-17)

Secs. 62-659, 62-660. - Reserved.

Sec. 62-661. - Creation of public art fund.

There is hereby created within the city a trust fund to be known as the City of Miami Public Art Fund. This public art fund shall be maintained by the city and shall be used for the acquisition, installation, improvement, maintenance, and insurance of art, arts education programming, grants, and administrative costs of the public art program as follows:

- (1) All monies received by the city pursuant to the requirements of the public art program or from endowments, gifts, or donations to the city designated for public art shall be placed in the public art fund. All monies within the public art fund shall be deposited, invested, expended, and accounted for as follows:
  - a. All monies received shall be deposited into the public art fund and shall not be commingled with non-public art related revenues of the city. All monies within the public art fund shall

be expended solely for the purpose and intent of the public art program. Any interest income earned by the public art fund shall be expended or invested only for the purpose for which the money was originally accepted, collected, or received.

- b. The public art fund shall be used for expenses associated with the selection, commissioning, acquisition, transportation, maintenance, repair, restoration, rehabilitation, appraisal, removal, insurance of art, development of education programming, community outreach, or advocacy with an emphasis in the visual and performing arts, grants, and administrative costs for the public art program. Once monies intended for the purpose of satisfying this article are deposited into the public art fund, the monies from separate, different development projects may be comingled. Monies within the public art fund can be dispersed, expended, invested, or granted in accordance with this article.
- c. Ten percent of the fees collected annually shall be allocated towards the restoration or rehabilitation of either publicly or privately owned historic resources that are individually designated or contributing structures within a locally designated historic district or towards public improvements within a historic district as identified in the public art master plan. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. Privately owned historic resources shall be allocated monies from the public art fund through a grant application process as described in the public art master plan. The public art division will review all grant applications in consultation with the historic preservation office and the historic and environmental preservation board. The public art division and the historic preservation office in consultation with the historic and environmental preservation board shall have the discretion to recommend to the AIPPB for final decision and expenditure of funds. Restoration or rehabilitation shall be in accordance with chapter 23 and subject to the approval of a certificate of appropriateness by the historic and environmental preservation board.
- d. Five percent of the fees collected annually shall be allocated towards cultural, education, community outreach, or advocacy purposes and may include social practice art, all designed to promote the visual and performing arts such as but not limited to youth based programming involving the city's arts and entertainment council, public academic institutions, or non-profit organizations. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. The city's arts and entertainment council, public academic institutions, or non-profit organizations shall be allocated monies from the public art fund through a grant application process as described in the public art master plan. The public art division will review all grant applications and shall have the discretion to recommend approval or denial of grant applications to the AIPPB for expenditure of funds in accordance with the program guidelines.
- e. Fifteen percent of the fees collected annually shall be allocated towards operating and administrative costs associated with the public art program, including but not limited to, staffing, marketing, programming, training, and outside consulting. Training shall be directly related to the implementation of this article and Article 11 of the Miami 21 Code. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. The city manager or his/her designee shall have the authority to allocate and expend funds in accordance with this subsection e.
- f. Seventy percent of the fees collected annually shall be allocated towards the commissioning, selection, acquisition, display, maintenance, repair, restoration, rehabilitation, insurance of city-owned art, transportation, installation, removal, appraisal, collection, and exhibition of high-quality art in accordance with the public art master plan and the public art program guidelines. Fees allocated but not expended within a fiscal year shall be rolled over to the next fiscal year and allocated for the same purposes. For all expenditures in excess of \$25,000.00 pursuant to this subsection f., the city manager or his/her designee shall be the applicant to the AIPPB in accordance with this article.

- g. If tangible property purchased with monies from the public art fund is subsequently sold, the proceeds from the sale shall be returned to the public art fund.
- (2) All funds shall be expended for public and municipal purposes in accordance with the terms of this article and Article 11 of the Miami 21 Code.

(Ord. No. 13657, § 2, 1-12-17)

Sec. 62-662. - Ownership and maintenance of artwork placed on site.

- (a) Ownership of all art acquired by the city pursuant to the requirements of this article shall be vested in the city, which shall retain title to each work of art.
- (b) Ownership of all art donated to the city pursuant to the requirements of this article shall be donated and titled to the city upon approval of the AIPPB.
- (c) Stolen or illegally removed art, or art that is deemed destroyed by the public art division in consultation with an independent art appraiser, must be either:
  - (1) Replaced by the property owner within 120 days. Replaced Art shall be reviewed and approved by the AIPPB subject to the criteria set forth in this article, or
  - (2) The public art fee required under this article and the Miami 21 Code, based upon the current fee schedule and the current fair market value of the building, structure or improvement for which the art was required, as determined by an appraiser, must be paid within 30 days.

(Ord. No. 13657, § 2, 1-12-17)

ATTACHMENT C

MIAMI-DADE COUNTY

Sec. 2-11.15. - Works of art in public places.

1. This section shall be known, and may be cited, as the "Miami-Dade Art in Public Places Ordinance."
2. *Art in public places program.*
  - (a) *Applicability and Jurisdiction over County facilities.* Subject to the provisions of paragraph (2)(e) below, this section is intended to, and shall, govern art in public places in the incorporated and unincorporated areas of the County. County facilities located, or intended to be located, within the boundaries of a municipality shall be governed solely and exclusively by the Miami-Dade Art in Public Places Ordinance with respect to matters covered in this section, including with respect to the collection, payment, and allocation of funds for the acquisition and display of works of art relating to said County facilities, and shall not be within the jurisdiction of the municipality for such purposes.
  - (b) *Appropriation for construction to include amount for works of art.* Miami-Dade County and each municipality in Miami-Dade County shall provide for the acquisition of works of art equivalent in value to not less than one and one-half (1½) percent of the construction cost of new governmental buildings, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. To the extent the total appropriation is not used for the acquisition of works of art for said buildings, the remainder may be used for:
    - (1) Program administrative costs, insurance costs or for the repair and maintenance of any works of art acquired under this section; or
    - (2) To supplement other appropriations for the acquisition of works of art under this section or to place works of art in, on, or near government facilities which have already been constructed.
  - (c) *Waiver of requirements.* The requirements of paragraph (b) may be waived by resolution of the Board of County Commissioners of Miami-Dade County when and if it appears to said Board that a construction project covered hereunder is not appropriate for application of the above requirements.
  - (d) *Definitions.* For the purpose of this section, the following terms are hereby defined:
    - (1) *Works of art* is defined as the application of skill and taste to production of tangible objects, according to aesthetic principles, including, but not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, lighting designs and drawings.
    - (2) *Construction cost* is defined to include architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.
    - (3) *County facility* is defined as any facility, building, structure, improvement, or infrastructure, whether subterranean, above-ground, or overhead, that is (i) owned, leased, or operated by, or (ii) constructed upon land owned or leased by, the County or any of its agencies or instrumentalities, including Public Health Trust of Miami-Dade County.
  - (e) *Option for municipalities to enact art in public places ordinances.* Any municipality within the County may opt out of this section by enacting and administering its own art in public places ordinance for non-County facilities located within its municipal boundaries. This section sets forth the minimum standards for any municipal ordinance and any such municipal ordinance shall be consistent with the minimum standards of this section. The municipality shall provide

written notice of the municipality's intent to opt out of this section and a copy of the proposed ordinance to the Office of the County Mayor and to the Art in Public Places Trust at least 30 days prior to the scheduled adoption of any such municipal ordinance so that the County Mayor or County Mayor's designee can advise the municipality whether or not the proposed ordinance is consistent with the minimum standards set forth in this section. Within 30 days following the adoption by a municipality of an art in public places ordinance, the municipality shall provide a copy of the adopted ordinance to the County Mayor and the Art in Public Places Trust. Any municipality that, prior to March 30, 2019, has adopted an art in public places ordinance and seeks to use said ordinance to opt out of this section, shall provide a copy of said ordinance to the County Mayor and the Art in Public Places Trust so that the County Mayor or County Mayor's designee can advise the municipality whether or not the adopted ordinance is consistent with the minimum standards set forth in this section.

3. *Art in Public Places Trust.* There shall be an Art in Public Places Trust to administer the program.
  - (a) *Purpose.* The Trustees of the Art in Public Places Trust shall act in the public interest upon all matters relating to the program and shall support the program's goals and objectives. The Trustees' responsibilities include the selection, maintenance, planning, public education and curating of all works of art acquired by the program. The Trustees shall oversee and administer the funds collected by municipalities for municipal facilities and projects consistent with this section to be used for the benefit of such municipalities, except where a municipality has enacted its own art in public places ordinance and administers its own program as provided in this section.
    - (1) *Membership; qualifications.* The Trust shall be composed of fifteen (15) Trustees appointed to staggered terms by the Board of County Commissioners, serving without compensation. Each Board member shall be appointed to a term which shall end concurrently with the last day of the term of the County Commissioner who appointed the Board member, as provided in Section 2-38.2 of this Code. If a vacancy occurs prior to the expiration of the Board member's term, the County Commissioner who appointed that member shall appoint a new member to fill the balance of the term. Additionally, the Mayor shall appoint two (2) members of the Board of County Commissioners to sit as ex officio Trustees. Each Trustee must be knowledgeable in public art, must be a resident of Miami-Dade County and may not operate, own or be employed by any art dealer, art gallery, artists' representative, museum or other entity which derives income from the sale or display of art work. Membership is governed by Sections 2-11.38 and 2-11.39 of the Miami-Dade County Code.
    - (2) *Term of office.* No trustee shall serve more than eight (8) consecutive years on the Council; provided that this limitation shall not be applicable to Trustees with unexpired terms on November 1, 1993 who were reappointed after that date. Nothing shall prohibit any individual from being reappointed to the Trust after a hiatus of two (2) years.
    - (3) *Duties.* The Trustees shall prepare a master art plan to ensure a coherent acquisition program and implementation guidelines, both of which shall be approved by the Board of County Commissioners. The Trustees shall approve all program acquisitions in accordance with the master art plan and implementation guidelines and shall oversee the public education, and curatorial aspects of the program. The Trustees shall recommend to the County Manager an Executive Director, a budget for staff and other expenditures necessary to operate the program and shall deliver an annual report to the Board of County Commissioners.
  - (b) *Professional Advisory Committee.* The Professional Advisory Committee shall be composed of eleven (11) members appointed by the Trust, and shall be compensated for professional services in accordance with a schedule established by the Trust, although this shall not preclude donation of such services.
    - (1) *Membership, qualifications.* Each member of the professional advisory committee shall be a professional in the field of art, architecture, art history, or architectural history. Members'

reasonable expenses shall be reimbursed at a uniform rate to be established from time to time by the Trust.

- (2) Term of office. Each Professional Advisory Committee member shall serve a two-year term and may be reappointed for a total of three (3) consecutive terms.
  - (3) Duties. The Professional Advisory Committee will screen submissions and will recommend to the Trust for each acquisition not more than three (3) possible selections, which may be existing works of art or new commissions.
  - (4) Proceedings. For each acquisition the Trust shall direct the Professional Advisory Committee to act as a committee of the whole or in smaller subcommittees.
- (c) *Selections of works of art.* All acquisitions will be in accordance with the master art plan. Trustees shall approve each acquisition from those elections recommended by the Professional Advisory Committee. The County Manager will negotiate and execute appropriate contracts to acquire each approved work of art. Funds may be aggregated to acquire works of art.
- (1) Selection criteria. In the selection process, the following principles shall be observed:
    - a. Works of art shall be located in areas where residents and visitors live and congregate and shall be highly accessible and visible.
    - b. Areas used by tourists, including the airport, seaport, beaches, parks and thoroughfares, shall each have a separate master plan which shall be incorporated as a portion of the master art plan.
    - c. The Trustees should consider the inherently intrusive nature of public art on the lives of those frequenting public places. Artworks reflecting enduring artistic concepts, not transitory ones, should be sought.
    - d. The Trust's selections must reflect the cultural and ethnic diversity of this County without deviation from a standard of excellence.
    - e. Final selection shall also take into account appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood that the artist can successfully complete the work within the available funding, diversity of works already acquired by the Trust, diversity of the artists whose work has been acquired by the Trust.
  - (d) *Master art plan and implementation guidelines.* The Trustees shall adopt and publish a master art plan and written uniform guidelines to govern the manner and method of the submission of proposed works of art to the Professional Advisory Committee, the process by which the Professional Advisory Committee shall make recommendations to the Trustees and the process by which the Trustees shall approve acquisition. These shall be approved by the Board of County Commissioners. Purchases and Commissions pursuant to such approved guidelines shall be reflected on the information section of the Commission agenda, but shall not require Commission approval.
4. *Ownership and Upkeep.* Ownership of all works of art acquired by the County under this section is vested in Miami-Dade County, except that ownership of all works of art acquired with municipal funds for a new governmental building shall be vested in the applicable municipality. The Art in Public Places Trust is charged with the custody, supervision, maintenance and preservation of works of art acquired by the County pursuant to this section, while each municipality is charged with the custody, supervision, maintenance, and preservation of works in art acquired with municipal funds pursuant to this section. In each instance, the County or municipality, as applicable, shall acquire title to each work of art acquired.
  5. *Personnel.* The County Mayor shall provide adequate and competent clerical and administrative personnel as may be reasonably required by the Trust for the proper performance of its duties, subject to budget limitations.



(Ord. No. 73-77, §§ 1—4, 9-18-73; Ord. No. 78-75, § 1, 11-7-78; Ord. No. 82-90, § 1, 9-21-82; Ord. No. 82-112, § 1, 12-21-82; Ord. No. 84-14, § 1, 2-7-84; Ord. No. 94-12, § 1, 1-18-94; Ord. No. 98-18, § 1, 2-3-98; Ord. No. 19-08, § 2, 2-5-19)

**Editor's note**— Ord. No. 73-77, § 5, provided for inclusion of the ordinance as a part of this Code, but did not specify the manner of inclusion; hence, codification of §§ 1—4 as § 2-11.15 was at the discretion of the editors.

**Cross reference**— Center for Fine Arts, § 2-301 et seq.

ATTACHMENT D

THE CITY OF MIAMI BEACH

ARTICLE VII. - ART IN PUBLIC PLACES<sup>9</sup>

Footnotes:

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**Cross reference**— Cultural arts council, § 2-51 et seq.

DIVISION 1. - GENERALLY

Sec. 82-536. - Intent of article.

It is the intent of this article to enhance the aesthetic environment of the city by including works of art on public property within the city and in city construction projects. The Bass Museum of Art shall be exempt from the provisions of this article.

(Ord. No. 95-2985, § 2(4A-1), 4-5-95; Ord. No. 2004-3448, § 1, 6-9-04)

Sec. 82-537. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Art in public places* means works of art of exceptional quality executed on an appropriate scale and for general public access in public places other than museums, which enrich and give diversion to the public environment.

*Art in public places committee* means the advisory committee appointed by the city commission to carry out the duties and functions set forth in this article.

*City construction project* means any construction contract to which the city is a party for the new construction of; renovations requiring compliance with Chapter 34 Section 3401.8 of the Florida Building Code 50 percent rule or, renovation having a value equal to or greater than \$500,000.00, or addition to any city-owned building, facility, or other city-owned property, including but not limited to, parks, pools, recreation trails and golf courses. The definition of city construction project shall also be deemed to include construction projects that are developed by persons or entities other than the city, but which require the participation of the city as a party to a development agreement or ground lease.

*Construction cost* means "hard costs" associated with construction of a city construction project. Land acquisition costs, architect and engineering fees, environmental remediation costs, and costs associated with subsequent changes in construction contracts, except as provided in the proceeding sentence, are not included. An adjustment will be made to an original art in public places appropriation only for construction costs associated with city requested changes in scope requiring additional appropriations in excess of \$200,000.00 in the aggregate.

*Professional advisory committee* means a group of arts professionals selected by the arts in public places committee and confirmed by the city commission to recommend works of art or artists for one or more acquisitions. The committees may also contain up to two members of the design review board or historic preservation board, to be determined and selected by such boards, depending upon the location of the project for which the art is intended, and which board would have jurisdiction over the project.

*Works of art* means the application of skill and taste to production of tangible objects according to aesthetic principles, including but not limited to paintings, sculptures, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs and drawings, or combinations thereof, and artist-designed public facilities, buildings, and/or spaces and functional elements, either as integral parts of a larger project or as a separate entity.

The provisions of this article shall not apply to the new construction of, renovations, or additions to the following city construction projects:

- a. Water and sewer related facilities, such as pump stations, water mains, water lines, sewer lines, treatment facilities, etc.
- b. Storm drainage infrastructure.
- c. Road construction or bridges.
- d. Streetscape beautification projects, which include but are not limited to, one or all of the following elements: resurfacing, new curbs, gutters, pavers, sidewalks, landscaping, lighting, bus shelters, bus benches, street furniture and signage.
- e. City construction projects undertaken to replace, reconstruct, or repair an existing public building or facility damaged or destroyed by a sudden unexpected turn of events, such as an act of God, riot, fire, flood, accident, or other urgent circumstance.
- f. The construction, remodeling, repair or improvement to a public electric or gas utility system.
- g. Where the city construction project is undertaken as a repair or maintenance of an existing public facility.

(Ord. No. 95-2985, § 2(4A-2), 4-5-95; Ord. No. 2001-3333, § 1, 11-28-01; Ord. No. 2004-3448, § 1, 6-9-04)

**Cross reference**— Definitions generally, § 1-2.

Secs. 82-538—82-560. - Reserved.

DIVISION 2. - ART IN PUBLIC PLACES COMMITTEE<sup>[10]</sup>

Footnotes:

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**Cross reference**— Boards, committees, commissions, § 2-61 et seq.

Sec. 82-561. - Established.

- (a) An art in public places committee is hereby established to carry out the powers and duties set forth in section 82-562. The committee shall be composed of seven members appointed by a majority vote of the entire city commission. The members shall possess a high degree of competence in the evaluation of art history, architectural history, art, architecture, sculpture, painting, artistic structural design and other appropriate media for display or integration of art in public places.
- (b) The term of office for committee members shall be two years. Vacancies occurring before the expiration of a term shall be filled by the mayor for the remainder of that term.

(Ord. No. 95-2985, § 2(4A-6), 4-5-95; Ord. No. 96-3032, § 1(4A-6), 1-24-96; Ord. No. 2004-3448, § 1, 6-9-04)

Sec. 82-562. - Powers and duties.

The art in public places committee shall have the following powers and duties:

- (1) To recommend to the city commission whether a particular proposed city construction project is an appropriate site for works of art and whether all or a part of the appropriation required by section 82-587 should be utilized at the site or, reduced or waived in its entirety or, placed, whether in its entirety or a portion thereof, in the art in public places fund for other acceptable uses.
- (2) To recommend to the city commission the selection of existing works of art or to determine whether to recommend the selection of new works of art, and screen submissions therefore, for the fulfillment of the requirements of this article.
- (3) To conduct contests and competitions in order to select works of art to be recommended for a particular site.
- (4) To recommend a professional advisory committee to advise the committee and city commission regarding selection of particular works of art for a city construction project.
- (5) To recommend to the city commission the maintenance and insurance necessary to preserve and protect works of art.
- (6) To make a recommendation to the city commission regarding proposed projects that include works of art and to participate in the planning of such projects.
- (7) To recommend legislation concerning public works of art in the city.
- (8) To make recommendations to the city commission regarding the placement of proposed donations of works of art for placement on public property in the city.
- (9) To perform all other duties and functions as requested by the city commission.
- (10) To provide an advisory recommendation to private nonprofit applicants seeking to install works of art in public places and/or noncommercial artistic murals, graphics and images on private or city-owned buildings, which mural, graphic or image art is not funded by the city.

(Ord. No. 95-2985, § 2(4A-7), 4-5-95; Ord. No. 99-3162, § 1, 1-6-99; Ord. No. 2004-3448, § 1, 6-9-04; Ord. No. 2018-4176, § 2, 3-7-18)

Sec. 82-563. - Legal counsel.

The city attorney's office shall provide legal services to the art in public places committee as may be necessary or as requested by the art in public places committee.

(Ord. No. 95-2985, § 2(4A-8), 4-5-95)

Sec. 82-564. - Committee solely liable for obligations.

Unless and until the city commission approves by passage of an appropriate resolution or ordinance the acquisition of a work of art for this program, the cost of such acquisition and all costs associated with such acquisition shall not be an obligation, liability or debt of any kind or nature of the city. Exclusive of the costs approved by the city commission as set forth in this article for the acquisition of a work of art, no obligation, liability or debt of any kind or nature whatsoever incurred or asserted against the art in public places committee shall in any manner whatsoever be an obligation or liability of the city.

(Ord. No. 95-2985, § 2(4A-9), 4-5-95)

Secs. 82-565—82-585. - Reserved.

### DIVISION 3. - FUND

Sec. 82-586. - Art in public places fund established.

The city art in public places fund shall be established, to consist of the following:

- (1) Monies appropriated to the fund by the city commission in accordance with section 82-587.
- (2) Monies donated to the fund by private individuals and organizations.
- (3) Monies received by the city from award of federal or state grants for the acquisition or maintenance of works of art on public property or at public facilities in the city. Grant monies received by or on behalf of the Bass Museum of Art shall be exempt from placement in the art in public places fund.

(Ord. No. 95-2985, § 2(4A-3), 4-5-95; Ord. No. 2004-3448, § 1, 6-9-04)

Sec. 82-587. - Appropriations by the city to the fund.

(a) All appropriations of city funding for city construction projects shall include an appropriation of funds to the art in public places fund. The amount appropriated to the art in public places fund shall not be less than 1½ percent of the construction cost of the city construction project. The appropriation to the fund shall be made at the time of the award of the construction contract for said city construction project. For city requested changes in scope requiring additional appropriations in excess of \$200,000.00 in the aggregate, at the time of appropriation of monies for the subject changes in scope, the applicable art in public places funding allocation shall be transferred to the art in public places fund.

(b) For city construction projects that are developed by persons and entities other than the city, but that are developed pursuant to a development agreement entered into with the city, or which involve the participation of the city as a ground lessor, the required appropriation shall be made at the same time as the appropriation of funding for the construction project and be based upon the construction cost, regardless of whether the construction cost is funded by the city or the person or entity other than the city. This subsection shall not apply to projects by not-for-profit persons or entities recognized under Section 501(C)(3) of the Internal Revenue Code of 1986, as amended, whose total construction budgets are less than \$8,000,000.00.

(c) In considering the required appropriation for a particular city construction project, the city commission may, by resolution:

1. Waive the required appropriation, finding such waiver to be in the best interest of the city;
2. Reduce the required appropriation amount; or
3. Find that the particular city construction project is not an appropriate site for works of art, and place all or a portion of the required appropriation in the art in public places fund for use at another site.

(d) The city commission shall also consider whether the funding source for a particular city construction project is restricted by public bond covenants; federal, state or local laws; and/or legal parameters which would require that the appropriation be utilized on the particular city construction project site.

(e) Prior to making a final determination as to the required appropriation for a city construction project, the city commission shall consider the recommendation of the art in public places committee.

(Ord. No. 95-2985, § 2(4A-4), 4-5-95; Ord. No. 2001-3309, § 1, 6-6-01; Ord. No. 2004-3448, § 1, 6-9-04)

Sec. 82-588. - Permitted use of fund monies.

Monies placed in the art in public places fund shall only be used for the following purposes:

- (1) Acquisition of works of art to be located on city construction projects or on public property in the city or located in public buildings or in public facilities within the city in accordance with the procedures in sections 82-611 and 82-612.
- (2) Insurance and/or maintenance of existing works of art acquired by the city under this article in accordance with a yearly budget for such insurance and/or maintenance to be approved by the city commission. The city manager and art in public places committee shall provide the city commission with a yearly recommendation regarding this budget.
- (3) Expenses relating to the following:
  - a. Research and evaluation by the committee pertaining to proposed works of art, including opinions when necessary from outside experts and/or professional advisory committees;
  - b. Expenses related to art contests sponsored by the committee in connection with acquisitions of works of art, including related printing and distribution expenses;
  - c. Administrative expenses relating to the operations of the committee, including but not limited to salaries, supplies and equipment for the keeping of minutes and printing and distribution of board agendas and correspondence;
  - d. Selected artist travel expenses, at the rates used citywide and approved in advance by the city manager.

All such expenses shall be approved as part of the yearly budget for the fund by the city commission after considering the recommended budget submitted by the city manager and the committee. The amount budgeted for administration, maintenance, insurance, and preservation of works of art acquired by the city pursuant to this article as part of the total appropriations for art in public places shall not be more than 25 percent of monies placed in the art in public places fund.

(Ord. No. 95-2985, § 2(4A-5), 4-5-95; Ord. No. 2004-3448, § 1, 6-9-04)

Secs. 82-589—82-610. - Reserved.

#### DIVISION 4. - PROCEDURES

Sec. 82-611. - Procedures for selection.

- (a) The art in public places committee shall evaluate each proposed city construction project to determine its suitability as a site for works of art. In making its determination, the following factors will be considered:
  - (1) Appropriateness of the city construction project as a site for works of art.
  - (2) Physical layout of the city construction project.
  - (3) Visibility and accessibility to the public.
- (b) Additionally, the committee shall establish a list of existing city-owned sites it considers appropriate sites for works of art. The criteria in subsection (a) of this section shall be used in evaluating potential sites.

- (c) The acquisition, removal, and/or relocation of works of art, shall be in accordance with the criteria set forth in this section and the art in public places master plan, as approved by resolution of the city commission.

(Ord. No. 95-2985, § 2(4A-10), 4-5-95; Ord. No. 2004-3448, § 1, 6-9-04)

Sec. 82-612. - Selection of artists and works of art.

- (a) When the art in public places committee recommends a particular city construction project or existing site as being appropriate for art in public places, the committee shall also recommend to the city commission one of the following means of obtaining the works of art:
  - (1) *Open entry competition.* Through appropriate advertisement all artists are invited to enter into competition for a commission to create a work of art for the site. The amount to be paid for the works of art shall be determined by the city commission after considering the committee's recommendation. Artists may be asked to submit slides of their past work, resumes, letters of intent related to the specific project or specific proposals for the project under review.
  - (2) *Limited entry competition.* A limited number of artists are invited to compete as set forth in subsection (a)(1) of this section.
  - (3) *Direct selection of the artist.* An artist or several artists may be selected to develop a proposal for the project or produce the desired works of art.
  - (4) *Direct purchase of existing works of art.* A completed work of art is purchased. No more than ten percent of the costs of the work of art may go to a dealer or agent.
- (b) In the case of a limited competition or a direct selection, an artist may be asked to develop a proposal for a specific project. If asked to develop a proposal, an artist may be paid a proposal fee on the basis of an approved fee schedule. This schedule shall be determined by the committee after consultation and approval by the city manager and shall consist of a sliding schedule based upon the total project commission. However, in general no more than five percent of the total art in public places allocation for a project should be paid in proposal fees to artists.
- (c) The committee may recommend the appointment of a professional advisory committee to assist with selection of works of art or artists for a particular project. Selection of a professional advisory committee shall be by the art in public places committee and confirmed by the city commission. Reasonable expenses incurred by the professional advisory committee may be reimbursed from the fund in accordance with rates approved in advance by the art in public places committee and the city manager.
- (d) The art in public places committee shall consider the recommendations of the professional advisory committee in selecting works of art for particular city construction projects or existing sites.
- (e) Construction of selected works of art. Where the selected work of art requires construction management, construction shall be managed by the city manager's designee.
- (f) Selection of artists, sculptors, craftsmen, and professional advisory committee's review of designs and choice and acceptance of works of art shall be by the art in public places committee and must have approval of the city commission. All agreements made pursuant to this article shall be authorized by the city commission.
- (g) In selecting/approving works of art, the art in public places committee and/or professional advisory committee and city commission shall consider the following criteria:
  - (1) Appropriateness to the city construction project or existing site.
  - (2) Maintenance requirements.
  - (3) Quality of the work.
  - (4) Likelihood that the artist can complete the work within available funding.

- (5) Reflection of enduring artistic concepts, rather than transitory ones.
- (6) History of the artist in terms of completion of works on time.
- (h) In obtaining the advice of the design review board, or historic preservation board, whichever has jurisdiction over the matter based on the location of the proposed project, according to such board's normal application and review procedures, the staff of the art in public places committee shall present the proposal to such boards, prior to submittal of a final recommendation by the art in public places committee to the city commission.
- (i) When providing an advisory recommendation to private nonprofit applicants seeking to install works of art in public places and/or noncommercial artistic murals, graphics and images on private or city-owned buildings, which mural, graphic or image art is not funded by the city, the committee shall utilize the following criteria:
  - (1) Appropriateness to the project or existing site.
  - (2) Maintenance requirements.
  - (3) Quality of the work.
  - (4) Likelihood that the artist can complete the work within available funding of the private nonprofit applicant.
  - (5) Reflection of enduring artistic concepts, rather than transitory ones.
  - (6) History of the artist in terms of completion of works on time.

The recommendation shall be issued prior to any required review of the design review board or historic preservation board.

(Ord. No. 95-2985, § 2(4A-11), 4-5-95; Ord. No. 2001-3333, § 2, 11-28-01; Ord. No. 2004-3448, § 1, 6-9-04; Ord. No. 2016-3985, § 1, 1-13-16; Ord. No. 2018-4176, § 2, 3-7-18)





## MEMORANDUM

**To:** Downtown Vision Advisory Committee

**From:** Sarah Sinatra Gould, AICP, Town Planner

**Date:** July 16, 2019

**Subject:** Guidelines or Requirements for the Business District

The purpose of this memorandum is to summarize the current code language guidelines and requirements as it relates to the design criteria of the business district within the Town of Surfside.

<b>ARTICLE IV. – DISTRICT REGULATIONS</b>
<p style="text-align: center;"><b>Section 90-49.1 – Entrances, windows and storefronts [APPENDIX - A]</b></p> <p>Section 90-49.1 supplies design guidelines for building facades for all multi-dwelling and non-residential properties. These guidelines include pedestrian entrances, divided light window mullions, burglar bars, fixed window shutters, window and storefront articulations, window heights and allowed glass materials.</p>
<p style="text-align: center;"><b>Section 90-49.2 – Awnings and canopies [APPENDIX - B]</b></p> <p>Section 90-49.2 supplies design guidelines for awnings and canopies for all multi-dwelling and non-residential properties. As it relates to awnings and canopies, these guidelines include; the allowable location and placement (height, length, depth, scale, projections), the appearance (materials, color, graphics), construction and maintenance (mold and UV-resistant, frame structure, degree angle, maintenance, repair, replacement, and/or removal) and enforcement (code enforcement).</p>
<p style="text-align: center;"><b>Section 90-49.3 – Materials and finishes [APPENDIX - C]</b></p> <p>Section 90-49.3 provides design guidelines for materials and finishes for all multi-dwelling and non-residential properties. As it relates to materials and finishes, these guidelines include; the surface material (stucco, stone, metal, glass and wood) and material qualities and articulation.</p>
<b>ARTICLE V. – DESIGN STANDARDS</b>
<p style="text-align: center;"><b>Section 90-50 – Architecture and roof decks [APPENDIX – D]</b></p> <p>Section 90-50 provides guidelines for architecture and roof decks which includes the following; elevation and façade articulation variations (variations to the adjacent two buildings on each side of the subject property), requirements for wall openings, roof materials, garage facades, conversions and roof deck provisions (area, height, setbacks and inspection standards)</p>

### **Appendices**

#### **A) Sec. 90-49.1. - Entrances, windows and storefronts.**

*The following Design Criteria are applicable to all multi-dwelling and non-residential properties:*

- a. *All building facades, including those facing alleyways, shall be rendered consistently with the overall architectural treatment of the building.*
- b. *Pedestrian entrances shall be easily recognizable and oriented towards the public right-of-way.*
- c. *Divided light window mullions, where provided, shall be through the pane.*
- d. *Exterior burglar bars, fixed "shutters" or similar security devices shall be prohibited.*
- e. *Window and storefront articulations shall utilize similar proportions as those within the surrounding context and shall be primarily oriented towards the public right-of-way.*
- f. *Multiple storefronts within a larger building shall have consistent materials and articulation and shall relate to the detailing of the entire building.*
- g. *The bottom edge of windows shall be no less than 24 inches above the fronting finished sidewalk elevation.*
- h. *For non-residential uses, the first vertical ten feet of building elevation shall be composed of 50 percent minimum transparency for street-facing building facades and walls. The bottom of transparent openings shall be no higher than 24 inches above the public right-of-way. Display windows used to satisfy these requirements shall have a minimum vertical dimension of four feet and shall be internally illuminated.*
- i. *Mirrored, reflective and opaque tinted glass shall be prohibited.*
- j. *External street-level entrances shall be recessed and centered a minimum of 36 inches from the building frontage.*

**B) Sec. 90-49.2. - Awnings and canopies.**

*The following Design Criteria are applicable to all multi-dwelling and non-residential properties. All new and replacement awnings and canopies shall meet these requirements.*

- a. *Location/placement.*
  - 1. *Awnings and canopies shall have consistent height and depth subject to the size of the wall opening which, the awning or canopy is affixed.*
  - 2. *Awnings and canopies shall remain consistent with architectural details and proportions harmonious with the overall building design and historic context.*
  - 3. *Awnings and canopies shall be consistent on multiple storefronts within a larger building.*
  - 4. *After 25 feet in length, an awning or canopy shall have either a break of a minimum of six inches or articulation of the awning or canopy.*
  - 5. *Awnings shall be attached to the building facades and shall not be supported by vertical elements within the right-of-way.*
  - 6. *Awnings shall have a pedestrian scale and be placed so as to provide weather protection.*
  - 7. *Awnings shall be an enhancement to the building facade and shall be proportional with and complimentary to nearby buildings and awnings.*

8. *Awnings shall be mounted in locations that respect the design of the building and do not obscure ornamental features over storefronts (i.e. rooflines, arches, materials, banding).*
  9. *Awnings shall project a minimum of three feet and a maximum six feet over the sidewalk, not to exceed the width of the sidewalk.*
- b. *Appearance.*
1. *Awnings shall be fabric or metal. Plastic and vinyl awnings are prohibited, except for First Grade vinyl awnings, subject to design review approval by the planning and zoning board.*
  2. *Awnings shall be solid colors rather than patterned.*
  3. *If an awning valance is proposed, it shall be straight rather than curved, except for special architectural elements to be compatible with historic building styles.*
  4. *Awning colors shall enhance and complement the building and adjacent awnings, rather than overwhelm the building scheme. Colors shall not call more attention to the awning than the building.*
  5. *Lighting associated with awnings and canopies shall be prohibited, except lighting approved by the planning and zoning board which is attached underneath the awning and intended to provide pedestrian lighting.*
  6. *Signage, graphics and lettering shall be prohibited on canopies and awnings.*
- c. *Construction and maintenance.*
1. *Awnings shall be mold and UV-resistant.*
  2. *The awning frame structure shall be finished to match the metal storefront system color or the awning fabric color. The structure shall also be compatible with the window system of the building in terms of placement and materials.*
  3. *Awnings shall have between a 30 and 50 degree angle, taking into consideration the height of the storefront and wind load requirements.*
  4. *Awnings shall not be torn, frayed, ripped, faded, or stained, soiled or dirty. When not specifically addressed by this ordinance, provisions of the town's property maintenance code shall apply.*
  5. *Maintenance, repair, replacement, and/or removal. All awnings and canopies shall be maintained and kept in good order and repair. Awnings and canopies which are found, upon inspection, to be in disrepair shall be subject to removal and/or replacement in accordance with the commercial standards established in section 14-52 of the Code of Ordinances.*
- d. *Enforcement.*
1. *Code enforcement and/or the building department shall be responsible for the enforcement of these provisions. Any person or entity violating these provisions shall be subject to fines as set forth in the schedule of fines adopted by resolution and punishable as provided in section 1-8 and all other applicable sections of the Code of the Town of Surfside.*

**C) Sec. 90-49.3. - Materials and finishes.**

The following Design Criteria are applicable to all multi-dwelling and non-residential properties.

- a. The surface shall be stucco, stone, metal, glass block and accent wood. Materials vernacular or characteristic to other regions including but not limited to flagstone and adobe shall be prohibited.
- b. Materials shall be true and genuine, rather than simulated. Multiple storefronts within a larger building shall have consistent material qualities and articulation.

**D) Sec. 90-50. - Architecture and roof decks.**

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90-50.2 Roof deck provisions.

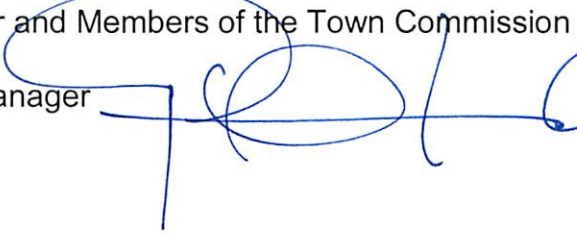
- (1) Roof decks shall be permitted in all zoning districts.
- (2) For properties designated H30A and H30B, roof decks area limited as follows:
  - a. Exterior and interior stairs shall be permitted.
  - b. No extension of stairs shall be permitted over the 30-foot height limitation of the building.
  - c. Roof decks shall provide ten-foot setbacks on the sides and rear of the building.
- (3) For properties designated H30C, H40, H120, SD-B40 and MU, roof decks are limited to:
  - a. A maximum of seventy (70) percent of the aggregate roof area;
  - b. Shall not exceed the maximum roof height required by any abutting property's zoning designation;
  - c. Shall be setback from the roofline at least ten feet on all sides to provide for minimal visibility of roof decks from any public way, except on properties designated SD-B40; and
- (4) All roof decks added to existing buildings shall be inspected by a registered structural engineer and registered architect, who shall address in writing to the building official the following issues:
  - a. How will the existing roofing system be protected or replaced to allow for the new use;
  - b. Structural support strategies for any increase in live loads and dead loads;
  - c. Compliance with applicable ADA requirements;
  - d. Location of plumbing and mechanical vent stacks, fans and other appurtenances;
  - e. Egress design compliance per the Florida Building Code and the Florida Fire Prevention Code;
  - f. Added occupancy and servicing restroom facilities; and
  - g. All other issues applicable in the Florida Building Code.
- (5) All work performed on an existing roof deck to allow for occupancy shall be considered a change of use and shall require both a permit and a certificate of occupancy.



## MEMORANDUM

ITEM NO. 9D

**To:** Honorable Mayor, Vice-Mayor and Members of the Town Commission  
**From:** Guillermo Olmedillo, Town Manager  
**Date:** June 11, 2019  
**Subject:** Alleys



The Town has two types of alleys in or near the business district. (1) De facto, and (2) Platted. Currently, there is one "De Facto" alley and two platted alleys.

The "De Facto" alley runs between properties on the west side of Harding Avenue and the apartment buildings fronting on the east side of Abbott Avenue, south of 95<sup>th</sup> Street to 94<sup>th</sup> Street ("95<sup>th</sup> Street Alley"). This alley was not originally created by plat, but appears to have been established overtime by the property owners' parcels along the alley and constitutes a part of the private parcels along both sides of the alley. The Town does not presently provide maintenance or repair to this alley.

The Platted Alleys are located from 96<sup>th</sup> Street and 94<sup>th</sup> Street behind the properties located between Collins Avenue and Harding Avenue (Location map and copy of plat attached). The 15' alleys are contained within the Plat of "Altos Del Mar No. 6," Plat Book 8, Page 106, with a limitation which states that "all alleys shown thereon are hereby granted, reserved and limited to the private use only of the present or future owners or owner of Altos Del Mar No. 6 or any part thereof." Consequently, the alleys were platted as private for the use and benefit of owners in the subdivision. Over time, the alleys may have been widened beyond the originally platted 15" feet, and have been used by business owners, members of the public and for the provision of municipal services. As a platted alley, the area is preserved for a particular purpose on the Plat and remains in place, with all the conditions attached to, until an amendment is made to the original Plat.

The Town has historically provided some maintenance and repair to the Platted Alleys, despite them having been originally platted for the private use of the owners within the subdivision. Abutting owners and operators have used this alley for vehicular access and parking, as well as members of the public.

The administration is requesting policy direction on the future maintenance and repair of the alleys, as well as the uses thereof. The options are as follows:

1. Remain as is (status quo). The 95<sup>th</sup> Street Alley on the west side of Harding Avenue would remain private and maintained by the abutting property owners along the

alley. The Platted Alleys, although privately platted for the use of owners in the subdivision, would continue to be maintained and repaired by the Town.

2. Treat the Platted Alleys as private, and turn the maintenance, repair and upkeep of the Platted Alleys to the present owners of the Altos Del Mar No. 6 Subdivision. This approach would require that the property owners along the alley and within the subdivision coordinate for maintenance and repair of the Platted Alleys, at their expense.
3. Convert the 95<sup>th</sup> Street Alley to a public alley under the ownership and maintenance of the Town. As this alley was not originally platted, and consists of private parcels along both sides of the alleys, any conversion to a public alley would require that the Town obtain ownership and/or control of the alley. This could be accomplished through eminent domain, voluntary negotiations with the property owners for conveyance, or the granting of an easement to the alley area in favor of the Town.
4. Convert the Platted Alleys to public alleys under the ownership, maintenance and/or control of the Town. The Town would assume ownership/control of the platted alleys through legal means (ownership or easement) and assume total responsibility for future maintenance. The cost of the maintenance could be passed on to the property owners as a public improvement project or a special assessment program to benefit the owners.

The alleys present opportunities to be turned into a more usable and well maintained area, that will become an asset to the Town and the abutting owners. Any future course of action should commence with a title search of the alley areas to confirm ownership or status, as well as a survey of the alleys showing dimensions. For these purposes, there needs to be a landscape/hardscape design with a description of work and materials, an estimate of construction cost, and a contract to perform the specified project.

Should the Town Commission provide direction on the alleys and agree to undertake any specific projects, staff will present an action item at the July regular Town Commission meeting.

Attachments 2

Prepared by GO





Emergency Ordinance duly accepted Jan. 17, 1924.  
By the Council, Res. No. 449, recorded in  
Vol. 188, p. 301, subject to resolution of the  
Mayor, S. M. Tatum, Clerk, 1924.

KNOW ALL MEN BY THESE PRESENTS:

That Tatum's Ocean Park Company, a corporation of Florida, has executed a plot of Government Lot One (1) of Section 35, Township 32 south, Range 42 east, situated in Dade County, Florida, which plot has been duly recorded in Plat Book of the Public Records of Dade County, Florida, that said plot is designated as "ALTOS DEL MAR NO. 6"; a subdivision of Govt. Lot 1, Sec. 35, Twp. 32 S., R. 42 E.; that said land as shown, marked and designated on said plat is and shall be known hereafter as "ALTOS DEL MAR NO. 6"; that the tracts shown, marked and designated thereon as "Collins Ave."; "First Ave."; "Second Ave."; "Fourth Ave."; "Bay Drive"; "Unaka Street"; "Tulip Street"; "Smilox Street, are hereby dedicated to the perpetual use of the public as public highways and thoroughfares. It is hereby expressly provided that the tracts marked "A" on said plat and designated by the letter "A" together with all riparian rights and submerged land adjacent and appurtenant to said tracts so marked "A", and all alleys shown thereon, are hereby granted, reserved and limited to the private use only of the present or future owners or owner of "ALTOS DEL MAR NO. 6" or any part thereof.

IN WITNESS WHEREOF, The said Tatum's Ocean Park Company by order of its Board of Directors, by S. M. Tatum, its President and B. B. Tatum, its Secretary, has hereunto signed and affixed this 30th day of January

Signed, Sealed and Delivered  
in the Presence of:

S. M. Tatum

TATUM OCEAN PARK COMPANY

S. M. Tatum  
President