

AUGUST 2024

How Local Governments Can Facilitate Creative Placemaking on Vacant Property

Recommendations for Policy and Practice





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Preferred Citation:

Julia Zimmerman, *How Local Governments Can Facilitate Creative Placemaking on Vacant Property*, (Center for Community Progress, August 2024)

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Cover Photo: A creative placemaking installation on a vacant lot in St. Louis (Community Progress)

About the Center for Community Progress

The Center for Community Progress helps people to transform vacant spaces into vibrant places. Since 2010, their team of experts has provided urban, suburban, and rural communities battling systemic vacancy with the policies, tools, and resources needed to address the full cycle of property revitalization. As the only national nonprofit dedicated to tackling vacant properties, Community Progress drives change by uncovering and disrupting the unjust, racist systems that perpetuate entrenched vacancy and property deterioration. Community Progress has delivered customized, expert guidance to leaders in over 300 communities and provided hundreds of hours of free educational resources as well as leadership programming to help policymakers, practitioners, and community members across the country return properties to productive use. To learn more and get help for your community, visit www.communityprogress.org

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Introduction

Creative placemaking is the practice of enhancing a neighborhood’s quality of life through arts, culture, and intentional community development to meet the vision of the people who live, work, and play there. This practice takes various forms, including but not limited to temporary visual art installations, performance events, and permanent brick-and-mortar spaces.

Creative placemaking is distinct from other broader applications of arts and culture because of three core elements:

- It is **place-based**, meaning it serves and reflects a specific place and the people who live there.
- It is **community-centered**, engaging residents, business owners, and local leaders to inform use.
- It is **integrated**, working in tandem with other strategies for neighborhood revitalization such as housing preservation, economic development, and resident-serving programs.

For vacant, abandoned, and deteriorated properties (VAD) in particular, creative placemaking allows for revitalization that gives equal attention to place and people, balancing the creation of impactful spaces with honoring the quality of life, history, and culture of the people who inhabit them. The people of these communities do not feel left behind by revitalization, but instead feel fully integrated into it.

Because of this, creative placemaking is an important tool for achieving incremental outcomes that help influence properties and communities to reduce vacancy. At its best, creative placemaking fosters grassroots effort from residents looking to leverage creative expression to equitably reshape their community and imagine new possibilities for their vacant properties. This ideal vision, however, cannot exist without support from local government, programs and practices, and the surrounding policy environment.

During our work with creative placemaking practitioners, Community Progress observed a pattern of common roadblocks that hinder or altogether stop creative placemaking projects on vacant properties. The biggest challenges we have seen are:

- Difficulty navigating the policy environment
- Difficulty accessing land and supportive zoning
- Lack of funding opportunities for projects

These roadblocks often stem from government policy and practices (referred to simply as “policies” in this report) around the access to and use of vacant properties. For example, an artist might want to install

large-format photographs in the windows of a City-owned vacant structure to uplift the legacy of the neighborhood's former or current residents. However, that property has serious structural issues where collapse is an imminent possibility. Due to safety and liability concerns, it is reasonable that the City would decline that request. But some local governments have sweeping policies prohibiting *any* private access to VAD property owned by the local government, including vacant residential or commercial buildings *and* vacant lots without any structure. Thus, a neighborhood association trying to place a piano on a vacant lot to spur spontaneous artistic activation may be prohibited from doing so, even though the actual safety risk is quite different from preventing someone from entering a vacant building that might collapse.

Government policy can foster or prevent action. While the need for these liability policies is understandable, they often hinder more than help. However, a new trend is emerging as we see cities across the country begin creating policies that promote creative placemaking and address potential liability at the same time.

This publication is a response to a nationwide policy gap: There are few concrete, let alone innovative, policies across the country that help support creative placemaking on VAD property. *How Local Governments Can Facilitate Creative Placemaking on Vacant Property: Recommendations for Policy and Practice* aims to change that by providing scalable recommendations based on selected case studies to encourage local government officials and policymakers to create policy environments that facilitate creative placemaking.

This report details the three common core roadblocks communities pursuing creative placemaking encounter, highlights case studies of places with facilitative policies, and offers scalable recommendations for overcoming these roadblocks. While every local government must consider their unique community context and state-level regulations, this report provides applicable takeaways for communities of all sizes and situations.

This report is made possible through the generous support of The Kresge Foundation.

Navigating the Policy Environment

One of the first hurdles practitioners, artists, and residents run into when trying to reactivate vacant spaces with creative placemaking is complicated, difficult-to-navigate local policies. Policy landscapes, particularly ones that are not facilitative to this work, can be confusing, frustrating, and intimidating—especially when someone does not do creative placemaking as their primary job. From that perspective, it can often feel to local artists or residents like local policy environments are adversarial towards any kind of innovative activity taking place on VAD properties.

Case Study: Creative Spaces Toolkit

Fairfax County, Virginia

After completing a study on vacant spaces in Fairfax County, the county arts agency, ArtsFairfax, saw an opportunity for creative placemaking in unexpected spaces, particularly around commercial vacancy.¹ At the same time, Fairfax County was undergoing a large rezoning project and ArtsFairfax was collaborating on an arts and culture master plan. The idea for the Creative Spaces Toolkit emerged to connect these dots.

This toolkit is a step-by-step guide for creatively reusing vacant spaces in Fairfax County.² The toolkit compiles information that residents need to navigate the complicated, unfamiliar policies that regulate the reactivation of vacant space. The publication includes a process for making the case for why creative placemaking should be used in the property; guidance for leases; guidance for zoning, permitting, and marketing projects; a glossary of relevant terms; templates for budgets or space specification considerations; and successful examples of projects for inspiration.

Scalable Recommendations

Create a toolkit or resource guide. Drawing inspiration from the Creative Spaces Toolkit, develop a resource that guides residents through your community's unique process of reactivating vacant property. Topics could include how to identify property owners; acquiring/leasing property; obtaining permits; working with utilities; rezoning; and securing funding.

Idea to Explore: What creative partnerships could improve your toolkit's content? Consider working with a local arts council or a committee of practitioners to learn from first-hand experience of creative placemaking on vacant property to inform the content.

¹ ArtsFairfax (website), <https://artsfairfax.org/>.

² ArtsFairfax, Creative Spaces Toolkit (ArtsFairfax, 2021), 48, https://www.fairfaxcounty.gov/economic-initiatives/sites/economic-initiatives/files/assets/eac_materials/october-2022-workshops/2022_1004%20eac%20group%20b%20artsfairfax%20creative%20spaces%20toolkit%202021-1208bookmarked.pdf

Make a frequently asked questions page, compile a list of resources generated by other groups. If a guide on the scale of the Creative Spaces Toolkit is not yet feasible, consider focusing on just addressing the largest points of confusion. This could look like a webpage addressing frequently asked questions (e.g., “How do I get a permit for an art project on public space?”) or compiling links to external resources already developed by local groups that provide assistance or guidance to residents on navigating common issues.

Help citizens navigate governmental processes by hiring a dedicated staff person for the task or add this responsibility to an existing staff member’s role. The Creative Spaces Toolkit’s larger goal was to leverage connections between ArtsFairfax, property owners, developers, and government. However, the toolkit’s contributors told Community Progress that, unfortunately, at the time they lacked the capacity to support the practitioners the toolkit inspired. To fully realize a resource like the Creative Spaces Toolkit, communities should designate a person to navigate excited residents through the process of creative placemaking to leverage those existing connections within the community.

Idea to Explore: Many communities across the United States have engaged a “public artist in residence” to help solve City problems in creative or artistic ways.³ These resident artists are placed in City departments and work collaboratively with government employees to produce their work. Could a role like this work to help clarify acquisition, leasing, permitting, utilities, or rezoning processes for residents in your community?

³ "City Artist," Public Art Saint Paul, (website), <https://publicartstpaul.org/cityartist/>.

"Boston Artists-In-Residence (AIR)," City of Boston, (website), <https://www.boston.gov/departments/arts-and-culture/boston-artists-residence-air>.

"Public Artists in Residence (PAIR)," New York City, (website), [https://www.nyc.gov/site/dcla/publicart/pair.page#:~:text=Public%20Artists%20in%20Residence%20\(PAIR\)%20is%20a%20municipal%20residency%20program.solutions%20to%20pressing%20civic%20challenges](https://www.nyc.gov/site/dcla/publicart/pair.page#:~:text=Public%20Artists%20in%20Residence%20(PAIR)%20is%20a%20municipal%20residency%20program.solutions%20to%20pressing%20civic%20challenges).

Accessing Property

Access to property—particularly property owned by the local government—is another major roadblock for potential creative placemaking projects. Tied in with this idea of access is land use policy, like zoning and permitting, butting up against potential projects. Zoning frequently serves as a barrier to artists hoping to create permanent activations in a neighborhood zoned for incompatible single-uses (e.g. an artist trying to do commercial work on a residentially zoned property). Permitting can be used to allow temporary or even longer term creative placemaking activations (e.g., temporary use permit on a parcel zoned for single family) while also limiting local government liability, but is too often complex, expensive, or both.

With their chief responsibility to protect public health, safety, and welfare, and often limited capacity to do so, governments are often incredibly risk-averse. However, removing policy and bureaucratic barriers to spark innovative creative placemaking on vacant properties can be the catalyst to promote revitalization in communities desperate for investment. Fortunately, there are models of policy that can inspire local governments to both foster creative reuse and simultaneously limit liability.

Case Study: Cultural Space Agency

Seattle, Washington

Washington allows local governments to create a public development authority (PDA), a separate legal entity from the City or County that establishes it.⁴ This law allows for local governments to form a PDA for a variety of reasons, including to assist in administering federal grants or local programs, enhance governmental efficiency, and/or improve a municipality's living conditions. They are often recommended for unusual undertakings that a City may not want to execute itself.⁵

This law has led to the creation of many valuable PDAs across Washington,⁶ including the Cultural Space Agency (CSA) in Seattle.⁷ Founded in 2021, the purpose of CSA is to “secure community-held spaces in which arts and culture thrive.”⁸ Their charter describes:

“[CSA] will undertake the development, acquisition, and operation of community facing commercial and cultural spaces. Additionally, it may acquire or redevelop existing cultural spaces to preserve their usability and prevent the displacement of cultural anchors. [CSA] seeks to increase access to the spaces that increase the cultural vibrancy and livability of the region's many diverse neighborhoods.”⁹

⁴ Revised Code of Washington §§ 35.21.730 through 759.

⁵ “Public Development Authorities (PDAs),” Municipal Research and Services Center, (website), <https://mrsc.org/explore-topics/economic-development/financing/public-development-authorities>.

⁶ Another example of an innovative PDA is 4Culture, the cultural funding agency for Kings County, which evolved out of the Office of Cultural Resources and notably manages historic preservation and public art. <https://4culture.org>

⁷ Cultural Space Agency, (website), <https://www.culturalspace.agency>

⁸ “Mission & Values”, Cultural Space Agency, (website), <https://www.culturalspace.agency/overview/#mission>.

⁹ Cultural Space Agency, *Charter of the Cultural Space Agency Public Development Authority*, January 21, 2022, <https://clerk.seattle.gov/search/clerk-files/321874#hb>

While Seattle is not a city with a high number of vacant properties, many of the powers the CSA holds describe a kind of land banking program—a public entity with unique powers to return vacant properties to productive use in line with community goals¹⁰—focused specifically on the arts. CSA has unique public backing to acquire properties, transform them into community assets focused on arts and culture, and gift, lease, resell them at below market value. This creative model for City-supported arts and cultural real estate work has transferrable lessons for communities with higher levels of vacant, abandoned, and deteriorated properties find new purpose for those properties.

Scalable Recommendations

Create a public development authority with a sole focus on creative reuse of vacant properties.

While this PDA law is unique to Washington, its success offers a model for similar policies in other states. Policies like the PDA could help your community enable innovative ideas like the CSA to reuse vacant properties for arts and culture.

Create a resource of existing institutions. Create a public resource list of institutions that hold relevant powers to acquire and reuse land for public good (e.g., a local land bank, a community land trust) and that can help connect creative placemaking practitioners seeking access to property. This allows residents to take the lead on placemaking work but reduces some of the burden of the initial research.

Develop relationships and mutually beneficial partnerships. Policy change is a long, slow process, but building intentional relationships within and between departments can happen at any time, for lasting benefits. Consider what organizations exist within your community that could help achieve innovative, community-centered land reuse. For example, you could connect with your city or county land bank and local cultural council to learn if there are resources your departments can share that advance shared community goals.

Case Study: Temporary Activation on Vacant Land Permit

Miami, Florida

Miami's Temporary Use Permit (TUP) on Vacant Land provides an avenue to temporarily activate specific City-owned lots.¹¹ This permit can be obtained for one year and then renewed for a maximum of three years. It permits the activation of vacant properties—primarily in commercial or industrial districts—for uses such as “structures, tents, pop-ups, kiosks, exhibition areas, and other similar uses dealing in the areas of food, arts, vocation, culture, and entertainment.”¹² The City has seen considerable success with this permit since its introduction, allowing for activations ranging from expected uses like community gardens or food truck parks, to unexpected activations like a drive-in movie theater and even a pop-up partnership with Levi Strauss & Co that encompassed a store, tailor, artist collaborations, and a lounge.¹³ While not all these uses are traditional creative placemaking, it is easy to see the potential use of the TUP in supporting arts and cultural work.

Furthermore, Miami has made efforts to ensure this permit is relatively accessible and easy to understand. Some notable elements of this strategy are:

¹⁰ To learn more about land banks and land banking programs, visit <https://communityprogress.org/land-banks>.

¹¹ “Get a Temporary Use Permit (TUP) on Vacant Land,” City of Miami, (website), <https://www.miami.gov/Permits-Construction/Permit-Catalog/Get-a-Temporary-Use-Permit-TUP-on-Vacant-Land>.

¹² Ibid.

¹³ “Nite Owl Drive-In”, Nite Owl Drive-In, (website), <https://niteowldrivein.com/>; “Bienvenidos, Levi’s® Haus Miami”, Levi Strauss & Co., (website), <https://www.levistrauss.com/2019/12/05/bienvenidos-levis-haus-miami/>.

- The entire process can happen online.
- The City’s website breaks down each necessary step clearly and succinctly with external links to the appropriate supporting documents or information. This includes further breakdown of the process, like in the case of submitting signed and sealed plans digitally and links to a glossary defining a term.
- Applicants can read and understand all the expectations prior to applying to help prevent projects being slowed down by application errors.
- In their listed process, they describe the involvement of the City in developing the project plan, including sending written modifications, conducting pre-application meetings, and a final review of the project plan to help ensure success for all parties.

By being transparent about the expected process, this strategy eliminates a lot of confusion and frustration. This is a simple way to ensure your practices help, not hinder.

In addition to the tangible benefits of allowing this type of use, such as safety, better code compliance, or economic boosts from the activities, this TUP allows residents to experiment with innovative reuse, and the focus of TUP on vacant land encourages thinking about the potential of an untapped resource. It allows community partners to expand the scope of what might have previously been possible, like in the example of the Levi’s partnership. Even the simple act of focusing the TUP on vacant land encourages action and guides residents to think about the potential of this surprising resource. Anecdotally, the City noticed these lots remain activated post-TUP expiration, either through another TUP or through developer interest.

Scalable Recommendations

Develop a facilitative zoning and permitting environment. Develop multiple types of permits or zoning categories to create a more facilitative environment. This could include specific permits to address vacant property (like in Miami), changing zoning laws to allow for more mixed-use development or live/work spaces, or even simply allowing for leniency in setbacks or parking requirements.¹⁴ A facilitative environment is flexible to the needs of the community and allows residents to reach their goals.

***Idea to Explore:** Audit your current zoning and permitting policy landscape for creative placemaking on vacant property. What do current policies encourage and discourage? What flexibility is there for innovative and creative uses? This will help determine what can be added or removed to create an environment that facilitates reuse.*

Create a specific permit that targets the most pressing property issue (e.g., vacant land, vacant storefronts). Taking inspiration from Miami, this permit could allow for a temporary activation within your current policy framework that encourages residents to activate vacant property in their community. It could also serve to bridge a gap in your policy environment if no such permit currently exists.

Do outreach to inform residents of creative ways to use existing permits and policies. Get out into the communities most impacted by vacant property to provide education about what is possible within the City’s legal framework. Hold town halls or Q&A sessions for residents interested in activating vacant properties with creative placemaking. Community engagement creates valuable relationships between the City and the practitioners working within it.

¹⁴ Examples of such zoning can be found across the country, including, but not limited to Boston, Chicago, Portland, Seattle, and St. Paul.

Funding Projects

The third hurdle to creative placemaking on vacant property is lack of funding. Many local governments transfer property without fully assessing the capacity of the potential transferee or offering access to resources to increase the likelihood of successful reuse. In communities that have experienced historic disinvestment, capacity and funding from local partners—including the local government—is necessary for creative placemaking projects to flourish.

Case Study: Artist Relocation Program

Paducah, Kentucky

Paducah, Kentucky's Artist Relocation Program offers an example of a strong program that provided unique funding and capacity building opportunities for participants.

Although known as Paducah's oldest historic neighborhood, Lower Town was struggling with decades of disinvestment. A neighborhood study conducted in the late 1950's called it "dilapidated."¹⁵ By the early 2000s, almost 20 percent of lots were vacant.¹⁶

In 2000, local artist Mark Barone began leading a multi-stage revitalization effort. First, Barone successfully advocated for a rental licensing ordinance in Paducah, which forced landlords to bring buildings up to code.¹⁷ That reform effort laid the groundwork for a partnership between Barone and the City Planning Department, as well as partnerships with Paducah Bank. It also was the catalyst for the Lower Town neighborhood plan and Lower Town Artist Relocation Program.

This program offered artists unique property purchase and rehabilitation financing program and loan incentives. Through Paducah Bank, artists were offered loans for purchase and rehabilitation at a 7 percent fixed interest rate, 100 percent loan-to-value.¹⁸ Paducah credits this combination of the existing historic mixed-use zoning and strategic partnerships in allowing for financial support and capacity building as a key component of this program's success. It allowed artists to live and work, as well as sell and exhibit their art, all on one property. Additionally, Lower Town is designated as an Enterprise Zone, meaning all construction materials are exempt from state sales taxes. The City of Paducah reported:

"Attitudes of the residents have changed, many structures have been completely renovated or brought up to code, new infill construction has taken place, and the Artist Relocation Program has been successful in recruiting over 75 new artists/residents/businesses to Lowertown and

¹⁵ "LowerTown Artist Program," Paducah, Kentucky, (website), <https://paducahky.gov/departments/planning/lowertown-artist-program>.

¹⁶ Thomas Barnett, Stephen O. Ervin, Benjamin Peterson, David Frost, Anne Sparkman, Nancy Upchurch, Donna Jackson, Mark Barone, Danny William Fugate, Jacqueline Brower, Donna Klein, Jackie Wallace, "Lower Town Neighborhood Plan" (City of Paducah Department of Planning, 2002), 55, <https://paducahky.gov/files/u3/LTpdfPlan.pdf>.

¹⁷ Evan McGlenn, "The Talk: Salvation Army," *T Magazine*, May 18, 2008, <https://www.nytimes.com/2008/05/18/style/tmagazine/18paducah.html>.

¹⁸ Paducah Bank offered 7.5 percent interest and the City of Paducah bought down 0.5 percent of interest, leaving borrowers with a 7 percent interest rate.

over \$30 million in private investments and growing with only \$2 million of City General Fund monies spent.”¹⁹

Scalable Recommendations

Create a large-scale program to address your vacancy challenges while supporting artists. Create a similar program that helps solve vacancy issues in your community through acquisition and rehabilitation support for artists. Like in Paducah, this could come from a coalition of governmental and community organizations, funding institutions, and others who share the goal of revitalizing a neighborhood. Consider what organizations exist in your community that could collaboratively develop a similar program for your community’s needs with you and your staff.

Create a small grant program for creative placemaking activations. Using either government funds or partnering with local philanthropy, a small grant program targeted at creative placemaking activations, in line with your current policies, could help practitioners get projects over the finish line in developing new programming, acquiring property, rehabilitating vacant land, and more.²⁰

Advocate to local philanthropy to prioritize creative placemaking in their funding strategies. If creative placemaking is still a new concept in your community, conduct strategic outreach to create more opportunities for funding and capacity building outside of just local government. Consider what strategies would help existing funders and philanthropy in your community understand the potential of arts and culture to revitalize vacant properties.

Conclusion

Local government should develop policies that *facilitate*, not hinder, creatively reactivating vacant, underutilized properties. Any one of the roadblocks we identified—lack of knowledge of the surrounding policy environment, difficulty accessing land and supportive zoning, and difficulty finding funding for projects—can on its own completely stop a movement to creatively reuse a vacant property. Success requires addressing them as a system. To truly enable your communities to execute exciting, equitable creative placemaking projects, local governments must proactively pursue policies, strategies, and attitudes that encourage success.

¹⁹ LowerTown Artist Program," Paducah, Kentucky, (website), <https://paducahky.gov/departments/planning/lowertown-artist-program>.

²⁰ A fantastic example of a similar grant program to what is recommended here is New Bedford Creative’s Wicked Cool Places” grant in New Bedford, Massachusetts.

"Grant Programs," New Bedford Creative, (website), <https://newbedfordcreative.org/grant-programs/>.