



Public Art in Private Development Guidelines for Developers

Commercial, non-industrial development with a construction cost of \$500,000 and greater is required to include public art in the project under the “Development Requirements for Public Art” provisions of the City Code (21-08). This requirement does not apply to residential development.

A Developer’s responsibilities are to:

- Inform their development and design teams about the City’s requirements and expectations for public art at the earliest possible stage of their project.
- Meet with the Arts Coordinator to discuss requirements, expectations, options and resources at the earliest possible stage of their project.
- Submit a **Preliminary Application** for Public Art in a timely manner, prior to applying for a Building Permit.
- Present artist selection and concept to the Art in Public Places Committee for review and feedback, if recommended by the Director of Recreation and Parks.
- Submit a **Final Application** for Public Art before the Building Permit is issued.
- Contract with artist.
- Obtain all necessary permits for the artwork, which may be separate from the permits for the project that triggered the public art requirement.
- Oversee fabrication and installation of artwork.
- Provide a maintenance covenant for the artwork.
- If fulfilling the requirement by paying an **in-lieu fee**, submit the payment before the Final Certificate of Occupancy is issued.
- *Please note the project valuation reported for compliance with public art requirements must reflect the valuations provided on all applicable building permit applications.*

Expectations for Public Art Installed On-Site:

- The selected artist shall meet the definition of Artist, as defined in City Code 21-08.020, and demonstrate artistic excellence, originality, and experience with projects of similar scope.
- The artwork shall be easily visible to the public, located in a prominent location that allows the art to be visible from a public right of way at least during business hours.
- The artwork shall meet the definition of Public Art, as defined in City Code 21-08.040, and be appropriate for the selected site, in regard to scale, siting, media and appearance.
- The art proposal should demonstrate feasibility in terms of budget, safety, durability, operation, maintenance, security and siting.
- The artwork should be a fixed asset of the property.
- The artwork should not create a safety hazard or public nuisance.
- The artwork value shall be at least 1% of the construction costs for the development as shown on the building permit valuation.
- Eligible public art expenditures conform to those allowed in City Code 21-08.050.

Public Art in Private Development Process Flow Chart for Developers

