



**KING COUNTY PUBLIC ART PROGRAM**

# **PUBLIC ART & PRIVATE DEVELOPMENT REPORT ON PROGRAM POLICIES**





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Like many regions throughout the country the Pacific Northwest has experienced the impacts of an expanding built environment. In observing King County's growth, the Public Art Commission asked what public art could do to mitigate the affects of escalating development in our region. This innovative report examines one possible solution: using public art as a tool to stimulate private developments that are unique and contribute in a positive way to establishing a regional sense of place. *Public Art and Private Development: Report on Program Policies* collects information from cities, counties and regional cultural organizations around the country and British Columbia that have legislated public art into private development. The results of this study are offered here for your use. The report researched over 50 public art programs. Of those contacted approximately 26 have policies regarding public and private partnerships. 19 of the 26 programs are mandated or legislated programs and 7 are voluntary programs.

The King County Public Art Program recognizes this list becomes dated as our civic governments add or alter public art programs. We welcome your additions and comments. It is our hope that this research fosters dialogue and the continued pursuit of improving our built environment.

Prepared by Cynthia Gould Brown, Senior Project Coordinator.

## C R E A T I V I T Y . . . I N N O V A T I O N . . . E X C E L L E N C E

The King County Public Art Program, with offices in Seattle, Washington, develops permanently sited, portable, or architecturally integrated public artworks of the highest quality, using funds from 1% of county construction budgets. Since 1973, the mission of the program has been to ensure that the work and thinking of artists is incorporated into King County buildings, public places and infrastructure.

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### Cover Page Credits

[Top left image]

Standing Leaves, Falling Light, Overlake Park and Ride, Redmond, WA © Barbara Grygutis, 2002, all rights reserved. Photo by Spike Mafford. Artist Barbara Grygutis designed a series of steel sculptures for King County's Overlake Park and Ride that welcome commuters using the transit facility and the residents who live above it in 308-units of moderate income apartments. The blending of transportation and housing was created as a Transit Oriented Development through a joint initiative of King County, King County Housing Authority, City of Redmond, and the Federal Transit Administration.

[Upper right image]

Rain Forest Gates, installation of decorative steel band, King Street Center, Seattle, WA © Jean Whitesavage and Nick Lyle, 1999, all rights reserved. Photo by Chris Bennion. Located in Seattle's Pioneer Square historic district, King Street Center, houses the King County Departments of Transportation and Natural Resources and Parks. The project was developed as a partnership between King County, the building owner CDP King County III, and the building developer Wright Runstad & Company.

[Bottom two images]

Bridge Between Cultures, Weller Street Pedestrian Bridge, Seattle, WA © Fernanda D'Agostino and Valerie Otani, 1999, all rights reserved. Photo by YaM Studio. Weller Street Bridge initiates the first piece in a series of transportation improvements, which will become a hub for local bus, regional bus, light rail, commuter rail and inter-city rail services. The bridge links the International District with historic Pioneer Square and the stadiums. Design, construction and operations funding was jointly supported through King County, Federal Transit Administration, Washington State Department of Transportation, City of Seattle, Public Stadium Authority and Sound Transit.



# **PUBLIC ART AND PRIVATE DEVELOPMENT REPORT ON PROGRAM POLICIES**

## **INDEX**

**Report research examined over 50 public art programs in the United States and Canada. Of those contacted approximately 26 have policies regarding public and private partnerships. 19 of the 26 programs are mandated or legislated programs and 7 are voluntary programs.**

### **M A N D A T E D   P R O G R A M S** **P A G E**

<b>Brea, CA</b>	<b>5</b>
<b>Emeryville, CA</b>	<b>6</b>
<b>Escondido, CA</b>	<b>7</b>
<b>Long Beach, CA, Public Corporation for the Arts</b>	<b>8</b>
<b>Los Angeles, CA</b>	<b>9</b>
<b>Los Angeles, CA, Community Redevelopment Agency</b>	<b>10</b>
<b>Palm Desert, CA</b>	<b>11</b>
<b>Palm Springs, CA</b>	<b>12</b>
<b>Pasadena, CA</b>	<b>13</b>
<b>Redevelopment Authority of the City of Philadelphia, PA</b>	<b>14</b>
<b>Regional Arts &amp; Cultural Council, Portland, OR</b>	<b>15</b>
<b>San Jose, CA</b>	<b>16</b>
<b>Sarasota, FL</b>	<b>17</b>
<b>Scottsdale, AZ</b>	<b>18</b>
<b>Sunnyvale, CA</b>	<b>19</b>
<b>Tampa, FL</b>	<b>20</b>
<b>Tempe, AZ</b>	<b>21</b>
<b>Vancouver, BC, Canada</b>	<b>22</b>
<b>Walnut Creek, CA</b>	<b>23</b>

### **V O L U N T A R Y   P R O G R A M S** **P A G E**

<b>Boise, ID</b>	<b>24</b>
<b>Broward County, Fort Lauderdale, FL</b>	<b>25</b>
<b>The Arts &amp; Science Council, Public Art Program, Charlotte, NC</b>	<b>26</b>
<b>Chico, CA</b>	<b>27</b>
<b>Fremont, CA</b>	<b>28</b>
<b>Lincoln, NE</b>	<b>29</b>
<b>Loveland, CO</b>	<b>30</b>



## KING COUNTY PUBLIC ART PROGRAM

# PUBLIC ART AND PRIVATE DEVELOPMENT REPORT ON PROGRAM POLICIES

### TRENDS

- With a few exceptions, most programs transfer the concept of a public % for art program to the developer.
- Most programs offer a choice. Developer may select a public art project, contribute % to a cultural trust or public art fund, or some programs split the percentage between an art project and a public art fund.
- Generally, mandated programs require a developer to give % for art monies at the time of the building permit process and demonstrate that the project is completed prior to the occupancy permit.
- Some programs pool money for a particular neighborhood or region. Pooled funding is then used as “seed money” to encourage private developers to match or exceed their contribution. It was mentioned to be especially effective with highly public projects as it encourages developers to engage artists as part of the design team.
- A few programs outline a core area, usually an urban or commercial region, and apply the % for art requirements to developers working in the zone.
- A majority of the programs participating are located in California. Trend to infuse younger communities with a sense of culture or civic pride.

### STRATEGIES FOR SUCCESS

- For smaller communities with few municipal or county projects and limited resources, developers may be the only funding opportunity.
- Alleviate private sector costs complaints with other incentives such as lower land costs and unrestricted height requirements.
- Once installed developers use the art to say “Look what we did!” Mobilize the media and publicize the project. Create educational programs focusing on the artwork and encourage the participating developer to talk to others in the private sector about their positive experience.
- Use established arts agencies to help make the commissioning process easy and helpful. Focus artists on developing work that supports the developer’s and community’s goals.
- Put % for art into perspective by comparing it to other fees demonstrating that the art % is really quite small. Show what you get for such a minimal cost and high return to the community.
- Give credit to the artist/artwork selection process and state how the developer will be involved in the selection.
- Use public art experience as a marketing tool. Advertise yourself as the art expert and the professional who has researched artists, has project management experience with artwork installation and fabrication, and can provide media advice, educational materials, dedications and ceremonies.
- An example of a successful public/private partnership is the Weller Street Pedestrian Bridge, King County Department of Transportation, Metro Transit Division.

### WHY PUBLIC / PRIVATE PARTNERSHIPS ?

- Public/private partnerships provide a link between the support of the arts and a community’s economic viability. The region is strengthened by investment in the arts. It demonstrates a long term vitality and competitiveness, and public art improves the perception of the city, county and region.
- Public art gives a unique visual identity. It defines a place and improves the environment, the image and the character of the community.
- Partnerships balance growth: Building revitalization coincides with the advance of cultural resources.
- Partnerships promote collaboration rather than conflict through shared decision-making responsibilities.
- Public art provides viable mitigation for large-scale construction projects and the disruption to communities.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Brea</b>            Art in Public Places Program            Community Services Department            One Civic Center Circle            Brea, CA 92821-5732</p> <p>Contact: Emily Keller,            Manager            Tel: 714.990.7713            Fax:            Email contact:  <a href="mailto:Emilyk@ci.brea.ca.us">Emilyk@ci.brea.ca.us</a></p>	<p>1975            Revised 1994,            2001</p>	<p>1%</p>	<p>129 artworks,            ranging from \$8,000 to            \$1,000,000.</p>

**Policy:** City Ordinance No. 1050

Requires developers of commercial projects, industrial projects and new residential projects of five dwelling units or more, with a total building valuation of \$1,500,000 or more, to select, purchase and install permanent outdoor sculpture at the development site, accessible and visible to the general public from public streets. The required minimum art allocation shall be 1% of the total building construction valuation (excluding tenant improvements), which is determined using the ICBO tables in effect at the time building permits are issued. All attached and detached additions to an existing commercial or industrial building, with a valuation (for the addition) of \$1,500,000 or more shall also comply with the program. For any custom home development, the art requirement will be based on an estimate of the homes' market value, based on lot size and existing market.

**Exclusions/Notes:** Program excludes churches, schools and individual homes.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Emeryville</b>  Redevelopment Agency  Public Art Committee  1333 Park Avenue  Emeryville, CA 94608</p> <p>Contact:  Tel: 510.596.4354  Fax: 510.596.4389  Email contact: Amy Hiestand  <a href="mailto:ahiestand@ci.emeryville.ca.us">ahiestand@ci.emeryville.ca.us</a></p>	<p>1990   1992 amended   1998 adopted new policy.</p>	<p>1%</p>	<p>13 completed projects.</p>

**Policy:** City Ordinance #90-20

Private building developments with building development costs in excess of \$300,000 and subject to design review approval by the Emeryville Planning Commission shall devote an amount not less than 1% of such costs for acquisition and installation of publicly-accessible art on the development site. In lieu of on-site public artworks, a developer may make an equivalent contribution to the Emeryville Public Art Fund.

Requires that all private, non-residential developments that exceed \$2 million in building development costs be required to contribute at least 40% of the 1% requirement to the Emeryville Public Art Fund with the remaining 60% allowed for on-site public art.

If the developer does not choose to implement an on-site Art Plan, the full obligation (100% of the 1%) shall be allocated to the Emeryville Public Art Fund. Deposit to be made at time of filing the Building Permit Application.

**Exclusions/Notes:** 10% of any developer's monetary contribution to the Emeryville Public Art Fund will be set aside in a Maintenance Reserve account for the purpose of ongoing maintenance and upkeep of public art.

Emeryville is a very small city, approximately 1 square mile.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Escondido</b> Public Arts Commission 201 N. Broadway Escondido, CA 92025</p> <p>Contact: Susan Pollack Tel: 760.839.4331 Fax: 760.739.7015 Email contact: <a href="mailto:spollack@ci.escondido.ca.us">spollack@ci.escondido.ca.us</a></p> <p><a href="http://www.ci.escondido.ca.us">www.ci.escondido.ca.us</a></p>	<p>1986</p>	<p>Fee based.</p>	<p>9 projects ranging from \$11,000 to \$38,000.</p>

**Policy:** At the time of the application for a Building permit, the project developer decides either to pay the public art fee as identified in Section 1074.40 of the Escondido Zoning Code, or in lieu of a fee, work with the Public Art Commission to purchase an approved art piece for their development.

Public Art Fee is assessed at \$0.15 per square foot for all square footage of new structures requiring a building permit.

Developers create an art plan, approved by the Commission. Commission recommends that large developments create a Public Art Master Plan and pool resources necessary to install public art compatible with the overall scale of the entire project.

The installation of the artwork is required before a Certificate of Occupancy is granted.

Commission requires maintenance guaranteed for the life of the art project. If the project has not been maintained properly, the commission requires that the current property owner either repair or maintain the art; or, pay the art fee required by Section 1074.4 based on the current fee schedule and square footage for which the art was required.

**Exclusions/Notes:** No fees are required for 1) an individual tenant improvement(s) in a commercial or industrial building and 2) The first 1800 sf of any structure. This exception shall not apply on an individual basis to commercial structures, which are part of a larger, integrated commercial center. 3) Residential patio covers, gazebos, etc.

The following non-artistic items do not meet the intent of this program: Reproductions, by mechanical or other means, of original works of art; decorative, ornamental, or functional elements which are designed by the architect or consultants engaged by the architect as opposed to an artist commissioned for this purpose; those elements generally considered to be components of a landscape architectural design except when elements are designed by the selected project artist and are an integral part of the project artwork; "art objects" which are mass-produced of standard design; directional or other functional elements such as supergraphics, signs, color coding, maps, etc.; modification in or improvements to building surfaces or structural elements of the building. Escondido discourages the use of public art, which incorporates the specific likeness of an individual.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Public Corporation for the Arts</b> Public Art Program 434 E. Broadway Long Beach, CA 90802</p> <p>Contact: Tel: 562.570.1930 Fax: 562.570.1935 Email contact: Jorge Pardo <a href="mailto:joparpa@aol.com">joparpa@aol.com</a></p> <p><a href="http://www.artspca.org">www.artspca.org</a></p>	1989	1%	13 Projects @ \$1.4 million

**Policy:** For projects with budgets over \$10 million, 1% of total development costs for public and private development shall be allocated to finance the provision of cultural and artistic features and facilities within the project area. 70% of the 1% obligation shall go towards on-site art and 30% of that obligation shall be deposited into a Public Art Fund for general enhancement of the City's public cultural resources. For projects between \$250,000 and \$10 million, the 1% obligation is made to the Public Art Fund. Projects less than \$250,000 are not required to participate.

Public Art Fund obligation must be met by the developer prior to an issuance of the first permit. On-site art is required to be installed prior to the Certificate of Occupancy being issued.

**Exclusions/Notes:** Program excludes low and moderate income housing and adaptive re-use or rehabilitation or tenant improvements of existing buildings at \$500,000 total construction costs or less.

Ineligible costs:

- 1) Directional elements such as supergraphics, signage or color coding except where these elements are integral parts of an original work of art.
- 2) "Art Objects" which are mass produced of standard design such as playground equipment, fountains or statuary objects.
- 3) Reproductions and unlimited editions of original artwork
- 4) Works that are decorative, ornamental or functional landscape or architectural elements except when commissioned from an artist as an integral aspect of a structure or site; architectural rehabilitation or historical preservation of buildings.
- 5) Service or utilities necessary to operate or maintain the artwork over time.



## KING COUNTY PUBLIC ART PROGRAM

# PUBLIC ART AND PRIVATE DEVELOPMENT

### MANDATED PROGRAMS



ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Los Angeles</b>            Cultural Affairs Department            433 South Spring Street,            10th Floor            Los Angeles, CA 90013</p> <p>Contact:            Tel: 213.473.7700            Fax:            Email contact:</p> <p><a href="http://www.cityofla.org/CAD">www.cityofla.org/CAD</a></p>	<p>1980</p> <p>1991 adopted Private Percent for Art policy</p>	<p>1%</p>	<p>\$2,400,000 FY 1999</p> <p>\$11,092,450 to date</p>

**Policy:** City Ordinance #166-724 and #166-725

The Arts Development Fee ordinance provides the users and communities of new developments with arts programs, services and amenities. The Arts Development Fee, also referred to as the Private Percent-for-Art, is a city wide program that has operated since May 1991, and is administered by the Public Arts division of the Cultural Affairs Department.

All private new non-residential development with a total construction value above \$500,000 must comply and pay up to 1% of their building permit valuation. Developers may satisfy this fee through a direct deposit into the City's Arts Development Fee Trust Fund that is administered by the Cultural Affairs Department, or apply a dollar for dollar credit by providing an arts amenity or service on the development site.

Eligible projects include, but are not limited to: sculpture, murals, portable paintings, earthworks, neon, mosaics, photographs, prints, film, sound, video, any combinations or forms or media and new genres; standardized fixtures such as grates, streetlights and other design enhancements as are rendered by an artist for unique or limited editions, and cultural and artistic facilities such as public exhibition or performance spaces; Performing Arts (theatre, dance, music, performance art), literary arts, media arts and arts education.

There are two options available for meeting the obligation. It may be paid along with other fees when the building permit is issued. The other option is for the developer/builder to do a project or program whereby 1:1 credit is given for the dollars spent, towards the total obligation. In order to receive final approval for an arts project, a developer must provide staff with a Final Arts Plan and a Final Report.

**Exclusions/Notes:** Program excludes directional elements such as supergraphics, signage or color coding except where these elements are integral parts of an original work of art; art objects which are mass produced or of standard design, such as playground equipment, fountain or statuary objects; reproductions; decorative, ornamental or functional elements, which are designed by the building architect as opposed to an artist commissioned for this design enhancement purpose; landscape architecture except where designed by the artist; services or utilities necessary to operate or maintain the artwork over time and art consultant fees in excess of 10% of the art development.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Community Redevelopment Agency of the City of Los Angeles</b>            354 S. Spring Street            Los Angeles, CA 90013</p> <p>Contact:            Tel: 213.977.1600            Fax:            Email contact:</p> <p><a href="http://www.ci.la.ca.us/CRA">www.ci.la.ca.us/CRA</a></p>	<p>1968            Updated in 1985            Revised in 1992</p>	<p>1%</p>	<p>Since 1985 they have completed approximately 75 projects, 85% with developer funding.</p>

**Policy:** Public Art Policy creates 3 project categories: Developer Initiated Projects, Cultural Trust Fund Projects and Community Redevelopment Agency (CRA) Initiatives. All development projects with CRA participation must obligate at least 1% of development cost, exclusive of land and off-site improvements, to developing a Project Art Plan.\* The developer and the CRA will agree upon the estimated development cost during negotiation of an OPA (Owner Participation Agreement) or DDA (Disposition and Development Agreement), making adjustments, if necessary, prior to the Permit Date, should the plans change significantly or should there be a substantial time between final approval and Permit Date. Up to 60% of the obligation may be spent, at the developer’s discretion, for a public art component on the development site (Developer-Initiated Projects). At least 40% of the developer obligation must go into the corresponding redevelopment project area cultural trust fund. If the developer does not choose to implement an on-site Art Plan, the full obligation (100% of the 1% obligation) shall be allocated to the corresponding trust fund or may be allocated for a cultural facility.

*\*All hard and soft costs related to the development of the project, which is subject to an agreement with the CRA (but not including the cost of land or other acquisition costs, off-site improvements or any fees imposed by the City or pursuant to the agreement with the CRA.) This obligation applies to agreements executed after the date of approval of the Policy by City Council for new commercial development, commercial rehabilitation projects and market-rate housing in all redevelopment areas, including Owner Participation Agreements (OPA), Disposition and Development Agreements (DDA), loan agreements or other CRA agreement.*

**Exclusions/Notes:** New or rehabilitated very low, low and moderate-income housing units are exempt from the art obligation as are projects with a development cost below \$250,000\*\*.

City of Los Angeles Arts Development Fee. Development projects which have been negotiated with the Community Redevelopment Agency and are subject to an OPA, DDA or other CRA agreement which includes a CRA public art requirement may apply to the City’s Cultural Affairs Department for credit, dollar for dollar, toward the Los Angeles Arts Development Fee. The public art obligation also applies to development projects where the CRA is the developer as well as those projects which are jointly developed by the CRA and a municipal department, agency or authority.

*\*\*New or rehabilitated mixed-income housing developments which include both market-rate and affordable housing units are subject to the art obligation on that portion of the development which is market rate.*



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Palm Desert</b>            Art in Public Places Program            73-510 Fred Waring Drive            Palm Desert, CA 92260</p> <p>Contact:            Tel: 760.346.0611            Fax:            Email contact:</p> <p><a href="http://www.palm-desert.org">www.palm-desert.org</a></p>	<p>1986</p>	<p>1% public             ½% commercial             ¼% residential</p>	

**Policy:** Requires that ¼% of 1% of the building cost for individual residential units for that portion of the total building valuation in excess of \$100,000 and for all other residential development be set aside for art.

½% of 1% for commercial development of total valuation, excluding land acquisition and off-site improvement costs

1% for public facilities of the total building valuation. In no event shall the program allocation for residential or commercial developments exceed \$50,000.

In lieu of placement of an approved artwork, the applicant may pay to the Art in Public Places Fund an amount equal to the program allocation.

Requirement must be met prior to the Building occupancy permit.

**Exclusions/Notes:** Street and drainage projects are excluded.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Palm Springs</b> Public Arts Commission PO Box 2743 Palm Springs, CA 92262-2743</p> <p>Contact: Tel: 760.778.8408 Fax: 760.322.8325 Email contact: Diane Morgan <a href="mailto:DianeM@ci.palm-springs.ca.us">DianeM@ci.palm-springs.ca.us</a></p> <p><a href="http://www.ci.palm-springs.ca.us">www.ci.palm-springs.ca.us</a></p>	1988	<p>¼% residential</p> <p>½% commercial</p>	Over 1600 projects have contributed to the fund.

**Policy:** Ordinance No.1479. Funding for the program comes from fees collected for new development and remodel projects. Should a developer choose not to include artwork as part of a project’s aesthetic treatment, a fee may be paid in lieu of artwork placement. The fee is calculated as a percentage of the building permit valuation.

The total building valuation shall be computed using the latest Building Valuation Data as set forth by the International Conference of Building Officials, unless in the opinion of the Building Official, a different valuation measure more accurately represents the value of the building. Program allocation shall be an amount equal to the percentage of the total building valuation for an applicable project, as listed: ½% for new commercial and industrial construction; ½% for remodel or reconstruction of existing commercial or industrial property; ¼% for new residential subdivisions or developments of two or more units, whether by detached single-family residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer; ¼% for new individual single-family residential units constructed on a lot located in an existing subdivision for that portion of building permit valuation in excess of \$100,000.

Ordinance applies to all works of construction and rehabilitation for which a building permit is required, including, but not limited to: New commercial and industrial construction; remodeling or reconstruction of existing commercial or industrial property; new residential subdivisions or developments or two or more units, whether by detached single-family residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer; new single-family residential units constructed on a lot located in an existing subdivision whose building permit valuation is over \$100,000. Compliance required prior to certificate of occupancy.

**Exclusions/Notes:** Excludes land acquisition and off-site improvement costs. Does not apply to public projects undertaken by any agency of the City, the State, County, School District or any other governmental entity; remodeling, repair or reconstruction or structures to comply with earthquake seismic safety code standards or which have damaged by fire, flood, wind, earthquake or residential units; nonprofit social service or cultural institution projects; low to moderate housing projects as defined by household income Health & Safety Code Section 50093; affordable housing developments receiving City, State or Federal assistance; private educational institutions which provide general education equivalent to the public school system (K-12); architectural rehabilitation or historical preservation of properties which designated Class 1 Historic Sites by the City Council.

Public Art Fund ineligible expenditures: reproductions and unlimited editions of original artwork; mass-produced art objects; works that are decorative, ornamental or functional landscape or architectural elements except when commissioned from an artist as an integral aspect of a structure or site; architectural rehabilitation or historical preservation of buildings.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Pasadena</b> Public Art Program <i>City of Pasadena</i> <i>Planning &amp; Permitting Dept.</i> 175 N. Garfield Avenue Pasadena, CA 91101</p> <p>Contact: Tel: 626.744.69155 Fax: Email Contact: Rochelle Branch, Public Art Coordinator, <a href="mailto:rbranch@ci.pasadena.ca.us">rbranch@ci.pasadena.ca.us</a></p> <p><a href="http://www.ci.pasadena.ca.us">www.ci.pasadena.ca.us</a></p>	<p>1992</p> <p>1996 Revisions approved</p>	<p>1%</p>	<p>Currently there are 33 active projects, 22 of these are with private developers and range from \$6,000 to \$100,000.</p>

**Policy:** Public Art Ordinance #6420. Requires that at least 1% of the private development costs for new commercial, industrial and mixed use projects over 25,000 square feet of gross floor area shall be allocated by the developer for a public art component. The Public Art Program financial requirement shall be based on 1% of the building permit valuation.

The 1% public art element may be satisfied by the financing of cultural and artistic facilities, program and/or on-site artwork features, or the developer may elect to deposit 1% or any portion thereof, into the Downtown Cultural Trust Fund account to be used for the general enhancement of City cultural resources. (On-site cultural programming may include: performing arts; literary arts; media arts; education; special events; artist-in-residence programs) 20% of the 1% or \$1200, whichever is higher is set aside for fixed costs such as administrative fees.

No certification of occupancy for a project until there has been a written determination by the Arts Commission that there has been compliance with the Ordinance.

**Exclusions/Notes:** Land costs and off-site improvements are excluded from development costs. Other exemptions include projects within any redevelopment project area; projects having a fully executed Owner Participation Agreement (OPA) or Disposition and Development Agreement (DDA) or a Vesting Tentative Map approved prior to the effective date of the Public Art Ordinance. Projects within the Northwest Enterprise Zone as the same may be amended from time to time; projects within the boundaries of the master plan or planned development zone change area approved prior to the effective date of the ordinance and projects for which a building permit was issued prior to the effective date.

Developers are strongly encouraged to exceed the minimum 1% public art requirement and develop a public art project that truly enhances their development and the surrounding community. Prospective Developers will be notified of the Public Art Program requirements during the mandatory Predevelopment Plan Review.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Redevelopment Authority of the City of Philadelphia</b>            1234 Market St.,            16th Floor            Philadelphia, PA 19107-3701</p> <p>Contact: Herbert Wetzel,            Exec. Dir.            Tel: 215.209.8732            Fax:            Email contact:</p> <p><a href="http://www.phila.gov/summary/rda">www.phila.gov/summary/rda</a></p>	1959	1%	Over 300 artworks installed, with an original cost over \$6,000,000.

**Policy:** The redeveloper is required to expend an amount equal to 1% of the total construction budget for work(s) of fine art. The total construction cost budget shall be based on total construction budget for general, structural, mechanical and all related interior improvements to the development and the cost of all on-site and, sometimes, off-site improvements.

1% Fine Arts clause shall be contained in all contracts with a construction budget of \$100,000 or more. The Authority maintains a Fine Art Development Fund, which is used periodically to organize and sponsor competitions for outdoor works of public art. Redevelopers with construction budgets of less than \$1,000,000 are required to contribute to the Fund. The 1% contribution shall fulfill the Redevelopers fine arts requirement.

**Exclusions/Notes:** The 1% Fine Arts contractual clause shall not be contained in the following: Construction of residential housing involving public subsidies; construction of certain School District of Philadelphia sites; and construction of one single family residence, unless the construction budget is \$1,000,000 or more.

Redevelopment Authority has worked with a variety of clients including major hotels.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Regional Arts &amp; Cultural Council (RACC)</b> Public Art Program 620 SW Main, Suite 420 Portland, OR 97210</p> <p>Contact: Eloise Damrosch, 503.823.5400 Tel: 503.823.5111 Fax: 503.823.5432 Email contact: <a href="mailto:eamrosch@racc.org">eamrosch@racc.org</a></p> <p><a href="http://www.racc.org">www.racc.org</a></p>	<p>1995*</p> <p>*RACC, formerly known as the Metropolitan Arts Commission.</p> <p>% for art Bonus Program initiated in 1988.</p>	<p>1.33% City of Portland and Multnomah County; 1% for Metro.</p>	<p>8 Public/Private projects within the last 9 years ranging from \$2,000 to \$65,000.</p>

**Policy:** RACC is non-profit organization located in the tri-county Portland metropolitan region. Includes City of Portland, Multnomah County, Washington County and Clackamas County.

Summary: Portland’s City Code states that developers can, in some cases, obtain zoning bonuses and exceptions to certain requirements by incorporating public art into their projects.

Policy: Percent for Art Bonus Program, Central City Plan, Section 33.702.060.4. Percent for Art Bonus Floor Area Ratio (F.A.R.) Development projects, which commit 1% of their total construction costs to public art, may receive floor area ratio bonus of 1:1. Projects committing more than 1% to public art receive additional bonus floor area ratio of 0.1:1 for each additional 0.1% of the project’s total construction costs devoted to public art, up to a maximum floor area ratio bonus of 2:1. Total construction costs are the sum of all construction costs shown on all building permits associated with the project. For projects involving the expansion of buildings, the allocation for public art will be a percentage of the combined costs of new construction and the value of improvements to the property, as listed in the county Tax Assessor’s records, at the time of application for Design Review. Projects utilizing this bonus provision must place at least 25% of the project’s public art budget into a Central City Public Art Trust Fund, maintained by RACC. A project’s developer(s) may choose to give the entire amount of percent for art funds in the Public Art Trust Fund.

In brief, there are 3 options for gaining the F.A.R. bonus:

- 1) Allocate and spend 75% of 1-2% of construction costs on a work(s) of art and contribute the remaining 25% directly to the Public Art Trust Fund.
- 2) Contribute the full 1-2% of construction costs to the Public Art Trust Fund.
- 3) Contribute an amount greater than 25% of 1-2% of construction costs to the Public Art Trust Fund and dedicate the balance to on-site artworks.

At the time of the application for a Building Permit the project developer must make the full contribution to the Public Art Trust Fund and submit a progress report on the art project to RACC. Installation of artwork should be completed before a Certificate of Occupancy is granted.

**Exclusions/Notes:** Public art has been so successful that the Port of Portland, Tri-Met and City of Gresham frequently seek RACC’s help in managing their own voluntary public art programs.

Percent for Art in Portland and Multnomah County consists of .95% for artwork, .05% for maintenance, and .33% for administration and public education.

Exemptions: Reproductions of original works of art; decorative, ornamental or functional elements designed by the architect or consultants engaged by the architect; elements generally considered to be components of a landscape architectural design except where designed by an artist; art objects which are mass-produced of standard design, such as playground equipment or fountains; directional or other functional elements such as supergraphics, signs, color coding, maps, unless designed by an artist; modifications in or improvements to building surfaces or structural elements of the building.



## KING COUNTY PUBLIC ART PROGRAM

# PUBLIC ART AND PRIVATE DEVELOPMENT



### MANDATED PROGRAMS

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of San Jose</b> Public Art Program Office of Cultural Affairs 4 North Second Street, Suite 450 San Jose, CA 95113</p> <p>Contact: Tel: 408.277.8812 Fax: 408.277.3160 Email contact: <a href="mailto:Harriet.Traurig@ci.sj.ca.us">Harriet.Traurig@ci.sj.ca.us</a></p> <p><a href="http://www.sanjoseculture.org">www.sanjoseculture.org</a></p>	1984 Revised in	2%	

**Policy:** Any private project done with city participation, a DDA or an OPA, requires private developers to contribute 1% of monies spent on-site in publicly-accessible areas or can be pooled for use off-site.

#### Exclusions/Notes:



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Sarasota</b> Public Art Program <i>Planning &amp; Development Dept.</i></p> <p>1565 1st Street Room 302A Sarasota, FL 34236</p> <p>Mail: PO Box 1058 Sarasota, FL 34230</p> <p><a href="http://www.sarasota-arts.org">www.sarasota-arts.org</a></p> <p>Contact: Tel: 941.954.4195 Fax: 941.954.4179 Email contact: <a href="mailto:lisa_arcabella@ci.sarasota.fl.us">lisa_arcabella@ci.sarasota.fl.us</a></p>	<p>1989 Revised 2000</p>	<p>1%</p>	<p>Since 1994, 10 projects (5 private, 5 Public Art Fund)</p>

**Policy:** Ordinance No. 00-4223

Any property owner or developer who applies to the City for a building permit to construct or make substantial improvements to a non-residential building located in the Community Redevelopment Area with Commercial-Central Business District (C-CBD) zone, Theater and Arts District (TAD) zone or a public building on Governmental (G) zoned property is required to make a public art contribution.

For buildings less than \$1,000,000 total construction valuation of the building permit, the owner/developer is required to make a contribution to the Public Art Fund of .5% (.005) of the construction valuation of the building permit. For buildings with more than \$1,000,000 total construction valuation of the building permit the owner/developer can either make a .5% (.005) of the total construction valuation of the building permit contribution to the Public Art Fund or the owner/developer can provide public art. Public art is subject to approval by the Public Art Committee, on the development site or in a public place off site, of a value of .5% (.005) of the total construction valuation of the building permit. (Maximum required value \$100,000). Options for providing public art are to purchase an existing piece of artwork or have a specific piece of artwork commissioned. For commissioned work, a deposit with the Building, Zoning and Code Enforcement Department of 115% of the value of the public art is required, prior to the issuance of a building permit.

Prior to the issuance of a building permit, the Public Art Committee will review all documentation submitted by the property owner or developer, as outlined on the Application for Public Art form. The Director of Building, Zoning and Code Enforcement will not issue a building permit unless the public art requirement has been satisfied by approval by the Public Art Committee; donation to the Public Art Fund or a deposit of 115% of the value of the required public art contribution.

**Exclusions/Notes:**



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Scottsdale</b>            Public Art Program            C/o Scottsdale Cultural Council            Scottsdale Museum of Contemporary Art            7380 East 2nd St.            Scottsdale, AZ 85251</p> <p>Contact:            Tel: 480.994.2787            Fax:            Email Contact:  <a href="mailto:MargaretB@SCCarts.org">MargaretB@SCCarts.org</a></p> <p><a href="http://www.scottsdalearts.org">www.scottsdalearts.org</a></p>	<p>1985  1988 Revised</p>	<p>1%</p>	

**Policy:** 1% of the amount budgeted for capital improvement projects in the annual budget is appropriated to the fine arts trust fund. The appropriation shall be made based upon the pro rate share of each fund type budgeted for capital improvements.

Revision: In a Planned Block Development (PBD) in the downtown district, original works of art costing a minimum of 1% of the building valuation shall be installed and maintained in accordance with the art in public places program. Artists and artwork are selected by a) the developer may select a visual arts professional to act as a consultant or b) the developer may utilize the resources and services of the Scottsdale Cultural Council. Original artwork is to be placed within the PBD on a site which takes into account the following: unobstructed public viewing and accessibility; public safety; interior and exterior use of patterns which are consistent with existing or future architectural and natural features.

The developer may pay an amount equal to 1% of the building valuation or any portion of the obligation not used on site into the cultural trust fund, in lieu of installing original artwork in the PBD.

Provision must be met prior to occupancy.

**Exclusions/Notes:** This ordinance shall not apply to: Those portions of a planned block development for which a building permit has been issued prior to the effective date; individual tenant improvements or alternations and reconstruction less than 30,000 square feet.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Sunnyvale</b>            Arts &amp; Youth Services            550 E. Remington Dr.            PO Box 3707            Sunnyvale, CA 94087</p> <p>Contact:            Tel: 408.730.7738            Fax: 408.730.7726            Email contact:            Kristin Dance  <a href="mailto:kdance@ci.sunnyvale.ca.us">kdance@ci.sunnyvale.ca.us</a></p> <p><a href="http://www.sunnyvale.ca.us">www.sunnyvale.ca.us</a></p>	<p>1990            Public Art            Policy is currently under revision.</p>	<p>None</p>	<p>1997-99, working on or have completed 12 projects, ranging from \$30,000 to \$150,000.</p>

**Policy:** Ordinance # 2312-90, section 19.49. All non-residential development projects (including hotel and motel developments) involving construction of new buildings or the expansion of existing buildings on property subject to this chapter, for which a building permit application is filed after the adoption of this chapter, shall provide for the installation and maintenance of publicly visible artwork on the property being developed, in accordance with this chapter. Any lot having an area of two acres or more shall be included. Policy lists specific street intersections where public art must occur regardless of the lot size. Also applies to buildings where (new or expanded construction) 30,000 square feet or 10,000 square feet at specified intersections.

Requires an artwork permit.

Property owner maintains the artwork.

**Exclusions/Notes:** Ordinance is exempted from the California Environmental Quality Act.

Brochure for developers.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Tampa</b>            Art in Public Places            306 E. Jackson Street            4th Floor            Tampa, FL 33602</p> <p>Contact: Robin Franklin Nigh            Tel: 813.274.8531            Fax: 813.274.8080            Email contact:            robin.nigh@tampagov.net</p> <p><a href="http://www.tampagov.net/dep_art_in_public_places">www.tampagov.net/dep_art_in_public_places</a></p>	<p>1985            Revised            August, 2000</p>	<p>1%</p>	<p>Over 200 artworks,            ranging from \$1 to            \$350,000</p>

**Policy:** City ordinance no. 2000-227 and Section 27-441, City of Tampa Code. City of Tampa’s Public Art Program maintains two ordinances. The first is for municipal construction applicable throughout the City of Tampa. Though Tampa’s ordinance encourages public art citywide, the second ordinance is specific to the CBD (Central Business District) and includes developers, and other separate authorities such as transportation to incorporate public art in their projects.

Developers of new construction projects in the CBD are required to comply as follows: each new development project shall be assessed at .75% of the total project cost, with a maximum contribution of \$200,000, for ground floor or on-site publicly accessible art. A developer may pay a fee-in-lieu of .5% of the total project cost, up to \$200,000, into the Public Art Fund.

The ordinance requires a minimum of 75% of the public art funds be spent on artworks that are clearly visible from the sidewalk of other public space. A maximum of 25% of the funds may be used to acquire artwork that is placed in publicly accessible locations indoors. A developer may provide public art on another site that is agreed upon by the City.

**Exclusions/Notes:** Ineligible projects include: business logos; directional elements such as super graphics, signage, or color-coding, except where these elements are designed by the project artist as part of the development; “art objects” which are mass-produced such as fountains, statuary or playground equipment; most art reproductions; landscaping or hardscape elements that would already be associated with the project unless designed by the artist; services or utilities necessary to operate or maintain artworks, and elements designed by the project architect, landscape architect or engineer.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Tempe Cultural Services</b>            City of Tempe            Public Art            3340 S. Rural Road            Tempe, AZ 85282</p> <p>Contact:            Tel: 480.350.5149            Fax: 480.350.5161            Email Contact:            Rex Gulbranson  <a href="mailto:rex_gulbranson@tempe.gov">rex_gulbranson@tempe.gov</a></p> <p><a href="http://www.tempe.gov/arts">www.tempe.gov/arts</a></p>	<p>1990</p> <p>Guidelines under revision.</p>	<p>1%</p>	<p>1993-1999, 36 projects completed @ \$2,159,523, 7,085,737 sf.</p>

**Policy:** Tempe’s Art in Private Development Ordinance #808.9819 requires that a developer building new commercial or office projects totaling more than 50,000 square feet is required to contribute toward public art projects. The ordinance remains in effect even if the commercial or office space is a part of a project which has an industrial or other usage, or the building project is located on land zoned for industrial usage.

The developer’s investment is based on the amount of square footage of the gross floor area dedicated to commercial or office use. The contribution is also adjusted by the Consumer Price Index. 1999 value: \$.33 per square foot. Nontransferable.

Before a Certificate of Occupancy is issued, the developer must meet the requirements of this ordinance. 4 choices:

- 1) Art Project: Artwork that is integrated on the site of the development. Artwork completed in compliance with this ordinance shall be located on an exterior site visible to the public for at least 40 hours each work week.
- 2) Community Arts Program: Arts projects and programs that involve the public. The program is approved by both the developer and the Arts Commission.
- 3) Cultural Space: A visual or performing arts space. This space could be a multi-use site.
- 4) Arts Fund Contribution: In-lieu cash contribution to the Tempe Municipal Arts Fund, used to fund public art projects administered by the Tempe Municipal Arts Commission.

**Exclusions/Notes:** Remodeled older buildings exempt.

Projects not eligible include a business logo; directional elements such as supergraphics, signage, or color coding except where these elements are designed by the project artist as part of the development; “Art Objects” which are mass-produced, such as fountains, statuary or playground equipment; most art reproductions; landscaping or hardscape elements which would normally be associated with the project; services or utilities necessary to operate or maintain artworks.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Vancouver</b>            Office of Cultural Affairs            Public Art Program            City Hall            453 West 12th Avenue            Vancouver, BC            Canada V5Y 1V4</p> <p>Contact:            Tel: 604.871.6002            Fax:            Email contact:  <a href="mailto:bryan_newson@city.vancouver.bc.ca">bryan_newson@city.vancouver.bc.ca</a></p> <p><a href="http://www.city.bc.ca/publicart">www.city.bc.ca/publicart</a></p>	<p>1990</p>	<p>Approximately \$1 million per year/            3-5 projects per year.</p>	<p>Civic &amp; community projects are funded through the Public Art Reserve, which is allocated by the City Council. It is an interest-earning City reserve, which holds funds from public and private sources until they are allocated to public art projects.</p>

**Policy:** Private-sector developments which require major rezonings (change of use or upgrading the land) that are greater than 160,000 sf are required, in exchange for these special considerations, to contribute \$.95 per buildable (FSR) foot to public art. This results in fairly large commissions, which may be in one or several sites. Developers are required to contract an experienced art consultant to coordinate the competition and jury selection and to abide by public art guidelines. The Public Art Committee reviews the art sites, budget allocations, jury and artist selection procedures.

Developers have 3 options for fulfilling their public art commitment:

- 1) Full participation in the juried public art process. Preferred option.
- 2) Developer pays 100% of the required art budget to the Public Art Reserve for allocation by the Program
- 3) 60/40% split whereby the developer can use 60% of the required budget to develop artwork to be sited on the private development land, the choice is at their discretion, and 40% of the budget is paid to the City's Public Art Reserve.

Though the commissions are sponsored by private developers, they are generally on public land and the title is transferred to the City upon completion.

**Exclusions/Notes:**



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**MANDATED PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Walnut Creek</b> Public Art Program 1601 Civic Drive Walnut Creek, CA 94596</p> <p>Contact: Tel: 925.295.1447 Fax: Email contact: Regina Almaguer PublicArt@ci.walnut-creek.ca.us</p>	<p>1983 Amended in 1987 &amp; 2000</p>	<p>1%</p>	

**Policy:** Ordinance No. 1972 and 1973, Resolution 4771

For private developments that are 25,000 sf or greater, not less than 1% of construction cost (building permit value) shall be allocated for public art. For private projects that are between 15,000 and 24,999 sf, not less than .5% [½ of 1%] shall be allocated for such projects in the Pedestrian Retail District or the Core Area Development Zone. This requirement shall also apply for alteration of more than 50% of the G.S.F. of an existing structure or area.

For private projects where public art would normally be expected, but where either the Design Review Commission finds that location, siting or scale make the provision of public art inappropriate or impossible; or agrees to the applicant's preference to not integrate a public art element into the project, the equivalent public art funds should be placed in an in-lieu fund. This fund, upon recommendation of the Arts Commission, will enable enhancements to be sited elsewhere within the same Public Art Project Zone.

**Exclusions/Notes:**



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Boise City Public Arts Program</b>  <i>Boise City Arts Commission</i>            PO Box 500            Boise, ID 83701-0500</p> <p>Contact:            Tel: 208.336.4936            Fax: 208.336.0455            Email contact:            Karen Bubb,  <a href="mailto:kbubb@cityofboise.org">kbubb@cityofboise.org</a></p>	<p>1978,             Revised 2002</p>	<p>1.4%</p>	<p>In 2002, the program is managing 24 projects, 4 of which are public/private partnerships.</p>

**Summary:** Boise's redevelopment agency, Capital City Development Corporation (CCDC), is in the process of finalizing a formal, written policy for the inclusion of artists and public art projects in its public/private redevelopment projects. The recommendation of the new policy is to include in all CCDC capital projects of at least \$500,000 a budget equivalent to 1% of the hard construction cost, up to a maximum of \$200,000, for investment in cultural infrastructure, which could be public art, cultural facilities, or a contribution to a Cultural Trust Fund, which is a new entity for CCDC/Boise.

If, in a single budget year, a series of smaller projects each have a construction cost of less than \$500,000 but combined are over \$500,000, an amount equivalent to 1% of the capital budget for that year up to \$100,000 will be reserved for cultural investments in the Trust Fund.

Design teams for each capital projects undertaken by CCDC shall include an artist.

Whenever possible, CCDC arts funds will be used to leverage additional contributions from developers, other private sources, and public or quasipublic entities, but participation by other entities is not mandatory.

The Boise City Arts Commission (BCAC), a division of the Mayor's office, manages the selection process of artists and works of art for CCDC and the City of Boise. BCAC also manages maintenance of the collection, education, and development of new projects. The funding of Public Art in Boise has steadily increased in the past five years.

**Exclusions/Notes:** In March of 2001 Boise City Council passed a Percent for Arts Ordinance that requires all City capital projects to contribute 1.4% of eligible capital funds for public art (1% for capital costs of the art, .4% for selection process, admin, maintenance, and education). The ordinance does not require other public or private entities to participate, but encourages it.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>Broward County Commission</b>  <i>Broward County Community Services Department</i>            Cultural Affairs Division            100 S. Andrews Avenue            Fort Lauderdale, FL 33301</p> <p>Contact:            Tel: 954.357.7463            Fax: 954.357.6790            Email contact:            Jody Horne-Leshinsky  <a href="mailto:jleshinsky@broward.org">jleshinsky@broward.org</a></p> <p><a href="http://www.broward.org/arts">www.broward.org/arts</a></p>	<p>1995            Public/private ordinance</p> <p>1976-public art program</p>	<p>2%</p>	<p>1 project (pending)</p>

**Policy:** Ordinance 95-20 states that “pooled funds may be used as seed money for artists’ fees to initiate partnerships with private and other public entities to provide public art and aesthetic enhancements in Broward County pursuant to written agreement.” Funds from eligible construction projects shall be allocated within the Public Art Trust Fund for artist design services and the acquisition or commissioning of artworks for the County Art Collection.

Pooled funds for partnership projects can only be generated from General Fund capital projects. Seed money for artist’s fees may include a dollar amount up to 15% of the art allocation the applicant organization has set aside for the project. (Example: Building X will cost \$5 million to construct. \$100,000 has been set aside as part of the construction project for artistic enhancement within that project. The seed money for artist design services, requested from the county, cannot exceed \$15,000.)

**Exclusions/Notes:**

Ineligible artworks: “Art Objects” that are mass produced or of standard manufacture, such as playground equipment, fountains or statuary elements, unless incorporated into an artwork by a project artist; reproductions, by mechanical or other means, or original works of art, except in the cases of film, video, photography, printmaking or other media arts; decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose; landscape architecture and landscape gardening except where these elements are designed by a professional visual artist and/or are an integral part of the artwork by the artist; services or utilities necessary to operate and maintain an artwork over time.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>The Arts and Science Council Public Art Program</b>            227 W. Trade Street,            Suite 250            Charlotte, NC 28202</p> <p>Contact:            Tel: 704.372.9667            Fax: 704.372.8210            Email contact:            Jean Greer  <a href="mailto:jean.greer@artandscience.org">jean.greer@artandscience.org</a></p> <p><a href="http://www.artsandscience.org">www.artsandscience.org</a></p>	1981	1%	Since 1993, 9 projects, 5 of which are completed

**Policy:** Partnerships shall be sought with private developers or privately owned facilities to generate possibilities for public art in their public spaces. Partnerships could involve combining funds from the private developer and/or privately owned facility with available Public Art Program funds; or partnerships could involve sole funding from the private developer and/or privately owned facility in combination with management, administrative and/or other services provided by the Public Art Program.

Partnerships shall be sought with the corporate sector to enrich existing public art endeavors and to further Public Art Program goals.

**Exclusions/Notes:** Sample private partner contract available.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Chico Arts Commission</b>  <i>Art in Public Places Program</i>            411 Main Street            PO Box 3420            Chico, CA 95927</p> <p>Contact:            Tel: 530.879.3998            Fax:            Email contact:  <a href="mailto:mgardner@ci.chico.ca.us">mgardner@ci.chico.ca.us</a></p>	<p>1990</p>	<p>1%</p>	

**Policy:** 1% of the estimated Net Tax Increment (Total Tax Increment less mandated transfers and administrative costs) generated in the Chico Merged Redevelopment Project Area and Greater Chico Urban Area Redevelopment Project Area is allocated to provide a source of funding assistance for public art projects within the Areas.

Private developers are encouraged to consider a voluntary expenditure of 1% of the building project valuation on works of art or art treatments as part of the project. In the alternative, developers may choose to contribute funds to a City Art in Public Places Fund to be utilized for public art projects at sites within the City, as determined by the Commission after consultation with contributing developers, in lieu of funding art within their own projects.

Works of art will be installed prior to issuance of a certificate of occupancy or other time frame specified in the approved arts plan.

**Exclusions/Notes:**



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>The City of Fremont</b>            Art in Public Places Program  <i>Leisure Services Department</i>            3350 Capitol Avenue            Fremont, CA 94537</p> <p>Contact:            Tel: 510.494.4228            Fax:            Email contact:            Irene Jordahl  <a href="mailto:ijordahl@ci.fremont.ca.us">ijordahl@ci.fremont.ca.us</a></p> <p><a href="http://www.ci.fremont.ca.us">www.ci.fremont.ca.us</a></p>	1987	1%	

**Policy:** 1% is applicable to the construction of every public building and park constructed by the City of Fremont and other projects designated by the City Council. It shall also be applicable to privately financed and owned buildings at the option of the owner.

Developers interested in involving art in public places will be given the policy guidelines for reference by the City when applying for a development proposal. Private developers may choose to make a cash contribution toward civic-minded City-planned art in public places projects.

**Exclusions/Notes:** Exemptions from the program:

- 1) Projects with costs under \$500,000, based on the probable construction cost.
- 2) Publicly assisted rehabilitation of private property.
- 3) Low or moderate income housing projects when it is not economically feasible to provide the artwork.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>The Lincoln Arts Council</b> Contact:  <i>Public Art Committee</i> Tel: 402.434.2787            Old City Hall Fax:            920 'O' Street Email Contact:            Lincoln, NE 68508 <a href="mailto:artscene@navix.net">artscene@navix.net</a></p> <p><a href="http://www.artscene.org">www.artscene.org</a></p>	1998	None	7 privately funded projects in progress (includes both temporary and permanently sited) on public property.

**Policy:** The Lincoln Arts Council and the City of Lincoln have a partnership to promote opportunities for art in public places.

The Lincoln Arts Council Public Art Action Committee acts as catalyst for the purchasing and commissioning of public art by placing artwork on public property, regardless of funding source; by placing artwork on private property to be publicly owned and financed through public and/or private funding. An easement will be negotiated with the property owner guaranteeing public access to the art. Artwork placed on private property and financed by the property owner becomes property and responsibility of private owner.

**Exclusions/Notes:** Projects have involved the University of Nebraska and its State Museum, National Bank of Commerce, Lincoln's Woman's Club and the Lincoln Bar Association.



**KING COUNTY PUBLIC ART PROGRAM**

**PUBLIC ART AND PRIVATE DEVELOPMENT**



**VOLUNTARY PROGRAMS**

ORGANIZATION	YEAR ESTABLISHED	PERCENT FOR ART	NO. OF PROJECTS & COST
<p><b>City of Loveland</b>            Art in Public Places Program            Loveland Museum/Gallery            503 N. Lincoln Avenue            Loveland, CO 80537</p> <p>Contact:            Tel: 907.962.2410            Fax: 907.962.2833            Email contact:            Susan Ison  <a href="mailto:IsonS@ci.loveland.co.us">IsonS@ci.loveland.co.us</a></p> <p><a href="http://www.ci.loveland.co.us">www.ci.loveland.co.us</a></p>	<p>1985</p>	<p>1%</p>	<p>Over 176 artworks in the collection, 104 of these were donated. Collection value of \$2.5 million.</p>

**Policy:** City Ordinance #3214 & 3227

1% of the construction cost of each City project, with costs of \$50,000 or more, is placed in a reserve account for the Art in Public Places Program. A volunteer citizen commission (Visual Arts Commission) consisting of seven members, appointed by the City Council, administers the Art in Public Places Program and oversees the city's art donations and placement.

Selection and placement of a work of art may be through a donation, direct selection or competition and shall receive prior review and approval of the Commission.

Developers voluntarily participate in the Art in Public Places program. City receives requests from developers and partners with them to select and install works of art.

**Exclusions/Notes:** Art in Public Places means any visual work of art displayed for two weeks or more in an open City-owned area, on the exterior of any City-owned facility, inside any City-owned facility in areas designated as public areas, or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.

City receives enormous donations and features a summertime outdoor sculpture exhibition.

City established an Art in Public Places Reserve Account, which is used only for acquisition and maintenance of artwork. Approximately \$10-12,000 a year is spent on maintenance.