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**

Pick up guidelines and application from Planning & Economic Development Department, or online at srcity.org/arts.

Submit a **Preliminary Application** for Public Art, indicating how the requirement will be fulfilled (opt to place art on site or pay the in-lieu fee).

**NOTE:** The project valuation reported for compliance with public art requirements must reflect the valuations provided on all applicable building permit applications.

**Place Artwork On-site**

Select an artist early in the discretionary review process and prepare artwork concept.

Complete **Final Application** for Public Art and submit to Arts Coordinator in Planning & Economic Development.

Arts Coordinator checks application for completeness and either approves or advises developer on modifications.

Building Permit will be issued only when the Final Application has been approved by Arts Coordinator.

Final Certificate of Occupancy will be issued when artwork is satisfactorily installed on-site, as determined by Arts Coordinator, AND the Covenant to Maintain Public Art has been recorded.

**Pay In-Lieu Fee**

Building Permit will be issued when the Preliminary Application has been signed and accepted by the Arts Coordinator.

Final Certificate of Occupancy will be issued when the in-lieu fee has been paid at Planning & Economic Development Department.

The installation of art on-site OR payment of the in-lieu fee may be deferred for up to six months by entering into a deferral agreement. A Temporary Certificate of Occupancy will be issued.

**Please contact Tara Thompson with any questions:**
(707) 543-4512  |  tthompson@srcity.org