



Public Art
Ordinance No. 1477
Volume II, Chapter 1, Article 13-4
Art in Public and Private Developments

Planning and Zoning
August 13, 2019



What are we doing?

TONIGHT

Volume 2 Chapter 1

- Zoning code allowing for the implementation of fees and other requirements for public art

Volume 1 Chapter 2

- Ordinance creating the public art commission

Volume 1 Chapter 4

- Ordinance which establishes funding mechanisms

Timeline

- October 2018 City Council presentation by Dianne Cripe, Artspace 6, LLC
- December 3 and 4, 2018 City Council direction to staff to create a commission
- June 3 and 4, 2019 City Council update, direction to staff to create necessary amendments to the city code
- July 9, 2019 Planning and Zoning presentation
- July 23, 2019 Planning and Zoning discussion
- **August 13, 2019 Planning and Zoning discussion**
- August 27, 2019 Planning and Zoning public hearing
- September 3, 2019 City Council presentation
- September 17, 2019 City Council public hearing
- November 2019 Commission seated
- November 2019 60-day posting period for Volume 1 Chapter 4
- January 2020 Public Art program begins

Volume 2 Chapter 1: Zoning code Amendments

Staff recommendations based upon

- Community comparisons
- Consultant input
- Apache Junction's development history

Included in the amendment

- Intent of a public art program
- Scope and applicability of public art
- Exemptions
- Art in Private Development
 - Process for approval
 - Design requirements/principles
 - Installation/Ownership/Maintenance
 - Eligible costs
 - Conveyance of art
 - In-Lieu of cash contribution
- Public projects
- Administration of program

Project applicability

Private

- Mixed-use project
- Commercial projects
 - Retail
 - Office
 - Lodging
 - Planned development
- Expansion of existing structure
- Multi-phased projects
- Religious institutions
- Nonprofit organizations

Public

- Capital improvement projects
- Does not include
 - Paving projects

How are projects assessed?

Private projects

- 1% of construction costs for acquisition and installation of public art on the project site
- Contribute 1% to the Art in Public Places Fund
- $<5,000 \text{ s.f.} \times .25\%$
- $5,000 - 10,000 \text{ s.f.} \times .5\%$
- $>10,000 \text{ s.f.} \times 1\%$
- Maximum contribution of \$100,000

Multifamily projects

- 10 dwelling units or more
- 1% of construction costs for acquisition and installation of public art on the project site
- Contribute 1% to the Art in Public Places Fund

How are projects assessed?

Public Projects

- Projects \$50,000 or more
- 1% of construction costs for public art within the project

Renovation projects

- 50% or more change in floor area
- 1% of construction costs for acquisition and installation of public art on the project site
- Contribute 1% to the Art in Public Places Fund

What is public art?

- Public art shall be original work, produced by an artist, shall be in an area easily accessible and clearly visible to the general public and shall allow for unrestricted viewing from a variety of vantage points, in types of media including, but not limited to, sculpture, mural, drawing, painting, photographic and mosaic. Public art may be stand-alone or integrated into the architecture or landscaping and should encompass the broadest range of expression, media and materials. Public art should consider the site, context and audience. Public art may possess functional as well as aesthetic qualities.
- Art is not: architectural elements or structural parts of a building or other structure; fixtures; features such as grates, shade screens, streetlights, benches, signs, and bike racks.

What is the definition of an artist?

- Artist shall mean any professional practitioner in the arts, generally recognized by critics and peers as a professional in the field as evidenced by his/her education, experience and artwork production. The artist may work with architects, landscape architects, engineers, lighting designers and/or other professionals, but he or she must be the primary designer of the project, and must hold the contract with the developer for the work of art.

Ways to contribute

Development Valuation	Purchase of art for project site	Contribute to the In Lieu of Fund
< \$49,999	Not applicable	All funding
\$50,000 - \$4,999,999	Any combination	
> \$5,000,000	Minimum of \$50,000	Any additional balance

What are comparable communities doing?

- See chart provided

What happens next?

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Our Mission

We will focus on and invest in quality of life and planned improvements for serving residents, businesses, and visitors.

Our Vision

Apache Junction is a diverse Community of natural beauty and heritage that offers prosperity, compassion, and forward thinking to its residents, businesses and visitors.



Questions

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