

### **Prohibited Elements (Things that do not count as art):**

Architectural or structural parts of a building, feature or fixture including advertising or materials substituted for any development costs (e.g. features such as gates, shades, streetlights, benches, signage, bike racks or mass produced products will be considered public art).

### **OPTION TWO**

Before final project submittal, contact Development Services regarding art in private developments. Staff will assist in an explanation of the program and the percentage calculation from the construction valuation; to estimate the contribution to the Art in Public Places Fund.

### **Additional processes may include, for either option:**

- Installation, ownership and maintenance requirements
- An allowance to combine art requirements
- Conveyance of art
- Deferment of Art Installation
- In-lieu cash contributions

**The Art in Public and Private Development** (“APPD”) program shall be administered by the Public Art Commission (“PAC”) in coordination with the development services department and the finance department.

Chapter 1: Zoning Ordinance, Article 1-13 Design Standards Section 1-13-4 Art in Public and Private Developments, adopted on September 17, 2019.  
For specific information about the city’s public art program, please refer to: [https://codelibrary.amlegal.com/codes/apachejunction/latest/apache\\_az\\_ldc/0-0-0-18618](https://codelibrary.amlegal.com/codes/apachejunction/latest/apache_az_ldc/0-0-0-18618)



**Public Art Commission | Development Services**

[www.apachejunctionaz.gov](http://www.apachejunctionaz.gov)

480-474-5083



## **Art in Private Developments**

Public art establishes the city’s identity, strengthens the community and creates a vibrant sense of place for residents and visitors. The intent to require installation of public art in private development is to increase the attraction to businesses and create a more desirable place to live.

Zoning Ordinance: Section 1-13-4: Art in Public & Private Development

## Scope of Public Art Installation

Developers of any private (new or expansion) mixed-use and/or commercial building, or multi-phase project (including religious institutions and nonprofit organizations) shall select either;

- Option 1: Install an approved art piece in a public place at the project site, equal to a percentage of the construction valuation; or
- Option 2: Contribute a percentage of the construction valuation to the Art In Public Places Fund to be used for community public art projects.

## Calculations Applicable to Private Developments

Final calculations are done at the time of building permit submittal.

Commercial projects under 5,000 s.f.	.25% of valuation (max \$100,000)
Commercial projects 5,000-10,000 s.f.	.5% of valuation (max \$100,000)
Commercial project over 10,000 s.f.	1% of valuation (max \$100,000)
Multi-family developments 10 units or more	1% of valuation (max \$100,000)
Renovation of mixed-use or nonresidential buildings exceeding 50% of gross floor area.	1% of valuation (max \$100,000)

## Exemptions – Section 1-13-4 does not apply to:

- Industrial uses, communication facilities, utility installations or similar uses
- Federal, state, or county projects/structures
- Residential uses other than multi-family
- Not legally permissible public art expenditures due to the constraints imposed by the funding mechanism
- Routine maintenance projects (e.g. surface treatments)
- Safety improvements (e.g. sidewalks, street shoulders etc...)
- Public construction projects with significant budgetary constraints case-by-case basis City Council decision)

## OPTION ONE

### Art Plan Submittal

- Step 1: Contact the Development Services Department regarding art in private developments. Staff will assist in an explanation of the program and provide an estimated calculation of value of the art installation, in accordance to the project.
- Step 2: Submit a public art plan to Development Services along with the project's site plan and building permit submittal. Demonstrate compliance with the Zoning Code based on the calculated public art budget.
- Step 3: Once Development Services has determined that the application is complete, the application shall be referred to the Public Art Commission ("PAC"). The developer will present the plan and seek a recommendation for the project from the PAC.

### PAC Requirements

- Public art shall be original work designed or in collaboration with an artist; incorporating different types of media.
- Public art shall be located in an area easily accessible to the public and clearly visible to the general public and shall allow for unrestricted viewing from a variety of vantage points.
- All public art shall comply with the following design principles

<i>Quality:</i> Display originality and artistic quality, in design and craftsmanship. Portrayed through renderings, narrative, materials, and artist resume.
<i>Appropriate context:</i> Apply to an appropriate scale, material, form, and character for the immediate and general social and physical environments with which they relate.
<i>Durability:</i> Include consideration of structural and surface integrity, permanence, and protection against theft, vandalism, weathering, and excessive maintenance and repair costs.
<i>Permanent Integration:</i> Serve to establish focal points, modify, enhance or define specific spaces or identity.
<i>Safety:</i> Does not present a hazard or create unsafe conditions to the environment or public.
<i>Diversity:</i> Contributes to a variety of style, scale, media, artists, community values and forms of expression within the city
<i>Visibility:</i> Be visible and accessible for the purposes of public enjoyment and security, considering pedestrian and vehicular traffic, lighting, active hours on site and future development and vegetation growth.
<i>Feasibility:</i> Include consideration of successful completion based on: project budget, timeline, artist experience and soundness of materials.