

City of Azusa
Art in Public Places Policy Manual

TABLE OF CONTENTS

	<u>Page</u>
I. Azusa’s Art in Public Places Program	
A. Program Goals	1
B. Which Projects Need Art Pieces.....	1
C. How Building Valuations and Art Allocations Are Determined	2
D. Art Allocation Expenses.....	2
1. Allowable Expenses from Art Allocation	2
2. Expenses Not Allowed from Art Allocation.....	2
E. Artist and Artwork Selection.....	3
1. Artist and Artwork	3
2. Art Consultant.....	3
F. Value Verification.....	3
II. The Application Process	
A. Overview	3
B. Application Steps	3
1. Plan Review	3
2. Artist Selection.....	4
3. Art in Public Places Advisory Committee Review	4
4. Notification and Follow-Up	4
5. Unveiling Plans	4
C. If the Proposed Application is Not Approved.....	4
1. Developer Options	4
2. The Appeal Process.....	5
III. Review Criteria and Requirements	
A. Artist Qualifications	5
1. Experience	5
2. Verification of Past Works.....	5
B. Artwork Criteria	5
1. Artistic Expression and Innovation.....	5
2. Scale and Content.....	6
3. Permanence and Materials	6

4. Multiple Editions.....	7
5. Public Liability and Safety.....	7
6. Water Features and Fountains.....	7
C. Site and Installation Requirements.....	8
1. Visibility.....	8
2. Signage.....	8
3. Lighting and Electrical.....	8
4. Landscaping and Base.....	8
5. Identification.....	8
D. Maintenance.....	9
E. Damaged Artwork.....	9
F. Replacement of Artwork.....	9
G. Donation of Artwork to the City.....	9

Appendices

A. Advisory Committee Review Checklist.....	10
B. Application Checklist.....	11
C. Application Instructions/Submittal Requirements.....	12
D. Application – Form A.....	14
E. Application – Form B.....	15

Azusa's Art in Public Places Program

The goal of Azusa's Art in Public Places Program is to provide permanent, outdoor artworks that are easily accessible to the general public throughout the City. The Program is designed to offer a wide range of artistic styles, themes, and media, all of outstanding quality. The unique variety of artistic styles is chosen to provoke discussion and encourage comment.

This program manual, in accordance with Ordinance No. XX-XXXX, adopted by the Azusa City Council, describes how Azusa's Art in Public Places program works, gives information on how the City interacts with developers and artists and describes the program's policies.

I. Art in Public Places Program

A. Program Goals

1. Distinguish Azusa as a special place to live, work, play and visit.
2. Integrate the vision of artists with the perspective of other design professionals into the planning and design of the urban landscape.
3. Provide every member of the community easy visual access to artworks from vehicles on major public streets.
4. Provide a means to counterbalance what many consider to be the "negative" effects of development (e.g. construction noise, traffic, congestion, and pollution).
5. Strengthen cultural awareness, creativity, and innovative thinking in the community.

B. Which Projects Need Art Pieces?

Commercial and industrial development or residential projects of Eight (8) dwelling units or more, with a total building project valuation of five hundred thousand dollars (\$500,000) or more, are required to select, purchase and install permanent outdoor art at the development site, accessible and visible to the general public from public streets. The required minimum art allocation shall be one percent (1%) of the total building construction valuation (excluding tenant improvements), which is determined using the International Conference of Building Officials (ICBO) tables in effect at the time building permits are issued. The maximum Art Allocation per project will be set at \$50,000.

All attached and detached additions to an existing commercial or industrial building, with a valuation (for the addition) of five-hundred thousand dollars (\$500,000) or more shall also comply with the program. Developers also have the option of paying the Art Allocation directly to the City. Allocations paid in this manner will be used to provide Art in Public Places elsewhere in the City.

C. How Building Valuations and Art Allocations Are Determined

The minimum art allocation for each development is equal to one percent (1%) of the total building valuation of a project. The total building valuation is computed at the time building permits are issued, using the most current Building Valuation Data set forth by the International Conference of Building Officials (ICBO). This information is issued quarterly. Square foot value is based on the type of building construction, the proposed use of the building, and the quality of construction. An initial building valuation is estimated by the City's Building Official when the developer submits formal application plans to the City's Planning Division. The building valuation is recalculated when the project receives building permits.

D. Art Allocation Expenses

1. Allowable Expenses from Art Allocation

- a) The work of the art itself, including the artist's fee for design, structural engineering, and fabrication.
- b) Transportation and installation of the artwork.
- c) Identification plaque(s) for the artwork.
- d) Mountings, pumps, motors or subterranean equipment, pedestals, bases, or materials directly necessary for installation of the artwork.
- e) Lighting specifically illuminating the art piece.
- f) Art consulting fees. This fee shall not exceed 10% of the total art allocation.
- g) Art appraisals requested by City staff and/or the Art in Public Places Advisory Committee.

2. Expenses Not Allowed from Art Allocation

- a) Expenses to locate the artist (e.g. airfare for artist interviews, etc.)
- b) Architect and Landscape Architect fees.
- c) Landscaping around a sculpture, that is not included as part of the Artist's sculpture furnishings, including, but not limited to, functional structures, prefabricated water or electrical features not created by the artist, and ornamental enhancements.
- d) Utility fees associated with activating electronic or water generated artwork.
- e) Lighting elements not integral to the illumination of the art piece.
- f) Publicity, public relations, photographs, educational materials, business letterhead or logos bearing artwork image.

g) Dedication ceremonies, including unveilings or grand openings.

E. Artist and Artwork Selection

1. Artist and Artwork

The developer is responsible for selecting the artist(s) and artwork, provided both meet the program criteria. The Art in Public Places Advisory Committee shall consider each artist and proposed artwork on a case-by-case basis.

2. Art Consultant

The developer may choose to hire an art consultant to assist with the selection of the artist and the application process. The role of the art consultant is to research and present to the developer, qualified artists who are able to create an appropriate artwork for their specific project. The art consultant is responsible for providing written and visual collateral on the artist(s) for the application. The developer may not apply more than ten percent (10%) of the total art allocation toward consulting fees. Consulting fees in excess of ten percent (10%) of the allocation shall be absorbed by the developer.

F. Value Verification

If City staff cannot verify the value of a proposed art piece (by past records of comparable work sold, etc.), the City may choose to have the artist's proposal and/or other completed works appraised by a qualified art appraiser selected by the City. The applicant shall pay up front for any art appraisal service fees. This expense may be deducted from the total art allocation.

II. Application Process

A. Overview

Successful public art projects involve collaboration and cooperation between the developer, the artist, and the City. The developer selects an artist and submits an application for review by the five-member Art in Public Places Advisory Committee ("Committee"), which either approves or denies application. The Committee is comprised of a designee from the City Manager's Office, the Economic & Community Development Department, the City Council, the Cultural and Historic Preservation Commission, and the Planning Commission.

B. Application Steps

1. Plan Review

The developer formally submits a development proposal for plan approval to the City's Planning Division. If the project is valued at \$500,000 or more, staff informs the developer of the estimated 1% art allocation for their project. The developer receives full program details including the Art in Public Places Policy Manual and Application. Art must be in place prior to issuance of a building permit.

2. Artist Selection

If the developer chooses to purchase and install artwork rather than pay paying the Art Allocation directly to the City, the developer (or art consultant) researches and selects an artist(s) who meets the program criteria. The developer and selected artist collaborate in packaging the art application for committee review. The application is included at the back of this manual.

3. Art in Public Places Advisory Committee Review

The developer submits the Art in Public Places Application to the City's Planning Division, which will schedule an appointment with the Art in Public Places Advisory Committee for a preliminary review.

4. Notification and Follow-up

The developer shall be notified in writing of the Committee's decision within ten (10) days of the review meeting. If the art piece is approved, any outstanding items that must be completed by the installation date will be listed and given to the developer/art consultant. If the art piece is not approved, the reason(s) for denial will be noted, including possible modifications or additions which could lead to recommended approval. Should the developer and/or consultant agree to the modifications, he/she may resubmit an application to the Committee for reconsideration. Once approved by the City, the developer shall inform the City of the approximate date the piece will be installed.

5. Unveiling Plans

The developer shall contact the Planning Division regarding any unveiling or dedication ceremonies for the art piece. An unveiling or dedication is strictly optional. In the event the developer chooses to conduct an unveiling or dedication, City staff shall provide the developer with an invitation list of City Council Members, Commissioners, Art in Public Places Advisory Committee Members, and other appropriate guests. City staff shall work with the developer to promote press opportunities and public interest in the art project.

C. If the Proposed Application Is Not Approved

1. Developer Options

- a) Accept the Committee's recommendations and make the requested modifications.
- b) Select a different artist to create a new design and resubmit the application to the Art in Public Places Advisory Committee.
- c) Appeal the Committee's recommendation to the Azusa City Council (see Appeal Process below).

2. The Appeal Process

The developer must file a written request for an appeal within ten (10) days of notification of the Art in Public Places Advisory Committee's recommendation. All items for appeal should be addressed to the City Council. Upon filing an appeal, the City Clerk shall set the hearing date and notify the applicant. The City Council may affirm, reverse, or modify in whole or in part any Committee recommendation or requirement. Azusa City Council's decision shall be final and conclusive.

III. Review Criteria and Requirements

A. Artist Qualifications

1. Experience

Artists must be working artists, who have a portfolio which includes outdoor art. Qualified artists should have experience in design concept, fabrication, installation, and long-term durability of large-scale exterior artworks. Artists must be able to successfully collaborate with design teams, architects, art consultants, developers, engineers, fabricators, and landscape architects, and meet scheduled deadlines. Artists should also have experience in negotiating and contracting their work responsibly. Artists who do not meet these criteria will not be approved by the Committee.

2. Verification of Past Works

Artists must be able to verify the value of the proposed artwork, based on their previous and current public art commissions. The Committee will look for purchase prices of similar works sold by the artist (by size, medium, etc.) which progressively increase toward, or exceed, the proposed commission amount. The City may request records, including but not limited to, sales contracts, invoices, and payments. Gallery list prices or asking prices of works are not necessarily comparable, as they are not records of a willing buyer. If the value of the proposed art piece cannot be verified (by records of past comparable sold works, etc.), the City may choose, at its sole discretion, to have the artist's proposal and/or other completed works appraised by a qualified art appraiser. This expenditure shall be counted toward the total art allocation, and shall be borne by the developer. The value of the proposed artwork shall be verified prior to Committee review as to not delay the approval process.

B. Artwork Criteria

1. Artistic Expression and Innovation

Proposed artworks shall demonstrate how they will effectively engage the public, and invite a "second look." Works engaging to the public are often described as thought provoking, inspiring, entertaining, clever, whimsical, powerful, reflective or symbolic. Innovation and originality are encouraged and expected. The Committee takes interest in the artist's creative thought process in relationship to the specific development project. Therefore, existing

works are not generally encouraged. Artists shall be able to thoroughly discuss the following elements of their proposal with the Committee: expressive properties (mood, feeling, message, symbolism) and formal properties (balance, emphasis/dominance, repetition/rhythm, unity, form/shape, texture, color).

2. Scale and Content

Artworks must be appropriate in scale, material, form, and content to their immediate, general, social, and physical environments. The artwork shall not look like an afterthought to the development. The following are not acceptable:

- a) Mass produced reproductions or replicas of original works of art. Exceptions are signed sculptures by the original artist for reproduction. (Edition limit: 5).
- b) Functional equipment, which may be considered part of an amenities package, such as benches, chairs, fountains, etc. (see page 10, Water Features and Fountains).
- c) Decorative or ornamental pieces which are not designed by a qualified, acceptable artist, including historical markers or bells, bell towers, obelisks, minor architectural ornamentation, and garden sculpture.
- d) Art as advertisements or commercial signage mixed with imagery.

3. Permanence and Materials

- a) Recommended materials: bronze, stainless steel, high-grade aluminum, hard stone.
- b) Materials not recommended: Cor-ten steel, wood, soft stone (e.g. alabaster).
- c) Other materials not listed may be considered, in the event the artwork application includes a comprehensive maintenance plan, which meets the interest and standards of the Committee and staff.
- d) Rust proof materials must be used whenever possible. Artists will be asked to provide a breakdown by percentage of metal alloys for bronzes from foundries. Thickness and grade/quality of steel works will be reviewed for rust proof durability. Artists shall take note of which materials (including nuts, bolts, and other metal fixtures) will be in contact with each other that may produce oxidation and rust.
- e) Artists must be able to clearly demonstrate the quality, craftsmanship, and durability of their artwork. Substantial consideration shall be given to structural and surface integrity and stability, permanence and weathering, resistance against theft, vandalism, and the probability of excessive maintenance and repair costs. Artworks must be constructed of durable, long-lasting materials that are able to withstand outdoor display, and require low levels of maintenance. When selecting an art piece, developers

shall keep in mind that property owners are legally responsible for the maintenance of the artwork for its lifetime.

4. Multiple Editions

If the proposed art is one of multiple editions, the applicant shall include the edition number of the piece, and provide the location of all other editions. To maintain the value of the proposed work, similar editions may not be publicly displayed within a fifty (50) mile radius of the Azusa project site, unless both the Art in Public Places Advisory Committee and the owner of existing and/or future editions grant permission.

5. Public Liability and Safety

The artist and developer must bear in mind the art will be displayed along major public streets. In order to be acceptable, artworks must not disrupt traffic or create unsafe conditions or distractions to motorists and pedestrians, which may expose the City or property owner to liability. Consideration should be given to sharp or protruding edges that may pose a danger to pedestrians. Attention should also be given to durability and ability to withstand weight, as owners are held responsible for repairs resulting from persons climbing, sitting, or otherwise damaging the art.

6. Water Features and Fountains

Water feature pieces, or artworks requiring water, must be conceptually designed by an acceptable, qualified visual artist in order to be considered for the Art in Public Places Program. The artwork must stand on its own should the water cease to function properly. There must be a demonstrated collaboration between the artist and the water feature design company. The intent of the Art in Public Places Program is to promote the work of visual artists, not water feature design companies. Water related costs, such as pump and pool construction, will be evaluated by the Art in Public Places Committee for consideration as part of the overall art allocation. Developers are welcome to exceed the arts budget to construct a water feature. However, water features will not be accepted in lieu of the Art in Public Places requirement. No more than thirty percent (30%) of the total art allocation may be utilized for water-related costs.

C. Site and Installation Requirements

1. Visibility

Artwork is to be located outdoors and easily visible to both motorists and pedestrians from a major public street. Distance from the art to the public street should typically not be greater than fifty (50) feet. Artwork may not be placed near monumental signs, sign walls, bus benches, or utility boxes, as these structures may impede the public's view from the street or diminish the aesthetic value of the art. Lettering, symbols or signage are not permitted upon the art or its foundation, except as intended by the artist. Visibility to the general public is the key criteria in approval of art location. Exceptions can be

made for large open or enclosed public areas such as shopping malls, which may have their art piece(s) in an interior public location.

2. Signage

Permanent signage of any type is not permissible in or around the immediate area of the art. This includes the foreground, background, or adjacent areas of the art. Signage should not distract or diminish the aesthetics of the artworks, when the public views the work from the most accessible vantage points (e.g. intersections, entryways). The Art in Public Places Advisory Committee will review all signage plans and ask the applicant to provide alternative locations should the signage interrupt the public's view.

3. Lighting and Electrical

Artwork shall be properly lit during evening and nighttime hours. All lighting and electrical elements should be in good working condition and meet all current safety conditions. Lighting and electronic elements, not integral to the sculpture, will not be included as part of the art allocation. Lighting plans must be submitted as part of the application.

4. Landscaping and Base

Landscaping and art base should be well integrated and securely installed. The sculpture must also be secured to the base. A licensed structural engineer must approve and certify the installation plans as structurally sound, safe, and durable. The base shall only house art, and plaque, if applicable.

5. Identification

Each art piece shall be identified by a cast bronze plaque approximately 8" x 8". The plaque shall be placed in a ground location near the art piece, listing only the title, artist, and date of installation. The Art in Public Places Advisory Committee must approve any additional plaques that may be requested.

D. Maintenance

All property owners are legally responsible for maintaining their art piece for its lifetime and replacing the art piece should it be damaged beyond repair, destroyed, or stolen. The applicant should demonstrate that the selected artwork is constructed for permanent outdoor display and that provisions have been made for its long-term care.

E. Damaged Artwork

The property owner is responsible for repairing the artwork in the event of damage and/or vandalism. Artwork damaged or vandalized shall be repaired as closely as possible to the original approved artwork. If repair is needed, the original artist must be given first refusal on repair(s) for a reasonable fee. If the original artist is not available or is unwilling to perform the required repair(s) for a reasonable fee, the owner shall make arrangements for repair(s) with a reputable art conservator.

The owner shall be responsible for notifying the Art in Public Places Advisory Committee and City staff of the steps that will be taken to repair the work.

F. Replacement of Artwork

In the event the art piece is destroyed, damaged beyond repair, stolen or otherwise removed from the site, the owner shall replace the art piece with a new work of art (see next section, Removal of Artworks). The owner shall submit an application to the City for review by the Art in Public Places Advisory Committee. The new artwork shall comply with all of the requirements of the Art in Public Places Program in effect at the time the work is replaced. The allocation for the new (replacement) art piece shall be calculated at 1% of the current total building valuation, as computed by the most current Building Valuation Data set forth by the International Conference of Building Officials (ICBO). As ICBO figures typically increase each year, property owners are advised to take steps to replace damaged or destroyed sculptures immediately. The replacement process shall be completed within a six (6) to twelve (12) month time frame unless otherwise agreed to by the City.

G. Donation of Artwork to the City

Although the art work is located in public view, the intent of Azusa's Art in Public Places Program is for the art to be located on private property as part of the fixed assets of that property. Therefore, the City does not encourage the donation of public art to the City.

However, in special cases where it is impossible for artwork to remain on private property and/or be maintained by the property owner, the City may consider accepting the donation of an art piece. Property owners may submit a written request to the Art in Public Places Advisory Committee describing the unique circumstances and the reasons why they are requesting that the City accept the donation of the art piece. The Committee will review their request, discuss the proposal and forward a recommendation to the City Council.

APPENDIX A

**City of Azusa Art in Public Places
Advisory Committee Review Checklist**

PROJECT:			
Artist:		Artwork Title:	
Date Reviewed:			
Committee Members:			
CRITERIA	MEETS CRITERIA	DOES NOT MEET CRITERIA	COMMENTS
I. Art Piece			
Scale: life-size 5' or larger (excluding base)			
Permanent and weather resistant media, armature and framework of rust free materials, foundry materials and metals breakdown by percentage.			
Artistic Content (for discussion only): <ul style="list-style-type: none"> Expressive properties (mood, feeling, message, symbolism). Formal properties (balance, emphasis, color, repetition/rhythm, unity, form/shape, texture). 			
Proposal shows how work will engage public interest (provokes discussion, a closer look, intrigues, entertains, etc.). Is public input/survey requested?			
Liability and Safety conditions			
Original work of art (Editions limited to 5)			
II. Artist			
Education/training in the visual arts and art			
Exhibit records and collections			
Experience with large scale outdoor artwork			
Verification of purchase price of past works			
III. Site/Installation			
Clearly visible to motorists and pedestrians from major public street.			
No more than 50 feet from public street(s)			
Base well integrated to landscape			
Lighting instruments and lighting plan			
No signs, utility boxes, or other conditions limiting public view.			
Sculpture plaque			
Installation design approved by structural engineer.			
Landscape plan will not pose future visibility or conservation problems.			
Sprinkler plan assures no water spraying on art.			
V. Artist/Developer Contract of Sale			
VI. Maintenance Instructions/Maintenance Fund			

***Note: This form for applicant use only. Please keep for your records.**

City of Azusa Art in Public Places Application Checklist

Date:
Applicant:
Project:

For description of each item see Appendix G, Application Instructions.

- 1. Application – Form A
- 2. Site plan indicating art piece location.
- 3. Photographs or computer enhanced image of site/sculpture location.
- 4. Landscape plan
- 5. Lighting plan (specific instruments)
- 6. Artist statement
- 7. Maquette(s) or drawings of proposed work
- 8. Sample materials or finishes of proposed work
- 9. Installation design (to be approved by structural engineer)
- 10. Artist's current resume
- 11. Artist's history of public art commissions – Form B
- 12. Slides and photographs of artist's previous works
- 13. Edition number and locations of other pieces in the series (if applicable).
- 14. Budget breakdown
- 15. Maintenance instructions
- 16. Draft contract of sale

***Note: This form for applicant use only. Please keep for your records.**

City of Azusa Art in Public Places Application Instructions/Submittal Requirements

Please submit the following application materials to the City of Azusa, Community Services Department. City of Azusa staff must receive all application materials prior to scheduling an Art in Public Places Advisory Committee review meeting. The review meeting will be set within thirty (30) days once all application materials are complete.

1. Application – Form A
2. Site plan of the development, including the following:
 - a. Proposed placement of the art piece.
 - b. Distance in measurement between the sculpture and public streets.
 - c. Placement of any existing and/or future monumental or temporary signs, utility boxes, nearby street signals, or structures which may impede public view of the art piece from the public street.
3. Photographs or computer enhanced design of the site, which clearly shows the sculpture in relation to the site/building, as the public at ground level would see it. An image of the art piece may be superimposed on a photograph of the site. Please make to scale.
4. Landscape plan, including the location(s) and type(s) of trees and shrubbery, in relation to the sculpture.
5. Lighting plan for art, specifying location, number, and type of fixtures to be used.
6. Artist statement, describing artist's style, artistic concept and content, relationship between proposed artwork and the project. The developer should explain to the Committee why the proposed work was chosen and how it will enhance the development, complement the existing art program, and engage public viewing and comments.
7. Drawings, or maquette(s), of the proposed artwork. The maquette may be brought to the Committee meeting.
8. Sample materials or finishes of the proposed artwork.
9. Installation design of the proposed artwork, stamped by a licensed Structural Engineer, certifying the art as structurally sound, safe, and durable.
10. Current and complete curriculum vitae of the artist (including art training and education, group and solos exhibitions, private and public collections).

11. Artist's history of public art commissions. The value of the proposed piece is verified by previous commissions of similar style work (by medium, style, and size). Records should indicate commissions progressing toward or exceeding the proposed commission amount. City staff will verify the artist's records of past sales of similar sculpture(s). If the value of the proposed work cannot be verified, due to inconsistencies in the record, a certified art appraiser at the developer's expense may review the proposed artwork (see page 3, Allowable Expenses from Art Allocation).
12. Slides, photographs, or other collateral (reviews, critiques, articles) of past works, corresponding to the listings in items 10 and 11.
13. Edition number of the proposed work (if part of a limited edition series) and locations of all other pieces in the series.
14. Budget breakdown including artist fees for design concept, materials, fabrication, transportation, installation, and art consultant fees (if applicable). The total budget should equal or exceed the minimum 1% art allocation.
15. The artist's maintenance instructions for routine and long-term preservation shall be included in the contract of sale (see pages 12, Maintenance Instructions). The instructions may be amended as needed, pending the results of the Art in Public Places Committee review meeting.
16. Draft contract of sale (see Appendix D, Sample Contract of Sale). The draft contract may be amended as needed, pending results of the Art in Public Places Committee review meeting. After approval by the Art in Public Places Committee, a final contract must be signed by the property owner, artist, and art consultant (if applicable), and submitted to the City of Azusa.

FORM A**City of Azusa Art in Public Places Application**

DATE SUBMITTED:	
Minimum Art Allocation:	
Project Name:	
Development Location/Address:	
Location of Art Piece (be specific):	
Developer:	Contact Person:
Address:	
Phone:	Fax:
Property Owner:	
Address:	
Phone:	Fax:
Artist:	
Address:	
Phone:	Fax:
Title of Art Piece:	
Selling Price: (includes consultant fees)	
Description of Art Piece:	
Dimensions:	
Media:	
Percentage breakdown of metal alloys (for bronzes):	
Armature Material:	
Paint type, brand, color (if applicable):	
Description of Art Foundation or Base:	
Landscape Description:	
Lighting Description:	
Sprinkler Description at Sculpture Base:	
Distance between Public Street and Art Piece:	
Installation Date:	
Dedication/Unveiling Plans:	

FORM B

Artist's History of Public Art Commissions

Please list in order of most recent. Use additional sheets if needed.

Artist Name _____ Project _____

No.	Title	Medium	Dimensions	Purchaser and Phone Number	Location	Date of Commission	Commission Amount
1.	Proposed work for Azusa:					To be determined	
2.							
3.							
4.							
5.							
6.							
7.							
8.							