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Chapter 17.24 - ART IN PUBLIC PLACES*

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17.24.010 - Statement of intent and purpose.

In its awareness of the aesthetic enhancement and enrichment of the community by the inclusion of fine art throughout the city, the city council adopts this chapter. The goal of Calabasas' art in public places program is to provide a collection of nationally recognized permanent artwork. The program is designed to present the community with a wide range of artwork styles, themes and media, all of the highest quality. All pieces must be of monumental scale in proportion to the size of the buildings. Balance and variety are qualities to strive for as the program grows. This program will provide a collection of public artworks throughout the city to be enjoyed by all. Therefore, an art in public places fee is established on all applicable building projects within the city.

(Ord. No. 2010-265, § 3, 1-27-2010)

17.24.020 - Program requirements.

- A. Any person constructing or reconstructing a commercial building within the city shall be assessed a fee for acquisition of artwork based on the total building valuation. Where the installation of art is impractical or inaccessible, the developer will contribute the assessed fees to the art in public places fund. Art purchased from the fund will be installed within the city at the discretion of the city council based on the recommendation of the art in public places advisory committee.
- B. The fee shall be one percent of the building valuation as computed using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO). The maximum fee per project will be set at one hundred fifty thousand dollars (\$150,000.00).

(Ord. No. 2010-265, § 3, 1-27-2010)

17.24.040 - Art project approval.

Prior to issuance of any certificate of occupancy for a commercial structure, the artist and art project shall be approved by the art in public places advisory committee and the artwork installed after the art in public places advisory committee recommendation is approved by the city council; or the appropriate fees shall be collected by the city building and safety division. A list of professional artists will be provided to the

developer to assist in the decision making process and to insure the professional quality of the artwork. The art must be displayed at the building, in a place highly visible to the public. This location will be reviewed by the art in public places advisory committee and approved by the city council before the art is permanently placed.

(Ord. No. 2010-265, § 3, 1-27-2010)

17.24.050 - Separate fund to be established and use of fees collected.

All fees collected under this chapter shall be held in a separate fund of the city. The city manager shall be responsible for maintaining the records relating to the art in public places fund, and these records shall be reviewed and approved by the city council annually.

All fine art purchased with such funds shall be the property of the city. Monies appropriated under this chapter may be used for hiring artists to develop design concepts and for the selection, acquisition, purchase and commissioning of public artworks. Monies appropriated under this chapter may be used for operating costs of the art in public places program, including the cost of public dedications when the artwork is completed. Funds not expended in any given year shall be carried over into the next year and shall be used solely for the art in public places program.

Fees collected under this chapter shall not be used for the following:

- A. Directional elements such as super graphics, signage, or color coding except where these elements are integral parts of the original work of art or executed by artists in unique or limited editions;
- B. Art objects which are mass produced of standard design such as playground equipment or fountains;
- C. Decorative or functional elements or architectural details, which are designed solely by the building architect as opposed to an artist commissioned for this purpose working individually or in collaboration with the building architect;
- D. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist.

(Ord. No. 2010-265, § 3, 1-27-2010)

17.24.060 - Definition of public artworks.

The works of art are to be enduring original artworks. They should be of the highest quality and craftsmanship. They should engage one's mind and senses while enhancing and enriching the quality of life of the city. The artworks will be generally permanently sited and an integral part of the landscaping and/or architecture of the building. The artwork shall be constructed in a scale that is proportional to the scale of the development.

(Ord. No. 2010-265, § 3, 1-27-2010)

17.24.070 - Selection of artworks and creation of advisory committee.

An art in public places advisory committee shall be approved by the city council. The committee shall be comprised of a parks and recreation commissioner appointed by the chair, a planning commissioner appointed by the chair and one at-large member appointed by the city council and the committee shall be

advisory to the city council. All members shall be residents of the city. This committee shall provide general oversight of the art in public places program, its projects, the sites, scope of project, artworks, and artists to be selected. The committee shall review and the city council shall approve the developers' choice of artist and proposed art piece prior to any approval of occupancy by the building and safety division.

The composition and ultimate responsibilities of the art in public places advisory committee shall be established by the city council in a separate resolution. A comprehensive policy manual will be developed to outline the program scope and to assist developers in complying with this chapter.

(Ord. No. 2010-265, § 3, 1-27-2010)