

**CITY OF PALM SPRINGS PUBLIC ARTS PROGRAM
DEVELOPERS APPLICATION FOR REFUND OF PUBLIC ARTS FEE
PLACEMENT OF PRIVATELY OWNED ARTWORK ON PRIVATE
PROPERTY THAT CAN BE SEEN FROM THE PUBLIC RIGHT-OF-WAY**

The purpose of the Palm Springs Public Arts Program is to develop and maintain a visual arts program for the residents and visitors of Palm Springs; to add to the economic viability of the community; and to enhance the environment and unique character of Palm Springs.

The Public Art Ordinance No.1479 authorizes the placement of works of art on appropriate private property in a manner, which encourages public access and viewing of artwork. The developer may directly provide artwork or an “in lieu” fee may be paid. Developers who wish to apply for a refund of their Public Arts fee may submit an application to the Public Arts Commission for consideration. The City encourages applicants to submit an application prior to the development of the architect’s schematic design or as early in the development process as possible. The requirements and procedures for the processing of the Public Arts Refund Application is as follows:

Application Procedures

Applicant shall submit, to the Public Arts Administrator, the following information as part of the Developer’s Application for Refund of Public Arts Fee:

- (a) Preliminary sketches, photographs or other documentation of sufficient descriptive clarity to indicate the nature of the proposed artwork, including background information about the Artist.
- (b) Site Plans containing such detailed information as may be required by the Public Arts Commission to adequately evaluate the location of the artwork in relation to the overall development project and compatibility with the character of adjacent conforming developed parcels and existing neighborhoods if necessary to evaluate the proposal.
- (c) A narrative statement to demonstrate that the artwork will be displayed in an area open and freely available to the general public.
- (d) 8" X 10" photographs, 35 mm slides, digital pdf or jpg formats, graphics, or illustrations depicting several views of the artwork. The Commission may also request a model of the artwork.
- (e) An appraisal or other evidence of the value of the proposed artwork, including acquisition and installation costs.
- (f) Provide a description of maintenance procedures to maintain first class appearance and permanence of the artwork. The obligation to provide all maintenance

necessary to preserve the artwork in good condition shall remain with the owner of the site. Maintenance of artwork shall include without limitation, preservation of the artwork in good condition to the satisfaction of the City, protection of the artwork against physical defacement, mutilation or alteration.

- (g) Copy of Building Permit showing Public Art Fee Paid.

Approval Criteria

- (a) Artwork shall be judged on artistic merit and appropriateness of the artwork to the site.
- (b) Artwork shall be a one-of-a-kind piece.
- (c) Artwork shall be appropriate in scale, material, form and content for the immediate, general, social and physical environments with which they relate. Consideration shall be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, excessive maintenance and repair costs.

Approval Procedures

- (a) The application for the proposed artwork and its placement will be considered at a monthly public meeting of the Palm Springs Public Arts Commission. A subcommittee may be designated to consider all details of the proposed artwork and to review the site, if necessary. A written evaluation by the subcommittee will be submitted to the Public Arts Commission and all Commissioners will then review and discuss the sub-committee=s comments at the next regular meeting. Any changes, questions or recommendations shall be conveyed to the applicant. When all issues pertaining to the artwork and placement are addressed, then the Commission will meet and vote on the acceptance or rejection of the artwork.
- (b) Once the Commission has voted, the applicant will be formally notified in writing of the Public Arts Commission=s decision. A Department of Planning and Zoning representative will also review the artwork and its placement and landscaping elements and may refer the application to the Planning Commission for approval pursuant to Section 9404.00 of the Zoning Ordinance.
- (c) For artwork yet to be completed, the Commission shall be allowed to review enlargements from the maquette, rendering or scale model in process and verify that the enlargement accurately conveys the original proposal presented, especially in relation to detailing such as facial features.
- (d) The Commission reserves the right to visit the artist while work is in progress. (An appointment will be made prior to visit.)
- (d) Artist must render an accurate finished product from the presentation on which the project approval was based. The scale of the finished piece must accurately reflect

that of the approved proposal and relate appropriately to the site as in the approved proposal.

- (e) The Commission shall approve the patina hue for bronze castings before it is applied.
- (f) Commission shall review and approve the completed artwork prior to installation of the artwork at the site.
- (g) Commission reserves the right to refuse the piece at any time if artwork does not meet standards portrayed in the approved proposal.
- (h) An Agreement between the City and the applicant spelling out all requirements, including insurance, maintenance, and grant of easement, shall be executed prior to the City's formal acceptance of the applicant's art-in-lieu proposal.

Refund Procedures:

The applicant shall submit to the Arts Administrator a written request for refund of the amount spent on the approved artwork placed on the applicant's property. The amount to be refunded shall not exceed the Public Art Fee paid by the applicant or the budget amount approved by the Commission.

Submitting Instructions:

Completed applications shall be submitted to the Public Arts Coordinator as follows:

City of Palm Springs
Attn: Jennifer Henning
Public Arts Coordinator
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: 760-778-8408
Fax: 760-322-8325
e-mail: jennifer.henning@palmsprings-ca.gov

**Developers Application for Refund of Public Arts Fee
Project Proposal**

Project Name: _____

Project Location/Address: _____

Developer: _____ Work Phone: _____

Property Owner: _____ Work Phone: _____

Public Art Fee: _____

Artist: _____

Address: _____

Artist Phone: _____

Title of Artwork: _____

Media: _____

Description of Artwork: _____

Approximate Weight: _____ Dimensions: _____

Approximate Cost: _____

Location of Identification Plaque: _____

Description of Foundation: _____

Date of Installation: _____

Site: _____

Distance Between Public Street and Artwork: _____

Landscape Plans: _____

Special Problems: _____

Dedication Plans: _____

**Developers Application for Refund of Public Arts Fee
Budget Information**

The budget breakout should detail the following (as a minimum):

Design Fee:	_____
Cost of Materials:	_____
Concrete:	_____
Lighting:	_____
Landscape Material:	_____
Irrigation Refit:	_____
Utility Extension (Electric):	_____
Utility Extension (Water):	_____
Engineering:	_____
Transportation of Artwork:	_____
Equipment Rental (forklift, crane, etc.):	_____
Demolition:	_____
Required Insurance:	_____
Travel/Site Visits (2 Minimum):	_____
List Other Associated Costs:	_____

Total:	_____