

15-37-9: PUBLIC ART REQUIREMENT:

To promote art uses in the Nine Rails Creative District, the R-9 zone offers higher residential densities, more uses, lower setbacks, and lower parking requirements than the prior R-3/EC zoning of the area. In recognition of these allowances, development also is required to provide or contribute to public art within the Nine Rails Creative District.

A. The public art requirement applies to any of the following:

1. A new multiple-family dwelling project or group dwelling project, or an addition to an existing project that adds two (2) or more dwelling units.
2. A new non-residential building of two thousand (2,000) square feet floor area or more, or an addition to an existing building that adds two thousand (2,000) square feet floor area or more.

B. The public art requirement may be satisfied in any of the following ways:

1. By placing a durable public art piece or pieces on the private project site in a location clearly visible from the public right-of-way. Plans for the art shall be included in the development plan application.
2. By placing a durable public art piece or pieces within the public right-of-way or on public property within the Nine Rails Creative District with approval of the responsible agency.
3. By making a financial contribution equal to or exceeding one percent (1%) of the project's building valuation to an approved city or public art program, which contribution will be used for public art within the Nine Rails Creative District.
4. Any equivalent combination of the above.

C. The dollar value of the public art provided shall be equal to or exceed one percent (1%) of the project's building valuation. The director may require an independent appraisal to verify the value.

D. The art shall be reviewed following the public art procedures in Title 4 of this code. (Ord. 2022-54, 11-15-2022)