

Developer's Public Art Requirements

Any new development with either \$300,000 in building costs or 20 units of residential and triggering design review must pay a fee or install on-site public art of equal value as follows:

- Private developers of non-residential buildings with building cost in excess of \$300,000 allocate 1% of their building cost for public art.
- Private developers of residential projects over 20 units allocate .5% of their building construction cost for public art.

Developers can choose to install public art on-site or donate the fee to the city's Art in Public Places fund.



Installing Art On-Site

Art works installed in lieu of the AiPP fee must be maintained by the site owner in perpetuity. Works' requirements pass to subsequent buyers. Should a developer choose to install art on-site in lieu of paying the fee, a Developers' Public Art Application Form is required with mandatory attachments and proof of contract with a qualifying artist along with a.) Photography confirming installation b.) A site plan demarking the public access to the installation, and c.) The signed contract with scope of work or proof of payment of an invoice from a qualifying artist (<http://www.ci.emeryville.ca.us/forms.aspx?FID=116>)

Staff will review developers' submittals for three things:

- Artist qualifications
- Public Access
- Fee level assessed committed to an artist or artists

These submittals will be used to coordinate with the Building Department in order to issue a Certificate of Occupancy.

You can submit the form [online here](#) ^(PDF, 340KB) ([/files/assets/city/v/2/community-services/documents/art/visual-art/2026-0611-art-in-public-places-submittal-form-\[fillable\].pdf](http://files/assets/city/v/2/community-services/documents/art/visual-art/2026-0611-art-in-public-places-submittal-form-[fillable].pdf)) or request a PDF from the [Art Coordinator](#) (<mailto:aevans@emeryville.org>). Should you need assistance complying with the ordinance with an onsite project please contact Amber Evans at [510-596-4382](tel:510-596-4382) (<tel:5105964382>) or aevans@emeryville.org (<mailto:aevans@emeryville.org>). Upon submitting your project to Planning and Building you should have a plan for paying the fee or contracting for on-site art before you submit your fees.

Resources

The Emeryville Municipal Code Chapter 2, Article 4 sets forth the requirements of the Art in Public Places Program in [Emeryville Municipal Code Article 4](#) (<https://www.emeryville.org/files/assets/city/v/1/community->

[services/documents/art/ordinance-90-20-contribution-for-art-in-public-places-program.pdf](https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/ordinance-90-20-contribution-for-art-in-public-places-program.pdf)).

Guidelines for administration of the program are detailed in [Resolution 90-115A](https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/public_art-resolution_90_115.pdf) (https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/public_art-resolution_90_115.pdf).

See this guide for City of Emeryville [best practices for public art](https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/integrated-public-art-best-practices_201605251447347003.pdf) (https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/integrated-public-art-best-practices_201605251447347003.pdf).

Click [here](https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/public-art-consultant-list-2017-2_201801311756542596.pdf) ^(PDF, 64KB) ([/files/assets/city/v/1/community-services/documents/art/public-art-consultant-list-2017-2_201801311756542596.pdf](https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/public-art-consultant-list-2017-2_201801311756542596.pdf)) to view a guide of consultants available for private developers.

Quick Links

On-site Art Compliance Form 
([https://www.emeryville.org/files/assets/city/v/2/community-services/documents/art/visual-art/2026-0611-art-in-public-places-submittal-form-\[fillable\].pdf](https://www.emeryville.org/files/assets/city/v/2/community-services/documents/art/visual-art/2026-0611-art-in-public-places-submittal-form-[fillable].pdf))

Ordinance Enacting AiPP Requirements 
(<https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/ordinance-90-20-contribution-for-art-in-public-places-program.pdf>)

Resolution Implementing AiPP Ordinance 
(<https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/ordinance-90-20-contribution-for-art-in-public-places-program.pdf>)

services/documents/art/public_art-resolution_90_115.pdf)

Best Practices From Prior Developers



(https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/integrated-public-art-best-practices_201605251447347003.pdf)

Consultant Guide



(https://www.emeryville.org/files/assets/city/v/1/community-services/documents/art/public-art-consultant-list-2017-2_201801311756542596.pdf)