ORDINANCE NO. 2016-___

AN ORDINANCE ESTABLISHING A PUBLIC ART MASTER PLAN FOR BOTH PUBLIC AND PRIVATE PROJECTS, AND ESTABLISHING A SPECIAL FUND DESIGNATED “CITY ARTS FUND” BY ADDING CHAPTER 9-18 TO THE SANTA MARIA MUNICIPAL CODE TITLE 9, BUILDING REGULATIONS

WHEREAS, public art beautifies and will revitalize the City, and enriches the community with a sense of its history, culture and heritage; and

WHEREAS, on __________, 2016, the Recreation and Parks Commission held a duly noticed public hearing, at which all interested persons were given the opportunity to review the proposed Public Art Master Plan; and

WHEREAS, on __________, 2016, the Planning Commission held a duly-noticed public hearing, at which all interested persons were given the opportunity to review the proposed Public Art Master Plan; and

WHEREAS both the Planning Commission and Recreation and Parks Commission have recommended the City Council adopt a Public Art Master Plan.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTA MARIA:

SECTION 1: The Santa Maria Municipal Code is hereby amended by adding Chapter 9-18 to read as follows:

CHAPTER 9-18 PUBLIC ART PROGRAM

SECTION 9-18.01. Purpose. The City recognizes its responsibility to foster culture and the arts, and the need for the development of artists and craftsmen. Public Art in Santa Maria will beautify private development and public spaces and facilities for the visual pleasure of residents and visitors. Art positively impacts property values, enhances the Santa Maria experience, and will serve as an economic catalyst. People of all ages, backgrounds, and abilities will be able to participate in professionally led arts education programs that develop aesthetic knowledge and skills, foster personal development, and enhance quality of life. Public Art is for the benefit, enjoyment, and inspiration of the residents and guests of this community today and into the future.

SECTION 9-18.02. Definitions. (a) “Arts Education” refers to learning, instruction and programming based upon the visual and performing arts, including but not limited to dance, music, theatre, drawing, painting, sculpture and design works, such as jewelry making, pottery, weaving and fabric arts.
(b) “Building Development Costs” means those construction costs as declared on all building permit applications for construction as determined by the City Building Official.

(c) “Capital Projects” shall mean new construction, expansion, or replacement projects for an existing City facility or facilities, except those in the right-of-way or those involving City utility systems.

(d) “Contribution Requirement” shall mean a financial commitment for the creation and installation of Public Art.

(e) “Eligible Fund” means any source of funding for construction projects which may legally be used for the purpose of constructing, creating, or acquiring Public Art.

(f) “Municipal Construction Project” means any Capital Project with Building Development Costs equal to or greater than $50,000.00, paid for wholly or in part by the City of Santa Maria to construct or remodel any building, structure, park or parking facility, or any portion thereof, within the limits of the City of Santa Maria, excluding improvements to the public right-of-way or those involving City utility systems.

(g) “Non-Profit Agency” means a corporation organized under Internal Revenue Code § 501(c)3, in good standing with the California Secretary of State and Franchise Tax Board, and in compliance with any and all federal, state and local licensing, reporting and tax requirements.

(h) “Private Development” means any new construction or addition to an existing development or building on private property, whether residential or commercial, not owned by a public entity with Building Development Costs equal to or greater than $250,000.00; excluding private residential projects creating four (4) or fewer units.

(i) “Public Art” means works of art installed on or at locations that allow viewing visibility from a public right-of-way or from other public property, and special festivals and celebrations that promote or enhance these art forms. These include:
   1. Sculptures, including in-the-round, bas-relief, mobile, fountain, kinetic, electronic or other in any material or combination of materials;
   2. Painting and graphics, including large or small scale murals, printmaking, drawing, calligraphy or other;
   3. Photography and digital mediums, including any combination of photography, electronic medials such as sound, film, holographic, video and other forms on a large public scale;
   4. Mosaics and tile, chalk and sand art and sculpture;
   5. Temporary displays of 1 through 4, listed above;
   6. Capital improvements determined by the City Council to be artistic in value;
   7. Any other art form determined by the City to satisfy the intent of this section.

Public Art may be an integral part of a structure, attached to a structure, detached within or outside of a structure, or exhibited in other public facilities.

(j) “Public Art Draft Concept” shall consist of:
   1. A site plan indicating the location of the proposed Public Art;
   2. A sample, model, photograph, drawing or sketch of the proposed Public Art; and
   3. Exemplars of materials, if applicable and possible.

(k) “Public Art In-Lieu Contribution” shall mean the percentage of Building Development Costs required to be deposited into the City Arts Fund to finance Public Art if the private developer does not wish to install Public Art on the site of his/her Private Development.

(l) “Public Art Submittal” shall consist of:
   1. Landscape and site plans indicating the location and orientation of the Public Art and the landscaping and architectural treatment integrating the piece into the overall project design;
§ 9-18.03.  City Arts Fund and Authorized Expenses.

(a) There is hereby established a special fund designated as the “City Arts Fund” into which shall be deposited funds appropriated as provided herein, together with such other Eligible Funds as the City Council shall appropriate for Public Art, or receive as gifts or donations for such purpose, and from which expenditures may be made as provided in this chapter.

(b) Separate accounts shall be established within the City Arts Fund to segregate receipts by source or, when so directed by the City Council, for specific works of art.

(c) Without requiring all funds within the City Arts Fund to be spent in any given fiscal or calendar year, up to ten percent (10%) of the City Arts Fund on an annual basis may be used for administration of processing Public Art Draft Concepts and Public Art Submittals, monitoring compliance or other administrative tasks associated with Public Art. At least fifty percent (50%) of the City Arts Fund shall be dedicated to Public Art acquisition, installation and authorized expenses. Ten percent (10%) shall be held for maintenance of public art, and up to thirty percent (30%) may be dedicated for a City Art Center dedicated to Art Education. Monies not used within the fiscal year allocated shall be reallocated to the next fiscal year.

(d) City Arts Fund revenues shall be used for the following authorized expenses:

1. The acquisition, commission, design, engineering and fabrication costs, and improvement of Public Art;
2. Installation costs including but not limited to mounting, anchorage, containment, pedestals, bases, and/or utilities such as water and power;
3. The improvement of public property for the purpose of displaying Public Art, which has been or may be subsequently approved by the City;
4. Transportation of the work to the site;
5. Signage;
6. Maintenance, repair and insurance of Public Art on public property;
7. Art Education programs equipment, supplies and artist salaries;
8. Marketing costs for Art Education programs; and
9. Facility rent and maintenance cost of a City Art Center.

(e) City Arts Fund revenues may not be used for purposes that do not directly benefit the arts, subject to review and approval by the RPC and City Council. The Director of the Recreation and Parks Department and his/her designee is authorized to develop administrative guidelines and
procedures for expenditures consistent with this Chapter. Notwithstanding the foregoing, none of the following shall be considered Public Art:

1. Objects that are mass produced of standard design, such as banners, signs, playground equipment, benches, statuary, street or sidewalk barriers or fountains;
2. Reproduction, by mechanical or other means, of original works of art, except as incorporated into film, video, photography, printmaking or other derivative works as approved by the RPC;
3. Decorative, architectural or functional elements designed by the building architect or landscape architect, and not a commissioned artist; and
4. Landscape architecture or gardening, except where these elements are designed by an artist and are an integral part of a work of art.

(f) The RPC shall report annually to the City Council with details of Public Art acquired and/or installed, and recommendations for use of City Arts Fund revenue over the next three (3) fiscal years.

(g) The City shall budget for Public Art for Municipal Construction Projects from an Eligible Fund or the City Arts Fund in such amounts as determined by the City Council during annual City budget review. Appropriations for this Public Art Master Plan shall be made in accordance with the budgeting procedures of the City.

SECTION 9-18.04. Authority of the RPC.
To carry out its responsibilities hereunder, the RPC shall:
(a) Prepare a proposed plan and guidelines to carry out the City’s Public Art Plan, including but not limited to, a method and methodology for the selection of artists, selection of works of art to become Public Art and its placement, and present such proposed plan and guidelines to the City Council for approval.
(b) Make recommendations to the City Council regarding the purchase of works of art or commissioning of the design and execution and/or replacement of Public Art, and integration of the Santa Maria Arts Council into the process.
(c) Prepare proposed rules and regulations consistent with this ordinance to facilitate the implementation of its responsibilities hereunder and present such proposed rules and regulations to the City Council for approval.
(d) The value of any Public Art shall be determined by the artist proposed by the applicant to create the Public Art for the development, with concurrence by the RPC.

SECTION 9-18.05. Contribution Requirements.
(a) Private Developments and Municipal Construction Projects shall devote an amount not less than one percent (1%) of the Building Development Costs for acquisition and installation of Public Art on the development site. Based upon a recommendation by the City Manager, the City Council may contribute additional amounts to the City Arts Fund for Capital Projects.
(b) In lieu of acquisition and installation of Public Art on a development site, an owner or developer may request City approval for a Public Art In-Lieu Contribution to fulfill the Public Art requirement. The RPC may authorize a Public Art In-Lieu Contribution if it determines as a part of discretionary review of a Private Development that installation of Public Art on the project site would be infeasible or undesirable. The Public Art In-Lieu Contribution shall equal the cost that would have been required for acquisition and installation of Public Art. The In-Lieu fee shall be
paid prior to the issuance of a building permit. There shall be no future credits for owners or developers who provide In-Lieu contributions.

(c) Subject to approval of the City Council, Private Development applicants may incorporate into the project Public Art with a value lower than the Contribution Requirement. In such case, the applicant shall pay a Public Art In-Lieu Contribution to the City Arts Fund in an amount equal to the difference between the value of the Public Art installed and the one percent (1%) Contribution Value calculated pursuant to Section 19-18.05(a).

SECTION 9-18.06. Administration.
(a) A Public Art Draft Concept shall first be approved by the RPC. Public Art generally shall:
1. Fit the character of the area where it will be located;
2. Include timeless qualities for enduring enjoyment of the art work; and
3. Stand out as a work of artistic merit.
(b) Either the Director of the Recreation and Parks Department or the RPC, at their discretion, may require the developer to make a Public Art In-Lieu Contribution if the submitted Public Art Draft Concept cannot be approved.
(c) Upon approval of a Public Art Draft Concept by the RPC, a Public Art Submittal shall be provided by the developer or owner to the Community Development Department to evaluate compliance with all implicated zoning regulations, general plan requirements, building and fire code compliance, the Americans with Disabilities Act, and related laws, regulations and ordinances. The Public Art Submittal shall be further evaluated by the City Public Works Department and City Risk Manager to (1) ensure the Public Art installation will not create an undue risk or a safety problem; (2) consider maintenance requirements; (3) determine durability; and (4) identify any engineering concerns.
(d) Upon completion of the review of a Public Art Submittal to the City for Public Art on private property, the RPC will conduct a public hearing on the proposed Public Art at the first available RPC regular meeting within forty-five (45) days of receipt of a completed Public Art Submittal, or as soon as practicable thereafter. The purpose of the public hearing will be for the RPC to take testimony and evidence to evaluate the appropriateness and consistency of the proposed Public Art with the Public Art Master Plan, and to take action to approve or deny the Public Art Submittal. The RPC’s determination may be appealed in writing to the City Council within ten (10) business days of RPC action. Within sixty (60) days of receipt of the appeal, or as soon as practicable thereafter, the City Council will review and take final action on the Public Art Submittal.
(e) Upon completion of the review of a Public Art Submittal to the City for Public Art on public property, the RPC will conduct a public hearing on the proposed Public Art at the first available RPC regular meeting within forty-five (45) days of receipt of a completed Public Art Submittal, or as soon as practicable thereafter. The purpose of the public hearing will be for the RPC to take testimony to evaluate the appropriateness and consistency of the proposed Public Art with the Public Art Master Plan, and to take action whether to recommend the Public Art Submittal to the City Council. The RPC will provide a recommendation to the City Council, and within sixty (60) days of said recommendation, or as soon as practicable thereafter, the City Council will review and take final action on the Public Art Submittal.
(f) Any changes or modifications by the artist or anyone to the Public Art following approval of the Public Art Submittal shall render the Submittal null and void. It may then be considered a
new Public Art Draft Concept, requiring compliance with the administrative process set forth herein.

SECTION 9-18.06. Installation and Maintenance.
(a) Private Development Installation: Private Development Public Art shall be installed prior to issuance of a certificate of occupancy for new construction, or prior to final building inspection if a remodel. If installation prior to the date of occupancy is impracticable as determined by the Community Development Director or his/her designee, a certificate of occupancy may be approved if the Public Art Submittal has been approved, the applicant has executed a written agreement with the City to install the Public Art, and the applicant has filed security in an amount and form acceptable to the City Attorney to guarantee installation of the Public Art.
(b) Municipal Construction Project Installation: Municipal Construction Project Public Art shall be installed prior to completion of the project. If installation prior to the date of project completion is impracticable as determined by the Public Works Director or his/her designee, it shall be installed as soon as reasonably practicable thereafter.
(c) Private Development Maintenance of Public Art: The Community Development Director or his/her designee shall ensure the private property owner maintains the Public Art, or causes it to be maintained continuously in good condition after its installation. The property owner shall perform and fund all necessary repairs and maintenance to the satisfaction of the City, and in compliance with Civil Code § 987, et seq. The maintenance obligations of the property owner shall be contained in a covenant and recorded against the property by the applicant. All privately sited Public Art shall remain the property of the owner for the life of the Certificate of Occupancy. Title and ownership of the Public Art shall transfer in whole or in part to any successor-in-interest of the structure. In addition, the owner shall maintain in full force and effect fire and extended insurance coverage, including but not limited to vandalism coverage, in a minimum amount of the purchase price of said Public Art. If the owner fails to maintain the Public Art after having been given reasonable notice to do so, the City may, at its sole discretion, opt to perform required maintenance, and record a lien and/or special assessment against the real property to recover its costs following a hearing pursuant to Chapter 1-8. If a property owner wishes to remove Public Art, the City must be notified in writing not later than forty-five (45) days in advance of the proposed removal date. The property owner shall replace the Public Art with Public Art of equal or greater value before or concurrent with removal of the existing art, and ensure compliance with the California Preservation of Works of Art Act and the Federal Visual Artists’ Rights Act, and any other related and applicable law.
(d) Municipal Construction Project Maintenance of Public Art: The Public Works Director or his/her designee shall ensure Public Art on property owned by the City is maintained in good condition after its installation, and in compliance with Civil Code § 987, et seq.

SECTION 2:
The within Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and the City’s environmental procedures, and has been found to be exempt pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines, because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance amending the zoning code will have a significant effect on the environment.
SECTION 3:
This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state or federal law, including, without limitation, the Constitution of the State of California or of the United States of America. If any section, subsection or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance shall be deemed unconstitutional or invalid, the validity of the remainder of this ordinance and its sections, subsections and clauses shall not be affected.

SECTION 4:
This Ordinance shall be in full force and effect thirty (30) days after its passage. Within fifteen (15) days following its passage, the City Clerk shall cause this Ordinance to be published in a newspaper of general circulation in accordance with State Law; or when deemed necessary due to the length or complexity of the Ordinance, cause a summary of the Ordinance to be prepared and published at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. If a summary is published at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted, then within fifteen (15) days after adoption of the Ordinance the City Clerk shall publish a summary of the Ordinance with the names of those City Council Members voting for and against the Ordinance and shall post a certified copy of the full text of such adopted Ordinance along with the names of those City Council Members voting for and against the Ordinance.

INTRODUCED at a regular meeting of the City Council held this ___ day of ______, 2016, and PASSED AND ADOPTED at a regular meeting held ________, 2016, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:  

ATTEST:  

______________________  
Mayor  

APPROVED AS TO FORM:  

______________________  
City Attorney  

APPROVED AS TO CONTENT:  

______________________  
City Manager  

______________________  
Department Head
Executive Summary

Santa Maria has long been acknowledged as an All-America City. Celebrated for its architecture, history, agriculture, food (including Santa Maria Style BBQ and wine), and cultural variety, Santa Maria enjoys an ethnic wealth exceeding that of many neighboring cities. From Santa Maria’s early picture-postcard image, to its visionary Downtown Specific Plan and its maturity as the home of many arts organizations, Santa Maria has demonstrated it understands the value of integrating the arts into all aspects of city life.

Introduction

The proposed Santa Maria Public Art Master Plan shapes the City’s strong arts heritage, recognizes the value of current public art projects and focuses on how artists can continue to improve the public lands. The Plan incorporates the thoughts and suggestions of citizens, community stakeholders and arts organizations throughout Santa Maria, and acknowledges how the City of Santa Maria operates and grows from best practices in the public art field. It is intended to provide wide-ranging goals and objectives with practical strategies for implementation; a united vision that will be incorporated into the existing Downtown Specific Plan; an outline for prioritizing projects; and identification of revenue bases and other resources for realizing these goals.

Suggested Policies

1. Use public art to reinforce Santa Maria’s identity, intertwining culture, people, neighborhoods and ideas to create a memorable urban landscape that respects the past and builds for the future.

2. Embrace public art as a citywide beautification effort. Facilitate public art and public art partnerships with City Departments, private developers, and arts and cultural organizations.

3. Celebrate Santa Maria’s unique entries to downtown and its neighborhoods—such as the Carriage District, freeway entrances, overpasses and off ramps—by enhancing (or continuing to enhance) them with the work of artists.

4. Employ public art to encourage a more walkable city.

5. Commission public art that emphasizes parks and neighborhoods.

6. Create a Public Art in Private Development Program to more actively contribute to Santa Maria’s cultural and economic health.

7. Support temporary artwork installations and performance-based arts events in areas with strong pedestrian and vehicular traffic.

8. Allocate more funding for public art commissions and maintenance.
Implementation Strategies

New strategies are needed to implement each of the policy recommendations, including new methods and procedures for funding and clarification of roles and responsibilities such as:

- Designation of the Recreation and Parks Department as the lead City Department for facilitating public art, working in partnership with other City Departments, private developers and arts organizations to build upon the City’s public art collection.
- Revision of funding formulas for Public Art in Private Development and City Capital Improvement Program (CIP) public art.
- Clarification of the role of Recreation and Parks Commission as the stewards of the Public Art Master Plan.
- Expansion of broad community accessibility and education into every aspect of the Public Art Program, from the earliest project visioning, through development of design and ongoing communication about the public art collection.
- The City Council establish, by ordinance, a 1% portion of appropriations for eligible capital expenditures be set aside for the acquisition of works of art to be used for City buildings and other public facilities.
- For private development projects, the City Council establish, by ordinance, a 1% fee for public art enhancement. The 1% public art requirement may be satisfied by financing on-site artwork visible from a public right of way, or the developer may elect to deposit 1% into the Public Art Fund account as an in-lieu fee to be used for the artistic enrichment of the City’s public spaces. The public art financial requirement shall be based on 1% of the building permit valuation.

Policies and Implementation Strategies

Policy #1

Use public art to reinforce Santa Maria’s identity, intertwining culture, people, neighborhoods and ideas to create a memorable urban landscape that respects the past and builds for the future.

Implementation Strategies

- Encourage exploration and ecological education at streets, trails and paths by commissioning temporary and permanent public art that explores nature and the environment.
- In the downtown area, employ temporary and permanent public art to explore overarching themes of Santa Maria’s identity including its history, art, culture, science, technology and its most recognized people and events.
- Commission public art in retail/pedestrian oriented areas that will encourage people to walk and explore. Examples include serial artworks that draw people from one area to
another, artworks in unexpected locations like alleys and whimsical artworks that encourage interaction.

- Enhance arterial and automobile oriented retail areas with large, eye-catching public art that embellishes blank facades, light poles, medians, utility boxes and parking strips.
- Employ artists to transform existing infrastructure into artistic landmarks including the Broadway Street Sky Bridge.

Policy #2

Embrace public art as a citywide beautification effort. Facilitate public art and public art partnerships with City Departments, private developers and arts and cultural organizations.

*Implementation Strategies*

- Designate the Recreation and Parks Department as the lead department for facilitating public art, irrespective of the funding source, defining it as an organization that:
  - Recognizes the Recreation and Parks Commission as the caretaker of the public art vision for the City of Santa Maria;
  - Works with City Departments during planning discussions to identify opportunities to integrate art into the fabric of City facilities;
  - Commissions permanent art in public facilities; and
  - Clears bureaucratic obstacles by working with City departments to define and simplify permitting processes.

- Permit Recreation and Parks to be the facilitator for discussions with developers about public art projects.
- Cultivate and facilitate partnerships between the City and arts and cultural organizations by providing:
  - Guidelines for City Departments for placement and care of donated and community generated artworks;
  - Guidelines for developers that clearly articulate the City’s public art goals and expectations;
  - Guidance and facilitation for artists and arts organizations developing art for public or private property.

- Continue the Santa Maria Arts Council work connecting Santa Maria artists and arts groups to civic and commercial spaces.
- Review and approve individual public art project plans, artist selection methods, outreach strategies and the proposed goals of each project;
Policy #3

Celebrate Santa Maria’s unique entries to downtown and neighborhoods—such as the Carriage District, freeway entrances, overpasses and off ramps—by enhancing (or continuing to enhance) them with the work of artists.

- Commission an artist to re-conceptualize the pedestrian bridge over Broadway Street that connects Town Center West with Town Center East.
- Create artistic crosswalks to identify different areas of the community.
- Use artistic street signage, perpetual banner displays, and gateway markers to identify and enhance neighborhoods, downtown, and other areas of the city.

Policy #4

Employ public art to encourage a more walkable city.

- Fund pedestrian-oriented art through a combination of sources—Percent for Art and grants from federal and private organizations.
- Facilitation by Recreation and Parks can connect building owners and arts organizations in retail districts to develop new temporary art installations in empty storefronts.
- Partner with organizations to create Art Walks (i.e., around the outside perimeter of Town Center East, or through the Allen Hancock College Campus).
- Incorporate permanent and temporary, or moveable art installations to attract more pedestrian traffic.
- Plan and create open air venues and performance spaces.

Policy #5

Commission public art that emphasizes parks and neighborhoods.

- Commission artists to develop projects in neighborhoods and parks that illustrate the history of Santa Maria: agriculture, the railroad and aviation, the contributions of ethnic communities, workers and the family unit, science, and architecture.
- Use art to connect people with the natural environment, particularly by commissioning temporary, performance based and environmental art projects in Santa Maria City Parks.
- Commission serial, small scale artwork projects to stimulate and enhance neighborhood walking routes.

Policy #6

Create a Public Art in Private Development Program to more actively contribute to Santa Maria’s cultural and economic health.
• Consider artwork themes that look to the future as well as the past including community history, culture, science and technology.
• Secure additional funding for programming, to give the arts projects an enduring quality.
• Recognize historical and/or cultural city landmarks through artistic directional signage.
• Collaborate with agencies that can provide historical information to inspire artist.
• Partner with the educational community.

Policy #7

Support temporary artwork installations and performance-based arts events in areas with strong pedestrian and vehicular traffic.

• Engage leaders from the development community to help realize cultural investments and combine City assets, such as public land, with developer in-lieu fees to create impactful projects.
• Recognize developers’ public art in-lieu contributions to Santa Maria’s public art collection appropriately, whether on plaques or in written information.
• Create clear direction for public art in private development reinforcing Santa Maria’s design principles, reflecting the City’s architecture and pattern of growth. For example:
  • Encourage private developers to engage artists to collaborate with their architects and landscape architects at the earliest stages of development;
  • Continue to encourage the placement of public art in continuously-open public courtyards.
• Refine eligibility criteria for artist-designed functional elements and distinguish these from architectural embellishment for applied decoration such as tile, metalwork, terrazzo, light fixtures, etc.
• Provide developers, artists and arts consultants with a guidebook outlining the new public art goals to assist them in creating on-site projects.

Policy #8

Allocate more funding for public art commissions and maintenance.

• Ensure that the City’s Percent for Art contribution includes all eligible Capital Improvement funds, is identified as an integral element of the City’s CIP budget and appropriated at the beginning of each fiscal year.
• Appropriate public art funds from the Capital Public Art Fund by fund source rather than by project, allowing maximum flexibility in use of the funds.
• Encourage the Recreation and Parks Department to work with other City departments to incorporate public art into grant applications as an element of creative place-making, particularly transportation, infrastructure, environment, HUD and Community Development Block grants.
• Facilitate the Recreation and Parks Department’s active participation in the Capital Improvement Program development process, collaborating with City Department partners to identify opportunities during the earliest planning phases.
• Ensure that public art is maintained by establishing up to a 20% annual maintenance budget in the Public Art Fund. Carry forward any funds that are not employed annually.
Designate a line item within the CIP Public Art Fund for the stewardship, record-keeping, major maintenance and conservation of the public art collection. While City Departments are expected to perform routine maintenance, such as cleaning and/or dusting artworks and the areas around them, this line item would cover the cost of specialized conservation or major maintenance that requires an artist or conservator to undertake structural or surface repairs, repainting or reconfiguration of artworks consistent with the requirements of Civil Code § 987.

Summary

Public art is far more than a beautification and revitalization program, though it clearly serves that purpose. It can enrich a community with a sense of its history, culture, and heritage. The side benefits include greater recognition and appreciation for a select region of the city in which the art is liberally applied by not only local residents, but becomes a draw for those outside the community. Using the Public Art Master Plan in concert with the Downtown Specific Plan will enhance and intensify the desired outcomes: beautification, encouraging foot traffic, and contributing to the economic and cultural health of Santa Maria.

Transformation of non-descript parking areas and surrounding blank walls, medians, light poles (perfect for mounting banners) and utility boxes into works of art will create an instant and renewed vitality to those areas.

This Master Plan's implementation strategies are cohesive and attainable: designate the Recreation and Parks Commission as steward of the plan; commission public art projects; identify enhancement zones and projects; define permanent and temporary installations; and cultivate partnerships with City and arts and cultural organizations. The Capital Public Art Fund allows flexibility in attaining these goals, as well as the encouragement of private developers to support and engage artists in collaboration on projects.

In-lieu and percent for art fees will not tax the City's budget resources, insuring the development of city-wide art projects without competition for other vital assets. Percent for art is widely recognized as a viable alternative for funding with the first municipal application dating back to 1959.
The support of public art and a strong arts sector is a stimulus for business activity and tourism. It creates a welcoming sense of place and a desirable quality of life. It embraces and highlights the cultural heritage unique to our community. The positive impact of art brings a sense of pride and ownership to the residents as well as a heightened awareness of their surroundings to the viewer. The establishment of a Public Art Master Plan guarantees a brighter future for Santa Maria.
To: Planning Commission

From: Peter Gilli, Planning Division Manager

Re: Public Art Master Plan

A study session is scheduled for Thursday, November 17 on a proposed Public Art Master Plan prepared by the Recreation and Parks Department. Comments from the Planning Commission are requested.

Below is information provided by the Recreation and Parks Department, followed by general recommendations from Planning staff:

BACKGROUND:

Intended to provide broad goals and objectives with practical strategies for implementation, the Plan articulates a unified vision for the development of new public art in the City of Santa Maria. The Plan provides an outline of priority projects and related changes to policy and procedures that will require the identification of additional resources to realize these goals. In addition, the Plan creates two new sources of funding; a 1% for art ordinance for City projects over $100,000 and an Art in Lieu fee for private development projects over $250,000.

DISCUSSION:

The general purpose of the Public Art Master Plan is to determine the needs for cultural arts in the City of Santa Maria, research local demographics, obtain input, assess strategies for art development and recommend programs and measures to fill needs not being met. The Public Art Master Plan contains tangible recommendations, suggests strategies for implementation, and lists measurable goals for the community.

Fiscal Considerations

In-lieu and percent for art fees will not impact the City’s budget resources, insuring the development of City-wide art projects without competition for other vital assets. Percent for art is widely recognized as a viable alternative for funding with the first municipal application dating back to 1959.
The support of public art and a strong arts sector is a stimulus for business activity and tourism. It creates a welcoming sense of place and a desirable quality of life. It can demonstrate the cultural heritage unique to our community.

Conclusion
The positive impact of art brings a sense of pride and ownership to the residents as well as a heightened awareness to the viewer of what is around them. The establishment of a Public Art Master Plan guarantees a brighter future for Santa Maria.

PLANNING STAFF COMMENTS:
Planning staff supports public and private art for the community. In fact, the Downtown Specific Plan, adopted by the City Council in December 2015, has an implementation measure to prepare an Art in Public Places Program for the downtown area. The intended timing of this program is for Fiscal Year 2016-17, which we are currently in.

Planning staff considers the scope of the proposed Public Art Master Plan to be significant, and to overlap many of the functions and responsibilities of the Community Development Department and Planning Commission.

Planning staff recommends the Public Art Master Plan be amended to share responsibilities between the Recreation and Parks and Community Development Departments, in particular for downtown, where the Downtown Specific Plan establishes the Planning Division as the lead division, and for art in new development, where once again, the Planning Division is the lead division. Planning staff has discussed this with Recreation and Parks staff and we both see strong opportunities for partnerships.

Recreation and Parks staff is collecting input from all sources before taking a comprehensive set of comments and recommendations back to the Recreation and Parks Commission. This topic may be a good situation to hold a joint Commission meeting.

While work continues on the citywide Public Art Master Plan, Planning staff recommends that efforts be made to develop the downtown art program in order to implement the Council adopted Downtown Specific Plan.

On the topic of funding, Planning staff supports the long term concept of having special funding for public art. Staff questions whether a new fee on development is appropriate at this time, given the range of issues facing the community, and concerns the development community raises about the increasing costs associated with meeting the expectations of staff and the Planning Commission, as well as concerns over existing impact fees.

Enclosures
Draft Public Art Master Plan
Public Art Master Plan Ordinance