



City of Desert Hot Springs

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ART IN PUBLIC PLACES APPLICATION

ART IN PUBLIC PLACES applications are reviewed and approved by the City Council pursuant to Chapter 17.60 of the City's Municipal Code. The purpose of the Desert Hot Springs Art in Public Places (AIPP) program is to promote the public interest and general welfare through the acquisition and installation of public art; enhance the City's aesthetic environment through public art; establish requirements and procedures for developer contributions to public art; and provide funding to support the acquisition and installation of public art. The program aims to maintain a visual arts program for the residents and visitors of Desert Hot Springs; add to the economic vitality of the community; and enhance the environment and unique character of Desert Hot Springs.

Applicant Name: _____ Phone: _____

Applicant Address: _____

Property Owner: _____ Phone: _____

Property Owner Address: _____

Developer: _____ Phone: _____

Developer Address: _____

Development Name: _____

Development Location: _____

Artist: _____ Phone: _____

Artist Address: _____

Title of Artwork: _____

Description and Site Location of Artwork: _____

Media/Materials: _____

Approximate Weight: _____ Dimensions: _____

Approximate Cost (see attached worksheet): _____

Location of Identification Plaque: _____

Description of Foundation/Installation: _____

Date of Installation: _____

Distance between Public Street and Artwork: _____

Landscape and Lighting Plans: _____

Special Concerns: _____

Dedication Plans: _____

Signature of Applicant:

_____ Date: _____

Signature of Property Owner(s) if not same as Applicant:

_____ Date: _____

_____ Date: _____

(Separate written authorization by property owner to submit application may be provided)

**NOTE: FALSE OR MISLEADING INFORMATION GIVEN IN THIS APPLICATION
SHALL BE GROUNDS FOR DENIAL**

CITY OF DESERT HOT SPRINGS
ART IN PUBLIC PLACES APPLICATION SUBMITTAL REQUIREMENTS

The AIPP Ordinance authorizes the placement of works of art on public and appropriate private property in a manner which encourages public access and viewing of the artwork. The developer may provide artwork or an "in lieu" fee may be paid.

A. Art in Public Places Program Contribution Requirements.

1. Public Art Requirement. The developer shall acquire and install a public art on or in the vicinity of the development site, in accordance with provisions of this Chapter. The value of the public art shall be at least as follows:
 - a. Residential Development Project: the value of the public art shall equal one half of one percent (.5%) of the residential development project's building valuation (exclusive of land).
 - b. Commercial Development Project: the value of the public art shall equal three-fourths of one percent (.75%) of the commercial development project's building valuation (exclusive of land).

Any such public art shall be subject to the approval of the City Council, after receiving a recommendation from the Community and Cultural Affairs Commission. As an alternative the developer may elect to donate public art to the City for placement on public property pursuant to Section 159.29.110.

2. Monetary Contribution In-Lieu of Public Art: In the event that the value of the public art, as required by Subsection A, is Twenty Thousand Dollars (\$20,000.00) or less, the developer may elect to make a monetary contribution to the City as follows:
 - a. Residential Development Project: in the amount equal to one half of one percent (.5%) of the residential development project's building valuation (exclusive of land).
 - b. Commercial Development Project: in the amount equal to three-fourths of one percent (.75%) of the commercial development project's building valuation (exclusive of land).
3. Nothing in this section shall prohibit the applicant from placing an approved public art with acquisition and installation costs in an amount less than the Art in Public Places Program allocations, where the half of one percent (.5%) or three-fourths of one percent (.75%) , as required and provided in Subdivision A, value of the public art exceeds Twenty Thousand (\$20,000.00) and provided that the developer shall also pay into the Art in Public Places Fund an amount equal to the difference between the Art in Public Places Program allocation and the costs of acquisition and installation of such public art.

The requirements and procedures for processing of the AIPP application are as follows:

A. Application Procedures for Placement of Art on Private Property.

An application for placement of public art on private property shall be submitted to the City Manager and shall include the following information, at minimum:

1. Preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed public art;
2. An appraisal or other evidence of the value of the proposed public art, including acquisition and installation costs;
3. Preliminary plans containing such detailed information as may be required by the City Manager to adequately evaluate the location of the public art in relation to the proposed development, and its compatibility with the proposed development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood, if necessary to evaluate the proposal; and
4. A narrative proposal with elevations, site plans, lines of sight studies, renderings and other descriptive materials, as deemed necessary by the City Manager, to be submitted to the Community and Cultural Affairs Commission to demonstrate that the public art will be displayed in an area open and freely available to the general public or

otherwise provide public accessibility in an equivalent manner based on the characteristics of the public art or its placement on the site.

B. Review and Approval for placement of Public Art on Private Property.

1. Review by City Manager. Except as provided in Section 2 below, completed applications shall be submitted to the City Manager for review and approval of the public art, considering the aesthetic quality and harmony of the public art with the existing on-site improvements, and the proposed location of and public accessibility to the art.
2. Review by Community and Cultural Affairs Commission. The Community and Cultural Affairs Commission shall review and consider the completed application, together with the recommendation of the City Manager, and make a recommendation to approve, conditionally approve or deny the proposed public art, and its proposed location, considering the aesthetic quality and harmony with the proposed project, and the public accessibility to the public art.
 - a. If the applicant proposes significant revisions to the public art, a revised application shall be submitted to the City Manager for review and recommendation to the Community and Cultural Affairs Commission. The Community and Cultural Affairs Commission shall make a recommendation to the City Council whether to approve, conditionally approve or deny the requested revision.
 - b. If the applicant proposes, or the Community and Cultural Affairs Commission recommends significant revisions to the architecture or physical design and layout of the proposed project subsequent to receipt of the City Manager's recommendation, the revised application may be returned to the Community and Cultural Affairs Commission for further review and recommendation to the City Council.
 - c. Any person may seek review of a decision made by the Community and Cultural Affairs Commission by filing an appeal pursuant to Section 159.29.160 of the Ordinance.
3. Review by the City Council. The Community and Cultural Affairs Commission's recommendation to approve, conditionally approve, or deny an application for placement of public art on a private property shall be forwarded to the City Council, which shall have the sole authority to approve, conditionally approve or deny the application.

C. Application Procedure for Acceptance of Public Art Donated to the City.

An application for acceptance of public art to be donated to the City for placement on public property shall be submitted to the City Manager, and shall include the following information, at minimum:

1. Preliminary sketches, photographs, models, site plan, lines of sight, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed public art;
2. An appraisal or other evidence of the value of the proposed public art, including acquisition and installation costs;
3. A written agreement, in form approved by the City Attorney, executed by or on behalf of the artist who created the art, which expressly waives his/her rights under the California Art Preservation Act or other applicable law; and
4. Other information as may be required by the Community and Cultural Affairs Commission to adequately evaluate the proposed donation of public art.

D. Review and Approval of Application for Acceptance of Public Art Donated to the City.

1. In the event developer elects to donate the public art to the City, prior to the issuance of grading and building permits, the developer shall submit to the City Manager an application for acceptance of public art donated to the City for review and recommendation to the Community and Cultural Affairs Commission. The city encourages the applicant to submit an application prior to the development of the architect's schematic design. The Community and Cultural Affairs Commission shall review, consider and make a recommendation to the City Council to approve, conditionally approve or deny the application for donation of public art.
2. Community and Cultural Affairs Commission recommendations shall be forwarded to the City Council, which shall have the sole authority to accept or reject or conditionally accept the donation.

CITY OF DESERT HOT SPRINGS
ART IN PUBLIC PLACES BUDGET WORKSHEET

Design Fee.....	\$ _____
Cost of Materials.....	\$ _____
Concrete.....	\$ _____
Lighting.....	\$ _____
Landscape Materials.....	\$ _____
Irrigation.....	\$ _____
Utility Extension (Water).....	\$ _____
Utility Extension (Electricity).....	\$ _____
Engineering.....	\$ _____
Transport of Artwork.....	\$ _____
Equipment Rental.....	\$ _____
Demolition.....	\$ _____
Required Insurance.....	\$ _____
Travel Site Visits.....	\$ _____
Other Associated Costs.....	\$ _____
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TOTAL:	\$ _____