

Introducing the Private Development Public Art Program

March 15, 2011

Purpose

The purpose of the Private Development Public Art Program is to:

- ensure that the City of Surrey's Public Art Program objectives and principles are advanced by private development contributing to the Public Art Program;
- ensure that artwork and the creative concepts of artists are supported through the Program;
- establish a sustainable funding mechanism to support the City's commitment to public art;
- guide developers, art consultants, artists, landscape architects and others in the planning of public art projects; and to
- assist with the selection and siting of public art in private developments which are seeking a rezoning to accommodate higher density multiple residential, commercial or industrial development.

Vision & Benefits

Public artists bring unique visions to a City that reflect, engage and challenge the image of its society in memorable, pertinent, and contemporary forms of expression. Public art is highly visible, accessible original art that enriches the City as it evokes meaning in the public realm.

Public Art:

- enhances civic beautification and pride;
- promotes historical events and people of significance to Surrey;
- complements and promotes the character of Surrey's diverse Town Centres;
- increases public awareness, understanding and enjoyment of the arts in everyday life;
- encourages public participation and dialogue about art;
- promotes cultural tourism;
- creates welcoming environments;
- develops cultural industries; and
- promotes creative expression, diversity and cross-cultural sharing.

The Private Development Public Art Program ensures that public art is:

- contributing to the City's character and is demonstrating the significance of art in community life;
- reflective of a wide range of professional artistic expression and practise, demonstrating excellence, quality and innovation;
- a catalyst for creativity in Surrey's diverse community by providing opportunities for community engagement, development and partnerships; and is
- integrated into the planning, design and execution of applicable developments.

Applicable Developments

Residential & Non-Residential Uses:

The Private Development Public Art Program will be applicable to the following types of development (except for the exemptions described below) when rezoning is required:

- multi-family residential uses containing 10 or more units; and
- non-residential uses with a total floor area of 1,000 m² (10,764.25ft²) or greater.

Contributions will be required for new floor space construction only and not for renovations or tenant improvements with no increase in floor area.

Exempted Uses:

The private development public art program is not applicable to the following types of developments:

- care facility, congregate care facility, childcare facility, hospital, health care uses and schools as generally defined under the Zoning Bylaw No. 12,000;
- purpose-built rental, social and/or subsidized affordable housing projects and/or units;
- public storage, and utility areas, except where they are a primary use;

Ineligible Costs in relation to the use of Private Development Public Art funds include:

- maintenance costs for artwork(s) situated on private property;
- artwork not provided in accordance with the City of Surrey Public Art Program Policy and Implementation Guidelines; and
- costs not directly related to selecting, designing, fabricating, or installing artwork(s).

Effective Dates

The Private Development Public Art Program becomes effective on March 15, 2011. The new policy will apply to rezoning applications seeking to accommodate higher density multiple residential, commercial or industrial development, received after March 15, 2011.

Funding

It is intended that development applicants discuss the Public Art Program objectives and requirements with City staff prior to or during the course of the rezoning development application review process to establish a preferred strategy for the delivery of the Public Art Program objectives.

Contributions to the City of Surrey Public Art Reserve will be based on the development's public art budget (e.g. see Section, Private Sector Public Art Budgets below), as determined by staff in discussion with the applicant.

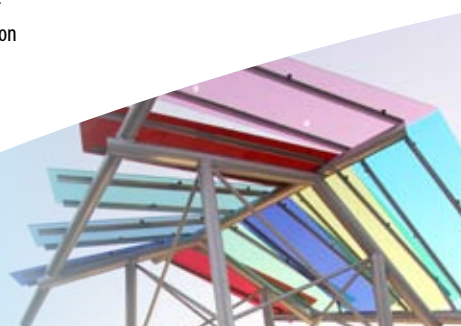
The public art contribution percentage for eligible private development projects in the first year of the program commencing on March 15, 2011 is 0.25% (one quarter of a percent) of the estimated total project construction cost. This is also called the project's public art budget. The total project construction cost will not include the value of the land on which the project is to be constructed or the value of offsite servicing for the project.

Applicants for eligible developments will be responsible for contributing:

For public art project budgets that are less than \$100,000, a cash in lieu contribution to Surrey's Public Art Reserve of 75% of the project public art budget; or

For other eligible development projects where the public art contribution is calculated to be over \$100,000 the applicant will have the option to either:

- provide a cash in lieu contribution to Surrey's Public Art Reserve of 75% of the project public art budget; or
- install public art on or in the vicinity of the project site with a value no less than the project public art budget.





Private Development Public Art Program

Timing of Contribution

Applicants will be notified of the public art program contribution details at the earliest possible time in the development application review process.

Securing and Collecting the Private Sector Public Art Contribution:

The public art contribution will be secured at the rezoning stage, through a Restrictive Covenant, when the proposed use for the site is multiple residential with more than 10 dwelling units or commercial development with a potential total floor area of 1,000 m² (10,765 sq.ft.) or more or industrial development with a potential total floor area of 1,000 m² (10,765 sq.ft.) or more.

The collection of the public art contribution should coincide with other payments at the building permit stage. Therefore, registration of the Section 219 "no build" Restrictive Covenant will be required at the rezoning stage to facilitate the public art contribution being satisfied prior to the building permit being issued. The Restrictive Covenant, which runs with the land, will ensure any new owners of the land are aware of this requirement, should the land be sold after rezoning and prior to the submission of a building permit.

The collection of public art contributions will follow the same procedures as development cost charges for multiple residential, industrial and commercial developments. The Restrictive Covenant will incorporate the following implementation rules:

- contribution requirements will be in accordance with the Public Art Policy;
- contributions will apply incrementally for a multi-building site in accordance with the respective building permit;
- contributions will be required for additional floor area being proposed and not for renovations/tenant improvements with no increase in floor area; and
- a 15-year sunset clause will apply after which time the public art contribution will not be applicable to future development on the respective site.

Public Art Siting

Locations designated for the installation (current or future) of public art projects should meet the following criteria:

- visibility for pedestrians and/or motorists;
- proximity to high pedestrian activity areas (e.g. active retail areas), transit stops (especially those serving high ridership routes), places of public gathering, public open spaces, and recognized pedestrian routes;
- opportunities to expand on existing or future public artworks as part of an existing or proposed multi-artwork concept; and
- places of special heritage or community significance.

Given these criteria indoor areas are usually deemed unsuitable, however if sited indoors, the artwork must offer the general public a free and uninhibited experience during normal business hours.

The designation of public art siting location(s) should be indicated on the appropriate document (e.g., development permit and building permit drawings).

Key Terms

Artwork:

Artist creations or collaborations in any medium, for example: sculpture, ceramic, glass, film, video, fabric, painting, environment, landscape, photography, etc.

Artist as Maker:

As creator, the artist is a catalyst and manager of a creative process resulting in a finished product. This product is in response to physical and/or social, historical and conceptual issues.

Those involved in the development project team (e.g. architect, landscape architect and engineer) are not permitted to apply to be the artist as defined above.

Art Consultant:

Is an advisor to the developer on art siting, selection, and artist related issues. Consultants should have a broad knowledge of current art-making practices and of artists able to work in public and development contexts. Note, developers may have expertise in planning public art and therefore are not required to work with an art consultant for their public art plan.

Public Art Reserve:

Is the City fund which reserves financial contributions from public and private sources for Public Art Program purposes.

Public Art Plan and Design

The developer or their designate (public art consultant) will meet with City staff to review Public Art Program goals and advise on steps and stages of the public art process and preparation of the Public Art Plan as applicable to the development project.

The Public Art Plan consists of three steps:

Preliminary Public Art Plan Proposal consists of a two to three page proposal identifying estimated budget, public art opportunities, time line for artist participation, and terms of reference for site and artist selection.

Detailed Public Art Plan describes the selected public art site(s) and concept; artist(s); budget allocations; project schedule, construction, installation, and documentation; public participation proposed; progress reports; anticipated needs for property dedication or encroachment; and proposed maintenance plan.

The detailed Public Art Plan is reviewed by the City of Surrey - Public Art Advisory Committee and approved prior to issuance of the Development Permit Application, or initiation of the public art project.

City of Surrey - Public Art Advisory Committee

The Public Art Advisory Committee will review the Public Art Plan for:

- proposed method of artist participation;
- terms of reference for artist;
- site selection process;
- budget allocations within the project; and
- public consultation or participation process.

The Committee's final recommendation will be forwarded to Council with the regular minutes of the Public Art Advisory Committee.

Maintenance

Artwork created on private property must remain accessible to the public at no cost and be maintained in good repair by the owner(s) of the development for the life of the development. In the event the artwork is damaged beyond repair, or becomes ineffective for reasons other than the owner's failure to maintain it, or in the event the work becomes an unreasonable burden to maintain, application to allow its removal or relocation may be made to the Committee in a manner consistent with decommissioning procedures established from time to time by the Public Art Advisory Committee.

Artwork created with funds from the public art reserve will be located on public land and maintained by the City in accordance with the City's Public Art Program.

Public Art Documentation

A project is deemed completed when a Final Report is submitted to and accepted by City staff.

The following documentation must be filed with the City at the completion of the public art project:

- biographical details of the artist(s);
- an artist statement and specifications of the artwork;
- six good quality high resolution detailed images showing the artwork in context and close-up;
- other related materials as needed to reveal the artwork and/or artist intentions (e.g. film, video clips, book works, etc); and
- a copy of the artist's maintenance plan.

