

**CITY OF TARPON SPRINGS,
FLORIDA PUBLIC ART PROGRAM ACKNOWLEDGEMENT**

ARTICLE XVII OF THE COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE

§ 296.00 ART DESIGN STANDARDS FOR DEVELOPMENT AND REDEVELOPMENT.

(A) All projects and developments consisting of new construction or renovation related to commercial, industrial, mixed-use projects and developments, and residential projects and developments, with the specific exception of renovations to or development of individual single family residential lots which are hereby exempted from the requirements of this Ordinance, any of which equal or exceed an aggregate job value of \$1,000,000.00 which are submitted for building permits must allocate not less than one percent (1%) of the aggregate job value up to the sum of \$100,000.00 per project for the provision of Public Art. If renovations affect multiple structures on a project site, which may be permitted separately, the aggregate job value is based on the construction valuation of all permits for the site.

(B) When a project is subject to the requirement of a Public Art allocation, the developer shall have two(2) options:

(1) The developer may contract with a professional Artist to create a permanent public artwork as part of the development project. Artworks must be located in publicly accessible locations. If desired, support will be available from both City staff and the Public Art Committee to assist in the selection of an Artist. Before contracting with the Artist, the property owner will submit for approval by the Public Art Committee the Artist qualifications, the Artist's proposal, a statement of how the project satisfies the parameters of the Public Art Program and a budget reflecting that the allocation of funds required by the Program has been met. Such artwork may include amenities such as streetscapes, paving treatments, architecturally integrated water features as well as mosaics, murals, or sculpture, etc. Both the artwork and its location shall be approved by the Public Art Committee prior to contracting with an Artist. The artwork must be completed before a certificate of occupancy will be issued.

Artwork may be located on private or public property subject to the following:

a. Location on the same site as the development: The developer must execute a maintenance covenant that runs with the land in a form acceptable to the City, and, in the case of a subdivision association, must include maintenance of the artwork as a perpetual responsibility in the association's declarations.

b. Location on private property other than the development site: The development must execute a maintenance covenant that runs with the land in a form acceptable to the City.

c. Location on public property: An installation and maintenance agreement with the City and the developer must be approved as to its final form by the Board of Commissioners prior to execution of a contract with an Artist. The installation and maintenance agreement must be executed prior to a Certificate of Occupancy being issued for the development project.

(2) In lieu of an on-site project, a developer may contribute one percent (1%) of the aggregate job value to the City's Public Art Fund. This in-lieu fee must be paid prior to approval of the final inspection of the project.

(C) Excluded from this requirement shall be:

(1) Projects with an aggregate job value under \$1,000,000.00.

(2) Residential developments of new construction for affordable housing.

(3) Eligible projects pending approval for a building permit that have submitted a complete application prior to the date of passage of this Ordinance provided that:

(a) The application is approved within six (6) months of the date of application.

(b) Construction begins within six (6) months of the issuance of such approval and is diligently pursued to completion.

APPLICANT'S ACKNOWLEDGEMENT:

Type of Public Art Activity [please initial only one]

_____ This project is exempt from the Public Art Program requirements.

Please state exemption: _____

_____ I will contract with a professional artist to create a permanent, public artwork as part of the development.

_____ In lieu of an on-site project, I will contribute 1.00 percent of the aggregate job value* to the City's Public Art Fund. I understand this fee must be paid prior to the issuance of a building permit.

**Aggregate job value means the total of all construction costs associated with a particular site plan project regardless of the number of permits associated with the project, or whether it is a phased project. Construction costs include all labor, structural materials, plumbing, electrical, mechanical, infrastructure, and site work.*

APPLICANT'S SIGNATURE:

Applicant's Signature

Date

Applicant's Name (Printed or Typed)

Date