



January 1, 2024

Dear Property Owner/Developer:

On December 2, 2013, the Palo Alto City Council adopted an Ordinance to add chapter 16.61 to the Municipal Code establishing a requirement for public art in construction projects requiring Architectural Review over 10,000 square feet with an estimated construction valuation of more than \$200,000.

Public art enhances the quality of life in a community, providing benefits to the developer and the public. Some of these benefits are outlined in the attached ordinance and embody the goals for the Public Art in Private Development Program:

- A robust public art program fosters economic development, creates vital public spaces, and promotes general health and welfare by contributing to a more desirable community in which to live, work and visit.
- Well-conceived and executed works of art- that are integrated into their sites and accessible to the public- enhance the value of development projects, create greater interest in leased space, promote cultural tourism, and create a vibrant environment
- Public art is a lasting visible contribution to the intellectual, emotional and creative life of the community at large, thereby enhancing the perception of development projects.
- Public art should reflect the creative community that lives, works, and visits Palo Alto. By adding public art in private development, the program strives to build the City's reputation as a dynamic public art locale with works of many diverse styles and disciplines, of the highest aesthetic standards.

The ordinance gives you the option of commissioning artwork on your site equal to the cost of 1% of the estimated construction valuation (labor and materials) **or** paying the 1% to the Public Art Fund in-lieu of commissioning artwork. Should you decide to make the in-lieu contribution, then those funds are due prior to issuance of building permit. Public Art staff will need to confirm the construction valuation amount through an established verification process. No presentations to the Public Art Commission or meeting with the Public Art staff will be required.

Should you decide to create original public art on site, the process is key to successful outcomes. Artwork is best integrated into a construction project when the artist is identified early enough in the project planning to become part of the design team. Artists will often see opportunities to leverage existing construction budgets and create more impactful artworks when they are brought into the process early. The ordinance allows for a very broad spectrum of types of artwork allowed to be commissioned on site; this creates opportunities for developers and artists to create engaging and diverse art experiences for the community. Should you decide to commission artwork on site, then the steps of the process are as follows:

1. Meet with the Public Art Program Director within 60 days of the initial application to the Planning Department. At this meeting, you will get more detailed information on the process, resources available, and discuss the possible types of artwork you are interested in commissioning.
2. Preliminary Review with the Public Art Commission. At the preliminary review, you will present your development project and your outlined plan for artist selection. You can gain input from the Commission as to types of artists or artworks that may be best suited for the development. The PAC may request that you return to the Commission for an interim review.
3. Final Review with the Public Art Commission. At the final review, the Commission will want to review the chosen artist, the final art concept proposal, a budget breakdown, and a timeline for installation. Final approval is necessary prior to application for a building permit.
4. The artwork and identification signage must be installed and verified by City staff prior to the issuance of the final Certificate of Occupancy.

We look forward to working with you to make this new ordinance work for you and the City. We expect some changes will be needed during the early implementation stage and look forward to your feedback.

We hope that the information presented in this packet is informative regarding the public art in private development ordinance. Please feel free to call the public art office for more information or to set up an appointment with the Public Art staff at 650.329.2227 or email nadya.chuprina@cityofpaloalto.org.

Sincerely,



Elise DeMarzo
Public Art Program Director

Examples of artworks commissioned with the Percent for Art in Private Development in Palo Alto



Tabula, 2016
Charles Gadeken and D.V. Rogers
Controllable LED lights

385 Sherman Ave, Palo Alto, CA

An interactive installation by artists Charles Gadeken and D.V. Rogers, *Tabula* displays information about the world around us and below our feet. The dynamic artwork, mounted along two walls of the Visa building at 385 Sherman Avenue, interprets an open and live seismic data feed made public by the United States Geological Survey, creating an illuminated display of seismic light on geographical images. Colors change throughout the week and data sets throughout the hours.

An informational touch screen is located on the ground floor of the building, explaining the seismic art of *Tabula* and the data that is being represented. This permanent installation was recognized by the Americans for the Arts' Public Art Network Year in Review honoring outstanding, national public art projects created in 2016.



Frequencies, 2020
Barbara Grygutis
Aluminum, LED lights

1050 Page Mill Road, Palo Alto, CA

Frequencies by internationally renowned artist Barbara Grygutis is a series of five monumental sculptures. The concept behind the artwork is inspired by the patterns created through the visual realization of "waves" in the atmosphere, that are not seen, but are known to be there, such as sound waves, and light waves.

For this commission, Grygutis took inspiration from the architecture, the landscape, and the history of the site and worked closely with the design team to create a dynamic artwork that responds to the narrative of the project site and honors the history of the Stanford Research Park. Fabricated with perforated aluminum and incorporated LED lights, the artwork has a robust day and night presence.



Promenade, 2022
Matt Gil
Concrete

585 Hamilton Ave, Palo Alto, CA

When initiating their project, the private developer felt strongly about commissioning public art onsite that would enhance visibility and make their property more unique and memorable, while benefiting the local community. Bay Area-based artist Matt Gil who has been creating sculptural artwork since the 1970s was commissioned by the developer team to achieve these goals.

As a result, the site-specific sculpture, fabricated with reinforced concrete and placed at the building entrance in the landscaped planter, adds a prominent landmark to the Hamilton Ave / Waverly St corner and is accessible to viewers at all times.