



## **Town of Yountville Public Art Program Fee**

### **I. PROGRAM OVERVIEW**

The Town of Yountville is truly the heart of the Napa Valley. A firm commitment exists to preserve the area's unique character and to balance development with artistic enhancement. As a result, Yountville has become a mecca for the flourishing wine, food and hotel industries and art has played an important role in the creation of character and image. The Public Art Program Fee provides growth for the integration of artworks including the public art walk, the Gallery at the Community Center and various seasonal programs throughout the Town in public developments to enrich the build and social environment.

In 2009 the Yountville Arts Commission was established to provide vision, leadership, inspiration and support to artists and their art in Yountville. Yountville is renowned for having one of the most active and program-focused art commissions in Napa County. The goals of the Public Art Program Fee are to create an artistic harmony between the buildings, landscaping and open spaces, as well as to serve the people of the community and visitors by bringing art into daily life. The Arts Commission serves as a technical advisory Commission, and makes the initial selection and recommendation of artists and artworks for public projects.

### **II. WHY PUBLIC ART?**

Municipalities and major developments across North America, Asia and Europe are discovering the power of art in creating opportunities for cultural tourism, economic development and image building. In fact, one of the major impact art has in communities are increased property values. Indeed, the rotation and variety of existing public art provides economic value to our residents as the Yountville Arts Commission carefully reviews pieces.

Additionally, studies indicate that public art is also good for business. Organizations such as Americans for the Arts state "[c]ommunities that draw cultural tourists experience an additional boost of economic activity. Tourism industry research has repeatedly demonstrated that arts tourists stay longer and spend more than the average traveler... The message is clear: a vibrant arts community not only keeps residents and their discretionary spending close to home, but it also attracts visitors who spend money and help local businesses thrive."

The benefits of art in Yountville go beyond the impact on property values and economic activity—it provides a sense of connection and place that are vital for the Town's identity. To sustain this, the Town requires that all commercial development projects contribute 1% of the overall project valuation (excluding land costs) to enhancing the visual appeal of the

project and Town. A Public Art Program Fee fund is established as a depository for public art fees paid by commercial applicants to secure a building permit from the Town of Yountville.

The fee remains in the Public Art Program Fee Fund for the discretionary use of the Town should the Developer elect not to participate in the program. Examples of discretionary use include extra funding for future installations, expansion of current programs, maintenance of existing permanent sculptures, funding for ongoing staff support, increased marketing for events including 'Art, Sip and Stroll' and stipends for participating artists.

### **III. PROGRAM REQUIREMENTS**

#### **Commercial Developments:**

All commercial applicants which are assessed an amount equal to one percent (1%) of the total building valuation, excluding land acquisition and off-site improvement costs.

Two options are available to the applicant to meet the Town's art requirement for commercial projects. They are:

1. **Fees In Lieu of Artwork On Site:** Upon assessment of the public art fee, the applicant may elect to pay the fee to the Public Art Program Fee fund with no requirement of placing artwork on site. Funds are subsequently used by the Town of Yountville and Yountville Arts Commission publicly sited projects of their choosing.

This approach allows the Developer to:

- Have the Yountville Arts Commission utilize the fees in lieu based on the needs of the Commission.

*In-lieu fees must be paid when applying for a building permit;*

2. **Artwork On Site:** Upon assessment of the public art fee, the applicant may elect to place a permanent public artwork as part of the development project.

The Artwork On Site approach allows the Applicant to:

- Maximize and return the outlay of art fees by bringing a signature artwork to the development as an identifying and prestige feature;
- Increase the scope of work of a particular project or feature within the development by using art allocations to supplement and enhance the budget (for example, bringing an artist in to design an already budgeted water or entry feature);
- Keep the artwork publically viewable on site.

*Applications for installed Public Art must be submitted to the Yountville Arts Commission at the same time as all other applications for design review, use permits or other applications for entitlement submitted in connection with the project. The Yountville Arts Commission's approval must precede final approval for the project.*

#### **IV. SITE CRITERIA FOR COMMERCIAL APPLICANTS CHOOSING TO PLACE ART ON SITE**

##### **A. Eligible Public Art Locations**

- Spaces may only be exterior, which are accessible to the public at all times.
- Locations can include surface treatments of buildings, retaining walls, and bridges. The definition of “location” can also be expanded by an artist’s ability to extend the possibilities for public art, and would then be determined on a case-by-case basis.
- Artwork sites for public projects are selected for its aesthetic possibilities as recommended by the Yountville Arts Commission.
- Sites may include urban gateways, vistas, public spaces and plazas or other exterior, publicly accessible places.
- Particular attention will be given to providing artwork at major intersections, corridors and entrances to the Town of Yountville.
- Projects can also include artist-designed features that might otherwise be provided by commercial sources, such as gates, water fountains, tile and surface materials, doors, furniture, clocks, lighting fixtures, railings etc.
- Potential obstruction of growing trees, shrubbery, or future construction should be taken into account.
- Each artwork shall be identified by a plaque stating the artist’s name, artwork title, and date the artwork was dedicated. The plaque will be placed in an appropriate location near the artwork that can be easily accessed by pedestrians.
- The artwork shall be a permanent a permanent, fixed asset to the property.

##### **B. Eligible Public Art Components**

The Public Art Program Fee is receptive to the broadest definitions of art and encourages imaginative interpretations of media. The possible media and materials, which might be used for permanent installation, decorative or functional purpose, include:

- Sculpture: Free standing, wall supported or suspended; kinetic, electronic, etc., in any material or combination of materials.
- Painted and mosaic murals.
- Earthworks, fiberworks, glass, mosaics, calligraphy, any combination of forms of media, and hybrids of any media and new genres.

Artworks may be:

- Singular, discrete objects (sculpture);
- Artist designed amenities (streetscapes, paving treatments, lighting standards and treatments, benches, architecturally integrated water features, artist designed landscape treatments or other artist designed amenities or aesthetic treatments).
- Artworks must be located outside in publicly accessible and viewable locations.

## **V. BUDGETARY GUIDELINES FOR COMMERCIAL APPLICANTS CHOOSING ON-SITE PLACEMENT**

### **A. Eligible Costs:** All artworks created by artists are considered eligible expenses for the Public Art Program Fee as well as the following:

- Structures, which enable the display of artwork(s).
- Artists' budgets for projects, which will be expected to cover:
  1. Professional fees for the artist(s).
  2. Labor of assistants, materials, and contracted services required of the production and installation of the work of art.
  3. Any required permit or certificate fees.
  4. Business and legal costs directly related to the project.
  5. Studio and operating costs.
  6. Communication and other indirect costs (insurance, utilities).
  7. Travel expenses of the artist for site visitation and research.
  8. Transportation of the work of art to the site.
  9. Preparation of site to receive artwork.
  10. Installation of the completed work of art.
  11. Documentation (color slides and black and white photographs) of the artwork.

### **B. Ineligible Options**

- Directional elements such as supergraphics, signage, or color-coding except where these elements are integral parts of the original work of art.
- "Art objects" which are mass-produced of standard design such as playground equipment, fountains, or statuary objects.
- Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking or other media arts.
- Decorative, ornamental, or functional elements that are designed by the building architect as opposed to an artist commissioned for this purpose.
- Landscape architecture and landscape gardening except where these elements are designed by the artist and/or are an integral part of the work of art by the artist.
- Services or utilities necessary to operate or maintain the artwork over time.

## **VI. PRIVATE OWNERSHIP AND MAINTENANCE REQUIREMENTS FOR COMMERCIAL APPLICANTS CHOOSING THE ON SITE PLACEMENT**

### **Maintenance:**

All privately sited artworks shall remain the property of the owner for the life of the Certificate of Occupancy. Title and ownership of the artwork shall transfer in whole or in part to any successor in interest of the structure. The owner of the artwork shall provide all maintenance necessary to preserve the work in good condition. In addition, the owner of artwork 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 artwork. Failure to maintain the artwork will make the owner subject to possible liens against the real property.

### **Removal or Alteration of the Work:**

Public art installed shall not be removed or altered without the approval of the Yountville Arts Commission. If the art is knowingly removed or altered without prior approval the Certificate of Occupancy may be revoked by Yountville Arts Commission upon due notice. In addition, if artwork is removed by the property owner without the approval, the owner shall contribute funds equal to the original public art fees, or replace the work with another of equal value, as approved by the Town. If this requirement is not met, the Certificate of Occupancy may be revoked.

## **VII. ARTWORK SELECTION:**

### **A. Recommended Criteria for Selecting Artwork**

General criteria for the Commission or Developer to consider in selecting artwork for public or private projects should include:

- Quality: artwork demonstrates originality, artistic excellence, and quality;
- Style: artworks of all schools, styles, and tastes should be considered;
- Response to Site: artworks and art places should be appropriate in scale, material, form, content, and value for the immediate, general, social, and physical environments with which they are to relate;
- Durability: consideration should be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, excessive maintenance and repair costs;
- Public Liability: artworks and art places should be examined for unsafe conditions or factors that may bear on public liability;
- Diversity: strive for diversity of style, scale, media, artists, community values, forms of expression, and equitable distribution of artworks throughout the Town.

Selection of the artwork for Town sponsored projects is subject to the artist(s) providing materials and completion bond, as well as completing a contract as set forth by the Town Attorney.

## **VIII. REVIEW AND APPROVAL PROCESS**

**Yountville Arts Commission**: Since 2009, Yountville's Arts Commission has taken the lead with its widely recognized Public Art Walk and. The Yountville Arts Commission serves in an advisory capacity providing recommendations for art placement to the Town Council. Membership of the Yountville Arts Commission is made up of five arts professionals who are residents or business owners of Yountville. Commission appointments shall be made by Town Council.

Yountville Arts Commission (YAC) Responsibilities:

- Serve as the selection panel for all Town initiated public art projects;
- Serve as the first review body for all privately initiated public art projects;

- Provide technical and aesthetic recommendations for all public and private public art projects for Town Council;
- Review artist applications for participation in the Public Art Program Fee;
- Create and recommend cultural policy for the visual arts for the Town of Yountville.