

Redondo Beach Municipal Code

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10-6.05 Public art requirement for eligible private development projects.

(a) The developer of any eligible private development project subject to the requirements of this chapter shall install public art on the project site in a public place as approved by the reviewing body with the authority to approve the development project pursuant to the process identified in this chapter. The cost of the public art shall be equal at least to one (1%) percent of the building valuation. The creator of public art shall be an artist. Public art shall be displayed in a manner that will enhance its enjoyment by the general public. As an alternative to on-site installation of public art, the developer may:

(1) Request that the reviewing body with the authority to approve the private development project consider placement of a developer-funded art piece in a public place nearby which is identified in the public art master plan; or

(2) Pay a public art monetary contribution into the City Public Art Fund equal to one (1%) percent of the building valuation above Two Hundred Fifty Thousand and no/100ths (\$250,000.00) Dollars. The public art contribution shall be paid by the developer at the time of building permit issuance. Projects that would generate a one (1%) percent fee on amounts over Seventy-Five Million and no/100ths (\$75,000,000.00) Dollars and provide a significant benefit to the public may request that their one (1%) percent fee be capped at Seven Hundred Fifty Thousand and no/100ths (\$750,000.00) Dollars if the developer submits evidence and documentation with the application to the satisfaction of the City Manager that payment of a one (1%) percent fee in excess of Seven Hundred Fifty Thousand and no/100ths (\$750,000.00) Dollars would be prohibitively expensive for project delivery; or

(3) Subject to the approval of the reviewing body with the authority to approve the private development project, install public art on the development project site that has a value lower than the public art contribution amount and make an in-lieu monetary contribution for the balance of the public art contribution.

(b) Prior to obtaining a building permit for construction of the private development project, the developer shall demonstrate compliance with the requirements of this chapter in one of the following ways:

(1) Payment of the full amount of the public art monetary contribution; or

(2) Written proof to the appropriate Director, designee of the Director, or City Manager of a contract to commission or purchase and install the required public art previously approved by the review body with authority to approve the development project on the subject development site. Such proof shall be accompanied by a performance security, in an amount determined by the Director, to be adequate to secure faithful performance of the commission and installation of the required public art. It shall be accompanied by a written acknowledgement by the project artist and the developer, in a form approved by the Director that the proposed public artwork complies with the criteria set forth below:

a. The public art shall be designed by an artist.

b. The public art shall require a low level of maintenance and the proposed maintenance provisions shall be adequate for the long-term integrity and enjoyment of the work. The owner shall enter into a maintenance agreement with the City to be recorded against the property to ensure that proper maintenance is performed as determined by the Director.

c. The public art shall be related in terms of scale, material, form and content to immediate and adjacent buildings and architecture, landscaping or other settings to complement the site and its surroundings and shall be consistent with any corresponding action of the reviewing body with final design review authority for the development project as it may relate to any development entitlements.

d. Public art shall be permanently affixed to the property.

e. The public art shall be maintained by the owner or his or her successor in interest in a manner acceptable to the City.

f. The public art shall meet all applicable building code requirements.

(c) The developer shall provide the City with proof of installation of the required public art on the development site prior to the issuance of a certificate of occupancy unless the developer has entered into an agreement and submitted a performance security consistent with subsection (b)(2).

(d) Title to all public art required by and installed pursuant to this chapter on private property shall be vested in the owner and pass to the successive owners of the development project. Each successive owner shall be responsible for the custody, protection and maintenance of such works of art. Public art installed on public property is owned by the City of Redondo Beach and maintenance, removal or protection is the responsibility of the City.

(e) If, for any reason, the current owner or successor in interest shall choose to replace any public art installed pursuant to this chapter, the following requirements shall be met before the art is replaced:

(1) The replacement public art must be reviewed and approved by the reviewing body with the authority to approve the private development project.

(2) The cost of the replacement art shall be equal to, or greater than, the initial cost of the existing public art to be removed.

(3) The location of the replacement public art shall meet the requirement for public visibility in effect at the time of the replacement.

(4) The replacement public art shall conform, in every respect, to all standards in effect at the time of the replacement.

(5) The replacement public art, location and installation shall violate no other ordinance.

(6) The replacement public art shall be installed within one hundred eighty (180) days of the removal of the existing public art piece, unless the period is extended by the Director.

(§1, Ord. 3127-14 c.s., eff. January 2, 2015)