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Title:	Introduce and Waive Full Reading of Ordinance No. 16-449 Adding Chapter 17.177 "Public Art Program" to the Yountville Municipal Code			
Attachments:	1. Ordinance , 2. AEP4 NationalHighlightsBrochure , 3. AEP4 NationalSummaryReport			

Yountville Town Council Staff Report

DATE: April 19, 2016

TO: Mayor and Town Council

FROM: Preya Nixon, Management Fellow
Samantha Holland, Parks and Recreation Director

TITLE

Introduce and Waive Full Reading of Ordinance No. 16-449 Adding Chapter 17.177 "Public Art Program" to the Yountville Municipal Code

DISCUSSION/BACKGROUND

In 2009 the Yountville Arts Commission was established to provide vision, leadership, inspiration and support to artists and their art in Yountville. Today, Yountville is renowned for having one of the most active and program-focused Arts Commissions in Napa County. Yountville has become a mecca for flourishing wine, food and hotel industries, and art has played an important role in the character and image of our Town.

Residents and visitors can experience the Yountville Art Walk, the Gallery at the Community Center, the literary arts programs and other events that the Yountville Arts Commission hosts throughout the year. With the recent approval of the underpass fine art installation and the success of 'Art, Sip and Stroll' it is clear that public art enhances the quality of life in Yountville. The balanced development of cultural and artistic resources preserves and improves the quality of the urban environment and increases real property values. Public art makes spaces more welcoming, and it creates a deeper level of interaction in the Town.

A recent study from Americans in the Arts indicates that the presence of art positively impacts local businesses and increases real property values; "[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.”

In an effort to sustain the development of our cultural and artistic assets, the Commission has identified the need for a program to assist in financing the availability of the community’s resources. The establishment of a public art program fee and fund will promote the general welfare through balancing the community’s physical growth and revitalization and its cultural and artistic resources.

The advantage of sustained and ongoing funding would allow the Commission to consider expanding programming opportunities such as literary arts, music, the payment of artist participation fees and installation of rotating art, the purchasing of permanent pieces and to build up reserves for future projects. This would also help offset the need for fundraising on a regular basis which is very time consuming and variable based on the activity level of citizen volunteers.

Traditionally, public art ordinances derive their funding from a percentage of the project valuation for commercial and residential projects as stated on the building permit. However, Yountville has unique environmental challenges that do not fit the traditional 1% of commercial projects valuing \$100,000 or more. Taking this into consideration, staff researched three (3) years of building permit history for commercial and residential projects at various project valuations and calculated different funding levels based on different percentages of project valuation.

A building permit is issued to any type of commercial or residential construction project. A building permit requires an inspector to visit the site throughout the construction phase to verify that the conditions of the permit are being met and that the project is up to Town code. The project valuation is determined by the applicant and the amount is verified by Town staff adhering to the International Conference of Building Officials (ICBO) standards.

Staff reviewed building permit history from 2012, 2013 and 2014. For commercial projects, staff calculated percent of project valuation for projects greater than \$100,000 and \$200,000 at 1% .5% and .25% of the project valuation. For residential projects, staff calculated percent of project valuation for projects at \$25,000 \$50,000 \$100,000 and \$200,000 at 1% .5% and .25% of project valuation. The findings were presented to the Arts Commission to determine which percentage of project valuation would be the best fit for the Town.

In addition to this research, staff also reviewed ordinances and guidelines from a variety of public agencies; City of Palm Desert, Walnut Creek, Santa Fe Springs, City of Oakland, City of Pomona, City of San Mateo, Emeryville, Missoula, MT, Albany, CA, Indio, and the City of Coral Gables.

The Commission is recommending that 1% of project valuations for any commercial applicants applying for a building permit be required to participate in the Public Art Program Fee. Applicants may satisfy this requirement by either placing art on site, or by paying an in-lieu fee. For example, a commercial applicant with a project valuing \$2.4 million dollars, can pay 1% of the \$2.4 million (\$24,000) as in-lieu fee. The applicant also has the option to place art on site in a publicly visible location. If the applicant chooses to place art, the art must be valued at the 1% of the project valuation. Of course, applicants may place art at a higher value if they choose. The option to place art on site allows the applicant to increase the scope of work of a particular project or feature within the development.

Funds generated from the in-lieu fee option will allow the Commission to continue the growth of the public art walk and shall be exclusively used for the acquisition, installation, improvement, and maintenance of physical artwork to be displayed in the Town for public view.

It is important to note that the Arts Commission thoughtfully discussed whether to include residential projects. The inclusion of residential permits would require the Town to offer both the in-lieu fee and the option to place art. Art would be placed on residential property. Upon reviewing three years of building permit history, staff identified that residential permits with projects valuations around \$25,000 included small remodel projects such as deck installation, reroofs, HVACs and small projects. The Commission felt very strongly that it was important not to include small projects like these. After considerable discussion, the Commission agreed that including residential applicants to participate in this program would not further the Commission’s goals.

Therefore, the Commission recommends the adoption of the proposed ordinance establishing 1% Public Art Program Fee on all commercial building permits (1% of project valuation).

The Town Manager and Town Attorney have reviewed the proposed program requirements and the proposed ordinance language for form and legal compliance.

Environmental Review

Exempt per California Environmental Act (CEQA) Guideline, Section 15061(b)(3)

FISCAL IMPACT

Is there a Fiscal Impact? Yes

Is it Currently Budgeted? No

Where is it Budgeted? Click here to enter text.

Is it Mandatory or Discretionary? Discretionary

Is there a Staff Resource Impact? Yes

STRATEGIC PLAN GOAL

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective. 2.0 Community Character; 2.1 Maintain & Enhance the Appearance of Yountville.

Briefly Explain Relationship to Strategic Plan Goal and Objective. The proposed ordinance will preserve the Town’s community and character by establishing a fund for public art.

ALTERNATIVES

- 1. Introduce and hold first reading of Ordinance as proposed.
- 2. Reject Ordinance as proposed.
- 3. Provide direction to staff for additional changes to the proposed Ordinance.

RECOMMENDATION Recommendation

- 1. Receive staff report and direct questions to staff.
- 2. Receive public comment.
- 3. Conduct Town Council discussion on proposed Ordinance.
- 4. Introduce and Waive Full Reading of Ordinance Number 16-449 Adding Chapter 17.177 Public Art Program to the Town of Yountville Municipal Code.

End