

**Public Art Site Plan Condition:
Standard Language for Public Art Fund Contribution**

The developer agrees to make a contribution to the Public Art Fund in the amount of _____ to support County public art initiatives described in the Public Art Master Plan (adopted December 2004) and the goals of the Public Art Policy (adopted September 2000). Such funds shall be used to commission public art at specific project name or opportunity designated by the County Manager OR shall be earmarked for use in the _____ metro (or other specified) area. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made more than 12 months after site plan approval, the contribution amount will be adjusted based on the percentage change in the Consumer Price Index- Urban (CPI-U) between the date of site plan approval and the first day of the month in which the contribution is made.

OR

**Public Art Site Plan Condition:
Standard Language for Art Commissioning**

The developer agrees to commission a professional artist to create public art for a minimum cost of \$_____, inclusive of artist fees, fabrication, installation, transportation, artist travel/expenses but exclusive of art consultant fees, fees for coordinating with artist or with other design professionals on the project (architect, landscape architect, engineer, etc.), and other in-house costs or fees. The public art shall respond to the themes and priorities discussed in the Public Art Master Plan (adopted December 2004) in support of the goals of the Public Art Policy (adopted September 2000). If the commission is made more than 12 months after site plan approval, the minimum commission amount will be adjusted based on the percentage change in the Consumer Price Index- Urban (CPI-U) between the date of site plan approval and the first day of the month in which the contribution is made.

The developer agrees to obtain the approval of the County Manager for the process to be followed in the selection of artist, art proposal development, maintenance plan, placement and design of informational signage in accordance with Public Art Program signage specifications, and then to implement that approved process. The developer agrees to notify the County Manager when the artist selection process is about to begin. The County Manager at his option may, within 15 business days following receipt of this notification, request that a panel process be undertaken and designate panel members to be included or artists to be considered. If requested, the developer agrees to use a panel to select the artist and the art. The panel used by the developer will consist of at least three persons, up to two of whom may be professional artists or arts professionals, as defined by the County, and should include representatives from the developer's project team, including architect, landscape architect and other design professionals. The developer agrees to include in its panel those persons designated by the County Manager and to compensate them at a reasonable hourly rate agreed to by that individual.

The selection panel will consider at least three different artists for the commission, including any named by the County Manager as set forth in this condition. The developer agrees that artists who are currently under contract in the County will not be eligible for commissions for public art within four years after the time of signing a contract

or otherwise being initially engaged to create public art. The developer agrees to present its or the panel's choice of artist to, and obtain approval of this choice from the Arlington Commission for the Arts/Public Art Committee (ACA/PAC), prior to issuance of the Clearing and Grading Permit. The developer further agrees to present the art proposal to, and obtain approval from, the ACA/PAC prior to issuance of the Excavation/Sheeting and Shoring Permit. The art proposal shall consist of visual and written representations of the public art and its proposed location within the site, list of materials, proposed maintenance plan, and an itemized budget. The developer further agrees to resubmit the art proposal to reflect any revisions made in response to any recommendations made by ACA/PAC to the County Manager prior to issuance of the Footing to Grade Permit. The public art shall be installed prior to the issuance of the Certificate of Occupancy for the top floor of the building.

In order to prevent the public art from conflicting with other elements of the site plan, the developer also agrees to represent the public art on the landscape plan, building elevation or other plan that represents the site of the art, in the normal course of submission of such plans as provided for in these site plan conditions. The plan(s) on which the art is represented will be determined based upon the art's chosen location within the site plan.

The developer may choose to make a contribution of \$ _____ to the Public Art Fund to fund County-initiated public art projects in the _____ metro/or other specified area in lieu of commissioning public art through the process set forth above.. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made more than 12 months after site plan approval, the contribution amount will be adjusted based on the percentage change in the Consumer Price Index- Urban (CPI-U) between the date of site plan approval and the first day of the month in which the contribution is made.