

CHAPEL HILL PUBLIC ART CONTEXTUAL PLAN



AN APPENDIX TO THE TOWN'S COMPREHENSIVE PLAN

DRAFT

SUBMITTED BY THE:
CHAPEL HILL PUBLIC ARTS COMMISSION

PREPARED BY:
GAIL M. GOLDMAN ASSOCIATES

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Town of Chapel Hill and North Carolina Arts Council

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Background

Chapel Hill Public Arts Commission

Established as a Town advisory Commission in 1992, the mission of the Chapel Hill Public Arts Commission (CHPAC) is *to enhance and enliven the community through public art*. The CHPAC began exhibiting juried artworks in 1994. In 1996, it hosted *Public Art Month*. Highlights of its organizational history include a temporary outdoor sculpture program, juried exhibitions, an artist residency program, administration and circulation of the Town's collection of art, an annual non-juried community art project and, management of the Town's Percent for Art Program.

In 2005, the CHPAC became a non-profit corporation functioning as a special commission of the Town. The CHPAC fulfills its mission by planning and implementing public art projects and programs, implementing the Town's Percent for Art Ordinance and initiating partnerships in the arts. The CHPAC is responsible for advising the Town on art-related matters, increasing public access to the arts and promoting understanding and awareness of public art. The CHPAC serves as the only public arts organization associated with the Town.

Percent for Art Ordinance

In March 2002, the Town Council adopted a Percent for Art Ordinance which allocates 1% of a capital improvement project's total cost, less land acquisition, to the design, fabrication and installation of public artworks. Each year, the CHPAC reviews and evaluates the Capital Improvement Project list (CIP) and recommends to the Town Council those projects that are the most appropriate for the inclusion of public art. The vitality of Chapel Hill relies on public access to a variety of artistic expression and to an on-going ability to encounter works of art every day. Prepared by the CHPAC, the Annual Public Art Plan recognizes where public art should be woven into the fabric of our community, identifies future percent for art projects and which project budgets should be pooled in the Public Art Fund for future commissions.

Percent for Art Projects

To date, the CHPAC has managed four completed projects. In 2002, Mike Roig created an outdoor work for the new Firehouse #5, Arlene Slavin designed benches for East Franklin Street, David Wilson painted five outdoor murals for the Hargraves Community Center and Sally Erickson was awarded an interior project for the IFC Shelter. The CHPAC is currently working on three commissions. In 2004, artist Larry Kirkland was selected for the Town Operations Center where he has created two works for the Public Works facility and Chapel Hill Transit Facility, Ray King designed the interior lobby of the new Aquatics Center at Homestead Park and Laura Haddad and Tom Drugan completed the design of integrated artworks for the new Southern Community Park.

The year 2005 marked the first joint percent for art projects between the Town of Chapel Hill and Orange County. The CHPAC is poised to initiate the first Public Art in Private Development project, which will be located downtown on Lot 5, Rosemary Street and on the Wallace Deck.

Introduction

Rationale for the Chapel Hill Public Art Contextual Plan

Public artworks can create community on a variety of levels and from multiple perspectives: neighborhoods, corridors, gateways, infrastructure, natural and landscape elements, roadways, public centers, ideas or themes that respond to history and culture. Public art that is funded by government, the private sector, grants or other sources and which is created by a professional artist can contribute to our environment in qualitative and meaningful ways.

The Contextual Plan will complement and build upon the work of existing Town of Chapel Hill master plans and action plans, and will recognize areas of overlap and synergy among land use acquisitions, the Comprehensive Plan and public art. The Contextual Plan also identifies methods and opportunities for professional artists to engage in the design of our natural and built environments as well as to shape our thinking and aesthetic responses to Chapel Hill.

The Contextual Plan recognizes the Town's commitment to the preservation of open space and the conservation of the natural setting in which the Town continues to expand. Therefore, the Contextual Plan identifies directions for public art that do not conflict with this tenet of Chapel Hill. Instead, the Contextual Plan addresses potential intersections among public art, redevelopment, new development, streetscape, cultural arts, social services, recreational facilities, transit and public space.

Public art has the power to transform Chapel Hill, invigorate its population, inspire enthusiasm and passion about its built environment and engender ownership in artworks and in the community at-large. Public art is one of the key tools that the Town can use to demonstrate to residents how inevitable change can bring major benefits.

Public art and quality design can increase public use and enjoyment of public facilities. A significant tool for reinforcing community identity, public art can make public spaces memorable. Public art can play a strong role in creating engaging community gathering places and in allowing artists to contribute to Chapel Hill's artistic legacy.

National Context

Chapel Hill is the first municipality in the United States to incorporate public art as a fundamental and necessary component of comprehensive land use planning. By embracing public art and artists as vital to the creation of unique public places that provide physical, social, cultural and economic benefits, the Town of Chapel Hill is setting a nationwide standard for a proactive, thoughtful and responsible approach to urban planning.

History of Chapel Hill Public Art Contextual Plan

To fulfill the ambitions of the Contextual Plan, the CHPAC met with Town representatives during July and August 2003. It was suggested that the CHPAC develop a plan for public art that would look similar to other Town master plans. To execute this request, a committee was formed to discuss how best to incorporate the goals of other Town Boards and Commissions and their interface with the Town. On February 7, 2004, a Community Open House was hosted by the CHPAC at the Public Library to solicit initial ideas and responses from residents.

During August 2004, the CHPAC presented an overview of the Public Art Contextual Plan to Town Boards and Commissions, inviting a representative from each to collaborate with the CHPAC through a formal Steering Committee that included Town staff, elected Council representatives, artists and interest groups. In June 2005, the Town Council awarded a \$25,000 grant to the CHPAC to complete this planning effort; the North Carolina Arts Council also awarded funding to the CHPAC for the Contextual Plan in the amount of \$3,500. In December 2005, public art consultant Gail Goldman was asked to guide this planning process and develop recommendations for the inclusion of public art in Chapel Hill. Her first site visit was on January 17-20, 2006. Gail Goldman returned to Chapel Hill from March 21-23, 2006 and April 24-26, 2006, meeting with the Contextual Plan Steering Committee, the CHPAC, arts professionals, the Town Council, Town Attorney, Town staff, community organizations, and other interested parties.

The Steering Committee, chaired by Janet Kagan and comprised of members of the Town Council, representatives from the Town Boards and Commissions, Town staff and professional artists, worked collectively to develop the ideas and strategic recommendations of the Contextual Plan. Members of the Steering Committee are identified under Acknowledgements on the following page and include representation from the following Town boards and commissions:

- Bicycle and Pedestrian Board
- Chapel Hill Public Arts Commission
- Community Design Commission
- Greenways Commission
- North Carolina Arts Council
- Parks and Recreation Commission
- Planning Board
- Transportation Board

To ensure that public art remains a vital component of the community as Chapel Hill continues to create new parks and open space, reinvest in Town infrastructure, and expand the Town's planning jurisdictional authority, it is necessary to maintain a high level of visibility and engagement between these actions and the objectives and priorities of public art. To this end, the Contextual Plan should become an integral component of the Comprehensive Plan of the Town of Chapel Hill.

List of Referenced Town of Chapel Hill Master Plans and Action Plans

The Contextual Plan has analyzed the following documents adopted by the Chapel Hill Town Council. These master plans and action plans have informed the physical recommendations presented in this Plan.

- Bicycle and Pedestrian Action Plan (10.27.2004)
- Comprehensive Plan (5.8.2000)
- Design Guidelines (1998)
- Downtown Small Area Plan (3.27.2000)
- East Franklin Street Corridor Study I (10.14.1991)
- East Franklin Street Corridor Study II (10.16.1996)
- Energy Policy (4.23.2001)
- Greenways Master Plan (5.26.1998)
- Land Use Management Ordinance (1.27.03)
- Master Landscape Plan: Entranceway Corridors (3.1988)
- NC 54 East Entranceway Study (6.12.1995)
- New Hope Corridor: Open Space Master Plan (4.1991)
- Parks and Recreation Master Plan (5.29.2002)
- Pedestrian Plan (5.1994)
- Small Area Plan Southern Area (6.23.1992)

Acknowledgements

The Contextual Plan benefited from the dedication and direction of its Steering Committee and the many other voices who added unique perspective on the role of government and the professional artist and who suggested creative ways to think about how to accomplish the goals of the Plan. Members of the Contextual Plan Steering Committee are identified by an asterisk.

- Lisa Baaske, Community Center Supervisor, Chapel Hill Parks and Recreation Director
- Delores Bailey, Executive Director, Empowerment Inc
- Gary Barnes, Transportation Board*
- Sarah Bergmann, Greenways Commission*
- Chris Berndt, Special Assistant to Town Manager*
- Rebecca Boyles, Planning Board*
- Robert Broad, Parks and Recreation Commission*
- Curtis Brooks, Landscape Architect/Urban Forester, Public Works Department
- Emily Cameron, Landscape Architect, Public Works Department
- George Cianciolo Planning Board and Streetscape Committee*
- Jeffrey Cohen, Chair CHPAC*
- J.B. Culpepper, Planning Director
- Nate Davis, Hargraves Center Supervisor, Parks and Recreation Department
- Jed Dube, Bicycle and Pedestrian Advisory Board*

- Laurin Easthom, Chapel Hill Town Council
- Greg Feller, Public Affairs, OWASA
- Kate Flory, Executive Director CHPAC
- Kevin Foy, Mayor
- Mary Ellen Goyer, CHPAC
- John Greene, OWASA General Manager of Operations
- Sally Greene, Chapel Hill Town Council*
- Ed Harrison, Chapel Hill Town Council
- Debbie Hepp, CHPAC*
- Cam Hill, Chapel Hill Town Council
- Jim Hirschfield, Public Artist*
- Jennifer Horney, CHPAC
- Cal Horton, Town Manager
- Kay Johnson, Finance Director
- Janet Kagan, Contextual Plan Chair, CHPAC*
- Ralph Karpinos, Town Attorney
- Ann Kendall, CHPAC
- Ed Kerwin, Executive Director OWASA
- Haig Khachatoorian, CHPAC
- Mark Kleinschmidt, Chapel Hill Town Council*
- Bill Letteri, Director, Public Works Department
- Juan Logan, CHPAC
- Robert Minick, Landscape Superintendent, Public Works Department
- Kai Monast, Development Review, Planning Department
- Liz Parham, Executive Director, Chapel Hill Downtown Partnership
- Pamela Pease, CHPAC
- Toni Pendergraph, Executive Assistant, Office of the Town Attorney*
- Scott Radway, Community Design Commission*
- Lowell Roberts, CHPAC
- Richard Robinson, CHPAC*
- Erica Rothman, CHPAC
- Scott Simmons, Town Planner, Planning Department
- George Small, Engineering Director
- Andi Sobbe, CHPAC
- Kathryn Spatz, Director, Parks and Recreation Department
- Louise Stone, CHPAC
- Bill Strom, Chapel Hill Town Council
- Philip Szostak, Architect, Philip Szostak Associates
- Elizabeth Taylor, CHPAC
- Richard Terrell, Streets and Construction Services Superintendent, Public Works Department
- Bill Thorpe, Chapel Hill Town Council
- Jim Ward, Chapel Hill Town Council
- Steve Wright, Public Art Coordinator CHPAC
- Jeffrey York, Public Art and Community Design Director, North Carolina Arts Council*

Overview

Methodology

Distinguished from a traditional master plan, the Public Art Contextual Plan establishes guiding principles for the inclusion of public artwork and the work of artists throughout Chapel Hill. The Contextual Plan identifies policies that government might adopt to achieve its intent and commitment to public art as a force to create strong, meaningful connections between people and places that are important to community and civic life.

The Contextual Plan reaffirms the Town's commitment to public art, including recommendations for a coordinated and comprehensive organizational approach to the design of future public art projects and initiatives, and to embed public art throughout both public and private planning and development efforts. The Contextual Plan will strengthen the mission of the CHPAC by defining future public art opportunities, sites and programs, as well as evidence the priorities, procedures and policies of future percent for art projects. The Plan is intended to be a long-range document that will guide the allocation of Town and CHPAC resources.

The Contextual Plan also creates a framework for public art that complements and builds upon the work of existing Town of Chapel Hill ordinances and master plans. It is anticipated that the Plan will become integral to the Town Comprehensive Plan and to the Land Use Management Ordinance.

The Contextual Plan identifies opportunities for public art projects based on visual characteristics, development and landscape patterns, gathering places and narratives that contribute to Chapel Hill's character including:

- Short-term projects that relate to public services, community facilities and local infrastructure.
- Long-term planning initiatives that set an agenda for urban design and capital improvements that will shape private and public development for many years.
- Opportunities for artists to engage in the design of the natural and built environments and to shape the thinking about and aesthetic responses to Chapel Hill.

The Public Art Contextual Plan continues Chapel Hill's tradition of innovation and leadership and sets the stage for the creation of public places with distinction.

Illustrative Map (Addendum A)

The Contextual Plan integrates opportunities for public art and for creative input from professional artists in physical dimensions as well as procedural methodology. The Public Art Contextual Plan, in addition to policy recommendations, has been illustratively documented in Addendum A.

- Recommendations for future public art projects have been identified through examination of intersections among existing Town master plans and action plans.
- Opportunities for future public art projects are suggested by recognizing the inter-relational and intra-relational service and geographic boundaries between Chapel Hill and its neighboring cities and counties.

Glossary

For the purposes of the Contextual Plan, the following definitions apply:

- Artist means a practitioner in the visual arts generally recognized by critics and peers as a professional in the field as evidenced by education, experience, exhibition record and artwork production.
- Arts Professional means one who is an artist, architect, landscape architect, curator, arts writer, arts educator, arts administrator or other individual with considerable experience and knowledge in the visual arts.
- Artwork means works in a variety of media produced by artists that may be permanent, fixed, temporary or portable, may be an integral part of a building, facility or structure and may be integrated with the work of other design professionals.
- Artwork Quality means the overall accomplishment in the art form, content and craftsmanship, as judged in accordance with accepted standards within the professional arts discipline.
- Building Permit Valuation means the combined total value of all construction work for which a building permit is issued using the latest building valuation data utilized by the Town of Chapel Hill.
- Capital Improvement Program means the permanent public projects for capital development designated by the Town of Chapel Hill.
- Conservation means the treatment of a deteriorated or damaged artwork to approximate as nearly as possible its original form, design, color, and function with minimal further sacrifice of aesthetic and historic integrity.
- Construction Credit means an allowance of equal funds for a basic

infrastructure element that would have been an expense of the project but instead is being designed, fabricated and installed by an artist.

- Curatorial Excellence means selecting and exhibiting quality artworks.
- Cultural Facility means a structure that houses cultural activities and that has as its primary purpose the presenting of one or more art forms. Cultural facilities are operated by public entities or non-profit organizations and are dedicated to cultural activities available to a broad public.
- Development means any project involving construction of a new permanent structure requiring issuance or approval of a Special Use Permit or Zoning Compliance Permit from the Town.
- Maintenance means actions taken to retard or prevent deterioration or damage to artwork by control of the environment and/or treatment of the artwork on a routine basis.
- Public Art means artwork purchased or commissioned with funds generated through a municipal or private percent for art policy or through the Public Art Fund.
- Public Art Collection means all artwork owned by the Town of Chapel Hill.
- Public Art Fund means the separate account held by the Town of Chapel Hill established to provide resources and maintenance for projects involving artists that could otherwise not be accomplished, into which monies generated from the Public Art Ordinance or under the Contextual Plan are deposited.
- Percent for Art Ordinance means the legislation established in March 2002 by the Chapel Hill Town Council allocating 1% or other amount of selected capital projects for the creation, fabrication/construction and installation of permanent public art.
- Public Place means an area on public or private property that is accessible and visible to the general public during normal hours of business operation.
- Temporary Art means artwork displayed for a limited amount of time, generally not exceeding two years.

Statement of Goals

Rather than an afterthought or last-minute embellishment to a building project, public art can serve as an integral part of the architecture, landscape and urban design of a site. Incorporating public art into the fundamental aspects of Town planning elevates the quality of the urban environment and promotes a cohesive vision for the character of public places throughout Chapel Hill.

Early involvement of artists in the design of new construction projects is an effective strategy for achieving a successful integration of the artist's work with the site. When the artist is selected at or near project completion, the options for public art are considerably limited. With access to decision-making from the inception of the design process, the artist's ideas can help shape aspects of the site and/or the building, thereby creating a relationship of maximum impact between the artwork and the site.

Public art in Chapel Hill has many constituencies to serve: the community in which the artwork resides, the Town as a whole, visitors, individual artists, and the academic, artistic and cultural communities. The Contextual Plan redefines the relationship of art to urban space as an integral part of both the urban infrastructure and the natural environment. Its intention is to make the Town's commitment to excellence in design, architecture and art readily apparent.

The Public Art Contextual Plan has the following goals:

- To physically and culturally integrate public art throughout Chapel Hill thereby promoting the general welfare of the community and enriching the lives of residents and visitors.
- To recognize synergies among Town master plans and action plans as public art opportunities.
- To incorporate public art as part of the Town's Comprehensive Plan and Land Use Management Ordinance.

Objectives, Strategies, and Actions

The Contextual Plan reconsiders the role public art can play in Town planning. It defines the relationship of public art to other Town goals and funding mechanisms, discusses the broadest range of artistic possibilities, recognizes artists as thoughtful contributors to the design of the environment, and encourages interdisciplinary collaboration. By committing to a diversity of public artworks of undisputed quality and excellence as integral to the success of its comprehensive planning effort, the Town of Chapel Hill assumes a leadership role as a forward-looking, progressive municipality dedicated to defining a unique sense of place for the community at-large and its distinct neighborhoods.

The Public Art Contextual Plan has the following objectives, which are defined on the following pages through the discussion of recommended strategies and actions.

Objective I

Recognize public art and the role of the artist as integral to the planning, design and urban development goals of Chapel Hill.

- **Strategy A**

Ask the Town Council to consider adopting the Public Art Contextual Plan as integral to the Comprehensive Plan for the Town of Chapel Hill.

Actions

- Town Council appends the Contextual Plan to the current 2000 Comprehensive Plan.
- Town Council agrees to review the Contextual Plan in conjunction with future updates to the Comprehensive Plan and include its relevant recommendations.

- **Strategy B**

Ask the Town Council to consider developing new and/or revising the existing Land Use Management Ordinances (LUMO) to include public art.

The Land Use Management Ordinance (LUMO) addresses regulations and procedures for all public and private development in the Town of Chapel Hill. It is the single most relevant ordinance for the inclusion of public art requirements in accordance with the goals of the Public Art Contextual Plan.

Public art can help shape aspects of a site or building, creating a special identity for structures such as bridges, bus shelters and parking garages. It can become integral to the infrastructure and function as lighting, tree grates, sewer covers, seating, bollards and bicycle racks, among others. The established design review process can be used to encourage developers to include public art in projects.

Actions

- Insert public art language into LUMO as identified in Attachment B, "LUMO Analysis."
- All requests for qualifications, requests for proposals, bid documents and other written materials related to contracts for public and private building projects should reference public art and reflect the interest of the Town to involve artists in the planning and design of the project.
- All site plan reviews, rezoning applications, concept reviews, Special Use Permit (SUP) and Zoning Compliance Permit (ZCP)

applications contain a provision for public art.

- Should the Town pursue an Adequate Public Facilities Ordinance (APFC), public art would be included.

- **Strategy C**

Ask the Town Council to consider recognizing the inherent synergies for public art among existing land use planning documents and capital projects.

Priority sites for public art projects are identified on the Public Art Contextual Plan Map (Addendum A). The sites center on the intersections of pedestrian corridors, public transit, entryways, streetscapes, greenways, redevelopment and other areas where there is high visibility. These are not comprehensive, but rather illustrate the breadth of opportunity for public art to be integrated into basic Town improvements.

Existing Town master plans and action plans outline specific strategies that directly impact the Town's economic progress and cultural revitalization. As excerpted below, these plans include opportunities that are ready-made for the involvement of artists and artwork in projects ranging from facility development to infrastructure projects to pedestrian circulation to functional amenities. Public art and artists can reinforce the motivations of each plan.

Action

Ask the Town Council to consider identifying public art opportunities and concepts in existing planning documents as referenced below and illustrated in the attached Public Art Contextual Plan Map (Addendum A). The following words and phrases are excerpted from existing Town master plans and action plans and often appear more than once throughout each document. They are highlighted to identify where artists can effectively shape the urban environment.

- **Bicycle and Pedestrian Action Plan**

"Bicycle and pedestrian transitions between neighborhoods", "connecting Chapel Hill with neighboring communities", "regional connections", "sidewalks", "off-road paths", "crossings", "bicycle facilities".

Note current language: "When implementing the Action Plan, the Town will encourage the integration of public art in the fabric of the built environment and public space in order to define space and offer aesthetic interpretations of how space may be used...."
(page 33)

- **Comprehensive Plan**
“Community character”, “regional context”, “land use”, “natural environment”, “transportation”, “community facilities”, “protection of existing neighborhoods”, “fiscal action”.

- **Design Guidelines**
“Livability to fit human scale”, “harmonize with design of streets”, “accommodate pedestrian traffic”, “visual impact of public and private projects to make them visually appealing and compatible with other development in the surrounding area”, “activity centers that use destination points including arcades and lobbies, streets, buildings and parking lots that provide pleasant vistas and geographic orientations”.

- **Downtown Small Area Plan**
“Sidewalks”, “pedestrian pathways”, “transit”, “bike facilities”, “focal point for cultural and civic functions”, “intimacy of downtown”, “encourage new magnets and create public use locations or opportunities on the physical land use plan”.

- **Entranceway Plan**
“Entranceways and entry corridors”, “small area plans”, “transit, park and ride lots and existing and potential mixed-use centers”.

- **Greenways Master Plan**
“Recreational opportunities”, “natural laboratories, buffers and connections with compatible land uses”, “mitigate flooding, soil erosion, noise pollution”, “The Triangle Trail: Triangle Greenways Council, streets and sidewalks from Little Creek Trail to Pinehurst and Meadowmont”, “recreational areas”, “bridges”, “picnic facilities”, “steps”, “benches”, “observation decks”, “gazebos”, “parking areas”, “bicycle racks”, “outdoor classrooms with UNC”.

- **Long Range Transit Plan**
“Pedestrian facilities”, “park and ride lots”, “environmentally sensitive infrastructure”, “transit stations”, “transit oriented development”, “land use mix”, “urban design”.

- **Master Landscape Plan**
“Protection and visual enhancement of major entrance corridors”, “boulevards”, “urban streetscapes”, “rural corridors”, “bypass corridor”, “gateways”, “special vistas”, “major intersections.”

- **Parks and Recreation**
“Neighborhood parks”, “athletic facilities and fields”, “senior centers”, “picnic shelters”, “trails and play areas”.
- **Pedestrian Plan**
“Create a sense of protection from automobiles and buses”, “safe street crossings and crosswalks”, “complement architecture and landscape”, “increase pedestrian movement”.
- **Streetscape Master Plan**
“Physical improvements within public right-of-way”, “landscaping”, “architecture”, “walls”, “sidewalks”, “street furnishings”, “lighting”.
- **Strategy D**
Ask the Town Council to consider placing artists in short-term residencies in Town Departments to allow for new and relevant approaches to problem-solving and to develop aesthetic responses to Town needs.

Artists would be placed in residence in Town departments to explore ideas with department staff that may be project-specific or program-oriented. Experienced artists can provide aesthetic input at critical and timely moments of project development. In addition, residencies encourage artists in all disciplines to explore new working methods and develop socially engaging, interactive art experiences in community settings.

Action

Ask the Town Council to consider placing one artist for four weeks each in the Planning, Parks and Recreation and Public Works departments.

Objective II

Expand opportunities for public art in Chapel Hill through partnerships with Orange County, Durham County, Carrboro, University of North Carolina-Chapel Hill (UNC) and Orange County Water and Sewer Authority (OWASA).

- **Strategy A**

Ask the Town Council to consider initiating reciprocal relationships between the Town of Chapel Hill and Orange County, Durham County, Carrboro, UNC and OWASA for public art projects.

The Town of Chapel Hill is not the only builder of publicly financed infrastructure; Orange County, Durham County, Carrboro, UNC and OWASA also build. The Town of Chapel Hill and the CHPAC can provide input and leadership in promoting quality and comprehensive urban design public art projects by creating partnerships with area municipalities and other government entities. Strategic partnerships are important to the long-term growth and success of the Town's public art program and also can leverage limited financial and staff resources.

Actions

Ask the Town Council to consider:

- Examining jointly funded projects and evaluating the opportunities for public art in existing plans including:
 - Durham-Chapel Hill-Carrboro Metropolitan Planning Organization for improvements to sidewalks, striped bicycle lanes and crossing improvements
 - Durham-Chapel Hill-Carrboro Urban Area 2025 Comprehensive Transportation Plan
 - Outlying Parcels Land Use Plans for Mason Farm and the Horace Williams Tract (UNC)
 - OWASA Comprehensive Water/Sewer Master Plan
 - Urban Services Area/Rural Buffer Boundary
 - U.S. 15-501 Major Investment Study
- Including public art in all regional planning initiatives, whether within Town boundaries or inclusive of Orange County, UNC, Durham and Carrboro.

- Identifying public art project opportunities for Town collaboration with OWASA through the OWASA Capital Improvements Program, i.e. greenways trails, water fountains, outdoor seating, sewer caps, pump stations, landscape along sewer lines constructed and maintained by OWASA.
- **Strategy B**
Ask the Town Council to consider examining shared borders for consideration of joint partnerships for public art projects and programs.

Action

Ask the Town Council to consider prioritizing public art project opportunities in geographic areas that function as transitional spaces between the Town and neighboring jurisdictions and property owners.

Objective III

Build public expectation for exceptional quality in public art and design.

- **Strategy A**

Ask the Town Council to consider formalizing public art liaison positions on appropriate Town boards and commissions.

The designation of a CHPAC liaison to Town boards and commissions will enhance overall planning and communication efforts for all public art related issues and will ensure broader understanding of the Town's requirements for an integrated public art program. CHPAC involvement at the planning level will help the Town identify public art opportunities that best reinforce its broader urban design and planning goals.

Actions

Ask the Town Council to consider:

- Appointing a representative from the CHPAC to the Community Design Commission, Greenways Commission, Parks and Recreation Commission, Planning Board and Transportation Board to evaluate current and future public art opportunities.
- Encouraging the above-named boards and commissions to appoint a liaison to the CHPAC.

- **Strategy B**

Ask the Town Council to consider developing a formal approval process to regulate public art planning and project development within the Town of Chapel Hill.

As a regulatory body, the CHPAC could be responsible for monitoring and commenting on applications of public and private percent for art legislative requirements. Similar to the Town Planning Board, the CHPAC could have the power to directly interact with a project applicant as well as continue to serve in an advisory capacity to the Council.

Action

Ask the Town Council to consider charter commission status for the CHPAC for approval authority of permanent public art within the Town of Chapel Hill.

- **Strategy C**

Ask the Town Council to consider expanding the professional role of the CHPAC.

Expanding opportunities for artists and public art in the Town of Chapel Hill requires expansion of the role of the CHPAC. In addition to its current responsibilities, the CHPAC would add the ongoing oversight of a percent for art in private development initiative, increased public education and communication, and representation on a greater number of planning and review panels.

Actions

Ask the Town Council to consider:

- Increasing the number of arts professionals appointed to the CHPAC.
- Appointing a Town staff liaison from the Planning Department.
- Strengthening the lines of communication between the CHPAC and the Town Council and CHPAC and Town department staff.
- Hosting annual public art symposia that bring outside professional expertise to Chapel Hill.

- **Strategy D**

Ask the Town Council to consider expanding the permanent collection and opportunities for temporary installations of public art with an emphasis on curatorial excellence.

Permanent and temporary artworks would be acquired and displayed on a rotating basis in public areas of Town buildings and parks to offer residents and visitors an ongoing exposure to quality artwork. A collection of portable artwork increases public awareness of and support for the arts by displaying artwork that represents a wide array of artistic and cultural expression.

Actions

Ask the Town Council to consider:

- Encouraging gifts of quality artwork to the Town of Chapel Hill.
- Providing a permanent venue for the exhibition of artwork.
- Acquiring artworks for placement in and rotation among Town facilities.

- **Strategy E**

Ask the Town Council to consider establishing an ongoing public art education and outreach program in Chapel Hill.

Education and outreach are the mainstays of a public art program. Ongoing public education, information and projects insure that public art will grow and develop into something that is meaningful, illustrative of time and place and connected to the community.

Involving the community and disseminating timely information is an important aspect of the management of a public art project. How it is handled can make a significant difference in the public's reception of a project.

Actions

Ask the Town Council to consider:

- Organizing informal public forums and talks by artists at Town Hall, the Community Center, Public Library, local educational institution or other community location.
- Conducting an annual tour of the Town's public art collection for residents of and visitors to Chapel Hill.
- Expanding the Town of Chapel Hill web site to include regular updates and images of public art projects in progress.

Objective IV

Identify short-term and long-term funding sources for public art in Chapel Hill.

- **Strategy A**

Ask the Town Council to consider increasing the municipal percent for art requirement from 1% to 2%.

In March 2002, the Chapel Hill Town Council adopted a Percent for Art Ordinance that allocates 1% of a capital improvement project's total cost, less land acquisition, to the design, fabrication and installation of public artworks. Current base budget funding from the Town is inadequate to support percent for art project administration.

There are more than 450 public art programs in the United States. The vast majority are funded through a percent of the local municipality's Capital Improvement Project (CIP) budgets. Recently adopted and updated municipal percent for art programs set aside 2% of qualified CIP costs for art as in the following cities and counties: Lodi, Alameda County, Sacramento, San Diego, San Francisco, San Jose, Santa Cruz County, Santa Monica, Stockton, and Ventura (CA), Broward County (FL), Cedar Falls (IA), Lawrence (KS), Portland (OR), Austin, Fort Worth and Tarrant County, Houston and Harris County (1.75%), and Plano (TX).

Administering a public art program is extraordinarily complex, time-consuming and staff intensive, particularly when there is a strong emphasis on community outreach and education. A \$5,000 project and a \$500,000 project essentially require the same amount of staff and administrative resources. In addition, it is common for public art project management to span a period of three to seven years.

A minimum of 20% of each artwork budget is necessary to maintain adequate administration of a successful public art program, the actual average cost of operating a public art program. Activities such as community participation, artist selection and educational outreach are appropriately supported by an administrative set-aside from each public and private percent for art budget.

Professional staff is critical to the successful management of a public art program. Staff is responsible to:

- Coordinate the interests and needs of a multitude of participants including Town department staff, Town Council, CHPAC, peer professionals, community members and other stakeholders to insure that the full potential of the public art project can be realized.
- Facilitate the artist and artwork selection and approval processes.
- Manage the design, fabrication and installation of public artwork.

- Anticipate, plan for and implement the complex layers of competing schedules, information requirements, budgets and programmatic needs.
- Negotiate agreements and develop consensus around highly complex issues and situations.
- Oversee the care and maintenance of the Town's public art collection.

According to the Town's bond attorney, bond-funded capital improvement projects are eligible to comply with the Percent for Art requirement. However, it is not certain that bond funds may be used for public art project management unless the work is physically integral to the building. This places an additional burden on CHPAC to administer a bond-funded CIP with the limited resources currently available. It is recommended that new bond issuances include project and construction management funding to parallel the process employed throughout building and/or project contract administration as directed by the Town.

Actions

Ask the Town Council to consider:

- Revising the existing Public Art Ordinance to increase the percent for art requirement to 2%.
 - Revising and amending how the Public Art Fund is calculated to reflect the revised percentage.
 - Setting aside 20% of the revised percentage for public art project administration, maintenance and conservation of the public art collection.
 - Language in all new bonds that permits support for the construction management of public art specific to that site.
 - Increasing the number of professional staff to the CHPAC.
- **Strategy B**
Ask the Town Council to consider recognizing the obligation of the private sector in creating and sustaining public art in the Town of Chapel Hill.

More than 60 cities and counties throughout the United States from Tempe, Arizona to Sarasota, Florida have adopted public art requirements for private sector projects to enhance the quality of the

built environment, to provide increased support for cultural activities and to expand access to the arts for their residents. In most cases, the developer is required to submit, prior to the issuance of the Certificate of Occupancy, evidence that the value of the artwork or cultural use is equal to or greater than 1% of the total building.

Chapel Hill is experiencing an intense period of growth. Increased development and redevelopment is needed to provide housing, retail, entertainment and other amenities to accommodate the growing population. As a result, the Town is in the position to encourage developers competing for land and development opportunities to comply with a percent for art set aside.

The developer should provide the Town with an assurance that the artwork would be located in an area that is open and freely accessible to the public. In addition, the developer should address artwork maintenance obligations and other covenants for the ongoing repair, conservation, maintenance, insurance and security of on-site artworks and agree that these obligations would be recorded as part of the covenants running with the land, binding on all purchasers, successors, transferees and assignees.

Actions

Ask the Town Council to consider:

- In the short-term, creating a public art policy *encouraging* a 2% public art budget allocation in private development. In the long-term, establishing a public art ordinance *requiring* a 2% public art budget allocation.

The public art budget should be calculated using the total building permit valuation based on the total number of building permits for which the developer has applied for the project. It is beneficial if the Town and the developer acknowledge and approve in advance the use of construction credits that may be applied to the public art budget.

When any development review process is initiated, the Planning Department would inform the developer of the public art expectations and the three options for compliance:

- **On-Site Artwork:** Commission or purchase an artwork that is satisfactory to the developer and the Town and which is to be located on-site in an area connected with the development that is open and freely accessible to the public. The developer should have the option to hire an arts consultant of her/his choice or retain the services of CHPAC to provide oversight of the artist selection process through installation of the artwork.

Ten percent (10%) of the 2% public art allocation should be directly deposited into the Public Art Fund to be used for public art projects identified in the Contextual Plan that otherwise would not receive funding through the CIP. The remaining 90% of the 2% public art allocation should be held by the developer for on-site artwork.

If the cost of the artwork, including its design, fabrication, and installation is not equal to or greater than the public art budget allocation, the developer should pay an in-lieu fee equal to the difference between the amount of the public art budget allocation and the value of the artwork.

- **Cultural Facility:** Provide a permanent space for an approved cultural use within the development site or within the development project area.

The development may include a new cultural facility, the upgrade of an existing cultural facility or a contribution to a future cultural facility on-site or within the development project area and may utilize the full 2% obligation for that purpose. The cultural facility should be made available to a public or non-profit cultural arts organization on a permanent basis or long-term basis. There should not only be a demonstrated need for that cultural facility in that area of the Town, but the arts activity should be compatible with the activities and hours of operation of the development.

Ten percent (10%) of the 2% public art allocation should be directly deposited into the Public Art Fund to be used for public art projects identified in the Contextual Plan that otherwise would not receive funding through the CIP. The remaining 90% of the 2% public art allocation should be held by the developer for a cultural facility.

If the cost of the cultural facility is not equal to or greater than the percent for art budget allocation, the developer should pay an in-lieu fee equal to the difference between the amount of the public art budget allocation and the value of the cultural facility.

Examples of acceptable cultural facilities are museums, theatres and performing arts centers. Facilities that do not meet the definition are churches, schools, commercial movie theaters, multi-purpose stages or amphitheatres, gymnasiums or other sport facilities, bookstores, buildings dedicated primarily to housing or administrative activities and for-profit facilities used for for-profit activities.

- **Public Art Fund Contribution:** Contribute an in-lieu payment of the full 2% public art allocation directly into the Public Art Fund.

A developer may commit the total percent for art obligation to the Public Art fund to be used for public art projects identified in the Contextual Plan that otherwise would not receive funding through the CIP and for maintenance and conservation of the public art collection.

Other Considerations

- The Public Art Fund should be held by the Town Finance Department in accordance with all percent for art funds and administered through the Public Art Fund.
- Exempt development projects should include:
 - Projects with a development cost below \$100,000
 - Places of religious worship
 - Low-income housing
 - Museums and other cultural facilities
 - Residential, commercial, and tenant improvements costing less than \$25,000 based on building permit valuation.

- **Strategy C**

Ask the Town Council to consider determining appropriate bond funding.

The opportunity for Chapel Hill to commission artworks that would otherwise not be realized could be addressed through a bond referendum. Issuance of a cultural arts bond would permit the community as whole to consider the incorporation of cultural and public art facilities and projects in a long-term context as defined by future growth and demographics.

Actions

Ask the Town Council to consider:

- Evaluating the feasibility of a bond to fund public art projects identified in the Contextual Plan that otherwise would not receive funding through the CIP.
- Designating a large multi-year allocation for the arts for professional artist residencies in Town departments, public art education and communication efforts and development of artist resources.

ADDENDUM A

Chapel Hill Public Art Contextual Plan Map

ADDENDUM B

Public Art Contextual Plan Analysis of Land Use Management Ordinance

The Land Use Management Ordinance (LUMO) addresses regulations and procedures for all public and private development in the Town of Chapel Hill. It is the single most relevant ordinance for the inclusion of public art requirements in accordance with the goals of the Public Art Contextual Plan. LUMO should:

- Require public art in appropriate public and private development in the Town of Chapel Hill.
- Establish the Chapel Hill Public Arts Commission as the regulatory and administrative body for public art.

For discussion purposes, an analysis of LUMO appears below. Relevant articles and sections where public art may be inserted are identified and summarized.

ARTICLE 1. GENERAL PROVISIONS

1.4 Applicability

Applies to all public buildings and private lands and uses over which the Town has jurisdiction.

1.5 Consistency with Comprehensive Plan

Implements the provisions of the Comprehensive Plan and may be amended from time to time with emphasis on the following major themes...

ADD THEME RELEVANT TO PUBLIC ART

1.7 Permits and Certificates

Applicable permits, approvals and certificates.

ADD REFERENCE TO PUBLIC ART

1.8 Fees

Cover costs of administration and similar matters.

ARTICLE 3. ZONING DISTRICTS, USES, AND DIMENSIONAL STANDARDS

3.3 General Use Districts

3.3.1 Town Center

Development of the commercial, service and social center of Chapel Hill while maintaining its character and pedestrian-oriented scale.

ADD OBJECTIVE RELEVANT TO PUBLIC ART

3.3.2 Community Commercial District

High-intensity commercial and service centers.

ADD REFERENCE TO PUBLIC ART

3.3.3 Neighborhood Commercial District

Low intensity commercial and service centers accessible to adjacent neighborhoods.

[ADD REFERENCE TO PUBLIC ART](#)

3.3.4-8 Office/Institutional Districts

Low-intensity office transition between residential and high-intensity non-residential.

3.3.8 Industrial District

Wholesale, distribution, limited processing and production.

3.3.9 Residential Districts

3.3.10 Rural Transition District

Agricultural, low-intensity residential, open space.

3.3.11 Materials Handling District

Solid Waste Management Facility.

3.4 Conditional Use Districts

Requires permit by Town Council for uses as described above.

3.5 Special Districts

Deals with unique, location-specific situations where special standards and procedures are appropriate.

[ADD REFERENCE TO PUBLIC ART](#)

3.5.1 Mixed Use Districts

Coordinated development of office, commercial and residential uses and their necessary support functions in key highway intersections and transit corridors; encourage a design standard arranged in a manner that encourages walking, transit and bicycling

[ADD REFERENCE TO PUBLIC ART](#)

3.5.2 Office/Institutional

Large tracts of land where use is to be college, university, hospital, clinics, public cultural facilities; requires Concept Plan Review and preparation of a Development Plan.

[ADD REFERENCE TO PUBLIC ART](#)

3.5.4 Transit Oriented Development District

Mixture of residential, commercial and employment within light rail station or other high capacity transit areas; design standards encourage pleasant pedestrian and bicycle environment.

[ADD REFERENCE TO PUBLIC ART](#)

3.6 Overlay Districts

3.6.2 Historic Districts

Protect and conserve the heritage and character of Chapel Hill.

3.6.3 Resource Conservation District

Areas along watercourses; retain open spaces and greenways; provide air and noise buffers to ameliorate the effects of development; preserve and maintain aesthetic

qualities and appearance of the Town.

Table 3.6.3-2 Permitted Uses within Resource Conservation District
ADD REFERENCE TO PUBLIC ART AS PERMITTED USE

3.6.4 Watershed Protection District

(f) Stream Buffer Requirements; natural or vegetated area.

ADD REFERENCE TO PUBLIC ART

3.6.5 Neighborhood Conservation District

Preservation and protection of older in-town residential neighborhoods and commercial districts.

ADD PURPOSE RELATED TO PUBLIC ART

(d)(1) Design Standard

Conservation Plan must include design standards for new construction or placement of any building, structure, foundation, sign, “public art” or outdoor apparatus, etc.

PUBLIC ART REFERENCE EXISTS

3.7 Use Regulations

Provides patterns of land use in accordance with Comprehensive Plan.

3.8 Dimensional Standards

Provides performance standards that define the development character of an area and its compatibility with environmental characteristics, accessibility levels and special amenities.

ADD REFERENCE TO PUBLIC ART

3.9 Incentive Zoning

Provide increased levels of allowable development as incentive for the provision of certain public benefits beyond those normally required or provided by private developers.

ADD REFERENCE TO PUBLIC ART (if there is no PERCENT FOR ART POLICY REQUIREMENT)

ARTICLE 4. PROCEDURES

4.3.3 Criteria

Describes Concept Plan criteria.

ADD REFERENCE TO PUBLIC ART

4.5 Special Use Permits

Permits certain uses and developments that require special review; requires high quality of overall site and building design.

ADD REFERENCE TO PUBLIC ART

4.7 Site Plan Review

Requires review and approval by Planning Board prior to issuance of Zoning Compliance Permit for any development.

ADD REFERENCE TO PUBLIC ART REPRESENTATION ON PLANNING BOARD

4.8 Master Land Use Plan

Permits greater flexibility in the design and development of tracts of land 20 acres or greater in size; promotes more creative and imaginative design; ensure that design and construction of site elements include appropriate consideration of relationship and balance among site elements, natural features, neighboring developments, etc.

[ADD REFERENCE TO PUBLIC ART](#)

ARTICLE 5. DESIGN AND DEVELOPMENT STANDARDS

5.1.1 Overall Site Design

Provides general performance standards to ensure that development will be designed and constructed to be visually harmonious with the character of the site, its uses and immediate surroundings.

[ADD REFERENCE TO PUBLIC ART](#)

5.1.3 Design Manual

Establishes specific design and construction standards.

5.5 Parks and Open Space

5.5.1(d) Applicability

Requires provision of required parks and open space.

[ADD REFERENCE TO PUBLIC ART](#)

5.5.1(i) Connectivity

Interconnected system of parks, trails, greenways and bikeways provides form to neighborhoods, common public gathering space and opportunity to protect natural areas.

[ADD REFERENCE TO PUBLIC ART](#)

5.6 Landscaping, Screening and Buffering

5.6.1 Purpose of Buffers

To separate development from adjacent streets to minimize potential nuisances.

5.8 Access and Circulation

5.8.2(a) Internal Circulation/Generally

Requires design standards for streets, public alleys, bicycle circulation systems and bike lanes, pedestrian circulation systems and sidewalks, and bus stop amenities.

[ADD REFERENCE TO PUBLIC ART](#)

5.9 Parking and Loading

5.9.5 Parking Design Standards

Minimum design standards.

5.9.6(a)(c) Parking Landscape Standards

Requires buffer strip or screening.

5.13(c) Solid Waste Collection and Recycling

Requires solid waste and recyclables storage facilities to be screened.

ARTICLE 6. SPECIAL REGULATIONS FOR PARTICULAR USES

Establishes standards of compliance for special impacts or special needs that cannot be addressed through normal zoning districts.

- 6.1 Adult or Child Day Care Facilities
- 6.2 Cemetery
- 6.3 Fraternity or Sorority House
- 6.4 Fine Arts Educational Institutions
- 6.5 Group Care Facility
- 6.8 Park/Ride Terminal
- 6.9 Place of Assembly
- 6.10 Public Service Facility
- 6.11 Radio, Television or Wireless Transmitting and/or Receiving Facility
- 6.12 Service Station/Convenience Store
- 6.18 Planned Developments
- 6.19 Dwelling Unites – Duplex

ARTICLE 8. ADMINISTRATIVE MECHANISMS

Establishes the agencies and officials involved in processing applications for development approval.

ADD CHAPEL HILL PUBLIC ARTS COMMISSION

ADDENDUM C

Selected Municipal and Private Percent for Art Program Comparisons

Municipality	Year Established	Capital Improvement Program (CIP)	Private Development
Santa Monica	1982 rev 2005	1%	2% of building valuation for on-site artwork or 1% for contribution to Cultural Trust Fund
Plano	2004	2%	
San Diego	2004	2% for projects exceeding \$250,000	1% of building valuation of non-residential development exceeding \$5 million
Cleveland	2003	1.5%	
Austin	1985 rev 2002	2% for projects exceeding \$100,000	Negotiated on a project-by-project basis
Boise	1978 rev 2002	1.4%	Voluntary public/private partnerships for downtown redevelopment
Fort Worth	2001	2%	
Des Moines	2001	1.5%	
San Jose	1992 rev 2001	2%	1%
Charlotte	1981 rev 2002	1%	
Nashville	2000	1%	
Tampa	1985 rev 2000	1%	.75% in central business district
Sarasota	1989 rev. 2000		.5% of building valuation of non-residential developments in specific zoning districts
Atlanta	1997 rev 2001	1.5%	
Houston	1994 rev 1999	1.75%	Negotiated on a project-by-project basis
Fort Lauderdale	1976 rev 1999	2%	
Portland	1995	1.33%	Floor Area Ratio Bonus Program offers specific incentives to developers who commit 1% to public art or to cultural trust fund
Flagstaff	1995	7.5% lodging tax and CIP	
Tempe	1988 rev 1990	1%	Allocation adjusted annually based on consumer price index for developments over 50,000 square feet

Escondido (CA)	1989		\$0.15 per square foot of all new development over 2,000 square feet
Oakland	1989	1.5%	
Scottsdale	1985 rev 1988	1%	1%
Dallas	1988	.75% - 1.5%	
Pasadena	1988	1% of building valuation less administrative costs	1% of building valuation excluding land costs and off-site improvements
Los Angeles	1989/1985 public/priv	1%	1% of development costs; onsite art uses 60% and 40% to cultural trust fund
Lawrence (KS)	1973 rev TBD	2%	

ADDENDUM D

Municipal Percent for Art Sample Budget

Sample Project

Renovation and expansion of municipal facility

Cost Factors	Value	1%	1½ %	2%
Building Costs \$220,000 Excluding land acquisition	\$11,000,000	\$110,000		\$170,000

Distribution of Public Art Allocation

Program Administration 20% of public art allocation		-0-*	\$ 34,000	\$ 44,000
Artwork 80% of public art allocation		\$110,000	\$136,000	\$176,000

*The current Percent for Art Ordinance does not specify support for project administration.

ADDENDUM E

Percent for Art in Private Development Sample Budget

Sample Project

Two-story building with 20,000 SF office space

Special Use Permit application fee: \$ 11,500
\$6,500 plus \$25 per SF floor area

Generic Cost Factors	Value	1%	1½%	2%
Land Cost				
\$18 per SF of achievable square footage <i>No soft costs considered</i>	\$ 360,000	\$ 3,600	\$5,400	\$ 7,200
Site Improvement Costs				
\$30 per SF of building <i>Includes parking, landscaping, storm water management, sidewalks, lighting, etc.</i>	\$ 600,000	\$ 6,000	\$9,000	\$12,000
Building Construction Costs				
\$100 per SF real hard costs <i>No fees, licenses, etc.</i>	\$2,000,000	\$20,000	\$30,000	\$40,000
Total Costs	\$2,960,000	\$29,600	\$44,400	\$59,200

Distribution of Public Art Allocation

Public Art Fund Contribution (10%)	\$2,960,000	\$ 2,960	\$ 4,400	\$ 5,920
On-Site Artwork/Cultural Facility (90%)	\$2,960,000	\$26,640	\$40,000	\$53,280

Variables that Affect Costs

25% lower

Bottom end office/retail development with limited public interior space, i.e. halls, leasing-management office, etc.

50% higher

Above four floors and must meet mid-rise construction code requirements

75% higher

With structured parking