



THE PHILADELPHIA ART COMMISSION

The Philadelphia Art Commission
Established 1911

4 February 2015

MEMORANDUM

Emanuel Kelly, FAIA
Chair

Jose Alminana

Moe A. Brooker

Bridget Collins-Greenwald

Karen B. Davis

Matthew Perks

Robert Roesch

Patricia A. Sanford

*

TO: Anthony Tann, Department of Records, City of Philadelphia

FROM: Emanuel Kelly, FAIA, Chairman, Philadelphia Art
Commission

SUBJECT: Regulations of the Philadelphia Art Commission

At a public meeting dated 5 November 2014, the Philadelphia Art Commission voted to approve for public comment the attached Regulations of the Philadelphia Art Commission ("Regulations"). These Regulations have been approved by the City of Philadelphia Law Department. I am forwarding these Regulations to you for advertising and public inspection.

William J. Burke, Jr.
Director

Thank you.

1515 Arch Street
13th Floor
Philadelphia, PA 19102
215 • 683 • 2095
FAX 215 • 683 • 2049
WILLIAM.BURKE@PHILA.GOV

cc: William Burke, Director, Philadelphia Art Commission
Brendan O'Rourke, Deputy City Solicitor

DEPARTMENT OF RECORDS
2015 FEB -6 AM 11:15



City of Philadelphia

LAW DEPARTMENT
One Parkway
1515 Arch Street
17th Floor
Philadelphia, PA 19102

MEMORANDUM

TO: Emmanuel Kelly, FAIA, Chair, Philadelphia Art Commission

FROM: Brendan O'Rourke, Deputy City Solicitor *BO*

CC: William Burke, Director, Philadelphia Art Commission

DATE: February 4, 2015

SUBJECT: Regulations of the Philadelphia Art Commission

I have reviewed the proposed Regulations of the Philadelphia Art Commission ("**Regulations**") and find them to be legal and in proper form. In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, you may now forward the proposed Regulations to the Department of Records where they will be made available for public inspection.

Attachment

cc: William Burke, Director, Philadelphia Art Commission

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**REGULATIONS OF THE
PHILADELPHIA ART COMMISSION**

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1. DECLARATION OF AUTHORITY

1.1. Authority

The Commission is established by §3-100 and §3-910 of the Philadelphia Home Rule Charter and has those powers and duties set forth in §5-900, §5-903, §8-205, and §8-207 of the Philadelphia Home Rule Charter.

1.2. Prior Regulations Superseded

The regulations heretofore adopted by the Commission are hereby superseded.

1.3. Purpose

No provision of this section shall add to or detract from a power, duty, or responsibility granted to the Commission by the Philadelphia Home Rule Charter or the Philadelphia Code. In the case of any conflict between the provisions of this Subsection 1.3 and any provisions of the Philadelphia Home Rule Charter or the Philadelphia Code, the provisions of the Philadelphia Home Rule Charter or the Philadelphia Code shall govern.

1.3.1. Pursuant to the authority granted by the Charter, the Commission must approve:

1.3.1.1. Any work of art to become property of the City, whether by purchase, gift, or otherwise, and its proposed location;

1.3.1.2. The removal or relocation of, or alteration to any existing work of art in the possession of the City;

1.3.1.3. The design and proposed location of any building, bridge and its approaches, arch, gate, fence, or other structure or fixture to be paid for wholly or in part from the City treasury, or for which the City or any other public authority is to furnish a site;

1.3.1.4. Any structure or fixture to be erected by any person upon or to extend over a highway, stream, lake, square, park, or other public place.

1.3.2. The Commission has additional powers, duties and responsibilities as specified in The Philadelphia Code with regard to:

1.3.2.1. License applications for newsstands pursuant to §9-212;

1.3.2.2. Building permit applications regarding the erection or alteration of any building or other construction, including open spaces, abutting the Benjamin Franklin Parkway Area or the Independence Hall Area of the Center City ("CTR"), overlay as set forth in §14-502(8);

1.3.2.3. Zoning permit applications regarding signs in the following areas:

(a). The Convention Center Area, Center City Commercial Area, Parkway Buffer, South Street/ Head House Square Area, Vine Street Area, Washington Square, and Independence Hall Area of the CTR overlay district as set forth in §14-502(7)

(b). The Cobbs Creek Parkway, Roosevelt Boulevard Area, and

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Fairmount Park Area set forth in §14-904(4) (Special Controls for Cobbs Creek, Roosevelt Boulevard, and Department of Parks and Recreation Land)

1.3.2.4. Zoning permits for public art projects in the SP-ENT, Entertainment (Special Purpose) District and public art submitted to meet the floor area bonus provisions pursuant to §14-405 and §14-702.

1.3.2.5. Certification that fine art acquired to satisfy the Percent for Art ordinance in §16-103 is fitting and appropriate to the function and location of the structure.

2. DEFINITIONS

- 2.1 *Center City.* The area of the City of Philadelphia bounded on the east by the Delaware River, on the west by the Schuylkill River, on the north by Spring Garden Street and on the south by South Street.
- 2.2 *Chair.* The chairperson of the Commission.
- 2.3 *Charter.* The Philadelphia Home Rule Charter.
- 2.4 *City.* The City of Philadelphia
- 2.5 *City Construction Project.* Construction or alteration of a structure or landscape on municipal property or to be paid for wholly or in part from the City treasury.
- 2.6 *Commission.* The Philadelphia Art Commission.
- 2.7 *Consent Agenda.* A grouping of routine, procedural, informational and self-explanatory non-controversial items, as determined by the Executive Director, included as part of the agenda for a meeting of the Commission.
- 2.8 *Encroachment.* Any structure or fixture erected upon or extending over any highway, stream, lake, square, park, or other public place within the City, as referenced in §5-903(1) (d) of the Charter.
- 2.9 *Director.* The Director of the Art Commission, or his or her designee.
- 2.10 *Fine Arts.* For the purposes of the City's Percent for Art program and pursuant to §16-103 of The Philadelphia Code, sculptures, monuments, bas reliefs, mosaics, frescoes, stained glass, murals and fountains which either contain sculpture, or are designed to enhance adjacent accompanying sculpture.
- 2.11 *Highway.* A public right-of-way.
- 2.12 *L&I.* The Philadelphia Department of Licenses and Inspections.
- 2.13 *Sign.* A name, identification, description, emblem, device or structure that is affixed to, printed on, projected, or represented directly or indirectly upon a building, structure, or

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parcel of land and that directs attention to a person, place, product, institution, business, organization, activity, or service. Signs shall also include any banner, pennant, placard, window sign, or temporary sign that directs attention to a person, place, product, institution, business, organization, activity or service, with the exception of national flags. (See § 14-203(276) of the Philadelphia Code).

- 2.14 *Works of Art.* Pursuant to §5-903 of the Charter, all paintings, mural decorations, inscriptions, stained glass, statues, reliefs, or other sculptures, monuments, fountains, arches or other structures intended for ornament or commemoration.

3. THE COMMISSION

3.3. Composition and Qualifications

The Commission shall consist of nine members. The composition and qualifications of the Commission are set forth in §3-910 of the Charter.

3.4. Officers

The members of the Commission shall select from among themselves a Chair, a vice-chairperson, and any such other officers the Commission may determine it requires.

3.5. Committees

The Commission shall create, maintain and refer matters for review to the following committees:

3.5.1 Art and Architecture Committee

3.5.1.1. The Commission shall maintain an Art and Architecture Committee to review and provide recommendations on any work of art and City Construction Project requiring the approval of the Commission.

3.5.1.2. The Commission may act as the Art and Architecture Committee until such establishment.

3.5.1.3. The Art and Architecture Committee shall be composed of no fewer than four members, and shall meet as required to fulfill its responsibilities but not delay the Commission's timely review of the matter(s) presented.

3.5.2. Sign Committee

3.5.2.1. The Commission shall maintain a Sign Committee to review the construction or alteration of any Sign requiring the approval of the Commission.

3.5.2.2. The Commission may act as the Sign Committee until such establishment.

3.5.2.3. The Sign Committee shall be composed of no fewer than four members and shall meet as required to fulfill its responsibilities but not delay the Commission's timely review of the matter(s) presented.

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3.5.3 In addition, the Commission may, by a majority present and voting, create such other standing and ad hoc committees as it deems necessary for the conduct of the Commission's work.

3.6. Conflict of Interest

Members of the Commission are subject to the City's ethics laws found in Chapter 20-600 of the Philadelphia Code and Article 10 of the Philadelphia Home Rule Charter, which include several restrictions and requirements on gifts, conflicts of interest, political activity, representation before the Commission and financial disclosure. These ethics laws are administered by the City's Board of Ethics.

4. CONDUCT OF MEETINGS

4.1. Meetings

- 4.1.1. The Commission shall meet monthly or as required. Special meetings may be held, as needed, upon the call of the chairperson or vice-chairperson.
- 4.1.2. The day, hour, and place of the regularly scheduled meetings of the Commission shall be posted on the Commission's website.
- 4.1.3. The Commission shall keep an annual calendar of regular meetings. The Commission shall post the annual calendar in a newspaper of general circulation once a year.
- 4.1.4. The Commission shall post notice of a special meeting on its website at least 24 hours prior to the time of the special meeting.

4.2. Quorum

A quorum of the Commission shall consist of five of nine members. An abstention shall not affect the presence of a quorum. A majority of the members present and constituting a quorum at the time of voting is required for any official action by the Commission.

4.3. Conduct of Business

- 4.3.1. The Chair, at his discretion, shall recognize Commission members who wish to comment on an agenda item during or upon conclusion of the presentation of the agenda item.
- 4.3.2. After the Commission members have had an opportunity to comment, the Chair shall recognize the presenter and then other members of the public who wish to speak to the matter under consideration. The Chair may impose reasonable time limits on public comment to avoid repetitive discussion.

4.4. Agendas and Minutes

- 4.4.1. The Commission shall prepare and post meeting agendas on the Commission's website at least three days in advance of each meeting.
- 4.4.2. The Director may add items to the meeting agenda at his or her discretion and prepare a Consent Agenda, to be approved by summary action of the Commission.

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- 4.4.3. The Director shall prepare written meeting summaries, which shall serve as the meeting minutes, indicating Commissioner members present and actions taken, which shall be approved by the Commission or its Committees, as appropriate and post such written summaries on the Commission's website.

5. CITY CONSTRUCTION PROJECTS and ENCROACHMENTS

5.1. Submission Requirements

All requests for approval of City Construction Projects and encroachments shall include the following:

5.1.1. A **cover letter** requesting Commission approval and containing:

- 5.1.1.1. A narrative description of the project, including applicable information on existing conditions of the site and functional reasons for the proposed actions as well as the proposed design;
- 5.1.1.2. Summary of the status of other required reviews and approvals, and community consultation, including date(s), time(s) and location(s) of any community engagement.
- 5.1.1.2. If a revised or follow-up submission, a description of how the project differs from the original proposal and, if applicable, a response to concerns expressed by the Committees or Commission;
- 5.1.1.3. The name, mailing address and e-mail address of the person to whom the decision should be sent and, if different, the name, phone number and e-mail address of someone who can answer questions about the application.

5.1.2. **Color photographs**, at least 3" x 5", showing the site and its immediate surroundings as they exist at the time of application. Photographs must be of good quality and taken at the time of application. Older photographs are only acceptable to specifically illustrate former conditions. Any submitted photograph should evidence the date on which the photograph was taken.

5.1.3. **Drawings** of the proposed design, drawn to scale, with all dimensions, materials and colors clearly labeled. In the case of alterations to existing structures or sites, changes should be clearly indicated. The number of drawings required to adequately describe a proposal will vary with the type and complexity of the project. A typical submission would include:

- 5.1.3.1 **Site Plan(s)** - showing the location of the site with adjacent streets and land uses labeled, the location of all existing features and improvements on the site, and proposed changes.
- 5.1.3.2 **Plan view** of the proposal.

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- 5.1.3.3. **Elevations** of the proposal - All elevations of a structure should be shown. The main façade elevation should be rendered to accurately portray proposed materials and colors unless separate rendered views are also being provided.
- 5.1.3.4. **Landscape Plan(s)** – showing existing landscaping in the project area and any proposed changes. Plants and trees must be identified by species and size.
- 5.1.3.5. **Project Budget** - showing sources of funding, particularly any City Capital funds.
- 5.1.3.6. All proposals for new construction and major additions or renovations must include a statement from the Public Art Office regarding eligibility of the project for the City's Percent for Art Program (§16-103 of the Philadelphia Code) and, for eligible projects, specifying the funding available for public art for the project.
- 5.1.4. The Director may request additional materials, as necessary to adequately explain any proposal.

5.2 Procedure

- 5.2.1. The Director will review the initial application to determine its compliance with the Submission Requirements set forth in Section 5.1.
- 5.2.2. Upon review of the initial application, the Director shall inform the applicant of any additional materials necessary to complete the application. The Director shall not present an incomplete application for review by the Art and Architecture Committee or the Commission.
- 5.2.3. The Director will review the complete application and determine which of the following types of review will be necessary:
 - 5.2.3.1. Proposals that have no visual impact, including flat roof replacements or interior mechanical work, may be approved by the Director, without full Commission review.
 - 5.2.3.2. Routine proposals involving changes and repairs that, in the judgment of the Director, will have minimal visual impact on their settings may receive administrative approval, whereby the Director determines that the proposal is acceptable and places it on a Consent Agenda for the Commission's next meeting.
 - 5.2.3.3. Projects that will have more than a minimal visual impact, including all new construction and most additions, must be presented by the applicant to the Commission's Art and Architecture Committee. Following the applicant's presentation, the Art and Architecture Committee shall make its recommendation to the Commission on the application. The Art

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and Architecture Committee shall either recommend approval, approval with conditions, or disapproval of the application.

5.2.1.4 Proposals to be reviewed by the Art and Architecture Committee will be reviewed in two stages:

5.2.1.4.1 Concept Review - early stage design review of general siting, massing and design vocabulary. Applicants shall submit their proposals for conceptual review, including all materials required in subsection 5.1, early in the planning and design process, before applying for a permit. During conceptual review, the committee provides recommendations on the proposal, but generally does not take any final action. However, the Commission may give final approval at the concept stage if project is in Commission's view, sufficiently well developed.

5.2.1.4.2. Final Design Review – advanced stage design review of all aspects of the design, including material selection, incorporating comments made by the committee at the previous review stage. Following design review, the committee may recommend either final approval or disapproval to the Commission.

5.2.1.4.3 Pursuant to §5-903(3) of the Charter, the Commission shall act on any matter submitted to it within 60 days, after which its approval shall be presumed. A matter shall be deemed to be submitted after the Commission has received all of the submission materials required under this Section 5.

5.2.1.5 For proposals requiring presentation to the Art and Architecture Committee, the applicant must provide a total of twelve (12) copies of the submission package required by Section 5.1, collated and folded, if necessary, to 8½" x 11" at least seven calendar days prior to each meeting.

5.2.1.6 Meeting presentations may be made electronically or with presentation size boards. Material samples must be presented for Final Design Review.

5.2.1.7 To be assured a place on a meeting agenda, the cover letter must be received by the Director no later than two weeks prior to

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the meeting date. All other materials must be received no later than one week before the meeting date.

- 5.2.1.8 When projects must also be reviewed by the Historical Commission, the Commission of Parks and Recreation, or the Zoning Board of Adjustment, the Commission will not make its decision until approvals have been obtained from the other reviewing entities.

5.3 Approval Criteria.

In determining the appropriateness of a proposed project design, the Commission, its committees, and the Director shall consider:

- 5.3.1 How well the design satisfies its intended functional program;
- 5.3.2 The visual and functional relationships of the project to its immediate surroundings and the public right of way;
- 5.3.3 Sustainability, maintainability and durability of the project;
- 5.3.4 The degree to which the massing, design elements and details of the project exhibit an overall architectural concept and create a building form that is appropriate, complete and appropriate to context;
- 5.3.5 Whether the proposed project should enhances, elevates and improves the space or area that it would occupy.

6. SIGNS

6.1. Submission Requirements

All requests for approval of signs, whether new or existing, shall include the following:

- 6.1.1. A **cover letter** requesting Commission approval and containing:
 - 6.1.1.1. A brief description of the sign(s) for which approval is sought;
 - 6.1.1.2. the name, mailing address and e-mail address of the person to whom the decision should be sent and, if different, the name, phone number and e-mail address of someone who can answer questions about the application.
- 6.1.2. **Color photographs**, at least 3" x 5", of the following views, showing the site and its immediate surroundings as they exist at the time of application.
 - 6.1.2.1. The entire building facade or site.
 - 6.1.2.2. Adjacent building or site to the right and left

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- 6.1.2.3. View down the block to the right **and** left
- 6.1.2.4. View across the street
- 6.1.2.5. For signs proposed to be seen from a distance, views from intended points of view.
- 6.1.2.6. Photographs must be of good quality and taken at the time of application. Older photographs are acceptable only if they are needed to show former conditions. Any submitted photograph should evidence the date on which the photograph was taken.

6.1.3. **Working drawing(s)** of the proposed sign design, drawn to scale, with all dimensions, materials, and colors clearly labeled, and fonts, and logos, accurately portrayed, showing exactly how the sign will look.

6.1.4. A perspective **drawing or overlay** showing the sign in its exact location on the building or site.*

6.1.5. **Plot plan** showing the relation of sign(s) to property lines.

6.1.6. The Director may request additional materials, as necessary to adequately explain any proposal.

6.2 Procedure

6.2.1. Routine sign proposals that meet zoning requirements, except in Center City, will be reviewed by the Director.

6.2.1.1. One copy of the submission package should be submitted.

6.2.1.2. The applicant will receive written notice of decision by mail.

6.2.1.3. Routine sign proposals outside of Center City which are disapproved by the Director may be appealed to the Sign Committee for presentation and review.

6.2.2. Proposals for Center City Building Identification Signs as defined in §14-904(3) (at or near the tops of tall buildings), proposals which the Director determines to be non-routine, and appeals from staff disapprovals will be reviewed by the Sign Committee.

6.2.2.1. In order to be included on the agenda for a Sign Committee meeting applicants must submit a written request at least two weeks prior to the meeting date.

6.2.2.2. Twelve (12) copies of the submission package required by section 6.1, with any additional information requested by the Director, must be submitted no later than one week before the meeting for distribution to the Committee members.

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6.2.2.3. Attendance by applicants at Sign Committee meetings is optional.

Applicants who choose to attend may bring larger scale photos and drawings, material samples, etc. to present to the committee.

6.2.2.4. The committee may approve, approve with conditions or disapprove the application and shall forward its recommendation to the Commission.

Applicants will be told the committee's recommendation at the meeting, followed by a written confirmation.

6.2.2.5. Applicants who disagree with the committee's recommendation may attend the Commission meeting to petition that the Commission reconsider the recommendation.

6.2.3 The Commission and Director shall have up to 60 days to act on any application submitted in compliance with this Section 6.2. If the Commission and/or the Director do not act within 60 days of receipt of such application then approval of the application is presumed.

6.3 Criteria for Approval

In determining the appropriateness of a proposed sign, the Commission, its committees, and the Director shall consider:

6.3.1. How well the sign conveys its intended purpose;

6.3.2. Appropriateness of the sign design and placement on the building or site. Signs should complement building architecture or site design and not obscure positive existing features.

6.3.3. Compatibility of the proposal with its immediate surroundings.

6.3.4. Conformance with other applicable City regulations and reviews.

7. NEWSSTANDS

7.1. Submission Requirements

All requests for approval of newsstands, whether new or existing, shall include the following:

7.1.1. A **cover letter** containing:

7.1.1.1. The name and address of the person to whom the decision should be mailed and, if different, the name, phone number and e-mail address of someone who can answer questions about the application.

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7.1.1.2. The exact location of the newsstand (e.g., *Southeast Corner 15th and Main Streets; in front of 1503 Main Street*)

7.1.2. Color photographs, at least 3" x 5", of the following views, showing the newsstand and its immediate surroundings as they exist at the time of application:

7.1.2.1 If the newsstand is already on the site, a photograph of each of the four sides, taken from a sufficient distance so that surrounding buildings and sidewalk are visible.

7.1.2.2. If the newsstand is not yet on site, photographs of the site from each direction showing surroundings.

7.1.3. If the newsstand is not on site, a site plan showing the proposed location and a drawing showing exactly how the newsstand will look, with a complete description of materials and colors. If the proposed newsstand is a pre-fabricated model, photographs or manufacturer's illustrations of the actual stand should be substituted for the drawings.

7.1.4. Photographs must be of good quality and taken at the time of application. Old photographs are acceptable only if needed to show former conditions. Any submitted photograph should evidence the date on which the photograph was taken.

7.1.5. A copy of the approved License Application, including the sketch showing location as approved by the Streets Department.

7.1.6 The Director may request additional information as necessary, such as color and material samples or more detailed drawings.

7.2. Procedure

7.2.1. Newsstand applications will reviewed by the Director.

7.2.2. The applicant will receive written notice of decision by mail.

7.3 Criteria for Approval

7.3.1 The location of the newsstand shall not interfere with pedestrian circulation, existing or proposed street trees and landscaping, or other street furnishings and fixtures.

7.3.2 The design of the newsstand structure shall be appropriate for its location.

8. WORKS OF ART

8.1 Proposals for Works of Art to be Commissioned or Purchased by any City Department, donated to the City or placed on City property.

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8.1.1. Submission Requirements

- 8.1.1.1. A cover letter containing:
 - 8.1.1.1.1 Names and contact information for the sponsoring City Department, donor or owner of work to be placed on City property and artist(s);
 - 8.1.1.1.2. Narrative describing the site, the associated construction project, the selection process for the work of art and the work of art itself.
 - 8.1.1.1.3. Parties responsible for maintenance, and status of maintenance agreement
- 8.1.1.2. Photographs of the proposed site as it exist at the time of application. Photographs must be of good quality and taken at the time of application. Older photographs are acceptable only when needed to show former conditions. Any submitted photograph should evidence the date on which the photograph was taken.
- 8.1.1.3. For proposals associated with construction projects that are not yet complete, architectural and/or site drawings showing the area where the work of art will be placed as it will appear when complete.
- 8.1.1.4. Drawings and/or photographs of models showing the proposed work of art in its proposed location. Where possible, the actual model should be brought to the presentation meeting.
- 8.1.1.5. Drawings showing materials and colors for the proposed work of art and methods of installation on the building or site, including where necessary, engineering documents.
- 8.1.1.6. For existing works of art to be acquired, photographs of the actual work.
- 8.1.1.7. For proposals to locate works of art to be owned by others on City Property, evidence of review and approval by the City department which controls the proposed site and, if different, the department with whom the maintenance agreement will be executed.

8.1.2. Procedure

- 8.1.2.1. All proposals for works of art to be acquired by the City or placed on City property will be reviewed by the Art and Architecture Committee.
- 8.1.2.2. The City's Public Art Director will be responsible for requesting review of any work of art to be acquired by the City, in addition to

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submitting 12 copies of the submission package required by Section 8.1 for placement on the Art and Architecture Committee's meeting agenda. In so doing, the Public Art Director shall certify that the proposal has been reviewed and endorsed by the appropriate staff, panel or committee of that office.

8.1.2.3. Proposals to locate works of art to be owned by others on City property may be submitted by the owner of the work of art or by the City department which controls the proposed site.

8.1.2.4 The Art and Architecture Committee will review proposals for all new works of art in two stages:

8.1.2.4.1 Concept Review - early stage design review of general concept and siting. The Commission may give final approval at the concept stage if the project is, in the Commission's view, sufficiently well developed.

8.1.2.4.2. Final Design Review – advanced stage design review of all aspects of the design and installation of the work of art, including materials and lighting, incorporating comments made by the committee at the previous review stage.

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8.2. Maintenance, Conservation and changes to works of art owned by the City.

8.2.1. Submission Requirements

8.2.1.1. Cover letter, submitted by the Public Art Director of the Office of Arts, Culture and Creative Economy describing the proposed action and identifying the conservator or other technician who will perform the work.

8.2.1.2. Photographs of the work of art as it exists at the time of application, showing areas, if any, that require repair. Photographs must be of good quality and taken at the time of application. Older photographs are acceptable only when needed to show former conditions. 8.2.1.3. Any submitted photograph should evidence the date on which the photograph was taken. For proposals to change or relocate an existing work of art, photographs and drawings adequate to describe the change or new location.

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8.2.2. Procedure

8.2.2.1. Routine proposals for maintenance and conservation may receive the Director's administrative approval and be placed on a Consent Agenda for the next Art Commission meeting.

8.2.2.2. Proposals for changes and relocation will be reviewed by the Art and Architecture Committee.

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8.2.2.3. The Public Art Director is responsible for requesting Art Commission approval, submitting 12 copies of the submission package, and coordinating the meeting presentation.

8.3 Criteria for Approval.

In determining the appropriateness of a proposed work of art, the Commission, its Committees, and the Director shall consider, among other things:

- 8.3.1. Whether the project will significantly enhance the City's collection of public art;
- 8.3.2. Whether the project will contribute to the diversity of the City's collection by adding works in non-traditional art forms such as installation, sound, light, projection, digital or virtual media;
- 8.3.3. Public accessibility of the proposed site;
- 8.3.4. Whether the art is structurally sound and reasonably able to withstand the conditions of its placement;
- 8.3.5 Whether the proposed work of art enhances the public realm.

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