



City of Commerce

Community Development Department
2535 Commerce Way
Commerce, CA 90040
Tel. (323)722-4805 • planning-division@commerceca.gov

ART IN PUBLIC PLACES (AIPP) APPLICATION

FOR OFFICE USE ONLY

Project No: _____

Date Submitted: _____

APPLICATION COMPLETENESS: Only applications that include all of the required application requirements will be deemed “complete.” Please be advised that additional information may be required to complete your application.

The Community Development Department retains the right to review documents and determine that they are adequate in their ability to convey the applicant’s request to the decision making body. Applicants will be notified, within **30 days** of filing the application and paying all required fees, whether or not their application is complete. Only projects with complete applications will be reviewed by the decision making body.

NOTE: The Art in Public Places Application is also available at the following website address:

<https://www.commerceca.gov/city-hall/community-development/planning/planning-applications-fees>

The intent of the City of Commerce Art in Public Places Program is to provide a collection of nationally recognized, permanent outdoor artwork throughout the city, to be of public benefit. The program is designed to present the community with a variety of artistic styles and themes, all of the highest possible quality.

When a project is subject to the requirements of [Chapter 19.31.730](#) of the CMC, the applicant shall comply with provisions of either subsection (1) or (2) of this section, or a combination of both:

- 1) The applicant shall acquire and install artwork in a public place on or in the vicinity of the project site as approved by the city council pursuant to this chapter. The cost or value of such work as approved by the city council shall equal or exceed the amount to be in-lieu contribution that would otherwise be made under subsection (2) of this section.
- 2) In-Lieu Contribution. In lieu of acquiring and installing artwork, applicants may contribute funds to the art in public places fund established pursuant to Section 19.31.700 et seq., equal to one percent of the total project cost. The in-lieu contribution shall be paid by the applicant before the issuance of building permits, unless otherwise provided by the city council. Applicants shall indicate on their art in public places application whether they wish to make an in-lieu contribution.

INSTRUCTIONS TO APPLICANT:

- A. Complete all the items listed below. *Please print legibly.*
- B. Submit the following:

For installation of artwork:

- Completed Application
- 1 electronic copy of Site Plan to scale (*or 24”x 36” sheets if submitting in person*)
Site Plan must include all appropriate accessories to complete and protect the artwork
- 1 electronic copy of Elevations to scale (*or 24”x 36” sheets if submitting in person*)
- Color and material sample board (*if applicable*)
- Site photographs

- Repair and Maintenance Plan
- Certificate of public liability insurance (*full replacement value*)

** Please note that prior to the issuance of building permits the property owner shall execute and record a Covenant with the Los Angeles County Recorder.*

For in-lieu contribution:

- Completed Application
- Fund contribution equal to one percent (1%) of total project cost.
Please note the in-lieu contribution shall be paid by the applicant before the issuance of building permits.

****For electronic submittals email all required documents to: planning-division@commerceca.gov***

GENERAL INFORMATION:

Applicant: _____

Mailing Address: _____

Telephone No.: _____ Email: _____

Property Owner (*If not the Applicant*): _____

Mailing Address: _____

Telephone No.: _____ Email: _____

PROJECT INFORMATION:

Project Address: _____

Assessor's Parcel No: _____ Present Zoning: _____

Related Project Number: _____ Approval Date: _____

Select the activity for the proposed project:

- Commercial or Industrial Development with project costs exceeding \$250,000
- Residential Development (*4 of more lots or units*) with project costs exceeding \$250,000

Does the Project meet any of the following exemptions? (*Select all that apply*)

- This is a public work and governmental agency project.
- Aggregate project costs are less than \$250,000 (*Planning Department will verify with Building and Safety*)
- The project is a reconstruction due to damage by either fire, flood, wind, earthquake or other calamity.
- The project is constructed on property exempt from taxation pursuant to California Revenue and Taxation Code Section 214 (*Religious, hospital, scientific or charitable organizations*).
- None Apply

ART IN PUBLIC PLACES REQUEST:

Please indicate whether the applicant will acquire and install artwork or make an in-lieu contribution to the Art in Public Places Fund.

Contribute to the Art in Public Places Fund in the amount equal to one percent (1%) of the total project cost:

TOTAL PROJECT COST: \$ _____

TOTAL CONTRIBUTION: \$ _____

Acquire and Install Artwork: *Please describe the proposed artwork installation:*

Will the artwork be displayed in an area that is open and freely accessible to the public for at least ten hours each day or displayed in a manner which otherwise provides public accessibility in an equivalent manner based on the characteristics of the artwork or its placement on the project site? Yes No

Provide the contact information for the individuals responsible for designing and constructing the artwork:

Individual Name or Business Name: _____

Mailing Address: _____

Telephone No.: _____ Email: _____

APPLICANT STATEMENT OF FACTS: *According to the Commerce Zoning Ordinance, the Planning Commission must make certain finds before approving an Art in Public Places (AIPP) Permit. To assist the Commission in making these findings, the applicant shall answer the following questions as thoroughly as possible:*

1. Will the proposed artwork be detrimental to the public health, safety or welfare or materially injurious to properties or person?

2. Will the proposed artwork involve interactive components?

3. If artwork involves interactive components, will the traffic generated by the proposed artwork overload the capacity of the surrounding city street system?

19.31.770 GUIDELINES FOR ARTWORKS:

Guidelines for the approval and maintenance of artworks shall include, but are not limited to, the following criteria:

- (1) The artwork shall be displayed in an area that is open and freely accessible to the public for at least ten hours each day or displayed in a manner which otherwise provides public accessibility in an equivalent manner based on the characteristics of the artwork or its placement on the project site.
- (2) The art in public places application shall include a site plan showing the location of the artwork, complete with landscaping, lighting and other appropriate accessories to complement and protect the artwork.
- (3) The composition of the artwork shall be of a permanent type of material in order to be durable against vandalism, theft and weather, and in order to require a low level of maintenance.
- (4) The artwork shall be related in terms of scale, material, form and content to immediate and adjacent buildings and landscaping so that it complements the project site and surrounding environment.
- (5) The artwork shall be designed and constructed by persons experienced in the production of such artwork and recognized by critics and by his or her peers as one who produces works of art.
- (6) The artwork shall be permanently affixed to the project.
- (7) The artwork shall be maintained by the property owner in a safe, neat and orderly manner acceptable to the city. Any repair and maintenance shall be the responsibility of the applicant and completed in accordance with a maintenance plan approved by the city.
- (8) The artwork installed on a project site shall remain at the project site and shall be replaced in the event of theft or repaired in the event of damage. Artwork shall be insured for the full replacement value. Art may not be removed without prior approval from the city council. If removal is granted, an in-lieu contribution equal to the value of the artwork shall be made to the city's art in public places fund.
- (9) Prior to the issuance of building permits the property owner shall execute and record with the Los Angeles County Recorder, covenants, conditions and restrictions in form and content approved by the city administrator and the city attorney providing, among other things, that the property owner and its successor and assigns shall:
(1) maintain the artwork as required by Section 19.31.770(G); (2) indemnify, defend and hold the city and related parties harmless from any and all claims or liabilities arising out of the artwork; and (3) maintain in the city clerk's office a certificate of public liability insurance naming the city as an additional insured including such coverage and liability limits as may be specified by the city administrator.

(10) THE FOLLOWING ITEMS ARE NOT TO BE CONSIDERED AS ARTWORK:

- a. Art objects that are mass produced from a standard design. However, limited productions may be considered with specific restrictions;
- b. Reproductions of original artworks;
- c. Decorative, ornamental or functional elements that are designed by the building architect as opposed to an artist commissioned for the purpose of creating the artwork;
- d. Landscape architecture and landscape gardening except where these elements are designed or approved by the artist and are an integral part of the artwork by the artist;
- e. Any work that promotes a business or service;
- f. Services or utilities necessary to operate or maintain the artwork.

**"Artwork" means original creations of art including, but not limited to, the following categories: sculpture, murals, mosaic and fountains. These categories may be realized through such mediums as steel, bronze, stained glass, concrete, wood, ceramic tile and stone, as well as other suitable materials.*

CERTIFICATE AND AFFIDAVIT OF APPLICANT: I/we understand and agree to abide by all the regulations of the City of Commerce and any other conditions imposed for the use/activity requested. I/we certify that all statements made on this application are true and complete. I/we understand that any false statement may result in denial of the requested permit or revocation of any issued permit.

Applicant Signature

Date

All property owners must sign this application. If this portion is completed by someone other than the property owner (i.e., property manager or landlord) written proof is required authorizing the individual to sign on behalf of the property owner.

Property Owner/Approving Agent Signature

Date

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Received By: _____ Receipt No.: _____

Recommend to: Approve Not Approve

Scheduled for City Council: (Date) _____