

City of Tampa Guidelines for Public Art in Private Development



*Lights On Tampa is a public-private partnership between the private sector and the City of Tampa's Art Program's Division. Since 2006 the Program has brought permanent and temporary installations that have activated spaces. Shown here, among other installations in the park is **Sky** a permanent installation by Leo Villareal located on the façade of The Tampa Museum of Art and **Glowing River**, a temporary water installation by Jason and Jamie Jenson. Photo by Matt May.*

The History of Public Art in Private Development

The contemporary Public Art movement in the country began in 1959 in Philadelphia. Several artists who were studying in Europe following World War II noted that it was customary, during reconstruction, for European cities to set aside a portion of the construction budgets for the acquisition and commissioning of art. The artists discussed this idea with the architect Louis Kahn, who was, at the time, the President of the Philadelphia Redevelopment Agency. Kahn proposed that the agency begin allocating 1% of its capital construction budget for art. In 1959, the country's first percent for art program was born.

In the ensuing years, more than 400 percent for art programs have been created, at the federal, state and local government levels, as well as transit agencies, port authorities, redevelopment corporations and other quasi-government agencies. The City of Tampa passed percent for art ordinances in 1985 for both municipal construction throughout the city (Chapter 4) and for private development in two special or designated districts, The Central Business District also known as "Center City" and in the Channel District (Chapter 27-181.4 & 27-201 respectively).

Special Districts: City Center and Channel District

The purpose and intent of these special districts is to implement the Tampa Comprehensive Plan; to create a public realm of high

As the most visible and accessible art form, public art plays a role of unprecedented importance in contributing to the poetic dimension of the city.

quality through the regulation of the physical form of buildings, streets, and open spaces, the form and mass of buildings in relation to one another, and the establishment of a pedestrian-friendly relationship between building facades and the public realm. The waterfront is also viewed as integral to the identity of both districts and considered a community resource.

Public Art in Tampa's urban core is part of this holistic, multi-valent plan for a thriving and diverse city. It is envisioned to work in harmony with other factors such as land use, transportation, natural resources, and quality urban design.

City of Tampa Public Art in Private Development

Below are the portions of the Tampa City Code, Chapter 27: Zoning and Land Development that pertain to the Public Art in Private Development requirement. These requirements pertain only to the City Center (Central Business District) and the Channel District.

Sec. 27-181.4. Public Art Requirements for Center City (CBD)

- (a) *Purpose.* The purpose of the public art requirements is to:
- (1) Increase the presence of art in the Center City, visible to the general public;
 - (2) Ensure that art can be enjoyed by the general public; and,
 - (3) Support the promotion of the Center City as the cultural center of the region.

Sec. 27-201 Public Art Requirements for Channel District

- (a) *Purpose.* The purpose of the public art requirements is to:
- (1) Increase the presence of art in the Channel District, visible to the general public;
 - (2) Ensure that art can be enjoyed by the general public; and,
 - (3) Support the promotion of the Channel District as a vital cultural component of the Center City.

(b) *Requirements.*

PUBLIC ART (Also refer to Sec. 27-201.1)			
Required Contribution Rate	Maximum Fee	Benchmark to Pay Fee	Public Art Fund
Required for New Construction Only: 0.75% × total project development cost	\$200,000.00	Prior to issuance of certificate of occupancy	Fund consists of all payments for public art requirements within the Channel District (CD)

(c) *Public art fund.* A public art fund shall be created and shall consist of all payments for public art requirements within the Center City (CBD). The public art fund shall be used solely for the selection, acquisition, installation, maintenance, and insurance of public art to be displayed on public property in the Center City, unless otherwise agreed by mutual agreement of a private property owner and the city to be placed on private property (subject to section 27-181.6). Refer to chapter 4, City Code.

(d) *Maintenance of public art on private property and maintenance covenant.* Refer to section 27-181.6.

How The Ordinance Works



Funds are restricted to the district in which they are generated, not to the property.

As a steward of these city funds, the Art Programs Division will implement projects that meet the intent of the ordinance. All projects will be to benefit the environment and quality of life in the district as a whole with most being in the public right of way for easy maintenance.

Artist and artwork selection will employ best practices as established by Americans for the Arts.

The city is not required to include the developer in discussions regarding how the funds generated by the ordinance are committed or designated within the district. This includes the artwork itself, the selection process and its placement within the public realm.

Planning for Public Art within Private Development

At its own discretion, the city may partner with a developer/development when Public Art is desired as a fundamental part of the overall open space/public benefit plan or vision of a development. Such intent needs to be made during the initial consultations with the city. Henceforth the city will be part of the master planning process.

The purpose of disclosing as early as possible that Public Art is part of the overall plan is to demonstrate that Public Art is treated as a fundamental project feature. The Public Art will be considered integral with at least one of the major site elements (building, site, landscape, overall project program, etc.).

The city is also a strong advocate of equity and will be very interested in evaluating how equity has been embedded in development of the artwork, such as the artist selection process, including consideration of emerging artists and outreach to engage the future users of the public space.

Initiating a project, and its implementation including artist selection, site integration, project management, coordination, etc., are contingent on the Art Programs Division work plan, construction schedules, opportunities available and final approval from city administration.



The Fortune Taylor Bridge received permanent lighting in 2019, becoming the sixth downtown bridge to be lit. The eventual goal is to light all nine of the downtown bridges. Photo by Matt May.

Partnering with the City of Tampa's Art Programs Division

When a developer requests to have public art funds designated to a specific development, they are requesting to work with the city. The city expects to be involved in the decision making and included in the following discussions:

- An understanding of the conceptual approach to the overall project, how the art and its proposed siting enhances the public realm and its relationship to the place where it is located, including how the art contributes to the overall public benefit
- An understanding of the demographics of audience/user groups
- The location of the proposed art in the context of the project
- The location of any other existing artwork in an adjacent right-of-way or public place within 800 feet of the project site
- The placement of the artwork, dimensions/scale, appropriate materials and lighting strategy
- Artist (s) resume/background relevant to their role on this project and their experience in developing art in the public realm, including visual examples of previous work.
- Information on durability and constructability of the proposed work, including its infrastructure requirements and how the artwork will be integrated into the site.
- The approach for hiring or retaining an artist, including whether the artist was selected by an open call or an invitational
- Budget allocation

What art does for people is related to how people and the built environment are engaged.



Andante by artist Heidi Lippman, located on the Tampa Riverwalk. Photo by Dave Hellane

The following will be considered in the evaluative process:

- The scale of the art in relation to the place where it is to be sited
- The extent to which the surrounding architecture and/or landscape architecture supports the art
- The extent to which the art supports or reflects the place where it is located
- The extent to which the proposed art element reflects the vision for placemaking, established for the overall public benefit concept.
- The art enhances the public realm, may be measured by such factors as:
 - The quality of craftsmanship and appropriateness of materials, considering the proposed location, its context, and the conceptual vision of the art proposal
 - Promoting the use, identity, or function of the pedestrian environment
 - Bridging the scale between the adjacent building and the person
 - Engaging or inviting the public into a space or to use or understand a space in ways that do not exist without its inclusion
 - Bringing enhanced meaning to a place
- The applicant had made provisions to ensure a high level of maintenance and conservation if on private property
- The artist's ability to execute work in the public realm or commensurate places, as demonstrated either in examples of the artist's previously completed work, or in documentation that details their approach towards executing in the public realm
- Requirements of other city departments are met
- Collection criteria standards of the City of Tampa's Art Programs Division are met

Unsuccessful Public Art happens when there is a lack of specificity, when the site or location and the public/community is looked at too broadly and simply.

About the City of Tampa Art Programs Division

The Art Programs Division oversees the City's Public Art Program, Public Art in Private Development, Lights On Tampa, and arts-based public-private partnerships. The Division is also responsible for the care and maintenance of the City's Public Art Collection.

- Vision: Providing cultural programs that are varied, sustainable, relevant & responsive to the needs, interests and diversity of Tampa's citizens and visitors.
- Mission: Provide free access to artistic excellence
- Values: Follow best national practices in the field of Public Art and Art Administration
- Goals: Heighten Tampa's reputation & visibility as a city culturally aware & supportive of the arts
- Facilitate the creation of Public Art to major public use sites
 - Provide a variety of high quality engagement opportunities for a diverse public
 - Provide educational content about artwork within the city's collection

Collection Criteria Considered for Public Art in the City of Tampa

- Standards of excellence and innovation
- The integrity of the artwork
- Non-duplication/uniqueness
- Relevance and appropriateness of the work to the context of the site
- Consistency with current planning, preservation, heritage and environmental policies
- Plans of management, implementation
- Consideration of public safety and the public's access to and use of the public domain
- Consideration of maintenance and durability requirements
- Evidence of funding source and satisfactory budget for ongoing maintenance
- Consideration for a holistic approach to public art in the city
- Does the project enable people by providing opportunities for engagement with the arts?
- Does the project have an educational aspect?
- Relevance to the objectives, strategy, acquisition and deaccession policies set forth in the City of Tampa's Public Art Guidelines.
- Relevance to appropriate ordinances, guidelines or documents of other city departments and programs (Historic Preservation, Urban Design, Public Art in Private Development, etc.)



UpLit, a temporary installation created for Lights On Tampa 2015 has been relocated and reinstalled on private property in the downtown numerous times since its original install date. Photo top by Matt May