

MOTION BY SUPERVISOR HILDA L. SOLIS

March 14, 2017

Establishment of a Private Developer Civic Art Requirement

Los Angeles County (County) is a global leader in all forms of visual and performing arts. The arts sector as a whole boosts the local economy by supporting jobs, cultural tourism, and by contributing to the quality of life for residents. The County established a Civic Art Policy in December 2004 requiring a one-percent requirement for civic art in County funded public building projects for the purpose of contributing to the economic vitality of our region by improving the quality of the environment, fostering a positive community identity and increasing arts services to all residents. However, there is no private developer requirement for civic art in the County, although such requirements exist in many of the cities in the County, as well as the state and nation. Because the County does not have a private developer requirement for civic art, there is no funding source through private development that creates art and arts services for the residents of the unincorporated areas.

Thirty-one municipalities within the County, including the cities of Los Angeles, Pasadena, and Santa Monica, have enacted ordinances requiring private development projects to incorporate artwork into their development or pay an in lieu fee to be used to

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support the creation of artwork and/or provide cultural services within the jurisdiction. All municipalities within the County that have adopted public art policies also have corresponding requirements for private development, except for the County itself.

A private developer civic art requirement would create additional public amenities and public access to the arts that can play a vital role in addressing issues of cultural equity and inclusion, and that otherwise would not be available in underserved unincorporated areas. To ensure that civic art, cultural facilities and arts services that reflect the diversity of our communities are present and sustained throughout the County's unincorporated communities, it is necessary to require that private development projects in Los Angeles County include commissioned civic art or cultural facilities, or, alternatively, contribute to a Civic Art Fund for civic art and cultural resources and facilities in lieu of installation of such art.

While the revenue generated would correlate to the amount of eligible development projects in a given year, recent years' reports indicate that a private developer requirement for civic art in the unincorporated areas could potentially generate an estimated \$8.2 million in art, cultural facilities and cultural resources annually.

I THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Chief Executive Officer (CEO) and the Arts Commission of Los Angeles County to take the following actions:

- a) As the proposed Private Developer Percent for Art is a land use requirement/development standard, prepare an amendment to Title 22 Planning and Zoning of the Los Angeles County Code, or other appropriate measure, to go before the Regional Planning Commission for review and

approval. This developer requirement for civic art shall include an ordinance and policies for a process that incorporates private developer requirements for civic art in the development and permitting process of development projects, including submittal and approval of proposed civic art, an option for an in-lieu contribution to satisfy the requirement and other elements required to administer the requirement. The CEO should determine the staffing needs to be included in the FY 2017-18 Arts Commission budget to administer the requirement;

- b) prepare the draft ordinance in consultation with the Department of Public Works, Department of Regional Planning, and County Counsel;
- c) provide a progress report to the Board of Supervisors in 60 days in writing, with the goal of completing all Commission and Board actions within six months.

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**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS
AND KATHRYN BARGER**

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Private Developer Percent for Art Community Engagement Effort

In considering new policy initiatives, the Board of Supervisors (Board) routinely seeks input from the public with particular attention given to communities that may be adversely or disproportionately impacted. On major policy matters, the Board has benefited from the input and recommendations that are derived by broad-based task forces, advisory committees and public forums, as well as from public comment that comes forth from extensive public outreach campaigns. Recent examples include the public outreach campaign for the Countywide Comprehensive Park & Recreation Needs Assessment, Arts Diversity Initiative and the Homeless Initiative.

The Board's long-standing tradition of seeking public comment is invaluable to the process of drafting public policy that effectively achieves its intended objectives with unintended consequences or negative impacts avoided or minimized. It also ensures that new Board policies are developed in the open and with strong public support.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Executive Director of the Arts Commission, in conjunction with the Directors of the Regional Planning Department and the Department of Consumer and Business Affairs, to solicit input from community stakeholders in the form of roundtable discussions, public meetings and written testimony on the proposed Private Sector

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Percent for Art requirement including comments and recommendations on appropriate exceptions and thresholds, and to consolidate findings and conclusions in a written report to the Board of Supervisors as an attachment to the Arts Commission's and Chief Executive Officer's report which is due in 90 days from the approval of this motion.

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(DR)