

MARANA RESOLUTION NO. 2023-099

RELATING TO DEVELOPMENT; ADOPTING THE TOWN OF MARANA PUBLIC ART POLICY

WHEREAS on September 7, 2021, the Town Council adopted Resolution No. 2021-126 approving the Town of Marana Public Art Policy; and

WHEREAS on September 6, 2022, the Town Council adopted the Town of Marana Strategic Plan 5 ("Strategic Plan 5"); and

WHEREAS Strategic Plan 5 includes Cherished Heritage as a Focus Area with a goal to embed heritage in policy and planning to ensure continued preservation of Marana's heritage; and

WHEREAS to achieve this goal, Strategic Plan 5 provides that the Town will expand the current art policy to require the integration of public art into public and private development projects that captures Marana's heritage; and

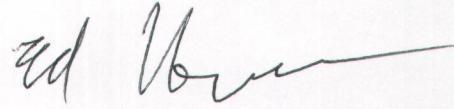
WHEREAS because the Public Art Policy adopted via Resolution No. 2021-126 did not achieve the goals set forth in Strategic Plan 5, on December 20, 2022, the Town Council rescinded Resolution No. 2021-126 and the Town of Marana Public Art Policy it approved; and

WHEREAS Town staff has drafted a revised Public Art Policy that both furthers the goals of Strategic Plan 5 and aligns productively with development projects; and

WHEREAS the Town Council finds that adopting the revised Public Art Policy is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the Town of Marana Public Art Policy attached to this resolution and incorporated by this reference as Exhibit A is hereby approved and the Town's Manager and staff are hereby directed and authorized to undertake all other and further tasks required or beneficial to carry out the policy.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 19th day of September, 2023.



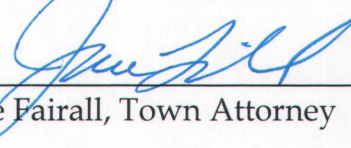
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



MARANA ZEPHYRUS
SEPTEMBER 2023



Title: Town of Marana Public Art Policy

Effective Date: November 1, 2023

Type of Action: Approved by Council Resolution No. 2023-099

Purpose

The purposes of the Town of Marana Public Art Policy are to:

- Identify community beautification opportunities that will strengthen Marana's identity, spirit, and pride;
- Establish a Marana Public Art Fund;
- Establish a Marana Public Art Review Committee;
- Provide direction for the selection of high-quality public art.

Definitions

1. **Development Project:** A project involving the issuance of a permit for construction or reconstruction, but not a permit to operate.
2. **Marana Public Art Fund:** Either a separate account within the Town's General Fund or a separate book or ledger entry designation for funding public art on Town owned property or Town Capital Improvement Projects.
3. **Public Art:** Artistic creations of a professional artist within a public space or spaces. The artwork is typically large scale and may include sculpture, mosaic, painting, ceramic, video, photography, works of light, integrated artist designed land works, aesthetic landscaping and monuments, and other works determined by the Town to meet the requirements of the project.
4. **Tenant Improvements:** The customized alterations a building owner makes to rental space as part of a lease agreement, in order to configure the space for the needs of that particular tenant. For the purpose of this policy, tenant improvements shall exclude general maintenance and repair.

Marana Public Art Fund

The Marana Public Art Fund is established and dedicated to funding high-quality public art installations, and maintenance, throughout the Marana community. Contributions to the Fund shall be collected from private developments and Town of Marana Capital Improvement Projects. Decisions on how to allocate the funds shall be made by the Marana Public Art Review Committee.

Marana Public Art Review Committee

The Marana Public Art Review Committee shall designate locations for public art installation and review design proposals according to the Marana Public Art Design Principles.

The Marana Public Art Review Committee shall consist of the Town of Marana's Public Works Director, Town Engineer, Development Services Director, Communications Manager, Parks & Recreation Director, and two members of the local art community.

Private Development Contributions

Any development project that meets the following conditions shall contribute to the Marana Public Art Fund in the form of a cash donation:

- New construction of a project containing 10,000 square feet or more net floor area of any commercial, industrial, or office use within any zoning district; or
- Phased projects with one or more buildings that contain a total of 10,000 square feet or more net floor area of commercial, industrial, or office use within any zoning district;
- New construction of any multi-family development site consisting of 50 or more units;
- Tenant improvements of 10,000 square feet or more net floor area of any commercial, industrial, or office use within any zoning district.

Commercial, office, and multi-family uses shall contribute 1% of the building permit valuation to the Fund. Industrial uses shall contribute 0.5% of the building permit valuation to the Fund. The contribution shall be collected at the time of the building permit issuance. If a development consists of multiple buildings, the property owners(s) shall contribute the appropriate amount with each building permit pulled.

Where a building shell is constructed and tenant improvements are done separately, the building shell will be charged 50% of the applicable contribution requirement and tenant improvements will be charged the remaining 50%.

Maximum Contribution

The maximum contribution for any one private development project shall be \$150,000.

Town of Marana Capital Improvement Projects Contributions

All Town of Marana Capital Improvement Projects (CIP) with an estimated budget of \$500,000 or more shall include 1% of the total project cost as a contribution to the Marana Public Art Fund. The Town Engineer will assure that this 1% cost is added to the project's total budget.

All or a portion of the contributions derived from the Marana Capital Improvement Project may fund artwork for the specific CIP project, or the balance of the funds may be deposited into the Marana Public Art Fund.

Waiver: The Town Manager may waive the public art contribution requirement for projects that are determined to be solely maintenance obligations. Any waiver shall be made in writing and sent to Development Services to be placed in the project permit file.

Designated Public Art Locations

The Marana Public Art Review Committee shall identify locations for public art installations throughout the community. A list of locations, and priority ranking, will be presented to the Town Council for approval. The list of locations and priority ranking shall be updated as new facilities are accepted or as priorities change.

Each installation shall allow for unrestricted viewing from a variety of vantage points. To assure the general public has access, installations shall be within or adjacent to public parks, trails, or other publicly-owned property that is easily accessible and clearly visible to the general public.

Public art installations shall not be located in a proposed or existing Town right-of-way unless the public art installation is intended to be part of a Capital Improvement Project, or as approved by the Town Engineer.

Marana Public Art Design Principles

The committee will use the following design principles in considering conceptual art proposals.

1. *Design.* Artwork should incorporate aspects of Marana’s natural and cultural heritage and should be a “uniquely Marana” piece.
2. *Quality.* Artwork demonstrates originality, artistic quality, and excellence in design and artisanship, demonstrated through renderings, explanation of construction, materials, and artist resume.
3. *Community Relevance.* Artwork is appropriate in scale, material, form, and content for the immediate and general social, economic, and physical environments with which it is to relate.
4. *Durability.* Artwork demonstrates structural and surface integrity and permanence; material provides protection against theft, vandalism, weathering, and excessive maintenance and repair costs.
5. *Safety.* Artwork does not present a hazard or create unsafe conditions.
6. *Diversity.* Artwork contributes to a diversity of style, scale, media, artists, community values, and forms of expression within the Town.
7. *Visibility.* Artwork is visible and accessible for the purposes of public enjoyment and security, considering pedestrian and vehicular traffic, lighting, active hours on site, future development, and vegetation growth.
8. *Feasibility.* Artwork is likely to be successfully completed based on the project budget, timeline, artist’s experience, soundness of materials, and any other relevant factors.