

DPD
SDOT
ARTS

DPD Director's Rule 6-2007
SDOT Director's Rule 1-07
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Applicant: City of Seattle <ul style="list-style-type: none"> • Department of Planning and Development (DPD) • Seattle Department of Transportation (SDOT) • Office of Arts & Cultural Affairs (ARTS) 	Page 1 of 5	Supersedes: N/A
	Publication: 3/26/07	Effective: 5/1/07
Subject: Review of Visual Artworks	Code and Section Reference: SMC 3.14 .800 et seq: (Seattle Arts Commission, Office of Arts & Cultural Affairs) SMC 3.58 (Design Commission) SMC Chapter 15.04 et seq (Street use permits) SMC Chapter 15.64 et seq (Skybridge Guidelines) SMC Chapter 23.41 (Design Review) SMC 23.47.016 (Screening and Landscaping Standards)	
	Ordinance Authority: SMC 3.06.040, 3.12.020, and 3.14.815	
	Approved (signature on file)	Date 4/14/07
	Diane Sugimura, Director, Department of Planning & Development	
Type of Rule: Procedural	Approved (signature on file)	Date 4/25/07
	Grace Crunican, Director, Seattle Department of Transportation	
Index: Land Use Code; Street Use Ordinance	Approved (signature on file)	Date 4/16/07
	Michael Killoren, Director, Office of Arts and Cultural Affairs	

PURPOSE

The purpose of this rule is to clarify the City's policies and practices regarding consistent standards for review of visual art and artistic objects in public rights-of-way (ROW) and on private property in specific cases. The rule does not apply to art or artistic objects procured through or generated by the Office of Arts & Cultural Affairs' Public Art Program.

This rule also outlines a procedure for the integration of review processes of the Seattle Design Commission and the Public Art Advisory Committee of the Seattle Arts Commission. The Design Commission has a clear mandate to review projects in the ROW (SMC 3.58), but lacks the specific expertise in art matters and has chosen to enlist help from PAAC to carry out its charge.

RULE

Background

Review of art or artistic objects is currently conducted by various staff and in a variety of regulatory venues in the City. These include:

- Seattle Design Commission – CIP and ROW project review
- Department of Planning and Development (DPD) - project review in consultation with Design Review Boards (DRB) and land use permit review
- Seattle Department of Transportation (SDOT) - Capital Projects and Street Use permit review
- Office of Arts & Cultural Affairs (ARTS) – staff review of art programs, projects and policies
- Public Art Advisory Committee (PAAC) – delegated functions of the Seattle Arts Commission

These reviews will continue, but will be simplified by a clearly delineated PAAC review process, as described below.

A review process for street vacations and skybridges already exists. In these situations, SDOT staff discretion is used to determine how best to incorporate PAAC review.

The two situations are:

- artwork proposed as a public benefit element for a street or alley vacation, and
- artwork proposed to mitigate impacts for a skybridge permit administered by SDOT.

PAAC will play an ongoing role, but an enhanced one as well. City staff and the PAAC will use adopted standards, similar to those used for review of the City's Public Art Program, in reviewing art in the ROW. Where art is proposed as part of a ROW improvement permit to address a code exception, the PAAC's review of the art will inform decisions made by SDOT and DPD. Through DPD's design review process, art may be proposed as part of a private development to satisfy Land Use Code requirements (such as mitigation under 23.47.016 or as part of a bonused public space); in that situation, the PAAC's advice will inform DPD's decision. As noted above, in those situations where an existing process is in place, such as where art is proposed as public benefit for street vacations or mitigation for skybridges, staff will determine how to incorporate any advice provided by the PAAC.

Summary of PAAC Advisory Actions

Situation	Departments/Agencies advised by PAAC
1. Artwork that is provided as part of a public Capital Improvement Project (CIP) or private project in the ROW, both of which fall under Design Commission jurisdiction	<ul style="list-style-type: none"> • Design Commission
2. Artwork that is required as part of bonused public spaces or considered the basis for a height or density bonus documented in a MUP and administered by DPD	<ul style="list-style-type: none"> • DPD
3. Artwork proposed as part of the design of a project on private property in situations including, but not limited to the following and documented in a MUP administered by DPD and a Street Use Permit from SDOT: <ul style="list-style-type: none"> • Treatment for blank facades greater than 30 feet in width in commercial zones (23.47.016 (E), administered by DPD) • Code departures, where recommended by Design Review Boards (or through administrative design review) in response to a project applicant's requested departure from development and ROW standards 	<ul style="list-style-type: none"> • Design Review Board / DPD • SDOT
4. Artworks in street ROW whether temporary or permanent, that typically require an SDOT Street Use permit. Street use permits may be required in various situations that include, but are not limited to: <ul style="list-style-type: none"> • Artworks funded through a Department of Neighborhoods grant program • Projects funded by other city departments, (e.g. Office for Economic Development grants) • Privately or community funded artworks 	<ul style="list-style-type: none"> • SDOT • City funding agencies, including but not limited to DON, OED, etc.
5. Existing artwork that will be modified or impacted by public or private development. These include minor street or ROW improvements that may or not require a SDOT street use permit, but may: require temporary removal of, and return of, existing artwork; require permanent relocation of existing artwork; or alter the context of existing artwork.	<ul style="list-style-type: none"> • SDOT

Procedure for PAAC Review

The art review function is best accomplished through a peer review body with appropriate City staff providing technical assistance. Peer review of art in ROW will be assigned to a subgroup of the Public Art Advisory Committee (PAAC) of the Seattle Arts Commission. The PAAC subgroup is comprised of two regular members and two Seattle Design Commission (SDC) members.

- This subgroup of the PAAC would advise various departments or agencies depending on the situation where art is included in a project. Typically, the advice is provided to SDOT, DPD, or the Design Commission, although other departments or agencies may benefit from the PAAC's advice.
- Review will occur on or prior to the date of the PAAC's regularly scheduled monthly meeting.
- Following review, the resulting recommendations will be brought to the Design Commission, DRB or specific agency staff at DPD or SDOT by ARTS staff.
- Specific agency staff (e.g., ARTS, DPD, DON, OED, or SDOT) will be available for consultation throughout the process, as necessary.

Submittal Requirements for PAAC Review

Submission requirements for review are based on existing criteria from the Office of Arts & Cultural Affairs' Public Art Program's "General guidance for objects in the Street ROW. These and other existing criteria for the Right of Way can be found at:

www.seattle.gov/transportation/rowmanual/manual/4_25.asp

Specific submission requirements for PAAC include, but are not limited to:

1. Site plan showing locations of artwork
2. Minimum 1/4" scale drawings of the art concept or art component, including at least one elevation
3. Context drawings
4. Material/color samples
5. Model (optional)
6. Written Proposal: 6 copies of a written proposal in 8 1/2" x 11" format to include:
 - A description and summary of a final design proposal for the artwork for the proposed project
 - Detailed maintenance requirements
 - A schedule for development, fabrication, completion
 - Artists resume/background
 - Evidence of assumption of liability by applicant or designee

Additional requirements may be requested based on staff input or information sought by PAAC members.

Substantive Review Criteria

The criteria used for review of artwork submissions are as follows:

1. Relationship to other existing artwork in vicinity or future artwork proposed in an applicable Art Plan or Master Plan, including the recommendations in the SDOT Art Plan
2. Constructability of proposed artwork and SDOT criteria regarding ADA requirements, www.seattle.gov/transportation/rowmanual/manual/6_1.asp#617
3. Artist's credentials and recognition
4. Durability and craftsmanship in fabrication and production quality
5. Appropriateness of artwork location
6. Appropriateness of artwork scale to the proposed site
7. Appropriateness of artwork to other aspects of its surroundings
8. Maintenance/conservation plan
9. Any applicable neighborhood design guidelines, such as those at: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Applicant_s_Toolbox/Design_Guidelines/DPD_001604.asp [spaces are underlines in web address]
10. General guidance for objects in Street ROW, including public art: can be found at: www.seattle.gov/transportation/rowmanual/manual/4_25.asp