


[Sign In](#)
[Home](#) [Legislation](#) [Calendar](#) [City Council](#) [Departments](#) [People](#)

[Details](#) [Reports](#)

File #:	20-2968	Version: 1	Name:	Public Art Contribution Discussion
Type:	General Business		Status:	Agenda Ready
File created:	11/24/2020	In control:	City Commission Regular Meeting	
On agenda:	12/8/2020	Final action:	12/8/2020	
Title:	Discussion and Possible Action Regarding the City's Public Art Contribution Program			
Attachments:	1. Scenario-Based Public Art Contribution Calculations , 2. Level of Service and Total Contribution Methodology			

[History \(2\)](#) [Staff Summary](#)

TO: Honorable Mayor & Members of the North Port Commission

FROM: Jason Yarborough, ICMA-CM, Interim City Manager

TITLE: Discussion and Possible Action Regarding the City's Public Art Contribution Program

Recommended Action

Discussion and possible action regarding the City's Public Art Contribution Program.

Background Information

During the Commission Workshop on July 17, 2019, Commission provided direction to review the City's public art contribution requirement, due to escalating construction costs since the Unified Land Development Code computes the public art contribution fee as a factor of construction costs. The City of North Port public art requirements state that all new developments must "contribute an amount equal to one-half (1/2) of one percent (1%) of the first fifty million dollars (\$50,000,000.00) in construction cost for the project for a maximum contribution of two hundred fifty thousand dollars (\$250,000.00) to the City Public Art Account." Further, the minimum threshold for projects to be subject to these requirements is \$250,000.00. The maximum mandated contribution is \$250,000.00. It is important to note that while construction costs have increased for development Projects, this escalation would also apply to the purchase and installation of public art.

At the Commission Regular Meeting on January 14, 2020, staff provided a review of sixteen (16) public art Ordinances used by local governments in the State which mandate contributions towards public art for private development projects. Further, staff provided public art calculations using the different methodologies used across the State for a sample project. Commission discussed the following:

1. Methodologies for determining Public Art Fund contributions.
2. The original intent of the Public Art Fund.
3. The possibility of basing the requirements for Public Art Fund contributions on a Public Art Plan.
4. The Art Advisory Board's role in creating this plan.
5. Establishing focal points in each Activity Center for public art.
6. Changing the criteria and calculations for contributions to be 'fair and equitable.'

Commission voted unanimously to direct staff to provide scenarios using the various methodologies discussed at the meeting with potential pricing estimates put with it for a discussion in the future.

Pursuant to Commission direction, staff has completed the following analysis described below:

1. Attachment 1: Provides public art contribution calculations for 4 sample projects based on the following scenarios:
 - a. *Scenario 1:* This scenario looks at lowering the percentage of contribution required, while still basing it on construction costs. Calculations include, 1A: 0.33% and 1B: 0.25% of the first fifty million dollars (\$50,000,000.00) in construction costs for the project for a maximum contribution of two hundred fifty thousand dollars (\$250,000.00).
 - b. *Scenario 2:* This scenario looks at basing the contribution calculation on the building area of the new development or renovated area. This would allow for the contribution amounts to not fluctuate with changes in construction costs. Calculations include the rates prescribed by other local governments in Florida, 2A: \$0.50 per square foot as required in the City of Coconut Creek, 2B: \$0.40 per square foot as required in the City of Coral Springs, and 2C: \$1.00 per square foot as required in the City of Naples.
 - c. *Scenario 3:* This scenario looks at basing the contribution amount on a derived cost to establish and maintain a public art level of service for Activity Centers. The percentage of contribution is based on the size of the property being developed against the total area of the Activity Center, removing area allocated towards road and drainage rights-of-way.
2. Attachment 2: Discusses the methodology used in Scenario 3 including the research, assumptions and future projections. It explains the calculations used to arrive at the total cost to establish and maintain a public art level of service for Activity Centers. Further, it provides the potential earning for public art using this methodology based on vacant non-residential areas in each Activity Center.

Strategic Plan

Guide the development of neighborhoods toward a desired image consistent with the approved urban design aesthetic.

Financial Impact

Financial impact will be determined in the future based on Commission direction.

Procurement

Attachments:

1. Scenario-Based Public Art Contribution Calculations
2. Level of Service and Total Contribution Methodology

Prepared by: Rhea Lopes, Planner III

Department Director: Jason Yarborough, ICMA-CM, Interim City Manager

Attachment 1: Scenario-based public art contribution calculations

Project A	
Location:	Midway (Activity Center 5)
Total Site Area (acres):	1.073
Total Building Area (square feet):	6,855
Total Construction Costs:	\$ 1,355,079.00
Total Acreage of Activity Center (acres):	596.54
Current ULDC Requirements: 0.5% of total construction costs Public Art Contribution:	\$ 6,775.40
<u>Scenario 1A</u> Based on Lower Percentage: 0.33% of total construction costs Public Art Contribution:	\$ 4,471.76
<u>Scenario 1B</u> Based on Lower Percentage: 0.25% of total construction costs Public Art Contribution:	\$ 3,387.70
<u>Scenario 2A</u> Based on Building Area: \$0.5 per square foot of new development or renovated area (Ref.- Coconut Creek) Public Art Contribution:	\$ 3,427.50
<u>Scenario 2B</u> Based on Building Area: \$0.4 per square foot of new development or renovated area (Ref.- Coral Springs) Public Art Contribution:	\$ 2,742.00
<u>Scenario 2C</u> Based on Building Area: \$1 per square foot of new development or renovated area (Ref.- Naples) Public Art Contribution:	\$ 6,855.00
<u>Scenario 3</u> Based on Percentage of the Activity Center being developed and total cost for Public Art for that Activity Center Public Art Contribution Percentage Public Art Contribution:	0.18% \$ 5,365.00

Project B	
Location:	Heron creek (Activity Center 2)
Total Site Area (acres):	17.14
Total Building Area (square feet):	223,238
Total Construction Costs:	\$ 35,190,960.00
Total Acreage of Activity Center (acres):	570.98
Current ULDC Requirements: 0.5% of total construction costs Public Art Contribution:	\$ 175,954.80
<u>Scenario 1A</u> Based on Lower Percentage: 0.33% of total construction costs Public Art Contribution:	\$ 116,130.17
<u>Scenario 1B</u> Based on Lower Percentage: 0.25% of total construction costs Public Art Contribution:	\$ 87,977.40
<u>Scenario 2A</u> Based on Building Area: \$0.5 per square foot of new development or renovated area (Ref.- Coconut Creek) Public Art Contribution:	\$ 111,619.00
<u>Scenario 2B</u> Based on Building Area: \$0.4 per square foot of new development or renovated area (Ref.- Coral Springs) Public Art Contribution:	\$ 89,295.20
<u>Scenario 2C</u> Based on Building Area: \$1 per square foot of new development or renovated area (Ref.- Naples) Public Art Contribution:	\$ 223,238.00
<u>Scenario 3</u> Based on Percentage of the Activity Center being developed and total cost for Public Art for that Activity Center Public Art Contribution Percentage Public Art Contribution:	3.00% \$ 85,700.00

Project C	
Location:	Panacea (Activity Center 4)
Total Site Area (acres):	1.01
Total Building Area (square feet):	10,175
Total Construction Costs:	\$ 1,500,000.00
Total Acreage of Activity Center (acres):	1552.66
Current ULDC Requirements: 0.5% of total construction costs Public Art Contribution:	\$ 7,500.00
<u>Scenario 1A</u> Based on Lower Percentage: 0.33% of total construction costs Public Art Contribution:	\$ 4,950.00
<u>Scenario 1B</u> Based on Lower Percentage: 0.25% of total construction costs Public Art Contribution:	\$ 3,750.00
<u>Scenario 2A</u> Based on Building Area: \$0.5 per square foot of new development or renovated area (Ref.- Coconut Creek) Public Art Contribution:	\$ 5,087.50
<u>Scenario 2B</u> Based on Building Area: \$0.4 per square foot of new development or renovated area (Ref.- Coral Springs) Public Art Contribution:	\$ 4,070.00
<u>Scenario 2C</u> Based on Building Area: \$1 per square foot of new development or renovated area (Ref.- Naples) Public Art Contribution:	\$ 10,175.00
<u>Scenario 3</u> Based on Percentage of the Activity Center being developed and total cost for Public Art for that Activity Center Public Art Contribution Percentage Public Art Contribution:	0.07% \$ 5,050.00

Project D	
Location:	Panacea (Activity Center 4)
Total Site Area (acres):	2.08
Total Building Area (square feet):	9,973
Total Construction Costs:	\$ 1,397,623.04
Total Acreage of Activity Center (acres):	1552.66
Current ULDC Requirements: 0.5% of total construction costs Public Art Contribution:	\$ 6,988.12
<u>Scenario 1A</u> Based on Lower Percentage: 0.33% of total construction costs Public Art Contribution:	\$ 4,612.16
<u>Scenario 1B</u> Based on Lower Percentage: 0.25% of total construction costs Public Art Contribution:	\$ 3,494.06
<u>Scenario 2A</u> Based on Building Area: \$0.5 per square foot of new development or renovated area (Ref.- Coconut Creek) Public Art Contribution:	\$ 4,986.50
<u>Scenario 2B</u> Based on Building Area: \$0.4 per square foot of new development or renovated area (Ref.- Coral Springs) Public Art Contribution:	\$ 3,989.20
<u>Scenario 2C</u> Based on Building Area: \$1 per square foot of new development or renovated area (Ref.- Naples) Public Art Contribution:	\$ 9,973.00
<u>Scenario 3</u> Based on Percentage of the Activity Center being developed and total cost for Public Art for that Activity Center Public Art Contribution Percentage Public Art Contribution:	0.13% \$ 10,400.00

Attachment 2: Level of Service and Total Contribution Methodology

Part I: Explanation of Methodology

Determining Key Factors Regarding Desired Public Art Level of Service

Question 1: What is the desired public art level of service in the Activity Centers?

Two past projects, which have a desired level of service of public art provided (or to be provided) by the developer on site were analyzed to determine a planned number of public art pieces for activity centers.

<u>Analysis of Public Art on Cocoplum Village Shops</u>	
Number of Pieces of Art Provided	9
Total Area of Project (acres)	39.97
<i>Roughly 1 piece of Public Art provided every 4.44 acres of Activity Center Area</i>	
<u>Analysis of Experience Living at North Port</u>	
Number of Pieces of Art Provided	4
Total Area of Project (acres)	17.14
<i>Roughly 1 piece of Public Art provided every 4.2 acres of Activity Center Area</i>	

Based on this analysis, the scenario plans to provide for **1 piece of public art for every 5 acres** of Activity Centers land use.

Question 2: What is the average cost for a piece of public art?

Public Art widely varies in costs based on several factors. Art pieces may cost as low as \$1,000, however larger public art projects may cost as high as \$400,000 (Coral Springs Public Art Master Plan 2019-2024). In order to provide for a fair value that will allow for ambitious projects in the future, while not increasing the public art contribution requirements, this Scenario assumes that the average cost of each piece would be **\$25,000**.

Total Costs Required to Achieve the Desired Level of Service

Table 1 below computes the total cost required to achieve the desired public art level of service for each Activity Center based on the total acreage of the Activity Center, providing for 1 piece of public art for every 5 acres at the average rate of \$25,000 per piece.

Table 1: Total amount towards public art for each activity center

Activity Center	Total Area in Acres*	Total Cost to Achieve Desired Public Art Level of Service in Activity Centers
Mediterranea (Activity Center 1)	676.84	\$ 3,384,200.00
Heron Creek (Activity Center 2)	570.98	\$ 2,854,900.00
Gateway (Activity Center 3)	179.7	\$ 898,500.00
Panacea (Activity Center 4)	1552.66	\$ 7,763,300.00
Midway (Activity Center 5)	596.54	\$ 2,982,700.00
The Shire (Activity Center 6)	997.85	\$ 4,989,250.00
The Springs (Activity Center 7)	81.53	\$ 407,650.00
The Gardens (Activity Center 8)	211.56	\$ 1,057,800.00
Central Parc (Activity Center 9)	206.94	\$ 1,034,700.00

**Total area provided excludes Road Rights-of-way and Drainage Rights-of-way.*

Calculation of Contribution for Individual Developments in the Activity Centers

The public art contribution for a development can be calculated as:

Contribution = (area of project / area of Activity Center) x total cost to achieve desired public art level of service for the Activity Center

Part II: Future Projections

Some of the properties in the activity centers have been developed and contributed to the public art fund based on the requirements of the code in effect at the time of approval. Table 2 provides the projected future contribution for public art through the revised program proposed in Scenario 3. It looks at currently vacant non-residential area in the Activity Centers and the contribution they would potentially have towards public art, either installed on site by the developer or paid to the City's public art fund.

Table 2: Potential Earning for Public Art through Revised Program proposed in Scenario 3

Activity Center	Non-residential Vacant Area in Acres**	Expected Future Revenue towards Public Art
Mediterranea (Activity Center 1)	168.2	\$ 504,600.00
Heron Creek (Activity Center 2)	101.16	\$ 303,480.00
Gateway (Activity Center 3)	127.77	\$ 383,310.00
Panacea (Activity Center 4)	59.93	\$ 179,790.00
Midway (Activity Center 5)	270.83	\$ 812,490.00
The Shire (Activity Center 6)	172.05	\$ 516,150.00
The Springs (Activity Center 7)	81.52	\$ 244,560.00
The Gardens (Activity Center 8)	211.56	\$ 634,680.00
Central Parc (Activity Center 9)	31.6	\$ 94,800.00

***Many of the areas included are zoned PCD and may be developed as residential, which could lower the expected future revenues towards public art.*