



Quincy Center District

City of
Quincy, Massachusetts

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November 2005
(as amended May, 2009)

design guidelines



Acknowledgements

The City of Quincy and the Urban Redevelopment Agency would like to thank the hundreds of members of the community who have devoted their time and effort to working with us in developing these *Design Guidelines*. Many of your ideas have been incorporated into these guidelines and will enhance the City for generations to come.

Quincy Planning Department
Dennis E. Harrington, Planning Director

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Create a Public Art and Place-Making Program for Quincy Center

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Public Art & Place-Making Program

overview:

Create a Public Art and Place-Making Program for new development and redevelopment in the Quincy Urban Redevelopment or the Quincy Center Zoning Districts on plots greater than one-quarter acre. This guideline outlines general provisions for the Public Art and Place-Making Program's organization and operation; creates a Public Art Commission; provides for a Public Art Fee for the construction and installation of art; provides for the resolution of conflicts; provides for severability, inclusion in the Quincy Center Zoning District Guidelines and for an effective date.

It is the intent and purpose of this amendment to further the commitment of the City of Quincy to the aesthetic enrichment of the community through the creation of works of art and public places for the enjoyment and appreciation of the citizens and visitors to the City of Quincy. The requirements of this chapter shall be construed to promote the aesthetic values of the entire community and to encourage the preservation and protection of works of art.

public art & place-making program:

Definitions

(A) Definitions. For the purposes of this section, the following words and phrases shall have the following meanings:

- (1) Artist or Professional Artist means a practitioner in the visual arts, and shall include visual artists, landscape artists and architects, as well as environmental graphic artists, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sole commission of artwork or place-making, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, creation of public places in other communities, receipt of honors and awards, and training in the arts and place-making.
- (2) Art, Artwork, Works of Art or Place-Making means tangible creations by artists, landscape artists and architects and environmental graphic artists exhibiting the highest quality of skill and aesthetic principles and includes all forms of the visual and place-making arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass, mosaics, mobiles, tapestries, murals, photographs, video projections, digital images, bas-relief, high relief, fountains, kinetics, collages, drawings, monuments erected to commemorate a person or an event, functional furnishings,

such as seating and pavers, architectural elements designed by an artist, landforms or landscape elements. The following shall not be considered artwork or works of art for purposes of this chapter:

- (a) Reproductions or unlimited copies of original artwork.
- (b) Art objects which are mass produced.
- (c) Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when used as an integral aspect of a structure or site.
- (3) Building means a combination of any materials, whether portable or fixed, having a roof, forming a structure for the shelter of persons, animals or property. For the purposes of this definition, "roof", shall include awning or similar cover whether or not permanent in nature.
- (4) Development means any construction, or redevelopment of any private or public building within the Quincy Center Urban Redevelopment or the Quincy Center Zoning Districts.
- (5) Public Art Commission means the entity appointed by the Mayor to advise on the Public Art and Place-Making Program and administer the Public Art Fund.

(6) Public Art Fund means a separate, interest bearing account set up by the City to receive monies for the Public Art and Place-Making Program.

(7) Remodeling or converting means changes to the façade of a building, changes to the interior of a building, increases or decreases in the floor area of a building and changes to exterior improvements.

Public Art Commission

(A) There is hereby established a Commission to be known as the Public Art Commission.

(B) The Public Art Commission shall consist of five (5) members plus an additional two (2) alternates and one (1) non-voting high school student, all of whom shall be appointed by the Mayor:

(C) The Public Art Commission Members shall be nominated as follows:

- (1) one nomination by the president of the City Council
- (2) two appointments by the Mayor
- (1) one nomination by the Planning Board
- (1) one nomination by the Director of the Urban Redevelopment District Agency
- (1) one alternate nominated by the Planning Director
- (1) one alternate appointed by the Mayor
- (1) one non-voting student appointment by the Mayor

The alternate members may substitute and vote with full authority for any member of the Commission

who is unable to be present at a scheduled Commission meeting. Membership of the Public Art and Place-Making Commission shall include:

- (1) two (2) individuals chosen from the following disciplines: landscape architecture, graphics artists, urban planning, engineering, or a related design discipline;
 - (2) one (1) professional artist; and
 - (3) one (1) private citizen, knowledgeable in the field of public art and place-making, education, or community affairs.
 - (4) one (1) private citizen from the development community.
 - (5) one (1) high school student who shall be a non-voting member.
- (C) All members shall reside, own property, or work in the City. However, three (3) of the five (5) voting members must be residents or property owners in the City of Quincy. Appointments for voting members shall be made for three (3) years. The non-voting student member shall be appointed for a one (1) year term. A member may be reappointed upon approval of the Mayor.

Powers and Duty of Commission

(A) The Public Art and Place-Making Commission shall have the following powers and duties:

- (1) Adoption of Public Art and Place-Making Program Guidelines and amendments thereto;
- (2) Adoption of a Public Art and Place-Making Master Plan identifying locations for Public Art and Place-Making works and establishing a priority order;
- (3) For off-site works of art and place-making, the Commission shall manage the Public Art Fund,

and exercise the authority to approve, approve with conditions or disapprove proposed installation of artwork based on Public Art and Place-Making Program Guidelines; and

- (4) For on-site works of art and place-making, the Commission shall approve the selection of public art and place-making,
- (5) Authorize expenditures of \$20,000.00 or less in furtherance of the Public Art and Place-Making Program;

Public Art Commission

- (6) Recommend to the Mayor other expenditures over \$20,000.00 from the Public Art Fund.;
- (7) Follow the approved Public Art and Place-Making Program Guidelines.
- (B) The Public Art Commission may, with the approval of the Mayor, engage a Public Art Executive Director for a contract term not to exceed three (3) years, to manage the activities and responsibilities of the Commission. Compensation for the position shall be paid from the Public Art Fund or from available DIF Funds.

Commission Procedures

- (A) Chairman. The members shall elect a chairman from among its voting members.
- (B) Quorum. The presence of three (3) or more members shall constitute a quorum.
- (C) Expenses. Members shall serve without compensation, but may be reimbursed for such pre-approved travel, mileage and per diem expenses as may be authorized by the Mayor or the Public Art Executive Director.
- (D) Meetings. If any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chairman, the Commission shall declare the member's office vacant, and the Mayor shall promptly fill that vacancy.
- (E) Conflict of Interest. If any member of the Public Art Commission shall find that his private or personal interests are involved in the matter coming before the Commission, he shall disqualify himself from all participation in that matter. No member of the Public Art Commission shall have his or her work of art considered or approved by the Public Art Commission during their term of service on the Commission or for one (1) year thereafter.

On-site and Off-site Contributions

- V. On-site and Off-site Contributions
 - (A) All development, redevelopment, remodeling or converting greater than 20,000 square feet in gross floor area which are in non-residential districts, or in mixed use or multi-family districts on plots greater than one-quarter acre within the Quincy Urban Redevelopment or the Quincy Center Zoning Districts, shall participate in the Public Art and Place-Making Program. When construction is phased, the aggregate gross square footage of the entire project or development shall be added together to determine whether the 20,000 square foot threshold is reached.
 - (B) Owners have three choices for participating in the Public Art and Place-Making Program as follows:
 - (1) Off-site option: The owner of a development or re-development may pay 1% of the development hard costs as an art fee to the City's Public Art Fund prior to the issuance of a building permit; or
 - (2) On-site option: The owner of a development or re-development may provide artwork on the development site equal to 1% of the development hard costs for the project; or

On-site and Off-site Contributions (continued)

- (3) The owner of the development and the Public Art Commission may agree to allocate part of the funding to pay for "on-site" art and place the remainder of the contribution into the "off-site" Public Art Fund.

Procedures for Approval and Installation of Art

Both on and Off site:

- 1) Prior to placement on the development site, the artwork must be approved by the Public Art Commission and conform to adopted Public Art and Place-Making Guidelines. The Program Guidelines include a requirement that the artwork be accessible and readily visible to the public based on location of art work and normal traffic of vehicles/pedestrians in the proposed location.
- (2) A minimum of seventy five percent (75%) of the total value of the art requirement shall be placed in areas that are clearly visible from the public sidewalk or public space.
- (3) Prior to the issuance of the Certificate of Occupancy, any discrepancy between estimated gross floor area and actual gross floor area must be reconciled by the Building Inspector. The reconciliation may include an additional art fee contribution or a refund.

The owner shall provide documentation to the City that the agreed art fee has been deposited into

the Public Art Fund account for said purpose prior to the issuance of a building permit.

On-site:

- (1) The owner shall be given up to six (6) months after issuance of the Certificate of Occupancy to obtain approval of the proposed artwork from the Public Art Commission, unless the Commission grants an extension for good cause as determined in their sole discretion. If no such approval is obtained within the time period, the City shall require transfer of aforementioned funds to the Public Art Fund.
- (2) The owner shall be given up to six (6) months after approval of the artwork or place-making concept by the Public Art Commission in accordance with the Public Art and Place-Making Program Guidelines to install artwork, unless the Commission grants an extension for good cause as determined in their sole discretion. If no installation occurs within the time period, said Funds shall be transferred to the Public Art Fund.

Art and Artist Selection Criteria

- (A) The following criteria, at minimum, shall be considered by the Public Art Commission in the selection of artwork:
- (1) Appropriateness of the artwork and place-making to the site and site environmental conditions;
 - (2) Maximum visual accessibility to pedestrian or vehicular traffic, as set forth in the Public Art and Place-Making Program Guidelines;
 - (3) Quality of the artwork;
 - (4) Maintenance requirements;
 - (5) Whether the artwork or place-making too closely resemble a business logo or sign and should, therefore, be rejected; and
 - (6) Any other criteria set forth in the Public Art and Place-Making Program Guidelines, as amended from time to time.
- (B) The following criteria, at minimum, shall be considered by the Public Art Commission in the selection of an artist:
- (1) Ability of the artist or place-maker to complete the project within a specified schedule and budget;
 - (2) Exhibition and sales history of the artist or place-maker, as well as works of art in public collections, place-making designs implemented and previous Public Art and Place-Making purchases or commissions; and
 - (3) Any other criteria set forth in the Public Art and Place-Making Program Guidelines, as amended from time to time.

Public Art Fund

- (A) There is hereby created a Public Art Fund administered by the Public Art Commission which shall consist of all contributions received from art Fees for projects as defined under Part V of this section. The Public Art Fund shall also include cash grants and donations to the City for Public Art and Place-Making projects from governmental or private resources, and all other funds allocated by the City through the budgetary process for the provision of Public Art and Place-Making.
- (B) The Public Art Fund shall be used solely for expenses associated with the selection, commissioning, installation, acquisition, transportation, maintenance, public education, promotion, administration, removal and insurance of the works of art and place-making or in relation thereto.

Ownership of Artwork

Unless otherwise expressly agreed to in writing by the City, ownership of all art acquired through expending funds in the Public Art Fund shall be vested in the City, which shall obtain title to each work of art.

Public Art and Place-Making Program Guidelines

The Public Art Commission shall prepare, and from time to time revise, Public Art and Place-Making Program Guidelines, as part of the Quincy Center District Guidelines, and make the same available to the public, which shall provide guidance for program organization; organiza-

tional governance and staffing responsibilities; procedures for project planning; artist selection; art selection criteria; art placement criteria; donations; loans and memorials; collection management; and, administration of the Public Art Fund.

Public Art and Place-Making Master Plan

The Public Art Commission shall prepare, and, from time to time, revise a Public Art and Place-Making Master Plan that identifies locations for Public Art and Place-Making works and establishes a priority order.

Severability

If any part, sentence, clause, or phrase of this amendment is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this amendment.

Inclusion in Guidelines for the Quincy Urban Redevelopment District

It is the intention of the Planning Board of the City of Quincy, Massachusetts, that the provisions of this amendment shall become and be made a part of the City of Quincy's Quincy Center District Guidelines for the Quincy Center Zoning District and the Quincy Urban Redevelopment District, and that parts of this amendment may be renumbered or re-lettered and changed to other appropriate words or phrases in order to accomplish such intentions.

Effective Date:

This guideline shall become effective upon adoption by the Quincy Planning Board.