

REPORT TO THE CITY COUNCIL



DATE: December 6, 2016

TITLE: Ordinance Amending Chapter 17.60 “Art in Public Places Program” of Title 17 “Zoning” of the Desert Hot Springs Municipal Code

Prepared by: Joseph M. Tanner, Administrative Services Director

Reviewed by: Jennifer Mizrahi, City Attorney

RECOMMENDATION

- 1) Open the Public Hearing;
- 2) Take Public Testimony;
- 3) Close the Public Hearing; and
- 4) Introduce for First Reading, “An Ordinance of the City Council of the City of Desert Hot Springs, California, Amending Chapter 17.60 ‘Art in Public Places Program’ of Title 17 ‘Zoning’ of the Desert Hot Springs Municipal Code” (“DHSMC”) to render it expressly applicable to industrial development projects in order to maximize the potential for new artwork to be created and installed throughout the City, thereby improving the City’s overall aesthetic; waive the reading of the Ordinance in its entirety and City Clerk read by title only.

BACKGROUND

DHSMC Chapter 17.60 establishes and regulates the City’s “Art in Public Places Program” (“Program”). The Program expressly conditions the City’s issuance of certificates of occupancy for most residential and commercial development projects upon the project developer’s compliance with the Program, which can be achieved by either contributing public art to the City or making monetary contributions in lieu thereof.

DHSMC section 17.60.030 currently provides that the Program is expressly applicable to residential and commercial projects, but is silent regarding industrial projects. The City is currently experiencing an increase in the amount of industrial development taking place within its boundaries, and as a result there is a significant potential to increase the amount of public art contributed to the City by making the Program expressly applicable to industrial projects. The additional contributions of public art made through the Program would help to beautify and improve the overall aesthetic value of the City at no cost to the taxpayers.

DISCUSSION

On October 11, 2016, the City Planning Commission heard and considered the attached Ordinance, and voted to recommend its adoption to the City Council.

The proposed ordinance would amend DHSMC section 17.60.030 to expressly render the Project applicable to “industrial development projects located in any industrial zone excluding expansion, remodeling or tenant improvement of any existing industrial building or structure, valued at less than \$100,000.”

The proposed ordinance would also amend DHSMC section 17.60.050 to provide that the value of the required public art contribution for industrial development projects shall equal 1% of the project’s building valuation, exclusive of land. In the event a monetary contribution in lieu of public art is made, that the amount of the monetary contribution shall equal 1% of the project’s building valuation, exclusive of land.

Lastly, the proposed ordinance would make a few other minor, non-substantive amendments to DHSMC Chapter 17.60 in accordance with the foregoing.

FISCAL IMPACT

None.

EXHIBIT

- 1) Ordinance Amending Chapter 17.60 (Art in Public Places Program)