



Los Angeles County

Public Art in Private Development Program

Guide for Developers (Revised July 1, 2023)

Background:

On September 15, 2021, the Board of Supervisors adopted the Public Art in Private Development Ordinance, which amends Title 22 to establish criteria and procedures for eligible development projects to fund one percent of the total building valuation towards public art referred to as the Public Art in Private Development (PAPD) Program.

The PAPD Program will expand arts and cultural resources for County residents through public art, cultural facilities, conservation, and artistic and cultural services and programs.

Eligible Project Determination:

Residential,¹ mixed-use, commercial, and industrial² development projects and any repair, addition, or alteration of such projects in the unincorporated areas of Los Angeles County with a building valuation of \$843,470³ or greater. Some exemptions include performing arts or museum spaces and certain renovations (such as those intended for seismic safety and compliance with the Americans with Disabilities Act).

Compliance Options:

To comply with this PAPD Program, a developer may choose to:

1. Develop Public Art

- i. Permanent artwork. The commissioning, fabrication, and installation of a new permanent artwork on and/or within 250 feet of a development project site.
- ii. Cultural facilities. The construction, repair, and/or funding of improvements to cultural facilities that are on, or within, a five-mile radius of the development site.
- iii. Conservation. The restoration, conservation, or preservation of existing publicly accessible public art that is on, or within, a five-mile radius of the development site.
- iv. Artistic and cultural programs and services. The delivery of publicly accessible artistic and cultural activities provided by an artist and/or cultural organization on or within a five-mile radius of the development site.

Or

2. Pay In-Lieu to the PAPD Fund

The PAPD Fund is administered by Arts and Culture to support arts and cultural programming throughout Los Angeles County.

Or

3. A combination of Public Art Development and In-Lieu payment.

¹ "Residential Development" means a development project resulting in the creation of 30 or more dwelling units. Affordable housing and senior citizen housing are exempt.

² "Commercial and Industrial Development" means any nonresidential land use.

³ The eligibility threshold was changed from \$750,000 to \$843,470 on July 1, 2023, as directed in Section 3.22.14.16 of the Ordinance requiring an annual adjustment based on the changes to the Consumer Price Index.

Getting Started:

Developers with projects subject to the Public Art in Private Development Ordinance should contact the PAPD Program at PAPD@arts.lacounty.gov. The PAPD Program provides developers with eligible projects assistance in understanding the process, understanding options for compliance, and oversight of in-lieu payments and project approvals.

Process Overview:

After a developer has selected one of the compliance options, PAPD Program staff will provide guidance through the next steps.

In-Lieu Payment Option Steps

1. **Submit Payment.** The PAPD Program will provide instructions for payment to the Los Angeles County Department of Arts and Culture.
2. **Obtain Certificate of Agreement.** Upon payment of the requirement In-Lieu, the PAPD Program will issue a Certificate of Agreement to the developer. This Certificate of Agreement will be presented to the Department of Public Works in order to obtain the building permit.

Public Art Option Steps

1. **Develop an Art Plan.** The PAPD Program will work with the developer to develop an Art Plan that will serve as the guiding document for completing a project in one of the four categories (permanent artwork; cultural facilities; conservation; or artistic and cultural programs and services). This plan includes establishing the nature and scope of the documents required at each stage of the project. The PAPD Program will review and approve the developer's Art Plan.
2. **Provide Deposit of Security.** In tandem with a preliminary Art Plan and prior to issuance of a building permit, developers must provide either a Certificate of Deposit or a Letter of Credit payable to Los Angeles County in an amount equivalent to one percent of the building valuation. The format for the Deposit of Security will be provided by the PAPD Program. The Deposit of Security will be released back to the developer upon completion of deliverables.
3. **Obtain Certificate of Agreement.** Upon completion of a preliminary Art Plan and receipt of the Deposit of Security, the PAPD Program will issue a Certificate of Agreement. This Certificate of Agreement must be presented to the Department of Public Works to obtain the building permit.
4. **Complete Art Plan.** After acceptance of a preliminary Art Plan, the developer must submit all additional materials identified by the PAPD Program within 90 days of the developer obtaining the building permit. The Program Manager's approval of these materials will establish a final Art Plan.
5. **Project Completion.** Upon completion of the Public Art project, the developer will submit final documents for approval by the PAPD Program Manager. Once approved, the Deposit of Security will be returned to the developer.

Detailed information on the Public Art in Private Development Program, the Ordinance, Policies and Procedures, and other resources are obtainable through the Department of Arts and Culture [website](#).

Questions? Contact the Public Art in Private Development Program at PAPD@arts.lacounty.gov.