

City of Lincolnton Public Art Program

Administrative Policy, Procedures, & Standards

The City of Lincolnton Public Art Program is committed to public art and considers Public Art integral to the fabric of the community by recognizing its potential to:

- create livable cities
- enhance neighborhood identity
- strengthen economic development and tourism
- educate children and adults
- enrich the spirit and pride of its citizens

A. Definition.

"Public art" shall be defined as any work of art created by artists or craftsmen and installed on a permanent basis in spaces that are visible from public streets and pedestrian walkways. Public Art means any original visual artwork including, but not limited to, sculptures, building murals, crosswalk or street murals, benches, pottery, bike racks, banners, photographic renderings, mosaics, and electronic art installations. The artwork must be completely free of any admission fees and be administered through a public process that provides opportunities for the community to participate and share their input.

Public art does not include any architectural or landscape design except when developed by an artist.

B. Public Art placement.

- Public Art shall be allowed in the downtown Central Business Program Area of the City.

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Procedures for permits and approvals

- A.** All Public Art shall require a permit and meet the terms of the Public Art Permit Application.
- B.** Application requirements. Applicants are encouraged to discuss projects with city staff before submitting an application. Each permit application shall contain, but not be limited to, the following information.
- C. Submittal Requirements:**
 - 1. Description of project including the type of artwork, location, how it contributes value to the Lincoln Public Art Program, and estimated installation date.
 - 2. Site plan indicating the proposed location of the artwork with lot and building dimensions.
 - 3. Photographs of the location, including building elevations and/or streetscape.
 - 4. A scale drawing depicting the location and showing the proposed size and placement of the artwork.
 - 5. A color drawing, rendering, or photograph of the proposed artwork.
 - 6. A description of the proposed maintenance schedule that includes the time frame for the life of the artwork and method for removal, if applicable.
 - 7. All applications shall be accompanied by written approval of the property or building owner including:
 - i. Permission to install artwork on property or building.
 - ii. Owner acknowledgment that the artwork will be removed or covered for failure to maintain or for reaching a state of dilapidation.
 - iii. Owner acknowledgment that if the property/building is sold a stipulation will be included in the contract for sale that the artwork must remain intact until such time that maintenance is required and/or the new owner wishes to replace the artwork.
- D. The Review Process:**
 - 1. Application — An application shall be submitted along with the submittal requirements as outlined above for review and analysis.
 - a. Additional submittals — An applicant shall also submit further support documentation if requested by city staff, it shall be the applicant's responsibility to provide such additional documentation.
 - 2. Administrative review —
 - a. The Planning Director or his or her representative shall review the application and support documentation for conformance with permit requirements.
 - b. If a Public Art permit application meets requirements, it will be sent to the Lincoln Steering Committee for review and recommendation of approval or denial.
 - c. The Lincoln Steering Committee shall present public art requests to the City Council at its regularly scheduled monthly meeting along with the Steering Committee recommendation for final approval or denial by City Council.
 - d. Permit approval or denial recommendations made by the Lincoln Steering Committee may be appealed in writing to the City Manager and the appeal will be scheduled as an agenda item at the next Lincoln Steering Committee meeting.
 - e. The appeal shall include sufficient documentation to explain the reasons as to why the appeal is being taken and why the Lincoln Steering Committee decision should be overturned.

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Standards

A. Design standards.

1. The proposed artwork shall contribute to the cultural heritage of the city and support overall City of Lincolnton tourism, beautification, and/or economic growth goals.
2. Explanatory wording relative to the piece may be incorporated into the artwork.
3. The proposed artwork will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic.
4. The location and scale of the artwork shall be in keeping with and enhance the location, building or structure where it is located.
5. The proposed artwork shall be well integrated with the building's facade and other elements of the property and enhance the architecture or aesthetics of a building or wall.
6. The proposed artwork, by its design, construction, and location, will not have a substantial adverse effect on abutting property or the permitted use thereof.
7. The proposed artwork is not detrimental to the public health, safety, or welfare.
8. The artwork will not have a detrimental effect on the structural integrity of the location, building or wall where it is installed.
9. The maintenance schedule is reasonable for the mural and the building on which it is applied/affixed.
10. Prohibited artwork:
 - a. Artworks or other representations which imitate or appear to imitate any official traffic sign or device, interferes with the proper operation of any traffic sign or signal, or which obstructs or physically interferes with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
 - b. Artwork which contains material that when taken as a whole (i) applying contemporary community standards, its predominant appeal is to prurient interest in sex; and (ii) the average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and (iii) a reasonable person would find the material lacks serious literary, artistic, political or scientific value.
 - c. Artworks that are directed to incite or produce imminent lawless action and are likely to incite or produce such action.
 - d. Artworks that convey threats of violence that are directed at a person or group of persons that have the intent of placing the target at risk of bodily harm.
 - e. Artworks where the intended audience is commercial or actual or potential consumers, and where the content of the message is commercial in character. (Sign ordinance applies)

B. Maintenance.

1. The display location shall be kept clean and neat.
2. The artwork shall be kept in good condition for the life of the piece according to the maintenance schedule and responsibilities approved by the City Manager and incorporated into the Public Art Permit.
3. Any artwork that is not maintained according to the permitted maintenance schedule or falls into a state of disrepair may be ordered removed by the City Manager, or his/her designee.
4. Artworks subject to removal shall be provided a time limit of thirty (30) days from the date of the written notice for such removal or covering. Additional time may be authorized by the City Manager for good cause.

Lincolnton Central Business Program Area

