



Publicly Accessible Art in Private Development
Guidelines

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Purpose

The purpose of these guidelines is to clearly outline the roles, responsibilities, and expectations for all parties involved in the administration of the Publicly Accessible Art in Private Development (AIPD) program so that developers have a seamless experience in fulfilling program requirements. The guidelines in this document should be used in conjunction with the processes in the AIPD Implementation Manual.

About the Publicly Accessible Art in Private Development Program

Public art increases property values by creating desirable places to live and work, tells the story of a place and those who live there, and reflects community aspirations. To this end, the (AIPD) Ordinance requires developers of qualifying projects to incorporate publicly accessible art into projects, make a contribution to the City of Rockville's Art in Public Places Program, create an arts space or provide arts-based infrastructure, or select a combination of these options. The monetary value of the required contribution is determined by an annually adjusted fee schedule in the AIPD Implementation Manual. Funding for the AIPD program comes solely from developer contributions required by the Ordinance.

Roles and Responsibilities

There are multiple parties in Rockville's government that participate in the administration of the AIPD program: The Mayor and Council of the City of Rockville, the City Manager, Arts and Culture Program staff, Developer, and the Artist(s). Their roles and responsibilities as they relate to the program are outlined below.

1. The Mayor and Council of the City of Rockville:
 - Approve site and project plans for development projects as recommended by City Staff and the Planning Commission
 - Approve master plans that outline expectations for community development in the City
2. The City Manager:
 - Appoints city staff to administer the AIPD program
 - Reviews and approves AIPD program guidelines and administrative processes
3. The Arts and Culture Program Staff:
 - Administers the AIPD program as appointed by the City Manager
 - Meets with developers throughout the application and permitting process to support them in meeting the selected ordinance options requirements
 - Approves options selected by the developer, such as artists, artistic concepts, and designs, and ensures ordinance requirements are met.
 - Works with city colleagues on the Development Review Committee to support developer projects in the City of Rockville

4. Developer (and consultant if one is hired by the Developer):
 - Attends meetings with the Arts and Culture Program staff at specific milestones in the application and permitting process, and as needed to successfully meet AIPD requirements
 - Manages the artist selection process
 - Presents the concept of the artwork and how it will be integrated into the project to Arts and Culture Program staff
 - Contracts the artist in accordance with the Visual Rights Act of 1990
 - Supports the artist during design, fabrication, and installation of the artwork so that it is installed on schedule
 - Ensures artwork will comply with relevant city codes and regulations
5. Artist(s):
 - Completes and presents or installs the work of art as approved
 - Supplies documentation of the work on-site, including digital photographs with attributions, artist, title, medium, dimensions, year of completion, brief description of the work of art, ownership and funders, address of building with which the work of art is associated, contact person for future questions, and a maintenance guide detailing materials used and care needed for routine maintenance of the artwork
 - Guarantees and/or secures manufacturers' warranties for the work of art against all defects of material or workmanship for a period of two years following installation
 - Is given the opportunity to conduct necessary repairs and preservation as appropriate
 - Shares expertise with Rockville and regional community in creative ways

Guidelines for Publicly Accessible Art Options

The AIPD Ordinance allows developers with qualifying projects to select from one or more options to fulfill the ordinance's requirements. When selecting an option to fulfill the requirements of the AIPD Ordinance, it is important to consider factors specific to each of the options. These factors inform the process and requirements to comply with the AIPD Ordinance and are provided below.

According to the AIPD Ordinance:

The following criteria should be considered by the applicant when designing and selecting publicly accessible art: (1) The art should be located where the public has ready access, such as lobbies, plazas, green areas, etc. (2) Visual art should be designed for safety, durability of design and materials, and suitability for the intended location. (3) Visual art should be easy to maintain in its original and intended state.

It is the expectation of the AIPD program that publicly accessible art will be available to the public at all times.

Installing or Presenting Art on Site

Installing Art on Site

A developer may choose to commission and install a piece of publicly accessible visual art on site (also known as public art). Developers will need to incorporate the artwork early in the stages of the site or project plans to ensure the artwork is intentionally included in the overall project. Early inclusion of the art prevents conflicts with construction, ensures timely installation of the work, and helps reduce or eliminate unforeseen costs.

Qualifying public artworks are those in which a qualified artist or group of artists leads the concept and design, and sometimes the fabrication and installation, of the artwork. Fixtures such as signage, light installations, grates, and benches; outdoor design elements including recreational elements and plazas; and artistic design of transportation-related features such as recreational trails or pedestrian pathways may be considered as installation of art so long as the artist leads the design and creation process for the works. This work is meant to be permanent in nature (lasting at least 30 years with regular maintenance).

Forms and artistic mediums of art that are acceptable are sculptures (mobiles, fountains, environmental, etc.) of any material or combination of materials, paintings such as murals or frescoes, printing and drawing (photography, film, graphic arts, calligraphy, drawing, etc.), and technological media (film, digital, video, audio, or graphic media). Materials used to create the artwork may include ceramic, fiber and textiles, wood, metal, plastics, glass, stone, mosaics, and other materials selected by the artist that meet code requirements. Commissioning original, site-specific public artwork is encouraged rather than purchasing a prefabricated work. A developer may choose to work with a consultant who would lead the commissioning of the public artwork. Both the developer and artist must comply with the process for Installing Art on Site as outlined in the AIPD Implementation Manual.

When commissioning an original artwork to be installed on site, the artist's contract should be drafted in accordance with The Visual Arts Act of 1990 and include permissions for the artwork to be photographed and used in print and media by The Mayor and Council of the City of Rockville for educational and promotional purposes. A copy of the contract and documentation of the work on-site provided by the artist (including digital photographs with attributions, artist, title, medium, dimensions, year of completion, brief description of the work of art, ownership and funders, address of building with which the work of art is associated, contact person for future questions, and a maintenance guide detailing materials used and care needed for routine maintenance of the artwork) should be given to Arts and Culture Program staff at the time the artwork is installed and passes inspection.

Presenting art on site

The developer may choose to present visual, literary, or performing arts on site that would be publicly accessible. Presentations of art that highlight the talents of artists and culture bearers in Rockville are encouraged and should be prioritized. A developer may choose to work with a qualified curator or producer to plan the presentation.

Contribution to the Art in Public Places Program

A developer may choose to contribute the required monetary contribution in full or in part to the City of Rockville's Art in Public Places (AIPP) Program. The contribution will be designated for a future public artwork that will be installed in the planning area of the project. Benefits of selecting this option are:

- The developer is relieved of the responsibilities for commissioning a work of public art for the project.
- The developer's project will still benefit from the enhancements made to the planning area through public artwork produced by the AIPP Program.
- The developer will have the opportunity to be engaged in the development of the public artwork if they would like.
- The contribution will be incorporated into the Arts and Culture Program's larger programming efforts, leveraging resources to have a greater impact.

Providing an Arts Space or Arts-based Infrastructure

Providing an arts space

This option allows for a developer to provide an arts space to the City of Rockville or a nonprofit arts and culture organization suitable to the needs and purposes of the intended user and approved by the intended user. Types of qualifying arts spaces include offices, artist studios, rehearsal rooms, practice rooms, galleries, theaters, recording studios, etc.

Providing arts-based infrastructure

This option allows for a developer to provide an arts-based infrastructure to the City of Rockville or a nonprofit arts and culture organization suitable to the needs and purposes of the intended user and approved by the intended user. This type of infrastructure complements an arts space and makes the space usable. Examples of qualifying arts-based infrastructure include audio and/or visual equipment, theater rigging, large-scale equipment such as recording studio equipment, kilns, etc. Ownership of an arts space or arts-based infrastructure will become the property of the owner of the land on which they are located.

Monetary Donation

Two more options for a monetary donation are allowed in the AIPD Ordinance. They are:

- A monetary donation to the City of Rockville's "Friends of the Arts Fund" that supports city-managed arts and culture programs presented at Glenview Mansion and the F. Scott Fitzgerald Theater.
- A monetary donation to an eligible arts organization. Please refer to the [AIPD Ordinance](#) for the definition of an eligible arts organization.

Combining Options

A developer may choose to combine two or more options and divide the required contribution among them. The process for each option outlined in the AIPD Implementation Manual must be followed when combining options.

Acceptable Application of Required Contributions

A list of itemized costs should be included with the AIPD application as outlined in the AIPD Implementation Manual. Costs associated with meeting the requirements of the ordinance may be paid for with the required contribution. Examples of these costs include consultant and artist fees, freight, shipping, fabrication, installation, purchase of arts-based infrastructure, and the percent of construction costs associated with the arts space. A maximum 10% of the required contribution may be applied to consultant fees. The Arts and Culture Program staff will determine appropriateness of costs and approve them as part of the application process.

Guidelines for AIPD Signs

Public artworks installed in fulfillment of the AIPD Ordinance will have City-issued signs that provide basic and interpretive information about the artwork. This information enhances the public's experience with, and creates uniformity in publicly acknowledging, the AIPD collection.

Sign Information

Signs for AIPD artworks will include the following information:

- Artist(s) Name(s)
- Project Title
- Project Year of Completion
- Materials used to create the artwork
- Interpretive Text
- Funding source
- Acknowledgement of the AIPD Program
- Developer logo
- City of Rockville logo
- City of Rockville website

Specifications

Materials and Mounting Style

AIPD art signs will be made of embedded fiberglass. Signs can be either wall-mounted or pedestal-mounted.

Pedestal Specifications

Pedestals should measure five (5) feet tall and be 3"x3" square metal posts. Upon installation, two (2) feet of the post shall be sunk into the ground, leaving the post at three (3) feet above grade. Signs attached to a pedestal shall be at a 30-degree angle.

Size

All signs should be 12"x12". For projects with a lengthy history that require more in-depth interpretation, the sign size will maintain a 12" width but may be lengthened to provide additional space.

Font and Color Specifications

Font and color specifications can be provided by Arts and Culture Program staff upon request.

Text Development

Arts and Culture Program staff will coordinate and pay for the development of interpretive text for all signs. Text will be approved by Arts and Culture Program staff and the developer who will need to coordinate with the artist on the text.

Fabrication and Installation

Arts and Culture Program staff will coordinate and pay for embedded fiberglass signs. The developer will approve the location for the sign and will be responsible for installing and maintaining the sign on their property.

Example of Public Art Sign

ARTIST	Artist(s) Name(s)
TITLE, DATE	Artwork Title, 2025
MATERIALS	Lorem ipsum dolor sit amet, consectetur adipiscing elit.
INFORMATION	Lorem ipsum dolor sit amet, consectetur adipiscing elit. Vestibulum a elementum eros. Donec sollicitudin et ante at aliquet. Mauris feugiat rutrum imperdiet. Ut nec mattis eros. Nulla consectetur felis a varius ultricies. Sed finibus justo vel sem finibus pharetra. Aliquam congue dictum hendrerit. Suspendisse hendrerit purus sed nulla feugiat, laoreet imperdiet augue ornare. Nullam porta diam vel eros blandit venenatis. Mauris vel rutrum mi, quis eleifend neque. Duis ac tristique sem, quis finibus nisl. Etiam finibus suscipit tortor, sed rhoncus augue molestie vitae. Vivamus at augue id enim volutpat aliquet vel eu justo. Integer facilisis enim eget congue ultrices. Morbi eu risus ut massa tempor pulvinar. Suspendisse rutrum bibendum augue. Mauris aliquet fringilla arcu sit amet consequat. Vivamus hendrerit nisi nec faucibus vehicula. Curabitur vitae eleifend ligula. In faucibus consectetur interdum. Phasellus id magna eget purus interdum dignissim bibendum eu lorem. Proin venenatis, ligula et congue ornare, odio nibh dignissim ipsum, sit amet rutrum felis diam egestas nibh. Sed ultrices tincidunt velit, sed dapibus elit tristique ut. Morbi lobortis ligula a ante interdum tristique. Donec mi magna, aliquam at lectus at, mattis ullamcorper velit. Praesent at diam justo. Pellentesque nunc nunc, luctus pulvinar nunc sed, faucibus elementum felis. Nulla fermentum malesuada nibh sit amet sodales. Vivamus fermentum consectetur neque, aliquet pharetra ex iaculis in.



Scan the QR code for more details about this artwork.



City of
Rockville
Rise Together

Funded by the City of Rockville Art in Public Places program.
For additional information about Rockville Public Art, visit: www.rockvillemd.gov/aipp

Maintenance

Arts and Culture Program staff will make site visits to all AIPD artworks to ensure the art signs and artwork are in good condition.

Criteria Used to Approve AIPD Applications

Arts and Culture Program staff use the following criteria to approve AIPD Applications and determine if applicants are fulfilling program requirements.

Installation of Art

1. Quality and Originality:
 - The work of art demonstrates high aesthetic standards, high creative and technical capabilities of the artist(s), and is of original design and artistic intention.
 - The theme and design is engaging, contributes to civic dialogue by expanding the realm of ideas, perceptions or points of view, encourages civic dialogue, and contributes something new to the practice and field of public art.
2. Suitability:
 - The work broadly meets the requirements of the AIPD ordinance
 - The art is appropriate in scale, material, form, and content for the community and physical environment, and participates in Rockville's commitment the sustainable use of resources
 - The work enhances the urban environment by establishing points of interest, defining space, and/or highlights the community's identity
 - Public engagement has been effective and appropriate for the project
3. Durability:
 - The quality of the materials and craftsmanship will extend the life of the artwork and protect against theft, vandalism, weathering, excessive maintenance, and repair costs
4. Safety and Public Liability:
 - The art has been reviewed by appropriate departments or offices to ensure it does not present a safety hazard
 - The project is technically feasible and achievable

Presentation of Art

1. Quality and Originality:
 - The proposed presentation is of high quality, engages the community, and ignites conversations and curiosity
 - Is authentic in subject and focus
2. Suitability:
 - The presentation is suitable for the location where it will be held and the public at large
 - The developer has the ability to produce the presentation
3. Highlights Rockville as an Arts and Culture Destination
 - The presentation is a local and regional draw for attendees
 - Supports local Rockville artists and culture bearers
4. Safety and Public Liability:
 - The presentation complies with relevant safety regulations and ensure safety of attendees
 - The presentation is technically feasible and achievable and does not pose a liability to the City

Provide Arts Space or Arts-Based Infrastructure

1. Does the space or infrastructure meet a real need?
 - A legitimate need been identified and the arts space or arts-based infrastructure meets that need
 - The space or infrastructure serves a public need
2. Suitability:
 - The arts space is suitable for its location and purpose
 - The arts-based infrastructure is suitable for the location where it will be installed and the purpose it is intended to serve
3. Sustainability:
 - The projected life of the arts space or arts-based infrastructure reflects the value of the contribution
 - The itemization of costs demonstrates that the required contribution is being spent in a reasonable manner to fund the space or infrastructure
 - Maintenance projections are realistic
 - Based on the business plan, the arts space is sustainable beyond its first ten years of operation
4. Safety and Public Liability:
 - The proposed arts space or arts-based infrastructure is technically feasible and achievable
 - The proposed arts space or arts-based infrastructure has been reviewed by appropriate departments or offices to ensure it does not present a safety hazard

Timeline

The major milestones in working to meet requirements of the AIPD Ordinance are outlined below and are intended to keep the AIPD process aligned with the overall permitting process.

Milestone	AIPD Requirement
Development Review Committee Comment Letter	Applicant meets with Arts and Culture Program staff
Permit Issuance	Successful completion of the AIPD Application and the requirements related to each option at this stage
Certificate of Occupancy Issued	Requirements related to each option at this stage have been met

When selecting the option to install art on site, it is desirable to have the art installed at the time the project is complete. However, there may be circumstances that would prevent this from occurring after the contract is signed with the artist(s). In these circumstances, Arts and Culture Program staff will work with the developer to bring the project to successful completion.