



CITY OF YUKON, OKLAHOMA PUBLIC ART INCENTIVE COMPLIANCE POLICY

(Adopted Pursuant to Section 4.3 of the City of Yukon Economic Development Incentive Policy)

SECTION 1. PURPOSE

This Public Art Incentive Compliance Policy establishes the standards, calculation methodology, compliance procedures, and enforcement mechanisms required to satisfy Section 4.3 of the City of Yukon Economic Development Incentive Policy.

This Policy governs only projects receiving City economic incentives.

SECTION 2. APPLICABILITY

This Policy applies to all Incentive-Linked Projects approved by the Yukon City Council under the City of Yukon Economic Development Incentive Policy.

Compliance with this Policy shall be incorporated into each Development Agreement.

Costs associated with compliance under this Policy, including public art installation or fee-in-lieu contributions, shall not be eligible for reimbursement through City incentives unless expressly approved by City Council in the applicable Development Agreement.

SECTION 3. METHODS OF COMPLIANCE

An Incentive-Linked Project shall satisfy the Public Art requirement through one of the following:

A. Onsite Public Art Installation

Installation of approved publicly accessible art on the project site.

Requirements:

- Visible from public right-of-way OR located in publicly accessible space
- Installed prior to issuance of final Certificate of Occupancy unless otherwise approved
- Constructed of durable materials
- Compliant with building and safety codes
- Subject to review and approval under the City of Yukon Public Art Policy

B. Fee-in-Lieu Contribution

Payment into the City of Yukon Public Art Fund in satisfaction of the requirement.

Payment timing:

- Due prior to issuance of Certificate of Occupancy unless otherwise defined in the Development Agreement.

Funds shall be deposited into the restricted Public Art Fund.

C. Alternate Placemaking Improvement

City Council may approve alternate compliance measures including:

- Streetscape enhancements
- Artist-designed lighting
- Decorative pedestrian infrastructure
- Public gathering enhancements

Alternate compliance must be incorporated into the Development Agreement.

SECTION 4. CONTRIBUTION CALCULATION

A. Commercial, Retail, Mixed-Use, Hospitality Projects

The required Public Art contribution shall be calculated as:

- \$0.10 per square foot of total building area; AND
- \$15 per newly constructed parking space

Maximum contribution: \$500,000 per project.

B. Industrial or Manufacturing Projects

Projects zoned industrial or determined by City Council to have limited public interface shall:

- Contribute 75% of the calculated amount as a fee-in-lieu, unless otherwise approved by Council.

C. Council Discretion

City Council may modify or waive the calculated amount upon written findings of:

- Extraordinary economic benefit
- Regional competitiveness concerns
- Project hardship
- Unique public benefit

SECTION 5. ECONOMIC NEXUS

The Public Art requirement is imposed solely as a condition of voluntary participation in economic development incentives.

The requirement is intended to enhance public benefit, offset development impacts on public space, and support placemaking associated with incentive-supported development.

SECTION 6. APPROVAL PROCESS FOR ONSITE ART

Applicants choosing onsite installation shall submit:

- Site plan showing art location
- Artwork rendering or concept
- Materials list
- Structural and lighting details
- Maintenance plan

Review shall be conducted by:

- Community Arts Coordinator
- Planning Department
- Building Official

Advisory review may be provided by the Public Art Committee (if established).

Final approval authority rests with the City Manager or designee.

SECTION 7. MAINTENANCE OBLIGATION

For onsite installations:

- The property owner shall maintain the artwork for the duration of the incentive term.
- Failure to maintain artwork may constitute non-compliance under the Development Agreement.

The City may require removal or repair if artwork becomes unsafe or blighted.

SECTION 8. INSURANCE AND INDEMNIFICATION

Developers installing onsite artwork shall:

- Maintain liability insurance in amounts determined by the City
- Indemnify and hold harmless the City

SECTION 9. DEFAULT AND ENFORCEMENT

Failure to comply with this Policy shall constitute non-compliance under the Incentive Agreement and may result in:

- Suspension of incentive payments
- Reduction of incentive
- Recapture of previously disbursed funds
- Other remedies permitted by law

SECTION 10. RELATIONSHIP TO PUBLIC ART POLICY

All art installations shall comply with the broader City of Yukon Public Art Policy governing:

- Content neutrality
- Permit standards
- Maintenance standards
- Complaint procedures
- Deaccession