

PC 9-23-2025

Item No.2
Art-in-lieu Fee
Policy

Presentations

September 23, 2025



**CITY OF
CUPERTINO**

Subject

Presentation on the Arts & Culture
Commission's recommendation to the



City Council on an Art-in-lieu fee policy.

**City Council Work Program –
Quality of Life (FY 2024-2025)**

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Revisit Municipal Code standards for art in public and private development, including the standards in the Municipal Code and developing an Art-in-lieu fee policy.

Analysis

- Chapter 19.148: Required Artwork in Public and Private Developments

- CC Resolution No. 05-040: Guidelines for Selection of Public Art
- Researched other Jurisdictions
 - Art Requirements of Private Development
 - Separate Art Fund
 - Fund Distribution
 - Decision Making Bodies

Discussion

September 23, 2024, March 24, 2025, May 19, 2025, and July 22, 2025, staff

presented information concerning this item to the Arts and Culture Commission.

- Arts & Culture Commission approve the in-lieu payment option.
- In-lieu payment and valuation of art pieces on private development shall be 1%, instead of the 1.25%.
- Create and maintain a separate art fund.
- Art funding should be used to develop an arts Master Plan, and other Commission recommendations, including an expansion of funding to art programming beyond physical art.
- City Council to be decision-making body, upon recommendation by the Arts and Culture Commission, for allocation of funds.
- CMC Table 19.12.030 *Approval Authority* and Chapter 19.148: *Required Artwork in Public and Private Developments modified.*

Discussion

- Amended City's existing Policy (City Council Resolution No. 05-040) by establishing a separate art fund, as well as parameters for what the funds can be spent on.

Next Steps



The recommendations made by the Arts and Culture Commission will be forwarded to the City Council for consideration at the October 21, 2025, hearing.