

**MINUTES
PLANNING COMMISSION SPECIAL MEETING
CITY OF FARMINGTON HILLS
COMMUNITY ROOM
May 15, 2025, 6:00 P.M.**

CALL MEETING TO ORDER

The Planning Commission Special Meeting was called to order by Chair Trafelet at 6:05pm.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Mantey, Stimson, Trafelet, Varga, Ware

Commissioners Absent: None

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultants Bahm, Tangari, and Upfal

APPROVAL OF AGENDA

MOTION by Aspinall, support by Stimson, to approve the agenda as published.

Motion passed unanimously by voice vote.

SPECIAL MEETING

A. DISCUSSION OF DRAFT ZONING TEXT AMENDMENT 6, 2024, TO INTRODUCE PROVISIONS REGARDING PUBLIC ART

Background

Planning Consultant Bahm led this discussion of draft Zoning Text Amendment 6, 2024, based on her April 9, 2025 memorandum *Draft Arts Ordinance*, and utilizing a PowerPoint presentation *2025 Public Art Ordinance Introduction*. The information in the PowerPoint had originally been presented to City Council, and included the following topics:

- Benefits of Percent for Art Programs – provides a stream of funding, assures public arts projects will be planned each year, leverages private investment
- Provided examples in Michigan of diverse ways for public funding of art, including funding from general fund, percentage of CIP, percentage of development costs, use of trust funds, TIF funds, grants, donations, and tiered systems using multiple sources of funds.
- Provided nationwide examples of public percent for art programs, including at the state and city levels.
- Provided examples of zoning districts and ordinances that encourage public art – overlay districts, ordinance incentives (density, reduced parking requirements, updated home occupation standards), “artist relocation” programs, artisan manufacturing amendments.

Master Plan visioning

- Create an identity for Farmington Hills, making it more welcoming, attractive and interesting.
- City Hall showcases a vibrant collection of art, but there is nothing outside in the City that follows through with what is inside City Hall.
- Developers are willing to include public art but need direction.

- Getting the participation of the development community is critical to a public arts program's success. Expectations and requirements must be applied consistently across the business community.

City Council direction

Direction from City Council includes:

- Be a leader in placemaking through public art
- Pursue development of a Public Art in Private Development ordinance
 - Integrate visual art into the built environment by requiring the inclusion of public art in significant private development projects
 - Encourage creative expression in new construction and site improvements: enhance the community's identity, support local artists, and contribute to a more vibrant and engaging public realm
 - Prioritize redevelopment areas for public art installations, such as the Grand River Corridor, 12 Mile Corridor, and Orchard Lake Corridor.

Draft amendment

The draft amendment has been reviewed by City Council, and they have asked for the Planning Commission to review the amendment and follow the process for potential adoption.

- The draft takes inspiration from public art in private development ordinances from around the US.
- Similar to the arts ordinance in the City of Southfield
- Provisions to require public art in private development.
- Start within existing ordinance frameworks, including similar standards on landscaping.

Zoning Amendment to add Section 34-5.20 Public Art Requirement, which includes the following:

1. Intent
2. Public Art Required
3. Public Art Requirements
4. Placement
5. Guidelines
6. Exemptions
7. Installation and Maintenance

Commission discussion focused on:

Policy Framework and Implementation Process

- General support for the concept of extending the City's internal art culture to external spaces across the City.
- A public art fund could be established, following the model of the tree fund, to correspond to the requirement in 6.E.
- Fairness in enforcing the ordinance is critical. By establishing a consistent policy, developers can be assured they are being treated the same as others making significant investments in the community.
- Will requiring art approval before site plan approval delay project timelines? Current language requires approval prior to final site plan approval, but this could be adjusted to requiring

installation before issuance of a certificate of occupancy. Public art approvals could take place concurrent with engineering reviews.

- Regarding process, it was important to communicate early with applicants, such as during the pre-app meeting.
- The Arts Commission (under the Department of Special Services) will be responsible for reviewing the merit and appropriateness of proposed art installations (see draft definition of Public Art under Section 2.2).
- Another community used a 20-page best-practices guide regarding public art.

Scope, Thresholds, and Applicability

- New projects often exceed the \$2M investment threshold proposed in the ordinance. For projects below the \$2M threshold, participation in the public art ordinance could be voluntary. Some developers might choose to participate because they find public art to be worthwhile.
- The ordinance would apply to some new residential development. Cluster housing and PUDs often contain shared open space appropriate for art installations. Some developers have included art near entrances.
- High architectural quality and uniquely designed commercial and industrial buildings might sometimes meet the intent of the ordinance.

Artistic Criteria and Definitions

- How will public art be defined as opposed to commercial branding, such as the Mercedes-Benz emblem? Public art is generally defined as one-of-a-kind work, and the Mercedes-Benz emblem—though attractive—is primarily a branding element. It is important to apply standards equally, regardless of how visually appealing the brand image might be.
- Diverse forms of public art should be encouraged – sculptures, murals, fountains, light installations, etc.
- Commissioners suggested finding a way to highlight indoor art installations in commercial buildings that might be available for public viewing.
- Decorated bike racks are a low cost, but impactful, form of public art. Medians and rights-of-way are potential public art sites.

Safety, Liability, and Practical Concerns

- There were safety concerns about including public art in public/shared residential spaces where children play. In such cases the art would need to be child-targeted, with safety top of mind. Insurance liability would need to be considered.
- Who will assess the monetary value of public art? Staff suggested that developers could provide valuations through insurance documentation or appraisals, and that this would likely be handled administratively rather than codified in the ordinance.

Equity, Artist Selection, and Oversight

- Commissioners questioned whether the ordinance should include credits or incentives for using local artists. While some favored promoting local talent, others cautioned that it could unintentionally limit artistic diversity.
- Questions were raised about the scope of the ordinance and whether developers could install artwork that would not be required and therefore not reviewed. (Currently outdoor art is treated as signage.) While zoning regulations such as height and location would apply, the lack

of a review process could potentially create unintended consequences, depending on the art involved.

- This raised the broader question of how art in general should be regulated – whether through the zoning ordinance, the Arts Commission, or some other mechanism.

As discussion wound down, staff said the next step would be to set a public hearing for the zoning amendment and then make a recommendation to City Council. However, the draft text amendment might first be discussed at the Joint City Council/Planning Commission meeting scheduled for July 21.

PUBLIC COMMENT

None.

COMMISSIONER COMMENTS

None.

ADJOURNMENT

MOTION by Aspinall, support by Stimson, to adjourn.

Motion carried unanimously by voice vote.

The meeting adjourned at 7:07pm.

Respectfully Submitted,
Kristen Aspinall
Planning Commission Secretary

/cem