Public Art Requirement Guidelines & Procedures

Adopted: October 12, 2026

CITY OF FARMINGTON HILLS
ZONING ORDINANCE SEC. 34-5.21: PUBLIC ART REQUIREMENT GUIDELINES AND PROCEDURES

TABLE OF CONTENTS

SECTION 1: PUBLIC ART REQUIREMENT GUIDELINES 3
SECTION 2: PUBLIC ART REQUIREMENT PROCEDURES 7
SECTION 3: PUBLIC ART REQUIREMENT FLOWCHART 11
APPENDIX A: ZONING ORDINANCE SECTION 34-5.21 12

CONTACT INFORMATION

City of Farmington Hills
Planning Office
(248) 871-2540
For guidance on applicability, process timing, and submission requirements.

City of Farmington Hills
Special Services – Cultural Arts Division
Farmington Area Arts Commission Staff Liaison
(248) 699-6712
For guidance on Arts Commission review process and meeting schedule.

SECTION 1: PUBLIC ART REQUIREMENT GUIDELINES

1. PURPOSE

These guidelines are adopted pursuant to and in accordance with Section 34-5.21 of the City of Farmington Hills Zoning Ordinance for purposes of delineating and further detailing guidelines that are applicable to the design, application, approval, installation, maintenance, and enforcement of public art within and as part of significant development projects in the City of Farmington Hills.

These guidelines are also intended and serve the purpose of ensuring that required public art is:

- Properly integrated into significant developments.
- Accessible to the public as required by ordinance.
- Professionally designed and constructed.
- Appropriately maintained over time.
- Consistent with the City's placemaking goals and 2024 Master Plan.

These guidelines apply only to and are intended to facilitate compliance with the public art requirements set forth in Section 34-5.21 of the Zoning Ordinance, including the definitions of “public art,” “artist,” and “construction cost” in Section 2.2 of the Zoning Ordinance.

2. APPLICABILITY

These guidelines apply to all development projects that:

- Trigger the public art requirement under Section 34-5.21 of the City’s Zoning Ordinance;
- Are located within applicable Special Planning Areas or Planned Unit Developments; and
- Are subject to site plan review and approval.

These guidelines do not apply to any of the following:

- City-owned public art;
- Voluntary donations of artwork to the City;
- Temporary installations not required under the ordinance;
- Public art under the City’ Outdoor Mural Program;
- Existing lawful nonconforming uses and development of property that are not required to comply with Section 34-5.21 per the City Zoning Ordinance; or
- Any development of property that is not required to install public art, pursuant to Section 34-5.21.

3. NATURE OF REQUIRED PUBLIC ART

Public art installed under this program shall remain:

- A requirement of zoning approval;
- A permanent site improvement tied to the property; and
- The responsibility of the property owner for maintenance and repair.

4. DESIGN INTEGRATION REQUIREMENT

Public art shall be integrated into the overall site design. Preferred integration methods include:

- Building façade integration;

- Landscape integration;
- Plaza or courtyard features;
- Entry features;
- Streetscape elements; and
- Architectural screening elements.

Standalone placement is permitted when integration is not feasible, subject to City approval. Early coordination between the artist, developer, architect, and landscape architect is strongly encouraged.

5. PUBLIC ACCESS REQUIREMENT

Public art must be located in a manner that is:

- Clearly visible from public streets, sidewalks, or publicly accessible private spaces;
- Accessible during reasonable business hours when located on private property;
- Safe for pedestrian viewing; and
- Free from obstruction by vehicles, signage, or landscaping.

The City Planner, City Engineer, Fire Marshal, or other governing entities may require modifications if access or visibility is insufficient.

6. APPROVAL PROCESS

All public art is subject to:

1. Site plan approvals;
2. Review and approval by the Farmington Area Arts Commission; and
3. Construction permit review by City staff, if applicable.

Applicants may proceed through site plan approval prior to final selection of artwork, provided that:

- The location of the artwork is shown on the approved site plan;
- A conceptual design is provided; and
- A budget is established consistent with Section 34-5.21.

Final artwork approval is required prior to issuance of building permits.

7. ARTIST SELECTION AND DESIGN DEVELOPMENT

The property owner is responsible for selecting a qualified artist in accordance with the Zoning Ordinance standards in Section 34-5.21. Artists should be engaged early in the design process to ensure integration with the site. The City encourages selection processes based on:

- Qualifications-based selection;
- Competitive selection (when appropriate); or
- Direct selection (for integrated design projects).

A qualified public **artist** is an individual generally recognized by critics and peers as a professional practitioner of the visual arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, past public commissions, exhibition record, publications, receipt of honors and awards, training in the arts, and production of artwork. See the requirement for an artist to create the public artwork under Section 34-5.21.5 and the definition of artist under Section 2.2 of the City Zoning Ordinance.

8. MAINTENANCE AND RESPONSIBILITY

The property owner shall be solely responsible for maintaining the public art in the manner required by Zoning Ordinance Section 34-5.21 and shall include the following:

- Routine maintenance and cleaning;
- Repair of damage or deterioration;
- Graffiti removal;
- Lighting maintenance (if applicable);
- Structural integrity; and
- Landscaping surrounding the artwork.

Maintenance shall preserve the original artistic intent whenever feasible. Failure to maintain artwork in good condition shall constitute a violation of the site plan approval.

9. REPAIR, REPLACEMENT, AND FAILURE

If public art is stolen or becomes damaged or deteriorated such that it cannot be repaired in accordance with section 8 above, the property owner shall, in accordance with Zoning Ordinance Section 34-5.21, either:

- Repair the artwork; or
- Replace it with approved public art of equal or greater value than was originally required.

All repairs or replacements under this section require review by the City Planner and approval by the Farmington Area Arts Commission. If replacement is required, the new artwork must comply with all current Public Art Program requirements.

10. REMOVAL OR ALTERATION

Public art required under Section 34-5.21 may not be removed or materially altered without prior City approval. The City may require:

- Replacement artwork of equal or greater value than was originally required;
- Relocation of artwork on-site; or
- Conservation or restoration instead of removal.

Removal requests shall include:

- Reason for removal;
- Condition assessment;
- Proposed replacement plan; and
- Proposed timeline.

11. FINANCIAL ASSURANCE

The City may require a financial guarantee for installation of public art consistent with Section 34-5.21 and the City's site plan approval process. Failure to install approved public art may result in:

- Withholding of certificate of occupancy;
- Forfeiture of financial guarantee; and
- Enforcement action under the Zoning Ordinance.

12. APPROVAL STANDARDS

Public art shall be evaluated based on the following:

- Artistic excellence;
- Site integration;
- Public visibility and access;
- Durability and materials;
- Maintenance feasibility;
- Safety;
- Contribution to placemaking; and
- The standards and criteria under and compliance with Zoning Ordinance Section 34-5.21.

The Farmington Area Arts Commission shall provide approval based on these criteria. In the event, the artwork is denied, the applicant may appeal to the Zoning Board of Appeals.

13. COORDINATION WITH DEVELOPMENT

Public art should be coordinated with:

- Final site engineering;
- Landscape architecture plans;
- Building design;
- Lighting plans;
- Utility placement; and
- Pedestrian circulation systems.

Coordination prior to construction is strongly encouraged to avoid costly redesign for the owner and developer.

14. PUBLIC BENEFIT INTENT

Required public art is intended to:

- Enhance private development while benefiting the public realm;
- Strengthen the visual character of commercial corridors;
- Support the City's identity and placemaking goals;
- Improve pedestrian experience in development areas; and
- Contribute to the City's overall cultural environment.

15. COMPLIANCE AND ENFORCEMENT

Compliance with these guidelines is a condition of zoning approval under Section 34-5.21. Failure to comply may result in all or any of the following:

- Denial of permits;
- Withholding of certificate of occupancy;
- Enforcement under the City’s zoning ordinance; and
- Required corrective action at the property owner’s expense.

16. RELATIONSHIP TO OTHER POLICIES

These guidelines shall be interpreted and applied consistently with the Zoning Ordinance, and in the event of conflict, the Zoning Ordinance shall control.

SECTION 2: PUBLIC ART REQUIREMENT PROCEDURES

1. PURPOSE

These guidelines provide a step-by-step procedural workflow for developers, property owners, and design teams to comply with the **privately-owned public art requirement under Section 34-5.21 of the Farmington Hills Zoning Ordinance**. It places public art requirements and standards into a practical sequence aligned with the City's site plan, permitting, and construction processes. These guidelines are intended to assist compliance with the Zoning Ordinance, the Guidelines above, and other applicable City codes and ordinances.

2. OVERVIEW OF PROCESS

The public art process occurs in **six stages**:

1. Pre-Application Planning
2. Site Plan Submission
3. Conceptual Art Planning (Concurrent with Site Plan Review)
4. Final Art Approval (Prior to Building Permit)
5. Fabrication and Installation
6. Inspection and Certificate of Occupancy

STAGE 1 — PRE-APPLICATION PLANNING

Objective: Establish feasibility and budget early

At the earliest project stage, the applicant should:

- Identify whether Section 34-5.21 applies
- Confirm applicable public art budget (0.5% requirement under 34-5.21)
- Identify potential artwork locations on the site
- Engage a qualified artist or art consultant *(recommended)
  *The applicant may request the assistance of City staff in identification of possible artists and art consultants.
- Coordinate with architect and landscape architect

Recommended Deliverables:

- Preliminary site plan with potential art locations
- Rough public art budget estimate
- Conceptual integration strategy (if available)

City Role:

- Inform applicant of applicability
- Provide guidance on ordinance requirements
- Identify applicable Special Planning Area considerations

STAGE 2 — SITE PLAN SUBMISSION

Objective: Reserve location and demonstrate compliance pathway

The applicant submits a site plan for review.

Required Public Art Submittal Elements:

- Location of proposed public art clearly indicated
- Preliminary description of artwork intent
- Estimated public art budget and basis for same
- General statement of integration strategy
- Artwork design does **not need to be finalized at this stage**, but the **location must be reserved on the site plan**

City Review:

- City staff and Planning Commission review the site plan
- City staff and Planning Commission verify public art ordinance applicability and budget estimate
- Farmington Area Arts Commission is notified of future review and approval requirement

STAGE 3 — PUBLIC ART PLAN SUBMISSION (CONCURRENT REVIEW)

Objective: Establish design direction and feasibility

During or immediately following site plan approval, the applicant develops:

- Artist selection process
- Conceptual artwork design
- Integration with architecture and landscape

Required Submittals:

- Selected artist qualifications
- Conceptual artwork drawings or renderings
- Material description
- Draft installation location confirmation
- Preliminary maintenance plan
- Updated budget (if applicable)

Farmington Area Arts Commission Review and Approval:

The Commission evaluates:

- Artistic quality and concept
- Site integration
- Public visibility and access
- Appropriateness of materials
- Alignment with City goals

Outcome:

- Approval with or without conditions
- Denial

STAGE 4 — FINAL PUBLIC ART APPROVAL (PRIOR TO BUILDING PERMIT)

Objective: Secure final approval for construction and installation

Before issuing building permits, the applicant submits:

- Final artwork design
- Engineering and structural details (if applicable)
- Final materials and fabrication specifications

- Installation plan and schedule
- Final maintenance plan
- Final budget confirmation
- Insurance documentation (if required)

City Review:

- Farmington Area Arts Commission: final approval of public art
- City Planner: administrative review and site location
- Building Official: structural and safety review
- City Engineer: site location and safety review

Required Condition:

Final approval of the public art by the Farmington Area Arts Commission is required **before building permit issuance** for projects that are subject to Section 34-5.21.

STAGE 5 — FABRICATION AND INSTALLATION

Objective: Construct and install approved artwork

The applicant is responsible for:

- Coordinating fabrication and installation with the artist
- Ensuring compliance with approved plans
- Scheduling installation with construction timeline
- Protecting artwork during construction phase

City Role:

- May conduct interim inspections
- Verifies compliance with approvals of plans and artwork

Financial Assurance:

- City may hold performance guarantee until installation is complete (if applicable)

STAGE 6 — FINAL INSPECTION AND CERTIFICATE OF OCCUPANCY

Objective: Confirm compliance and complete project

Before issuance of Certificate of Occupancy (CO) the applicant must demonstrate:

- Artwork has been installed as approved
- Structural installation is complete and safe
- Public access requirements are met
- Site conditions are consistent with approved plans

City Inspection:

- City Planner confirms compliance with approvals
- Building Official verifies structural safety
- Final documentation is recorded

Outcome:

- Certificate of Occupancy is issued once compliance is confirmed
- Public art record is entered into City inventory

3. POST-INSTALLATION RESPONSIBILITIES

After installation:

Property Owner Responsibilities:

- Ongoing maintenance and repair
- Graffiti removal
- Lighting upkeep (if applicable)
- Structural integrity monitoring
- Preservation of artistic intent

City Role:

- Maintains record of approved artwork
- May conduct periodic condition review
- Enforces compliance with maintenance requirements

4. COMMON PITFALLS TO AVOID

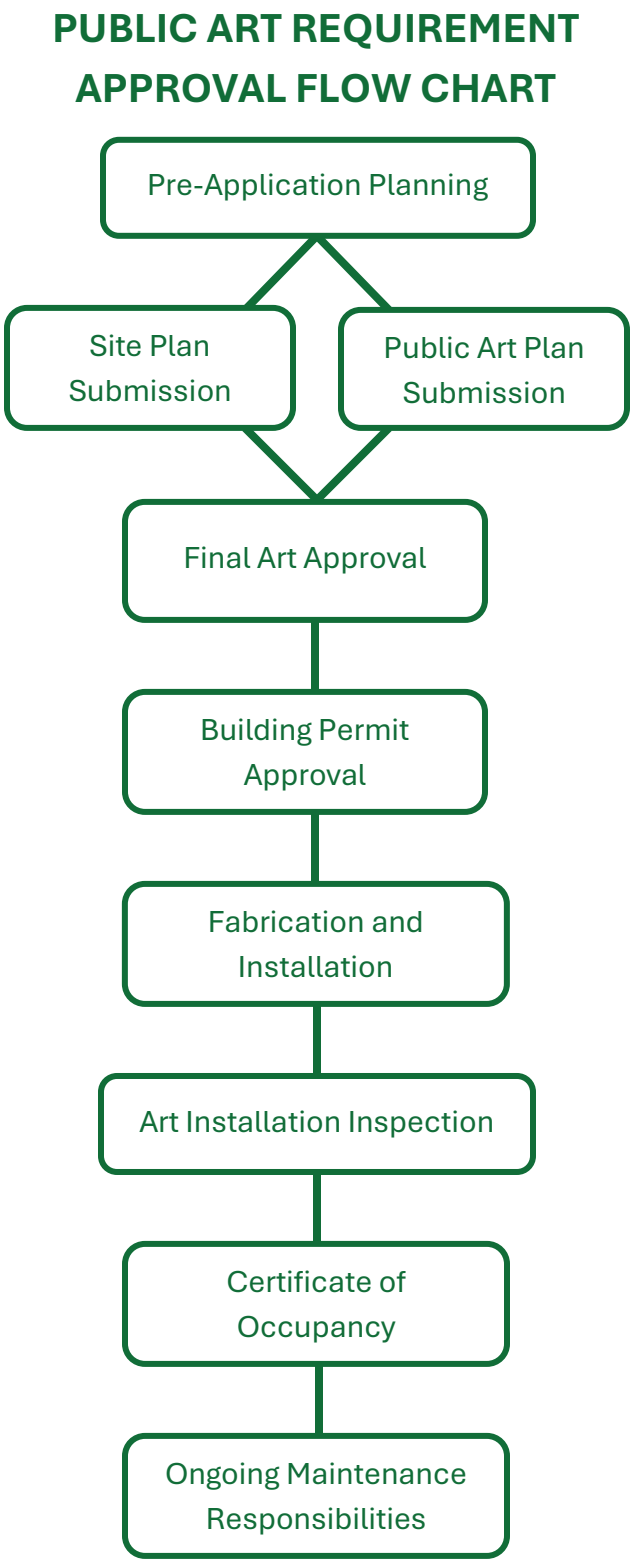
Applicants are strongly encouraged to avoid:

- Waiting until construction to select an artist
- Treating public art as an "add-on" instead of integrated design
- Underestimating installation engineering requirements
- Failing to budget for maintenance
- Selecting non-durable materials for outdoor environments
- Inadequate coordination with site utilities, drainage, or other site improvements
- Submitting incomplete maintenance plans

5. BEST PRACTICE TIMELINE SUMMARY

Project Phase	Public Art Action
Concept Design	Identify art requirement + reserve location
Site Plan	Show art location + budget
Design Development	Select artist + develop concept
Permit Stage	Submit final art for approval
Construction	Fabricate and install artwork
Occupancy	Final inspection + CO issued

SECTION 3: PUBLIC ART REQUIREMENT FLOWCHART



APPENDIX A: ZONING ORDINANCE SECTION 34-5.21

34-5.21 PUBLIC ART REQUIREMENT

1. Intent. The City of Farmington Hills finds that the visual and aesthetic quality of development projects has a significant positive impact on property values, the local economy, and the character and vitality of the city. The meaningful and intentional inclusion of public art throughout the city can illuminate, nurture, and celebrate the diversity and history of the city, as well as foster the economic development of the community. To achieve these goals, public art should be integrated into development projects citywide.

   As envisioned in the 2024 Farmington Hills Master Plan, public art is a placemaking strategy that provides benefits to the developed property on which it is located and the public, including, without limitation, enhancement of the character and aesthetics of developed property, surrounding properties, and the community in general. The purpose of this section is to enhance the City's livability by encouraging works of art throughout the city, focusing on important commercial corridors, and requiring the use and incorporation of publicly accessible art into significant development projects.

2. Public Art Required.
   A. The installation of public art in accordance with this Section is required for any non-public construction or renovation project with a construction cost of two million dollars ($2,000,000.00) or more, in the Special Planning Areas described in the 2024 Master Plan, except as provided in subsection B, below. These include:
      i. Orchard Lake Road between 12 Mile and 13 ½ Mile Roads;
      ii. 14 Mile/Northwestern/Orchard Lake Road;
      iii. Grand River Corridor/M-5 Interchange;
      iv. Grand River and Drake
      v. M-5 Corridor
      vi. 8 Mile Corridor
      vii. 12 Mile Corridor
      viii. Freeway Redevelopment Areas
      ix. Any projects developed using the Planned Unit Development process.
   B. The following projects are exempt from this requirement: single-family residential construction projects and projects completely funded by legally established non-profit entities.
   C. The applicant shall establish and submit to the City a budget for the public art required by this section based on the allocation of one-half (0.5) percent of the total project construction cost up to fifty thousand dollars ($50,000.00) for applicable projects. For each year subsequent to the effective date of the Zoning Ordinance amendment adding this Section, the applicable construction cost threshold stated in the preceding sentence shall be increased in accordance with the Consumer Price Index for All Urban Consumers (CPI-U) to reflect the rising costs of goods and materials.
3. Public Art Requirements. When public art is required per subsection 2 above, the subject site shall be designed and developed to include public art, as defined in Section 34-2.2, for placement in a public place, publicly accessible private space, and/or integrated into the underlying architecture, landscape design or site, which shall be included as part of the site plan, and such public art shall comply with this Section and the following requirements:
   A. An applicant for site plan approval for projects where public art is required per Section 34-5.21.2 may proceed through site plan review before the selection of artwork is finalized, although involvement of the designer or artist is encouraged through the site design phase. For site plan review purposes, the area intended for the public art shall be noted on the site plan to demonstrate how the location for the art meets the requirements of Section 34-5.21.4 below. The final location, installation, footings, etc. are subject to review and approval by the city planner and building official.
   B. Following site plan approval, in conjunction with the application for building permits, the applicant shall furnish the City with an updated budget reflective of the project's construction costs.

C. The public art shall be submitted for approval to the Farmington Area Arts Commission (established under Chapter 2, Article IV, Division 8 of the City Code) prior to site plan approval. The Farmington Area Arts Commission shall not unreasonably withhold approval.

4. Placement.
   A. In addition to other placement and locational requirements in this ordinance, public art shall be placed:
      i. In locations that are visible from public streets, rights-of-ways, parks, or plazas, taking into consideration the circulation patterns for vehicles and pedestrians on-site and on adjacent public streets and sidewalks; and
      ii. Out of the corner clearance area as provided in Section 34-5.10.
   B. Public art may be permitted in required front setbacks, if the Planning Commission finds that no other location meeting the requirements of this ordinance is feasible and such placement is approved by the Director of Public Services.
5. Guidelines. At a minimum, works of public art shall:
   A. Be created by an artist, as defined in Section 2.2;
   B. Demonstrate excellence in aesthetic quality, workmanship, innovation and creativity;
   C. Be appropriate in size, scale, and form, and of materials or a media suitable for the site;
   D. Demonstrate feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, security, storage, and siting;
   E. Bring diversity to the existing collection of public art in the City, in terms of media, artistic discipline, or artistic approach;
   F. Reinforce the City's placemaking goals by reflecting and promoting the City's identity or the identity of individual neighborhoods or business districts within the City; and
   G. Be consistent with public art guidelines as may be adopted by the City of Farmington Hills.
6. Exemptions. The Planning Commission may waive, or partially waive, the public art requirement upon finding one or more of the following conditions apply:
   A. There is no feasible location on the subject property from which a work of art can be plainly and wholly seen by the public;
   B. The present or any planned land use of the subject property is such that placement of a work of art, in any media, on the property would be destructive to the work of art due to the activities related to the land use;
   C. The property is already fully developed in such a way that there is no location on the site for public art;
   D. Projects where the applicant donates funds equivalent to the amount required in Section 34-5.21.3 to a public art fund established by City Council;
   E. Projects where the applicant chooses to partially exempt a project from the public art requirement of this section to the extent the applicant chooses to donate funds less than the amount required in Section 34-5.21.3 to a public art fund established by City Council, in which case the budget required for public art shall be reduced by a corresponding amount; or
   F. Projects where all of the residential dwellings are non-subsidized and affordable for rent or purchase to residents earning less than 120% of area median income, based on current US Census data, and as agreed to in a development agreement between the applicant and the City of Farmington Hills.
   G. Projects where the application of this requirement would constitute a governmental taking or otherwise be contrary to law under the particular facts and circumstances of that case, as determined by the Planning Commission, under the particular facts and circumstances of that case as explained in detail by the applicant as part of its application for site plan approval. The Planning Commission may request additional information from the applicant or property owner, if it determines that insufficient information is provided by them to make a determination. The applicant and property owner have all appeal rights as would otherwise be applicable to the determination of the Planning Commission.

7. Installation and Maintenance.
   A. The total allocation as established pursuant to subsection in Section 34-5.21.2.C. may be held as a Guarantee for Improvements as provided in Section 34-7.2. In addition:
      i. Maintenance shall be the responsibility of the owner of the property in addition to the established allocation.
      ii. Failure to install the public art as required by this subparagraph and in accordance with the approved site plan shall result in denial of a certificate of occupancy.
      iii. In instances where circumstances beyond the reasonable control of the property owner or developer impede timely installment of the public art (including, without limitation, weather, delay in creation or fabrication of the public art, or delivery of the public art), the guarantee for improvements referenced above shall be deposited with the City and held to ensure installation and compliance with this section in accordance with a schedule established by the City Planner.
      iv. In the event the public art is not fully installed within the period of time as established by the City Planner, the public art guarantee shall be forfeited to the City.
      v. Failure to properly maintain the public art in accordance with the approved site plan is a violation of the zoning code and subject to enforcement pursuant to provisions of section 34-7.13 of this chapter.
   B. Public art required by this section shall be kept in good repair, free from refuse and debris. If public art becomes damaged or falls into disrepair, it shall be cleaned, repaired, or replaced with public art that complies with this section and is approved as an amendment to the site plan, within thirty (30) days after written notice from the city or within an extended reasonable time period as specified on such notice if necessary to accommodate replacement of the public art.
   C. In the event the owner of the property wishes to remove the on-site public art, the City must be notified in writing prior to its removal. The property owner will be required to replace the public art with public art of equal or greater value. The replacement artwork will follow the process outlined in this section.

Δ Ord. No. C-7-2025