

A RESOLUTION APPROVING CERTAIN ADDITIONAL ELEMENTS TO THE CHATHAM
PARK PLANNED DEVELOPMENT DISTRICT MASTER PLAN
(Public Art)
(CPMA-2016-11)

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the foregoing application pursuant to the Chatham Park PDD Master Plan in order to review the following Additional Element submitted by Chatham Park Investors LLC regarding Public Art within the Chatham Park Planned Development District pursuant to Article X of the Town of Pittsboro Zoning Ordinance in the same manner as the “legislative process for amending the text of the zoning ordinance”; and

WHEREAS, the Town Planning Board reviewed the application for approval of this Additional Element in detail, and forwarded the request to the Town Board of Commissioners with a positive recommendation for approval; and

WHEREAS, the Town Planning Board adopted a statement advising that the proposed Public Art Element was reasonable and consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans and policies adopted by the Town of Pittsboro, based upon the fact that the proposed Public Art Element provide more information as to future development within the Chatham Park Planned Development District and the potential benefits to development of the Town of Pittsboro and surrounding community in general and this Element advance the public health, safety or welfare of the Town of Pittsboro; and

WHEREAS, an Advisory Committee on the Chatham Park Additional Elements was duly appointed by the Board of Commissioners in order to review the Additional Elements and provide a report concerning the same, and further, to recommend actions and alternatives for the Board’s consideration; and

WHEREAS, the Advisory Committee has deliberated and issued its report with comments and recommendations concerning the Public Art Element, which has been considered; and

WHEREAS, a Public Hearing was held on August 14, 2017 to solicit comments and concerns which were duly considered; and

WHEREAS, Chatham Park Investors LLC has subsequently revised certain portions of the Public Art Element in response to said reports and comments; and

BASED UPON THE FOREGOING, the Board of Commissioners of the Town of Pittsboro hereby finds and concludes the following:

1. The Chatham Park PDD Master Plan approved on August 10, 2015 included a requirement in Article VIII thereof for Additional Provisions to be presented to provide more details related to development within Chatham Park in addition to the Master Plan and to govern land use and development within the Planned Development District.
2. After reviewing the application, associated public testimony and comments as well as reports from Town staff and the Chatham Park Additional Elements Advisory Committee, and revisions in response thereto from Chatham Park Investors LLC the Board finds and concludes that the Public Art Element is reasonable and consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans and policies adopted by the Town of Pittsboro based upon the fact that these proposed Elements provide more information as to future development within the Chatham Park Planned Development District and the potential benefits to development

of the Town of Pittsboro and surrounding community in general and this Element advance the public health, safety or welfare of the Town of Pittsboro.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro as follows:

1. Except as set forth below, the Public Art Additional Element revised by Chatham Park Investors LLC dated March 14, 2018 and attached hereto as Exhibits 1, inclusive, be, and the same hereby are, approved as a part of the Master Plan and shall be enforceable in the same manner and to the same extent as the Master Plan,
2. The approved Public Art Element may be amended by the Town pursuant to the General Provisions of the Additional Elements submitted to the Town in May, 2016.
3. In addition, notwithstanding the provisions of the Public Art Element approved hereby, based upon the grounds specified in G.S. 160A-385.1(e), the Town may apply subsequently adopted ordinances or development policies or regulations to the Chatham Park PDD.
4. Likewise, in the event State or federal law is changed after the approval hereof and the change prevents or precludes compliance with one or more provisions of this approved Element, the Town may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the Element, by ordinance after notice and a hearing.

This 26th day of March, 2018.

TOWN OF PITTSBORO

By:

Mayor

Cindy S. Perry

ATTEST:

Clerk

Alicia J. Lloyd

9. Master Public Art Plan Additional Element

Introduction

Art has a positive effect both socially and economically on a community and reaches across age, race, language, and socio-economic differences to provide a powerful way for people to engage with one another. An art program for Chatham Park will help to establish its identity as a place and will provide an important contribution to the legacy of art not only locally, but also nationally and internationally. Art in spaces on publicly owned or controlled properties in Chatham Park is referred to in this Element as "public art". Examples of properties that are publicly controlled are street rights of way and utility easements dedicated to the Town of Pittsboro (the "Town"). All art in Chatham Park that is not included in the term public art is referred to herein as "other art".

Section 1. Purpose

The primary purpose of this Master Public Art Plan Additional Element (also referred to herein as the "Element") is to establish a strong and enduring "Art Program" that will help shape the Chatham Park appearance and character through displays of public art and other art. This Element does not define or limit what constitutes art, but it establishes a framework for making art an important part of the landscape of Chatham Park.

Section 2. Objectives

This Element is based on general objectives which also could apply to the Town's public art planning efforts as a whole and specific functional program areas in particular. These objectives therefore should be viewed as some key principles for consideration by the Town in establishing its own public art program which is responsive to community expectations and well-being.

Objective 1:

Develop a Chatham Park Art Program that has a positive aesthetic and economic impact on the community through the provision, selection, funding, and maintenance of art.

1. Potential locations for public art installations may be provided in Small Area Plans or in development plans. As used in this Element, and notwithstanding any other approved definition of such term, the term "development plan" shall refer to a site plan or a residential subdivision plan.
2. Potential locations for public art include, but are not limited to:
 - a. Gateway locations.
 - b. Streetscapes.
 - c. Parks and greenways.
 - d. Infrastructure projects such as bridges, water tanks, etc.

- e. Publicly owned performing arts venues.

Objective 2:

Create a non-profit Chatham Park Arts Advisory Board ("CPAAB") that works with the Chatham Park Development Review Committee ("DRC") to establish policies for displays of other art on privately owned properties in Chatham Park and implements the action steps necessary to create the Chatham Park Art Program. Subject to their availability to serve, the CPAAB will include two (2) persons from the art community in Chatham County. The responsibilities of the CPAAB include the following:

1. Oversee the implementation of the Chatham Park Art Program
2. Develop and propose to the DRC policy concerning art and conduct periodic reviews of the Art Program with associated updates to the DRC.
3. Advocate for art throughout Chatham Park.
4. Develop and propose to the DRC plans for the inventory, maintenance, acquisition and disposition of art to be displayed in Chatham Park.
5. Identify public and private funding sources that can assist in the provision of new, permanent and temporary works of art.
6. As directed by the DRC, review proposals for art placement in Chatham Park and make recommendations to the DRC.
7. As directed by the DRC, oversee the creation and implementation of an annual temporary art exhibition in Chatham Park.
8. To encourage owners of properties to be developed in Chatham Park to utilize local artists. To further this objective, the DRC will make available literature on local artists produced by local art organizations to owners of non-residential properties in Chatham Park who desire to submit development plans to the Town.

Objective 3:

Encourage the inclusion of "architectural art" components for non-residential building and site design in Chatham Park.

1. The DRC will work with the CPAAB and future property owners to help establish architectural focal points for non-residential building and site design prior to submittal of applicable development plans to the Town.
2. As part of the DRC's development plan review process, each non-residential project in Chatham Park will be required to submit an "art statement" to the DRC describing the type of art that will be included on the improvements to be constructed and/or on the development site. The type of art approved by the DRC will be included in the development plan submittal to the Town for that non-residential project and will be required to be completed/installed before any certificate of occupancy is issued by the Town for that non-residential project.
3. When the DRC deems it appropriate, a visual artist will be included as a member of the architectural and landscape architectural design team to help establish the site/building

art treatment.

Section 3. Types of Art

The following is a list (not intended to be exclusive) of various types of art that may be placed in Chatham Park. This list and examples given are illustrative only and not intended to be exclusive.

1. **Functional:** This type of art is functional or utilitarian, and serves a purpose in the public realm. Examples include benches, bicycle racks, bus shelters, fences, and gates.
2. **Object (or sculpture):** This is a freestanding work of, physically independent of other site elements, It may consist of a variety of materials, including metals, wood, concrete, fiberglass, landscape, glass, and lighting elements.
3. **Integrated:** This type of art work is fully incorporated into the design of a larger project. Examples include bridges, retaining walls, landscaping, walkways, and buildings.
4. **Interpretive:** This type of public art has the primary purpose of educating the public. It might be self-explanatory or require a supplemental panel of facts explaining the art.
5. **Monument:** This is the most traditional type of public art. Monuments are typically cast in or sculpted from granite, bronze, or marble. Examples are monuments historical events or military, civic, or charitable leaders.
6. **Murals:** Murals are painted or applied to walls. While some murals are painted directly on walls, others are prepared in studio and later applied to walls. Today's murals typically depict persons or events or have messages that are unique to the locale.
7. **Sensory Art:** This type of art project can appeal to the visual, auditory, or touch senses, or to a combination of these. The most common example is a water fountain, which has auditory and visual features that enliven a space. Lighting and sound also are types of sensory art that often are found in urban public spaces.
8. **Digital:** Digital public art is a technologically based public art form. The artist's tool is a computer, or computerized camera or video projector. Examples of digital art include videos projected on the exterior walls of buildings, and augmented reality that may be viewed from a smart phone.

9. Temporary: These are works of art that are displayed for a specified period of time and can be in virtually any form. Temporary can be used for experimentation without a long-term obligation, and for topics or forms that are contemporary and might not be relevant later. Temporary works of art may be moved from place to place for enjoyment by a large number of persons..
10. Serial art: Serial, or series, art projects are a collection of artworks that reflect meaning through their relationship to one other. Series art projects can be installed in succession, delineating paths and borders, or can be presented as an installation of multiple objects.
11. Mosaic art, is the decoration of a ground or wall surface with designs made up of closely set, usually variously colored, small pieces of material such as stone, mineral, glass, tile, or shell. Unlike inlay, in which the pieces to be applied are set into a surface that has been hollowed out to receive the design, mosaic pieces are applied onto a surface that has been prepared with an adhesive.
12. Garden, Arbor and Landscape design are compositions of shape, form, colors, scents, and textures that are in constant flux. When landscape design moves beyond being a decorative element surrounding buildings and is an intentional work in and of itself it is to be considered a type of art as defined by this Element.

Section 4. Implementation

Art in Chatham Park will be implemented as follows:

1. Art on privately owned non-residential properties in Chatham Park will be subject to applicable restrictive covenants and policies and procedures adopted by the DRC. Art located inside of non-residential buildings in Chatham Park will be encouraged by the CPAAB. Art on privately owned residential properties in Chatham Park is not subject to this Element.
2. Public art in and on properties owned by the Town or other governmental entities will be controlled by the respective governing bodies of such governmental entities. The CPAAB and DRC will be available to consult with and provide recommendations to governmental entities as to public art to be displayed in Chatham Park.
3. If the Town Board appoints a committee or board to advise and/or give recommendations to the Town Board with respect to public art in Chatham Park, at least one (1) person on such committee or board shall be appointed from a list of two (2) or more persons provided by the DRC.