

470.01	General	470.05	Criteria for Public Art
470.02	References	470.06	Process and Project Delivery Plan
470.03	Public Art Requirements	470.07	Approvals
470.04	Use of Funds for Art	470.08	Documentation

470.01 General

There has been a growing interest on the part of communities to use art within the transportation facilities of the Washington State Department of Transportation (WSDOT) including Washington State Ferries. Public art can be used to provide visual interest, make unique statements about community character, and create positive public response that will last over time.

Proponents for public art might be local agencies or engaged citizens' groups with interest in the outcome of a WSF project. The environmental and public involvement processes offer opportunities for community partnership on the visual and aesthetic qualities of a terminal.

While some local jurisdictions dedicate a percentage of their project budgets for art, in general WSDOT projects have no such dedicated funding. Section 40 of the [State Constitution](#) specifies that gas tax money must be used for a "highway purpose." Therefore, public art beyond WSDOT standard design is typically funded by other sources.

In July 1974, Washington State's Legislature established the Art in Public Places (AIPP) Program of the Washington State Arts Commission. The AIPP Program facilitates the acquisition of artwork with funds generated by new state-funded public building construction. The AIPP Program applies to the construction of WSF ferry terminal buildings.

The public art policy in this chapter is intended to provide guidance for budgeting, selecting, approving, acquiring, and locating public art for WSF projects.

A copy of the Memo of Understanding (MOU) between WSDOT and WAC regarding incorporating art in public projects is included in [Appendix V](#).

470.02 References

Unless otherwise noted, any code, standard, or other publication referenced herein refers to the latest edition of said document.

(1) **Federal/State Laws and Codes**

[23 CFR 752](#) *Landscape and Roadside Development*

[RCW 43.17.200](#) *Allocation of moneys for acquisition of works of art – Expenditures by arts commission – Conditions*

[RCW 43.17.210](#) *Purchase of art - Procedure*

[RCW 43.46.090](#) *Commission as reflecting state's responsibility - Acquisition of works of art for public buildings and lands- Visual arts program established*

[RCW 43.46.095](#) *State art collection Scenic Vista Act*

[WAC 30-40](#) *Art in public places program*

(2) Supporting Information

Art in Public Places Handbook, Washington State Arts Commission

Design Manual M 22-01

470.03 Public Art Requirements

[RCW 43.17.200](#) requires that all state agencies allocate out of moneys appropriated for the original construction of any public building, an amount of one-half of one percent (0.5 percent) of the appropriation to be expended by the Washington State Arts Commission (the Commission) for the acquisition of works of art. The one-half of one percent formula is to be applied to architecture and engineering fees, total building cost, and equipment costs. New buildings and building additions are subject to this requirement. See [WAC 30-40](#) for additional information.

A public building, as it pertains to a ferry terminal, includes the following:

- Passenger terminal building (including foundation)
- Overhead loading structures which contain a passenger waiting area

A public building, as it pertains to a ferry terminal, does not include the following:

- OHL structures with no holding area (considered bridges)
- Terminal supervisor building/facilities
- Maintenance buildings
- Parking structures
- Pedestrian bridges
- Temporary structures

470.04 Use of Funds for Art

Percent-for-art moneys may be pooled from separate projects or augmented from external private and public funding sources to realize larger projects. Funds may be used within WSF's jurisdiction or on any public land, building or structure, including new and existing buildings, park lands, and structures which may include bridges and waterways.

The one-half of one percent funds for art may be used for expenses incurred in the design, fabrication and installation of works of art, artist's expenses and the Commission's administration expenses.

Funds for art may not be used for administrative expenses of the agency or architect or for expenses of the agency as agreed upon for the preparation and installation of the work, dedication, insurance, or for the maintenance of works of art.

470.05 Criteria for Public Art

Placement and composition of public art is unique and is to be evaluated on a case-by-case basis. Public art may be placed on public lands; integral to or attached to a public building or structure; detached within or outside a public building or structure; part of a portable exhibition or collection; or loaned or exhibited in other public facilities.

(1) *Public Art Plan Criteria*

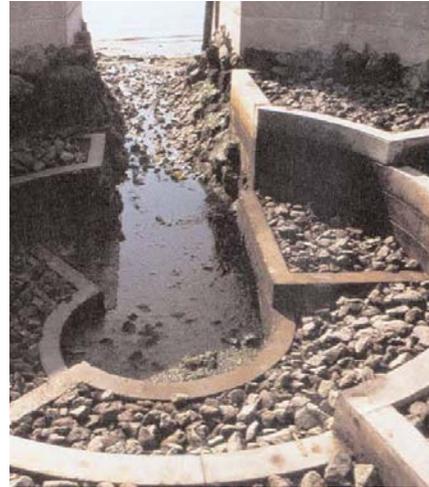
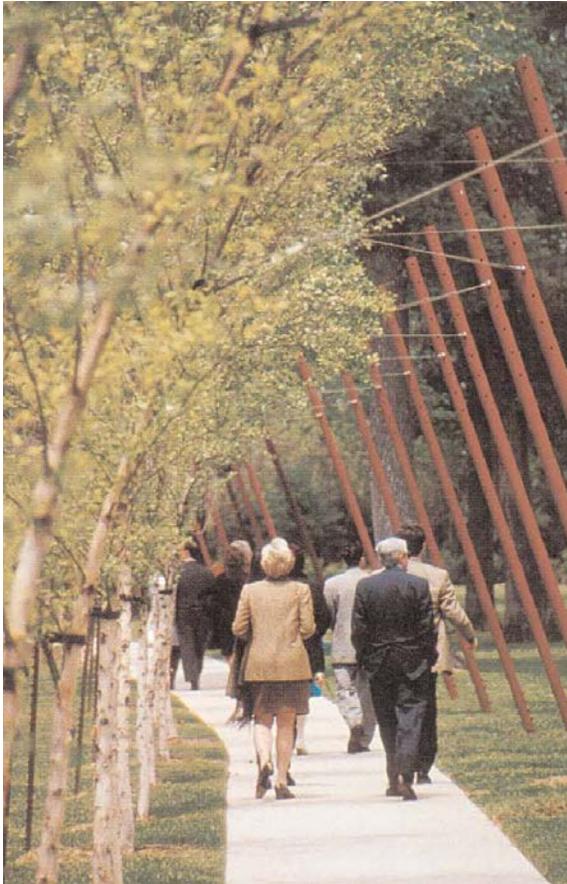
Prior to approval of public art, a public art plan is to be developed. Address and document the following criteria in the public art plan:

- The public art proponent, the funding source, and those responsible for the installation and maintenance of the proposed art. Provide for safe maintenance access, and establish agreements with local agencies for maintenance where appropriate. If there is a potential for vandalism, address this issue in the associated maintenance agreement.
- Whether public art resulted from the specific recommendation(s) of a planning-level study.
- Subject of the recommended art.
- Visibility: Art visible from adjacent roadways must contribute to the continuity and the view from the road. Art visible to the community or adjacent to the neighborhood side of a structure may have more flexibility in design than that visible from the main line.
- Safety and security: Public art must not negatively impact safety nor create an attractive nuisance.
- Potential for traffic distraction: Proposed art must not distract motorists. It must be appropriate for the speed and angle at which it will be viewed.
- Scale and context compatible with the surrounding landscape and land use.
- Contribution of the art to community character.
- Impact of the proposed art on social, cultural, and environmental features. In general, WSDOT would not approve the addition of art on a historic structure or within an ecologically sensitive area.
- Compliance with applicable laws, such as the [Scenic Vistas Act](#) and [23 CFR 752](#).
- Demonstrated responsible use of tax dollars and enhanced public trust in WSDOT judgment.

(2) *Acceptable Public Art Features*

The following are examples of types and locations of acceptable public art features:

- Concrete surface treatments (beyond WSDOT standard).
- Colored paving/colored pavers/scoring patterns (beyond WSDOT standard).
- Specially designed benches, trash cans, planters, or other street furnishings.
- Soft lighting and lighting fixtures.
- Small-scale sculptures or art pieces.
- Attachments to decorative railings, light poles, or fences.
- Decorative bus shelters.
- Tribal art



Tidal clock provides educational interest



Examples of Public Art
Exhibit 470-1

(3) Unacceptable Public Art Features

The following are examples of unacceptable public art features:

- Kinetic sculptures.

Wave organ turns tidal waters into sound

- Large sculptures (the size of a sculpture is relative to its context and location in the landscape).
- Art with highly reflective qualities or adverse colors.
- Art that is a distraction to drivers or out of context with the surroundings.
- Art with a topic/theme that could cause negative public reaction.
- Art that resembles a traffic control device.

470.06 Process and Project Delivery Plan

Begin the development and review of public art early in the WSDOT design process and conduct subsequent reviews during the course of its development. Do not include public art as a change order or addendum to a project without first having gone through the process described in this policy.

A public art plan is developed to incorporate public art into WSDOT projects. The public art plan is developed by WSF in coordination with the Art Selection Committee. The public art plan provides enough detail and description to convey the intent of the proposed art project. The plan documents how the proposed art meets the criteria listed in [Section 470.05](#) and includes the following elements:

- Cover sheet with appropriate approval signatures (see [Section 470.07](#)).
- Project overview.
- Location of the proposed art.
- Scale drawings of the proposed art, including proposed materials and finishes.
- All criteria from [Section 470.05](#), Criteria for Public Art, addressed and documented.
- Justification and recommendations for public art.

Include the public art plan in the Design Documentation Package (DDP) and consider including it in the Design Approval and Project Development Approval packages.

(1) **Art Selection Committee**

WSF designates its own Art Selection Committee. The Art Selection Committee consists of approximately 5 to 7 people representing the following, as deemed appropriate:

- Terminal Engineering Director
- WSF Project Manager
- Project Architect
- WSF Construction Representative
- WSF Maintenance Representative
- WSF Operations Representative
- Local Artist (required for AIPP Program funds)
- Member of Ferry Advisory Committee/Community Member

(2) **Role of Art Selection Committee**

The role of the art selection committee is as follows:

- Develop broad criteria and provide community context and concerns to the artist
- Recommend site options for project art
- Select an artist to create a proposal, provide comments, review and approve proposal

(3) Art Selection Timeline

The process of selecting an artist and accepting a proposal generally takes place over a 6 to 9 month time frame. The Commission is responsible for contracting and expending the one-half of one percent funds for art. WSF will comply with the terms of the interagency agreement as negotiated with the Commission. Once the selection process is completed, the artist generally has one year to fabricate and install the artwork.

470.07 Approvals

Involve the Art Selection Committee in the development of public art during the earliest possible phase of project development, ensuring that approvals happen smoothly and that WSDOT (and FHWA where applicable) are aware of the public art as soon as possible. Phases include the following:

- Initial Art Concept Review: input and approval.
- Selected Art Concept Review: input and approval.
- Final Proposed Art Review: input and approval.

(1) Approval Signatures

The public art plan cover letter includes the following appropriate approval signatures.

- Assistant State Design Engineer
- Terminal Engineering Director
- WSF Marine Project Engineer
- WSF Architect

470.08 Documentation

The public art plan, complete with approval signatures, is retained in the Design Documentation Package (DDP). Refer to [Chapter 220](#) for additional information.