



PUBLIC ART & CIVIC DESIGN COMMISSION MANUAL

FEBRUARY 2023



THE CITY OF
PITTSBURGH

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A. PUBLIC ART & CIVIC DESIGN COMMISSION

Established in 1911 as the Art Commission, the Public Art & Civic Design Commission reviews the aesthetics of the designed environment on or over City-owned property. The Public Art & Civic Design Commission empowers the development of art and culture in public spaces and promotes design of public spaces and civic structures that has a positive impact on the City's Public Realm.

The Commission conducts reviews through two Committees:

- The Public Art Review Committee reviews and approves the addition, modification, relocation, and removal of items of Public Art in the Public Realm.
- The Civic Design Review Committee reviews and approves the design of new structures and designed sites in the Public Realm, or the modification of existing structures and designed sites in the Public Realm.

B. CITY CODE

The Pittsburgh Home Rule Charter provides for the codification of the general ordinances of the City of Pittsburgh. In addition to outlining the specific role, function, and oversight of the Public Art and Civic Design Commission, the Home Rule Charter and Pittsburgh City Code also provide such details as Home Rule powers; the appointment, term, and removal of members of boards and commissions; and functional matters such as residency requirements, right to inspect records, and disclosure of interests.

The City Clerk of Pittsburgh is responsible for maintaining the official version of the City's Home Rule Charter and Pittsburgh Code. For further information regarding the Pittsburgh Home Rule Charter or Pittsburgh Code, visit: [Office of the City Clerk's Legislative Information Center](#) or contact the City Clerk's Office at (412) 255-2138.

The Public Art & Civic Design Commission is directly governed by Chapter 175 of the City Code. Other sections of the City Code and Home Rule Charter include additional context for the regulation of the City's boards and commissions. Questions regarding the application of the City Code to specific circumstances are put under the advisement of the City's Law Department.

Chapter 175 can be found as Appendix A to this manual, and at the following link:

[TITLE ONE: ADMINISTRATIVE, ARTICLE IX: BOARDS, COMMISSIONS, AND AUTHORITIES, CHAPTER 175: PUBLIC ART & CIVIC DESIGN COMMISSION](#)

C. RULES OF PROCEDURE

Per Chapter 175, the Commission has the power to adopt its own rules of procedure, consistent with relevant laws or ordinances.

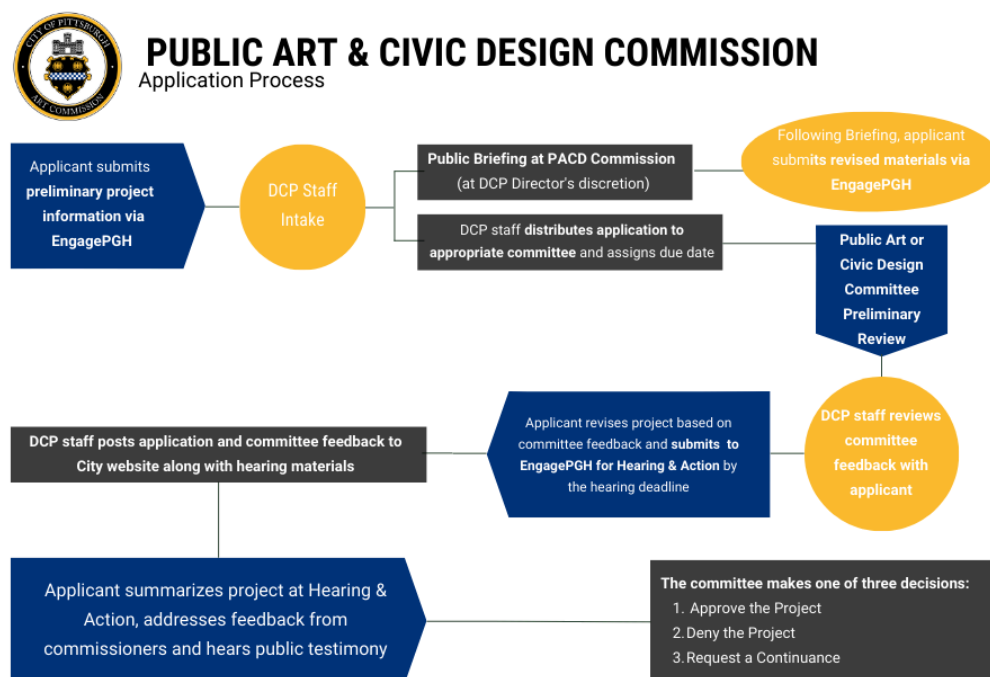
The Rules of Procedure can be found in Appendix B of this manual.

D. PACD COMMISSION APPLICATION AND REVIEW PROCESS

Applicants seeking Commission review submit applications via an online form:
<https://engage.pittsburghpa.gov/pacd-commission-application>.

The Department of City Planning (DCP) staff creates and publishes Application Guidelines to assist applicants with the application and review process. The Application Guidelines is a public-facing document that explains application requirements and the PACD Commission procedure, including the established criteria that the Commission will use in its review. Commissioners should familiarize themselves with the Application Guidelines, available in Appendix D of this manual.

Submitted applications are reviewed by DCP staff, who determine the application's completeness and next steps. The overall review process is summarized in the chart, below:



1. **Briefing:** Certain projects (e.g. large, complex, or multi-site) may present a Briefing of their project at a hearing. This Briefing will include a broad project overview to allow for early-stage comments prior to further project development. The DCP Director will determine which projects require a Briefing and DCP staff will coordinate with the applicant. Most projects requiring Commission approval will bypass this step.
2. **Preliminary Review:** This review will be the first step for most applicants. Preliminary Reviews will not take place at a hearing.
 - a. Applicants submit the application and supporting materials through the online form.
 - b. The application materials are sent by DCP staff to the appropriate Committee of the PACD Commission for Preliminary Review, with a due date for comment.
 - c. By the given due date, the Commission reviews and comments on the application using a standard format and according to the City's established review criteria (see Criteria for Evaluating Applications, below).
 - d. DCP staff communicates the Commission's feedback to the applicant, who uses the information to continue to refine and develop their project.
 - e. There are no approvals given at this stage. Following the Preliminary Review, the applicant may submit the application for Hearing & Action.
3. **Hearing & Action:** This takes place when projects have reached an advanced level of detail and require PACD Commission approval in order to proceed with implementation.
 - a. Applicants submit the application and supporting materials through the online form.
 - b. The hearing agenda and all submitted applications are posted publicly two weeks prior to the hearing. Each application includes feedback from Commissioners during Preliminary Review.
 - c. The Commission reviews the materials prior to the hearing.
 - d. At the hearing, the applicant provides a brief opening statement summarizing the project. At this time the Commission may hear public comments, ask follow-up questions, and deliberate. The Commission will then vote on an action.
4. **Courtesy Review:** Public art or civic design projects taking place on private property may be presented for the advice and recommendations of the Commission. This review is not required and any comments given by the Commission during these reviews are non-binding.

E. REVIEW TIMELINE

Applications for all reviews (Briefing, Preliminary Review, Hearing & Action, Courtesy) are due by 4:00 PM on the first Wednesday of each month.

- *DCP staff will send materials for Preliminary Review to the Commissioners with deadlines for feedback. Commission feedback will then be communicated by DCP staff to the applicant within two business days.*
- *Materials for Hearing & Action are posted publicly and sent to the Commission on the second Wednesday of the month. Commissioners are expected to review these materials prior to the hearing.*

Commission hearings take place on the fourth Wednesday of each month, January through October, and on the third Wednesday of the month in November.

F. CRITERIA FOR EVALUATING APPLICATIONS

Commissioners will use the following criteria to guide their reviews. Consideration will be taken of any stated limitations of scope and budget included in the application. The scope, budget, and intent of City-led projects have been reviewed and approved during the public budgetary process, therefore City of Pittsburgh projects will not be reviewed for “Intention”.

1. **Intention** (not applicable for City-led projects)

- a. Does the project have the potential to benefit the community and/or improve the resident and visitor experience of the City?
- b. Has the project shown consideration for community interests and/or demonstrated support from community stakeholders?

2. **Aesthetics**

- a. Are the aesthetics of this project appropriate within the context (architectural, historical, environmental) of its location?
- b. Are the elements of this project designed and arranged thoughtfully?
- c. Does the design of this project and the materials used make sense in consideration of the project scope and budget?
- d. How will this project visually impact the experience of the City as a whole?

3. **Function**

- a. Is the design of this project appropriate for its intended purpose?
- b. Will the design of this project interfere with resident or visitor use and/or experience of the Public Realm?
- c. Will the design, materials, and proposed maintenance plans ensure that the project will maintain its integrity for its proposed lifespan?

4. **Application Materials**

- a. Are the project details sufficient to evaluate the project according to the above criteria?

City Review

The following areas are reviewed and regulated by the City to ensure that projects comply with all applicable guidelines. Commissioners are not expected to include these categories in the scope of their review:

- Accessibility (e.g. clearance, ramping, sign height, etc.)
- Safety (e.g. traffic control, height clearance, night access, etc.)
- Sustainability/energy use
- Compliance with local, state, and federal ordinances (e.g. dark sky, stormwater, etc.)

Questions or requests for further City review on a given application may be directed to DCP staff.

G. HEARING AGENDA

At the appointed time and when a quorum is present, the Presiding Officer will call the meeting to order. The meeting will then proceed according to the order of that meeting's published agenda. Standard agenda items include:

1. Roll call of Commissioners present (conducted by DCP staff)
2. Items for review
 - a. **Briefings** (These will include an applicant presentation, then public comment, then Commissioner questions/comments. No motions or voting will take place.)
 - b. **Hearing & Action Items** (These will include an applicant introduction, then public comment, then Commissioner questions/comments, then a motion and vote.)
 - c. **Courtesy Reviews** (These will include an applicant presentation, then public comment, then Commissioner comments. No motions or voting will take place.)
3. An opportunity for the public to address the Commission
4. Received correspondence (reported by DCP staff)
5. Staff report (City updates on items of interest/relevance to the Commission)

Staff Notes

Prior to each hearing, DCP staff will compile a summary of each agenda item, typically including background information, staff recommendations, and other pertinent information necessary to make a decision.

H. COMMISSIONER ROLES

Presiding Officer: The Presiding Officer is responsible for making sure that meetings stay on track. This includes:

- Calling the meeting to order when a quorum is present
- Announcing each agenda item
- Recognizing and putting to vote all legitimate motions
- Announcing the result of each vote
- Expediting business and enforcing order (this includes stopping off-topic discussion and interrupting when a topical discussion has gone on too long)
- Adjourning the meeting

Ex-officio members: The Directors of the Department of Public Works and the Department of Mobility and Infrastructure, or their designees, attend Commission hearings and participate in discussion. They do not vote on Commission decisions.

The ex-officio members may and should be relied on for their institutional knowledge and active engagement with the City's regulations and processes. Questions regarding areas of City Review (see Criteria for Reviewing Applications, above) may be directed to them either directly during a hearing, or through DCP staff at any other time.

I. HEARING DISCUSSION

The Commission may hold discussion on each agenda item. Discussion should be relevant and help to move application reviews forward in an efficient manner.

Discussion should include:

- Assessments of the merit of the current application against the established review criteria
- Questions that a Commissioner deems necessary in order to make a decision
- Recommendations or considerations to the applicant

Discussion should not include:

- Aspects of the project outside review criteria (e.g. public safety, accessibility, project scope)
- Personal anecdotes or preferences
- Unrelated background questions (“just curious...”)

Note that there is no required amount of discussion, and it is not expected that each Commissioner will have substantive input on every project. If the project as proposed meets the review criteria (see section 6, Criteria for Evaluating Applications) and there are no clarification questions or items of concern, the topic may move directly to a motion.

The Commission will and should be made up of diverse viewpoints. Since motions pass by majority vote, it is not expected or recommended that discussion should continue until all Commissioners reach a common consensus.

J. COMMISSION DECISIONS, MOTIONS, AND VOTING

The Commission may approve, deny, or move for a continuance.

Approval

- The project receives Commission approval.
- Approvals may be given with conditions.
- Prior to implementation, the applicant must still procure any other necessary approvals (i.e., permitting, legal agreements, additional City and/or other Board or Commission reviews).

Denial

- The project does not receive Commission approval.
- Denials will be made with clarification of what criteria, if any, the applicant may address in order for the project to seek future approval.
- A denied project may only resubmit for a future hearing if the project has been modified.

Continuance

- The project is neither approved nor denied.
- The applicant is asked to return to a future hearing in accordance with Chapter 175.01.e.
- Motions for continuance will be made with clarification of what additional information is required in order to make a decision.
- Proposals may receive a continuance only once. At the next hearing at which the project appears, a decision must be made to Approve or Deny.

A motion can be made at any time by any Commissioner, or the Presiding Officer may call for a motion to be made. A motion is made by a Commissioner saying, "Motion to approve / to deny / for continuance."

All motions must be seconded. Any Commissioner may second a motion made by another Commissioner. A second is made by a Commissioner saying, "I second" after a motion has been made.

Following a motion and second, the Presiding Officer will call for a vote, which will be done by a role call conducted by DCP staff. If a member makes a motion and discussion is still desired, the Presiding Officer will let the motion stand until necessary discussion has occurred.

Conditional Motions

An approval may be given with conditions, which must be listed clearly in the motion. Using approval conditions is an efficient way to move a project forward when small changes are necessary or a final detail has not yet been provided. This helps to ensure that the best use can be made of future agendas without needing to revisit previously-reviewed projects. DCP staff may be delegated to review compliance with conditions.

Examples of approval motions with conditions:

- "Motion to approve, with the condition that the style of trim be consistent with the nearby buildings."
- "Motion to approve, with the condition that the mural be sized to encompass the entire wall."
- "Motion to approve, with the condition that staff review and approve the final color choices."

Recommendations and suggestions made during the discussion are not considered to be conditions and should not be included in the motion.

Voting

A majority vote is necessary to pass a motion. A majority is constituted by more than half of the voting members of the quorum. Abstentions are not counted as votes. If the vote results in a tie, the motion does not pass.

If a majority votes in favor of the motion, the Presiding Officer will signify this by saying, "Motion passes." If a majority does not vote in favor of a motion, the Presiding Officer will say, "Motion fails."

Staff Review

Projects presented at a hearing may have certain small details that require finalization after Commission review or depend on "field adjustments." At their discretion, the Commission may grant the project approval and delegate these, or other details, to DCP staff for follow-up approval. Doing so when appropriate will optimize the resources devoted to the Commission process by the Commissioners, staff, and applicants.

K. CONFLICTS OF INTEREST

A conflict of interest is any financial or personal relationship with an organization, individual, or business that would prevent a Commissioner from offering an unbiased evaluation or reaching an unbiased decision on the merits of the proposal before the Commission, or any relationship that has a strong likelihood to lead the public to perceive that a Commissioner has a conflict of interest that might undermine the credibility of the Commission decision-making process.

In cases of a conflict of interest, the Commissioner will recuse themselves after the agenda item is announced. It is then customary for that Commissioner to excuse themselves from the room (or in the case of a virtual meeting, to turn mic and camera off).

An abstaining Commissioner does not affect the number needed to fulfill that meeting's quorum. A majority of the voting members of the quorum will still be necessary to pass a motion for that agenda item.

A Commissioner may represent themselves, a client, or any other member of the public at a hearing, provided the Commissioner:

1. Abstains from the vote on the matter
2. Removes themselves from the Commission panel and joins the attendees/audience
3. Makes full disclosure of their status and position at the time of addressing the Commission.

L. OVER-THE-COUNTER REVIEW

In certain circumstances, an Over-The-Counter (OTC) review may be conducted by DCP staff in lieu of the project going to a Commission hearing. Monthly summaries of OTC Reviews are sent to the Commission along with that month's correspondence.

Information on OTC Review may be found in Appendix C of this manual.



APPENDICES

Artwork: *Joy of Life*, Virgil Cantini, 1969



Appendix A: Chapter 175 of the Pittsburgh City Code

§ 175.01: Public Art & Civic Design Commission

a) PURPOSE. Established in 1911 as the Art Commission, the Public Art & Civic Design Commission reviews the aesthetics of the designed environment on or over City-owned property. The Public Art & Civic Design Commission empowers the development of art and culture in public spaces and promotes design of public spaces and civic structures that has a positive impact on the City's Public Realm.

b) CREATION. The Public Art & Civic Design Commission shall consist of the various members appointed by the Mayor with approval by City Council. Members shall hold office during the term for which the Mayor who appoints them has been elected and until their successors are respectively qualified and appointed. In case any vacancy occurs, the vacancy shall be filled by the Mayor for the remainder of that Mayor's term. All appointed members shall serve without compensation. The Directors (or their Designees) of the Department of Public Works and the Department of Mobility & Infrastructure shall serve as ex-officio members of the Commission but will not be voting members or counted for purposes of quorum.

c) ORGANIZATION.

- a. The Commission shall consist of the following Committees:
 - *i. Public Art Review Committee*, consisting of four (4) practicing artists or arts professionals, and one (1) community representative. The Public Art Review Committee shall review and approve the addition, modification, relocation, and removal of items of Public Art in the Public Realm on behalf of the Commission.
 - *ii. Civic Design Review Committee*, consisting of (4) practicing architects, urban designers, or built environment professionals, and one (1) community representative. The Civic Design Review Committee shall review and approve the design of new structures and designed sites in the Public Realm, or the modification of existing structures and designed sites, in the Public Realm on behalf of the Commission.
- b. A Public Art & Civic Design Commission President and Vice-President shall be elected at the first Commission meeting of the year, with a representative from each Committee occupying one of the two leadership positions. These positions will in turn each serve as Chair for their respective Committee. The term of office for the Chair and Vice-Chair shall be for one (1) year. Responsibilities of the officers shall include announcing periods of discussion about proposals at meetings, calling for votes at the end of discussion, and announcing decisions of votes.
- c. The Public Art & Civic Design Commission shall convene as a body no less than two (2) times each year to review procedural issues and to receive public arts, culture, and civic design priorities, goals, and review criteria from the City, which will inform the Committees' review of applications.
- d. Each Committee of the Commission should meet no fewer than six (6) times per year, with the option to meet additionally as necessary.

d) QUORUM. A majority of the sitting members of the Commission and/or the Committee shall constitute a quorum for the transaction of any business or the decision of any matters within their competence or jurisdiction, and the majority of the quorum may decide.

e) TIME LIMITATION ON DECISIONS. In all instances other than §175.03.b.a: Emergency Action, if the Commission or a Committee fails to decide upon any matter submitted to them within seventy-five (75) days after a completed application is submitted to Department of City Planning staff, the matter shall be deemed approved.



f) RULES OF PROCEDURE. The Commission shall have the power to adopt its own rules of procedure, consistent with relevant laws or ordinances.

g) DELEGATION TO STAFF. Within the Commission's Rules of Procedure, projects of limited scope may be classified as having a minimal impact on the public and the review of such projects delegated to the Department of City Planning staff.

§ 175.02: DEFINITIONS

a) PUBLIC REALM. For the purposes of this chapter, Public Realm means the outdoor area that is experienced by the public in general, and is owned or managed, in whole or in part, by the City; including the surface, the air above the surface, and any right-of-way (including any street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, park, parkway, lane, square, viaduct, or waterway).

b) PUBLIC ART. For the purposes of this chapter, Public Art means historic and modern works of Public Art, Monuments, Memorials, and select Historic Objects (collectively referred to as "Public Art") intended for permanent display in the Public Realm. Permanent display is considered to be one (1) year or more in duration. Categories of Public Art include, but are not limited to:

- **a. Public Art.** Original or editioned artwork selected, commissioned, or created for placement in the public domain, and created by an artist. This includes but is not limited to free-standing and wall-mounted sculptures, mosaic panels, and site-specific installations.
- **b. Monuments.** Physical structures or designed spaces whose purpose is to honor 1) a special event or concept of recognized importance to the general public, or 2) the life and deeds of a notable figure.
- **c. Memorials.** Signs, structures, designed spaces, or other markers whose purpose is to keep a notable event, period of time, site, person, or group within the consciousness of the general public.
- **d. Historic Objects.** Historic items which serve as memorials to a past era due to their previous function or placement.

c) CIVIC DESIGN. For the purposes of this chapter, Civic Design means the designed environment on or above land owned by the City, including but not limited to structural features and site design. These are structures or sites within the Public Realm, under the City's legal control, and in which City funds are invested.

§ 175.03: ACTION

a) DECISION MAKING. All action regarding Public Art and Civic Design shall require the Mayor's initiation. The Commission, including its Committees, cannot ratify a decision with regard to Public Art or Civic Design in the Public Realm without first receiving a written directive from the Mayor to consider the Public Art or Civic Design matter.

b) PUBLIC ART. The Public Art Committee of the Commission shall review and approve the addition, modification, relocation, and removal from public view of items of Public Art as defined in §175.02.b. Approval shall be given in writing by a quorum as defined in §175.01.d.

- **a. Emergency Action.** In case the immediate removal, modification, or relocation of any existing work of Public Art is deemed necessary by the proper authorities within the City, the Public Art Committee of the Commission shall, within forty-eight (48) hours after notice is given to them, approve or disapprove of the removal or relocation, and, in case of their failure to act within the period, they shall be deemed to have approved the action proposed. In the event that the Public Art Committee disapproves of the proposed action, the removal, modification, or relocation of the Public Art may still proceed upon approval by the Mayor.



c) CIVIC DESIGN. The Civic Design Committee of the Commission shall review and approve the design of exterior renovations, new structures, and designed sites in the Public Realm as defined in §175.02.a. Approval shall be given in writing by a quorum as defined in §175.01.d.

- **a. Emergency Action.** In the event that proper authorities within the City determine that a structure within the Public Realm must undergo immediate renovations for the health or safety of the public, the Civic Design Committee shall, within forty-eight (48) hours after notice is given to them, approve or disapprove of the renovation, and in case of their failure to act within the period, they shall be deemed to have approved the action proposed. In the event that the Civic Design Committee disapproves of the proposed action, the renovation of the structure may still proceed upon approval by the Mayor.

d) PRIVATE PROPERTY. The Commission may volunteer non-binding advice or suggestion to the owners of private property in relation to public art or civic design projects. Any resident or person who may be about to erect a built structure, designed space, or public art project on private property may submit plans and designs to the Commission for advice and suggestion.



Appendix B: Public Art & Civic Design Commission

Rules of Procedure

1. Authority and Purpose: Pittsburgh City Code Title One: Administrative, Article IX: Boards, Commissions, and Authorities, Chapter 175 establishes the Public Art & Civic Design Commission ("Commission") and provides that the Commission shall have the power to adopt its own rules of procedure, consistent with relevant laws or ordinances. The following Rules of Procedure shall be in effect upon adoption by the Commission and until such time as they are amended, or new rules are adopted.

2. General Rules

- **a. Meetings to be Public:** The deliberations and proceedings of the Commission shall observe all the requirements of the Pennsylvania Sunshine Act, 65 Pa. C.S. §§ 701-716 (the "Sunshine Act"), including prior notice and public participation.
- **b. Quorum:** A majority of the sitting members of the Commission or Committee constitutes a quorum. A majority of the voting quorum will decide on matters before them. Ex-officio Commission members will not be voting members or counted for purposes of a quorum.
- **c. Attendance:** Commissioners are expected to attend all Commission meetings. When it is necessary for a Commissioner to be absent, Commissioners are expected to notify the Presiding Officer of their planned absence. Commissioners not present at a meeting will be noted as absent in the meeting minutes. Commissioners who are absent from meetings or unresponsive to time-sensitive communications a total of six or more times in any twelve-month period are expected to tender their resignation from the Commission.
- **d. Minutes of Meetings:** Department of City Planning staff shall have the responsibility for preparing minutes, correcting minutes to reflect Commissioner amendments, and retaining approved minutes. Minutes shall be available to the public within a reasonable time after the meeting. Written minutes must give an accurate summary of the matters discussed at the meeting and include the names of all participants, names of members of the public who speak and the subject of their testimony, all motions made and their result, and the votes of each Commissioner by name. The City will engage a court reporter to record all public proceedings of the Commission. Full transcripts will be produced and made available as required by legal obligation.
- **e. Procedural Rules:** The Commission shall follow operational procedures and conduct of business consistent with Pittsburgh City Code and other City Boards and Commissions.

3. Committees: The Commission consists of two standing Committees: the Public Art Review Committee and the Civic Design Review Committee. The Commission has the right to establish Ad Hoc committees of its members as needed. Individuals from outside of the Commission who are experts in the committee's topic may be invited to participate on Ad Hoc committees, but may not vote on Commission decisions. All Ad Hoc committees shall conduct their meetings in accordance with the Pennsylvania Sunshine Act and any other applicable public meetings laws.



4. Presiding Officer

- **a. Role of Presiding Officer:** The President of the Commission shall act as the Presiding Officer during Commission meetings. In the absence of the President of the Commission, the Vice President shall preside. The Committee Chair shall act as the Presiding Officer during Committee meetings.
- **b. Presiding Officer Pro-Tem:** In the absence of the elected officers, the most senior member shall preside over the meeting as Presiding Officer Pro-Tem. If there is no one senior member of the Commission, Commissioners shall choose, by vote, a Presiding Officer Pro-Tem to preside at that meeting.
- **c. Authority of Presiding Officer:** The Presiding Officer shall have the authority to call to order and to regulate the course and decorum of meetings of the Commission. The Presiding Officer additionally has the same rights and privileges as all other members have, including the right to discuss, to make motions, and to vote.
- **d. Preservation of Order:** Effective governance requires that Commissioners, staff, and members of the public treat one another with dignity and respect at all times. The Presiding Officer shall preserve order and decorum, discourage attacks on personalities or the challenging of Commissioners' and citizens' motives, and confine Commissioner debate to the question under discussion.

5. Types of Meetings

- **a. Regular Meetings:** Unless otherwise noted, the Commission will meet on the 4th Wednesday of the month, January – October. The November meeting will be held on the 3rd Wednesday of the month. There will be no regular meeting in December. The Public Art Committee will meet at 2:00 pm, followed by the Civic Design Committee at 4:00 pm. The annual schedule of regular meetings will be advertised via public notice in January.
- **b. Special Meetings:** The Mayor may call a special meeting of the Commission. The public shall be provided with notice of day, hour, and location of any special meeting with at least two weeks advance notice.
- **c. Annual Updates Meeting:** The Commission shall meet annually for the purpose of receiving Public Art and Civic Design goals and priorities for the year, and updates on current and future City projects. No action or voting on projects will take place at this meeting. The public shall be provided with notice of day, hour, and location of Annual Updates Meeting with at least two weeks advance notice.
- **d. Annual Procedural Meeting:** A meeting to review Commission process and procedure with City staff will be held once per year. No formal action, voting, or project reviews will take place at this meeting.

6. Agenda: The agenda is the official order of business at Commission meetings. Agendas will be publicly posted and emailed to all Commissioners and applicants two weeks prior to the meeting. Agendas will be posted for both regular meetings and special meetings on the Commission's website and will include a listing of each matter of agency business that will be or may be the subject of deliberation or official action at the meeting. Agendas may be modified in accordance with the procedures set out in the Sunshine Act. Items are placed on the agenda by Department of City Planning staff, who will determine the completeness of application materials for the Commission's review and action.

7. Hearings

- **a. Nature and General Conduct of Hearing:**
 - i. The Commission shall provide to all citizens an opportunity to be heard, to present and respond to deliberation, to have the proceedings recorded, and to have a decision based on established criteria and consistent with state law and Pittsburgh City Code.
 - ii. Each person wishing to provide public testimony shall be given 3 minutes to speak in the order in which they registered. No person offering public testimony shall speak more than once per project per hearing. Any person wishing to provide comment may submit written testimony in addition to or in lieu of speaking before the Commission.



- **b. Hearing Format:**

- i. Briefings: Applicants for certain projects (e.g. large, complex, or multi-site) will first present a Briefing of their project at a hearing. The Director of City Planning will determine which projects require a Briefing. The presentation will include a broad project overview to allow for early-stage comments prior to further project development.
- ii. Hearing & Action: When project details have reached an advanced state and following an email-based preliminary review by Commissioners, applicants may submit a project for Hearing & Action. At this stage the applicant will discuss their project at a public hearing where the Commission may hear public comment and ask follow-up questions. At this hearing the Commission will vote on an action.
- iii. Courtesy Review: The Commission may volunteer non-binding advice or suggestion to the owners of private property in relation to public art or civic design projects.

- **c. Hearing Procedure**

Commissioners shall be individually responsible for reviewing all application materials prior to a hearing.

- i. Applicant will outline key details of the project.
- ii. Public testimony may be heard.
- iii. Commissioners may ask applicant any questions related to the project.
- iv. Commissioners shall motion for a decision.

- **d. Right of Commissioner to be Heard:** Any Commissioner desiring to be heard shall be recognized by the Presiding Officer, pursuant to the applicable procedural rules, but shall confine their remarks to the subject under consideration.

- **e. Voting:** All items before the Commission shall be voted on by approval, denial, or motion for continuance.

- i. Approvals may be given with conditions.
- ii. Denials will be made with clarification of what criteria, if any, an applicant may address in order for the project to seek future approval.
- iii. Motions for continuance will be made with a clarification of what additional information is required for the Commission to reach a decision. Projects may receive a continuance only once.

- **f. Conflicts of Interest:** Conflicts of interest that might undermine the credibility of the Commission's decision-making process are to be avoided by recusal. Commissioners shall recuse themselves from reviews when they have a financial or personal relationship to the project or applicant that would, in actuality or in public perception, prevent them from offering an unbiased evaluation. Commissioners shall also comply with applicable conflict of interest provisions set forth in Commonwealth of Pennsylvania law and in the City Code.

The recusal should be stated by the Commissioner after the agenda item is announced.

8. Staff Review: In cases where a project represents replacement, negligible change, and/or where Commission-approved City standards exist, the application may be reviewed and approved by Department of City Planning staff in lieu of Commission review. Modifications to previously Commission-approved projects may be delegated to Staff Review by the Commission.

9. Other Pittsburgh Boards & Commissions: In cases where civic design projects require review by Pittsburgh's Historic Review Commission or Planning Commission, the Public Art & Civic Design Commission shall not also review the project.

10. Amendments and Additions to Rules of Procedure: The Commission may update, change, and amend their Rules of Procedure as needed by a majority of the sitting members of the Commission. Changes are to be voted on at a scheduled meeting at which a quorum of the Commission is present.



Appendix C: Over-the-Counter Review

1. What is Over-the-Counter Review:

Most urban design, architecture, and landscape projects on public property and in the right-of-way require Public Art & Civic Design Commission review and approval. However, in certain circumstances an Over-The-Counter review may be conducted by City Planning staff in lieu of the project going to a Commission hearing.

2. Applicable Projects for Over-the-Counter Review

- **a. Replacements** The deliberations and proceedings of the Commission shall observe all the requirements of the Pennsylvania Sunshine Act, 65 Pa. C.S. §§ 701-716 (the "Sunshine Act"), including prior notice and public participation.
- **b. Negligible Changes:** Projects that will have minimal to no impact on the public realm. Negligible changes may be either of the following:
 - Low Visibility. Changes or additions that cannot be easily viewed from public property or the right-of-way.
 - Minor change: Changes or additions that will not affect the general aesthetic of the site, would go unnoticed by a large portion of visitors to the site, or would be assumed by most viewers to be a standard element of City infrastructure.
- **c. City Standards:** Projects that fit within the City's established design standards.
- **d. Modification:** Changes to the design and/or aesthetic of projects that have previously been approved by the Public Art & Civic Design Commission.

3. Submitting a Project for Over-the-Counter Review:

- All inquiries for Over-The-Counter review should be sent to City Planning staff at pacd@pittsburghpa.gov.
- Applicants seeking OTC review must submit applications via an online form:
<https://www.eng2ge.pittsburg.bpa.gov/pacd-commission-application>.
- Final determination of eligibility will be made by the Director of City Planning based on the extent and impact of the proposal.



4. Materials Submitted for Over-the-Counter Review:

A full Public Art & Civic Design Commission application package is not necessary for Over-The-Counter review; however, the applicant must provide enough material to give a full and comprehensive understanding of the scope of the proposed project. Application materials must include:

- **a. A statement describing proposed project.** This should include:
 - Applicant information: name, organization, address, phone, and email
 - Project address or cross streets
 - Description of project: scope, intended impact, lifespan, maintenance requirements
 - Evidence of DPW or DOMI support (see below)
- **b. Visual materials clearly demonstrating project scope and location.** These will vary from project to project, but should include:
 - Map identifying project location(s)
 - Current photographs of project location from multiple views
 - Technical drawings/renderings/images of proposed project, as applicable
 - Renderings of proposed project in situ showing scale
 - Material and color specifications

5. DPW / DOMI Support

Projects on City property require the support and permission of either the Department of Public Works (for City-owned land and buildings) or the Department of Mobility and Infrastructure (for the public right-of-way). As evidence of this support, applicants must provide either 1) a signed letter of support from the relevant department, or 2) the name of the City contact at the relevant department with whom they have been working on this project.

6. Process for Project Approval

If the project receives Over-The-Counter approval, City Planning staff will issue an approval letter, which may be used as the project proceeds through any other required City permitting. Please note that any necessary building permits, certificates of occupancy, or other City approvals are still required.



Appendix D: Application Guidelines

The City of Pittsburgh's Public Art & Civic Design Commission empowers the development of art and culture in public spaces and promotes the design of public spaces and civic structures that has a positive impact on the City's Public Realm. For that purpose, the Commission is authorized to review and approve the aesthetics of the designed environment on or over City-owned property.

The Commission conducts reviews through two Committees:

- **The Public Art Review Committee** reviews and approves the addition, modification, relocation, and removal of items of Public Art in the Public Realm.
- **The Civic Design Review Committee** reviews and approves the design of new structures and designed sites in the Public Realm, or the modification of existing structures and designed sites in the Public Realm.

1. Application Requirements

For review by the City of Pittsburgh's Public Art & Civic Design Commission.

- **a. Contacts** The application and review process is administered by staff of the Department of City Planning. Questions regarding the Commission or the application process should be directed to staff at pacd@pittsburghpa.gov
- **b. Application and Review Process:** Commission approval requires a Preliminary Review followed by Hearing & Action, as detailed below. Applicants should begin the review process early in project planning. This ensures that the project can receive feedback and design critiques before a substantial investment of time or finances have gone into final planning, or engineering. If unsure of the appropriate time to begin the application, please consult with staff.
 - **Briefing:** Certain projects (e.g. large, complex, or multi-site) may present a Briefing of their project at a Commission hearing. This presentation will include a broad project overview to allow for early-stage comments prior to further project development. Staff will determine which projects require a Briefing; most projects requiring Commission approval will bypass this step.
 - **Preliminary Review:** This review will be the first step for most applicants. Preliminary Reviews will not take place at a hearing. The Commission will review submitted applications and provide written feedback to the applicant. There are no approvals given at this stage. The applicant will then continue with project planning and revision and when ready may submit an application for Hearing & Action.
 - **Hearing & Action:** When project details have reached a finalized state, applicants may submit an application for Hearing & Action. At this stage the project will be reviewed at a public hearing where the Commission may ask follow-up questions and hear public comment. At this hearing the Commission will vote on an action (see "Decisions" below).



2. Application Timeline

- **a. Applications for all reviews** (Briefing, Preliminary, or Hearing & Action) are due by 4:00PM on the first Wednesday of each month, January through November. A full application as described below must be received by this deadline in order to proceed with review. Because a Preliminary Review must be completed before an applicant may proceed to the Hearing & Review application, these reviews cannot take place within the same month.
- **b. Feedback from Preliminary Reviews** will be sent to the applicant 14 days following the application deadline.
- **c. Commission hearings** take place on the fourth Wednesday of each month, January through October, and on the third Wednesday of the month in November.
- **d. Agenda's** for each month's hearing will be posted on the second Wednesday of the month.

3. Application Format

Applications are made online at <https://engage.pittsburghpa.gov/pacd-commission-application>

Checklist summary of the information and materials to be submitted through the online application. Applications that are incomplete at the time of the deadline will not be reviewed.

a. Applicant Information: Name, organization, mailing address, phone number, email, relationship to or role in project, presenters at hearing. Co-applicant information is optional.

b. Project Information: Project name, project duration, prior reviews held, current application stage.

c. Project Location: Address, cross streets, neighborhood, RCO/DAM requirement (see "Development Activities Meeting" below).

d. Project Background and Information: A summary description of the project, as well as the following questions:

- Who is this project intending to be used or experienced by?
- What users/stakeholders/community members have been involved so far?
- What is the timeline of implementation?
- Are there plans for future expansion of this project?
- What is the budget for this project, and what are the funding sources?
- Who will be responsible for maintenance of this project, and are there dedicated sources of funding for maintenance?
- Are there any time limitations, budget restrictions, or other conditions that are affecting the scope of this project?



e. Project Materials. Applicants may submit as many images, renderings, and supporting materials as is necessary to describe all aspects of the project. Submitted plans must be sufficient to visually depict the project as it will be seen/experienced by the public in the public realm. These include:

- Maps identifying project location
- Photos showing existing conditions and site context
- Plans, elevations, section views, concept sketches, and/or renderings
- Specifications for:
 - Permanent materials – Visible building components, surface treatments, colors, lighting plan
 - Landscape plans - General design, planting recommendations, who will manage the landscape programming
 - Components – Furniture and other movable elements

d. Visual Template. Applicants may find it useful to use the Visual Material Template found on the application page, or another slide deck format, to organize their submitted project materials (optional).

e. Letters of support: Three letters of support are required: Two from community stakeholders or neighborhood organizations, and one from the Department of Public Works or the Department of Mobility & Infrastructure. (See "Department Contacts" below). These must be submitted before the project receives final approval.

f. Presentation (for Briefing only): A PDF presentation that describes the upcoming project. Presentations must be under ten minutes in length. A Visual Material Template (optional) is available on the application page.

g. Hearing visuals (optional, for Hearing & Action only): At the hearing, applicants may give a 3-5 minute verbal introduction to the project review. As part of that introduction, applicant may reference up to five visuals from the application to support discussion of the project. These should be submitted as a separate PDF (maximum five slides). If hearing visuals are not provided by the applicant, staff will select visuals from the submitted materials to be displayed during the review.

h. Notes on application materials: Project scopes vary widely and each application will have unique material necessary for a comprehensive review. Applicants should strive to submit materials that give as complete of an understanding of the proposal as possible. Questions regarding completeness of application materials should be directed to staff prior to application.

4. Review Criteria

Commissioners will use the following criteria to guide their reviews. Consideration will be taken of any stated limitations of scope and budget included in the application. The scope, budget, and intent of City of Pittsburgh projects has been reviewed and approved during the public budgetary process, therefore City-led projects will not be reviewed under the criteria of "Intention".



- **a. Intention.** (not applicable for City-led projects)
 - Does project have the potential to benefit the community and/or improve resident and visitor experience of the City?
 - Has the project shown consideration to community interests and/or demonstrated support from community stakeholders?
- **b. Aesthetics**
 - Are the aesthetics of this project appropriate within the context (architectural, historical, environmental) of its location?
 - Are the elements of this project designed and arranged thoughtfully?
 - Does the design of this project and the materials used make sense in consideration of the project scope and budget?
 - How will this project visually impact the experience of the City as a whole?
- **c. Function**
 - Is the design of this project appropriate for its intended purpose?
 - Will the design of this project interfere with resident or visitor use and/or experience of the Public Realm?
 - Will the design, materials, and proposed maintenance plans ensure that the project will maintain its integrity for its proposed lifespan?
- **d. Application Materials**
 - Are the project details sufficient to evaluate the project according to the above criteria?

5. Decisions

The Public Art & Civic Design Commission may approve, deny, or give a continuance. An approval may be given with conditions. A denial will include clarification of what criteria, if any, the applicant may address in order for the project to seek future approval. A project is given a continuance if the Commission is unable to reach a decision with the information provided, and the project is asked to return to a future hearing with additional information. A project may only be given a continuance once.

6. Staff Review

In certain circumstances, an Over-The-Counter (OTC) review may be conducted by City Planning staff in lieu of the project going to a Public Art & Civic Design Commission hearing.

- **a. See Appendix C - Over-the-Counter Review**

7. Exceptions

Civic Design projects which are reviewed by Pittsburgh's Historic Review Commission or Planning Commission do not require review by the Public Art & Civic Design Commission.



8. Development Activities Meeting

If the site of your project is within the boundaries of a Registered Community Organization (RCO), the Pittsburgh Administrative Code requires that a Development Activities Meeting (DAM) be held at least 30 days before the hearing.

- **a. RCO information:** [https://www.pittsburghpa.gov/Business-Development/City-Planning/ Planning-Programs/Registered-Community-Organizations](https://www.pittsburghpa.gov/Business-Development/City-Planning/Planning-Programs/Registered-Community-Organizations)

9. Additional Notes

- **a. Renderings.** The figures in application renderings present a visual message regarding who will be using a property or facility. City of Pittsburgh property is intended for use by people of all races, genders, sexual orientations, ages, and ability levels. Presented renderings should reflect this diversity.
- **b. Interpreters** for the hearing impaired will be provided with four days notification by contacting staff at pacd@pittsburghpa.gov
- **c. After PACD Commission.** After receiving Commission approval, any necessary permits, certificates of occupancy, legal agreements, or other City approvals are still required. These must be applied for separately at the appropriate City departments and are the responsibility of the applicant.



Appendix E: City of Pittsburgh Public Art Collection Management Policy

1. Purpose

The City of Pittsburgh is the owner of a collection of permanent works of public art, monuments, memorials, and historic objects. The City is also the steward and/or approving body for select works placed on City property intended to have a limited term. The Department of City Planning is tasked with the City's public art program, the care and management of the City Collection, and the approval processes for new works of public art, monuments, memorials, and historic objects on City property.

This policy will outline criteria for the care and management of the City of Pittsburgh's Collection, as well as requirements and procedures related to other works of public art, monuments, memorials, and historic objects on City property.

2. City Collection

For review by the City of Pittsburgh's Public Art & Civic Design Commission.

- **a. Contacts** The application and review process is administered by staff of the Department of City Planning. Questions regarding the Commission or the application process should be directed to staff at pacd@pittsburghpa.gov
- **b. Application and Review Process:** Commission approval requires a Preliminary Review followed by Hearing & Action, as detailed below. Applicants should begin the review process early in project planning. This ensures that the project can receive feedback and design critiques before a substantial investment of time or finances have gone into final planning, or engineering. If unsure of the appropriate time to begin the application, please consult with staff.
 - **Briefing:** Certain projects (e.g. large, complex, or multi-site) may present a Briefing of their project at a Commission hearing. This presentation will include a broad project overview to allow for early-stage comments prior to further project development. Staff will determine which projects require a Briefing; most projects requiring Commission approval will bypass this step.
 - **Preliminary Review:** This review will be the first step for most applicants. Preliminary Reviews will not take place at a hearing. The Commission will review submitted applications and provide written feedback to the applicant. There are no approvals given at this stage. The applicant will then continue with project planning and revision and when ready may submit an application for Hearing & Action.
 - **Hearing & Action:** When project details have reached a finalized state, applicants may submit an application for Hearing & Action. At this stage the project will be reviewed at a public hearing where the Commission may ask follow-up questions and hear public comment. At this hearing the Commission will vote on an action (see "Decisions" below).



3. City-Owned Assets

- **a. Applications for all reviews** (Briefing, Preliminary, or Hearing & Action) are due by 4:00PM on the first Wednesday of each month, January through November. A full application as described below must be received by this deadline in order to proceed with review. Because a Preliminary Review must be completed before an applicant may proceed to the Hearing & Review application, these reviews cannot take place within the same month.
- **b. Feedback from Preliminary Reviews** will be sent to the applicant 14 days following the application deadline.
- **c. Commission hearings** take place on the fourth Wednesday of each month, January through October, and on the third Wednesday of the month in November.
- **d. Agenda's** for each month's hearing will be posted on the second Wednesday of the month.



4. Permitted Placements

Limited-Term and Temporary Art may be permitted to be placed on City property for a set period of time. These works may be implemented by the City or may be sponsored by an artist or external organization with the City's approval.

- **a. Limited-Term Art.** Limited-term artworks are those intended to be on display for a limited term of one to several years. These commonly include asphalt art or other murals where traffic and weather can be expected to cause increasing wear to the artwork. These works require Art Commission approval, any necessary permits from DPW and/or DOMI, and may require a legal agreement and approval of City Council.
 - *City Sponsored Limited-Term Art.* Those artworks implemented by the City will not be considered part of the City Collection. At its discretion, the City may accept the loan of Limited-Term Art.
 - *Externally Sponsored Limited-Term Art.* In those instances where an artist or external organization sponsors the artwork, the work will not be donated to the City.
- **b. Temporary Art.** Temporary artworks are those intended to be on display for less than one year. These commonly include asphalt art, vinyl graphics or other adhesives, lighting displays, or textile art. These works require review by PACD and any necessary permits from DPW and/or DOMI, and may require a legal agreement and approval of City Council.
 - *City Sponsored Temporary Art.* Those artworks implemented by the City will not be considered part of the City Collection. At its discretion, the City may accept the loan of Temporary Art.
 - *Externally Sponsored Temporary Art.* In those instances where an artist or external organization sponsors the artwork, the work will not be donated to the City.
 - *Temporary works may involve a program of revolving content, wherein the overall structure of the work remains constant but images, text, or other content within it changes periodically. All iterations must be submitted to and approved by PACD prior to installation.*
- **c. The City reserves the right to control what is depicted on City-owned property** or in the City right-of-way. Limited-Term or Temporary Art may not contain speech or imagery that includes or promotes hate speech or is otherwise representative of values and/or narratives which are harmful to the mission or goals of the City of Pittsburgh.
 - *No installation may be allowed to degrade to an unsightly condition. If maintenance beyond the approved plan is deemed necessary by the Art Commission or PACD to maintain the quality of the artwork, and the sponsor is unable to perform this maintenance, the sponsor must enact the removal process immediately, within the time frame set by the Art Commission or PACD. Otherwise, the sponsor will be expected to remove the work according to the timeframe set in the permit.*
 - *In cases where a Limited-Term or Temporary Art installation has been seen as successful by the community and all necessary maintenance has been performed in a timely manner, approval may be sought for an extension. The sponsor must seek this approval no later than two months prior to the end of the original permit period. This will entail approval from the Art Commission, an extension of permits from DPW and/or DOMI, a revised plan approved by PACD, and if applicable, an amendment to the written legal agreement and authorization by City Council. An extension of the term will require that either 1) the materials used have not degraded and are not anticipated to degrade during the extension period, or 2) the materials will be replaced with a more durable version.*