

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SUBSECTION (F) OF SECTION 17.38.080 AND ADDING SECTION 17.30.100 OF CHAPTER 17.30 OF TITLE 17 OF THE GRASS VALLEY MUNICIPAL CODE TO ESTABLISH STANDARDS FOR ART INSTALLATIONS IN THE CITY.

WHEREAS, the ordinance was initiated by City of Grass Valley staff to address questions regarding standards and approval processes for a range of types of artwork on public and private property (the “Ordinance”); and

WHEREAS, the City of Grass Valley desires to facilitate artwork on public and private property to enhance the city visually; and

WHEREAS, the City desires to amend the Zoning Code to establish requirements for artwork citywide to promote the general welfare of the community and to protect the public health, safety, and welfare; and

WHEREAS, the Planning Commission of the City of Grass Valley, after giving notice thereof as required by law, held a public hearing on _____ to review the draft Ordinance No. XXXX; and

WHEREAS, on _____, the Planning Commission of the City of Grass Valley adopted Resolution No. XXXX recommending City Council approval of Ordinance No. XXXX; and

WHEREAS, the City Council of the City of Grass Valley, after giving notice thereof as required by law, held a public hearing on _____ for a first hearing of Ordinance No. XXXX; and

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. RECITALS. The recitals and findings set forth above are true and correct and incorporated herein by reference.

SECTION 2. CODE AMENDMENT. Subsection (F) Section 17.38.080 of Chapter 17.38 and Section 17.30.100 of Chapter 17.30 of Title 17 of the Grass Valley Municipal Code is hereby amended to read as follows (deletions denoted by ~~struck-through~~ text and additions denoted by underlined text):

17.38.080 – Standards for specific sign types.

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F. Murals. A mural ~~placed~~ painted on the wall of a structure may be allowed in any commercial, industrial, and other nonresidential zone subject to the following requirements. ~~All murals shall be subject to the review and recommendation by the development review committee (DRC) and approval by the commission.~~

1. Murals on private property shall comply with requirements of Section 17.30.100(B) (Standards for visual art).

2. Murals on public property shall comply with requirements of Section 17.30.100(C) (Standards for visual art).

~~3. 1-~~A mural without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Section 17.38.070 (zone sign standards), above; a mural with text shall comply with the sign area limitations applicable to the site.

~~2. Murals that illustrate the local setting, history, or cultural significance as sources of inspiration are encouraged.~~

~~3. The approval of a mural shall require that the review authority first find that the colors, placement, and size of the mural are visually compatible with the structure's architecture, and that the mural will serve to enhance the aesthetics of the city.~~

(NEW) 17.30.100 – Standards for visual art.

A. Applicability. The provisions of this section apply to any proposed installation of visual art on public or private property.

B. Visual Art on Private Property. Visual art may be allowed in any commercial, industrial, and other nonresidential zone subject to the following requirements. All visual art shall be subject to the review and recommendation by the development review committee (DRC) and approval by the planning commission.

1. Visual art without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by

Section 17.38.070 (zone sign standards), above; visual art with text shall comply with the sign area limitations applicable to the site.

2. Visual art that illustrates the local setting, history, or cultural significance as sources of inspiration are encouraged.
3. Historic District: Visual Art that is proposed within the historic district shall be reviewed by the historical commission who shall provide a recommendation to the planning commission.
4. Review Authority and Finding: The approval of visual art shall require that planning commission first find that the colors, placement, and size of the artwork are visually compatible with the structure's architecture, and that the art will serve to enhance the aesthetics of the city.

C. Visual Art in Public Spaces. The following standards apply to visual art placed on public property in all zones. All visual art in public spaces shall be subject to the review and recommendation by the DRC and Planning Commission and approval by City Council.

1. Visual art in public spaces without visible text may be approved in addition to (not counted as part of) the sign area allowed by Section 17.38.070 (zone sign standards), above; visual art with text shall comply with the sign area limitations applicable to the site.
2. The composition of the artwork shall be of a permanent type of materials to be durable against vandalism, theft, and weather, and in order to require a low level of maintenance. Paintings and murals shall be treated with a protectant to prevent vandalism, fading, and wear.
3. Illumination of artwork shall comply with requirements of Section 17.30.060 (Outdoor lighting).
4. Artwork that illustrates the local setting, history, or cultural significance as sources of inspiration is encouraged.
5. Historic District: Visual Art that is proposed within the historic district shall be reviewed by the historical commission who shall provide a recommendation to the planning commission.
6. Planning commission: All visual art proposals shall be reviewed by the DRC and planning commission who will provide a recommendation to City Council.

7. Review Authority and Finding: The approval of visual arts shall require that the City Council first find that the colors, placement, and size of the artwork are visually compatible with the surrounding character of the area, and that the artwork will serve to enhance the aesthetics of the city.

Chapter 17.100 – Definitions

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“Visual Art.” Original creations of art including, but not limited to, murals, paintings, drawings, carvings, mosaics, fountains, sculptures, and other artwork that are not intended to advertise or identify any business or product.