

## March, 2014 City Council Workshop

**Discussion Item:** Original Art Mural Program

**Subject:** Seeking direction from City Council regarding the creation and implementation of an original art mural permit program. A mural is defined as a hand-painted, hand tiled or restorative image on the exterior wall of a building that does not contain any commercial message. A commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

**Background:** The DeBary citizenry and business community have expressed an interest in creating a City mural permit program to allow original art murals on private property to enhance the cultural and artistic life of the City. A mural program has also been contemplated and discussed by the City's Streetscape Committee. City Council believes there are positive public benefits from street-level mural art and has therefore directed staff to create opportunities for murals to contribute to aesthetically pleasing and pedestrian friendly streetscapes in the City of DeBary. Staff, therefore, proposes to amend the land development code to create a section in the City's sign ordinance (Chapter 5, Article II, LDC) for murals that distinguishes between art and advertising and puts forth regulations, procedures and requirements.

This past year the City's Streetscape Committee researched and discussed a mural program for properties on US Hwy 17-92 and recommended the following:

- Establish a theme or themes for murals such as veterans/patriotic, River City (City's History) and Florida such as birds, wetlands, sunsets and beaches.
- Create and application process, which would require renderings with colors, size, and location of the mural on the building.
- Applications for mural permits would first be reviewed by the Streetscape Committee and their formal recommendation along with the application would be forwarded to City Council for final approval.

**Proposed Ordinance/Code Language:** Based on staff research and the recommendation of the City's Streetscape Committee, the following code changes are being suggested.

### **Section 1-3. Definitions**

**Mural** is defined as a hand-painted, hand tiled or restorative image on the exterior wall of a building that does not contain any commercial message. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.

### Section 5-43. Original Art Murals.

Original Art murals are permitted on private property to enhance the cultural and artistic life of the City. Original art murals approved pursuant to the requirements of Section 5-43 are not considered signs are not subject to the other provisions of this Article unless expressly stated herein.

#### (1) Application Process and Procedures.

- (a) A sign permit shall be required for the installation of a mural. You must provide the following with you application:
  1. Site plan showing the lot and building dimensions and indicate the propose location of the mural.
  2. Pictures of the building elevations.
  3. A colored drawing of the proposed mural.
- (b) Prior to permit issuance, the City of DeBary Planning Administrator will refer all mural sign permit applications to the City's Streetscape Committee for review and recommendation.
- (c) The mural application and recommendation of the Streetscape Committee shall be forwarded to City Council for final approval prior to permit issuance.

#### (2) Mural Installation Standards.

- (a) Murals shall remain unaltered for a minimum of two years.
- (b) Murals shall not exceed the height of the structure on which they are placed.
- (c) Murals shall not extend more than six inches from the building facade.
- (d) Murals shall not include electrical or moving components.
- (e) Murals shall not cover window or doors.
- (f) Murals are not permitted on residential buildings.
- (g) Anti-graffiti coating is required for all murals located within 15' of ground level directly below the mural. Anti-graffiti coating shall be applied at the time of mural installation and reapplied at intervals determined by the manufacture.
- (h) Murals shall be placed on blank walls only.
- (i) A mural sign may be permitted to cover the entire blank portion of a wall of a building.
- (j) No more than 2 murals shall be placed on any one building, and any two such murals shall be placed on opposite or adjacent walls of the building.
- (k) No more than (insert number) murals shall be permitted at any one time within the entire City of DeBary (insert location/area i.e. Village Center Overlay District).
- (l) Murals may be illuminated only in accordance with Sections. Illumination of murals shall be limited to the hours of 6:00pm to 11:30pm.

Staff is seeking direction regarding the following items:

- Murals permitted in what locations of the City and/or zoning classifications i.e. B-4 (General Commercial) and/or Village Center Overlay?

- Does the City want to limit the total number of murals permitted in the City at one time?
- Does City Council want to create /select a theme for murals?
- All images hand produced?
- Limit the total SF of the mural or allow entire blank wall to be covered as proposed above?
- Allow any written text? Percentage i.e. 3% of image?
- Does City Council want to impose spacing requirements between murals? For example, “no mural sign shall be placed closer than 300 feet to another mural sign oriented towards the same street”?

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