

ORDINANCE NO. 1341

AN ORDINANCE CREATING A NEW CHAPTER IN TITLE 2 OF THE CANBY MUNICIPAL CODE AND AMENDING SECTIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE TO CREATE A PUBLIC ART MURAL PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, the Canby Urban Renewal Agency initiated and approved the Public Art Mural Program; and

WHEREAS, the Canby Planning Commission, after providing appropriate public notice, conducted a public hearing on the proposed new code and code amendments required to implement the Public Art Mural Program, during which the citizens of Canby were given the opportunity to come forward to present testimony on these proposed changes; and

WHEREAS, the Planning Commission found that the standards and criteria of Section 16.88.160 of the Land Development and Planning Ordinance, concerning Text Amendments were met, and recommended approval to the City Council on a 5-0 vote; and

WHEREAS, the City Council, after reviewing the record of the Canby Planning Commission regarding the subject new code and code amendments, concluded that the Planning Commission's findings of fact and the new code and code amendments itself are appropriate.

NOW, THEREFORE, THE CANBY CITY COUNCIL ORDAINS AS FOLLOWS:

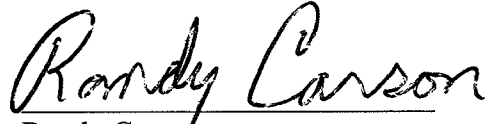
- (1) TA 11-01 is hereby approved, and Chapter 2.80 of Canby Municipal Code is adopted; and Title 16 of Canby Municipal Code is hereby amended as detailed in Exhibit "A".

SUBMITTED to the Canby City Council and read the first time at a special meeting thereof on Wednesday, February 16, 2011 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, March 2, 2011, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 N.W. 2nd Avenue, Canby, Oregon.


Kimberly Scheafer, CMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on March 2, 2011 by the following vote:

YEAS 6 NAYS 0


Randy Carson
Mayor

ATTEST:


Kimberly Scheafer, CMC
City Recorder

CHAPTER 2.80 PUBLIC ART MURAL PROGRAM

Section

2.80.010	Purpose
2.80.020	Definitions
2.80.030	Guidelines
2.80.040	Ownership
2.80.050	Implementation

§2.80.010 Purpose

The purpose of this Title and the policy of the City of Canby are to permit and encourage Public Art Murals located within Canby's Urban Renewal District for acquisition by the Urban Renewal Agency. Public Art Murals are to be placed on public wall space and paid for in full or in part with Urban Renewal Funds administered by Canby's Urban Renewal Director. The City Council recognizes that public murals can increase community identity and foster a sense of place and enclosure if they are located at heights and scales visible to pedestrians, are retained for longer periods of time and include a neighborhood process for discussion.

§2.80.020 Definitions

A public art mural means an original, two-dimensional work of visual art comprised of paint, executed by hand directly upon an exterior wall of a building, which is accessible to the public, and which has been approved by the Canby Urban Renewal Agency Director upon recommendation by the Public Mural Advisory Committee (PMAC).

Public Art Mural Advisory Committee (PMAC) means a group responsible for reviewing proposed public art murals and making recommendations to the Canby Urban Renewal Agency Director on the selection of Public Art Murals. Committee membership shall include artists, art advocates and professionals, business owners, city staff, and a representative from Canby's Main Street Design Committee.

§2.80.030 Guidelines

The Canby Urban Renewal Agency Director in consultation with the Public Mural Advisory Committee and staff shall adopt guidelines to:

- A. Provide for annual reporting to the Agency;
- B. Provide a method for the appointment of representatives to the Public Mural Advisory Committee;
- C. Determine a method or methods of selecting and contracting with artists for the design, execution and siting of Public Art Murals;
- D. Determine a process for the ongoing care, maintenance and conservation of public art murals;

- E. Determine a process to deaccession public art murals;
- F. Set forth any other matter appropriate to the administration of this Chapter.

§2.80.040 Ownership

All Public Art Murals acquired pursuant to this Chapter shall be acquired in the name of the City of Canby Urban Renewal Agency, and title shall vest in the City of Canby Urban Renewal Agency.

§2.80.050 Implementation

The Canby Urban Renewal Agency Director in consultation with the Public Mural Advisory Committee and Mural Program Staff shall implement the provisions of this Chapter, in cooperation with all participating city departments.

16.42.025

B. Exemptions ~~Exempted Signs~~

9. Approved Public Art Murals as defined in CMC Chapter 2.80.020

16.49.030 Site and design review plan approval required.

2. The following are exempt from site and design review:

j. Approved Public Art Murals as defined in CMC Chapter 2.80.020

16.41.020 Applicability

C. The DCO does not apply to approved Public Art Murals as defined in CMC Chapter 2.80.020

16.38.025 Exemptions.

The following are exempt from the requirements of CMC 16.38.

A. Approved Public Art Murals as defined in CMC Chapter 2.80.020