

## **ORDINANCE No. 189656**

Amend Original Art Murals Code to expand the location where murals are allowed (Ordinance; add Code Chapter 4.11; amend Chapters 4.12 and 4.20)

The City of Portland Ordains:

### **Section 1. The Council Finds:**

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. On July 31, 2009, the City Council adopted a new Title 4 Original Art Murals, through Ordinance No. 182962 passed by the Council on July 1, 2009 to provide an avenue for murals to be reviewed and approved outside of the city's sign code process or public art process. The code and implementing administrative rules established regulations and standards for applying Original Art Murals as defined in the title.
3. BDS administers Portland City Code (PCC) Title 4, Original Art Murals and the associated administrative rule.
4. Council adopted Original Art Murals Project, Regulatory & Permit Process Improvement on June 1, 2009 by Ordinance No 182962. This report directed the Bureau of Planning and Sustainability and BDS to monitor and analyze the effectiveness of the program including the neighborhood involvement requirement and the volume and variety of mural permits that were received to determine whether the program is successful or needs modification.
5. In the summer of 2018, the Bureau of Planning and Sustainability and BDS met with the Portland Street Art Alliance and Regional Arts and Culture Council (RACC) to discuss possibilities to improve Title 4.
6. On November 19, 2018, BDS convened a technical advisory discussion group to review the recommendations proposed by RACC. The group consisted of representatives from permitting and public infrastructure bureaus including the Portland Bureau of Transportation, the Bureau of Environmental Services, the Office of Community and Civic Life and Multnomah County. The committee also included representatives from RACC, the Portland Street Art Alliance and Forest for the Trees. This group met for a second time on January 22, 2019 to continue discussing options for expanding opportunities for muralists.
7. On November,13, 2018, BDS posted a public notification on the BDS website homepage inviting the public to attend the technical advisory discussions held on November 19, 2018 and January 22, 2019. The notice included the date, time

and location of the meeting and contact information for the project along with a description of the discussion topics.


8. In response to the recommendations from this committee BDS drafted a package of code amendments and changes to the associated administrative rule.
9. On March 21, 2019, staff briefed the Design Review Commission during their regularly scheduled meeting regarding the proposed changes. A public notification including the date time and meeting location along with the proposed amendments was posted on the BDS website one week prior to the meeting. No objections to the amendments or administrative rule were raised at this briefing.
10. On April 8, 2019, a staff briefed the Historic Landmarks Commission on the proposed changes during their regularly scheduled meeting. A public notification including the meeting date, time and location along with the proposed amendments was posted on the BDS website on April 1, 2018. No objections were raised at this briefing.
11. On April 18, 2019, the amendments were presented to the BDS Development Review Advisory Committee during their regularly scheduled meeting. These meetings are open to the public. No concerns were raised.

NOW, THEREFORE, the Council directs:

- a) The Bureau of Development Services to adopt updates to the Administrative Rule to implement the Title 4 changes and remove additional standards within the Design overlay zone.
- b) Portland City Code Title 4 Original Art Murals to be amended as shown on attached Exhibit A.

Passed by the Council: AUG 21 2019

Mayor Ted Wheeler  
Prepared by: Mieke Keenan, BDS  
Date Prepared: August 7, 2019

**Mary Hull Caballero**  
Auditor of the City of Portland  
By  Deputy

Agenda No.  
**ORDINANCE NO. 189656**  
 Title

Amend Original Art Murals Code to expand the location where murals are allowed (Ordinance; add Code Chapter 4.11; amend Chapters 4.12 and 4.20)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b>	CLERK USE: DATE FILED <b>JUL 30 2019</b>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance & Administration - Wheeler <i>[Signature]</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau of Development Services Bureau Head: <i>[Signature]</i> Rebecca Esau, Director	<b>ACTION TAKEN:</b> AUG 07 2019 <b>PASSED TO SECOND READING</b> AUG 21 2019 9:30 A.M.
Prepared by: Leanne Torgerson Date Prepared: July 16, 2019	
<b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances <i>[Signature]</i>	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i>	
Council Meeting Date <b>August 7, 2019, 10:00 TC</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <u>10:00 TC</u>
Total amount of time needed: <u>30 minutes</u> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Hardesty	3. Hardesty	<input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	