



Staff Report

File #: 23-172
Version: 1

Date: 5/22/2023
Item #: 7.1a.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Brian D. Martin, PE. Acting Public Works Director

SUBJECT:

Proposed amendments to *Salem Revised Code* Chapter 15 (Public Art) to add new definitions of "building" and "public mural." Ordinance No. 8-23.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Welcoming and Livable Community

SUMMARY:

Ordinance Bill No. 8-23 (Attachment 1) amends Chapter 15 of *Salem Revised Code* (SRC) to add the definition of "building" and clarify the definition of "public mural."

ISSUE:

Shall City Council advance Ordinance Bill 8-23 amending SRC chapter 15 to second reading for enactment?

RECOMMENDATION:

Advance Ordinance Bill 8-23 amending SRC Chapter 15 to second reading for enactment.

FACTS AND FINDINGS:

Procedural Findings

1. The new definitions for "building" and "public mural" will allow for paintings on curved buildings, like storage silos and water towers, to be considered for installation as a public mural.

Proposed Amendments

1. The complete text of the proposed amendments is included as Exhibit A to Ordinance Bill 8-23 (see Attachment 2). The amendments proposed in Ordinance Bill 8-23 include new definitions for the terms "building" and "public mural" under SRC 15.

Substantive Findings

SRC 110.085 establishes the following approval criteria that must be met for a Code amendment to be approved:

1. The amendment is in the best interest of the public health, safety, and welfare of the City.

Finding: The Code amendments are in the best interest of the public health, safety, and welfare of the city because they will foster community creativity, pride, and placemaking in Salem neighborhoods.

Alternatives

City Council may:

- A. Advance the Ordinance Bill to second reading for enactment;
- B. Conduct a public hearing and, following the public hearing, advance the Ordinance Bill, or
- C. Decline to advance Ordinance Bill.

BACKGROUND:

On November 28, 2022, City Council adopted a motion directing staff to determine whether amendments to the SRC are necessary to allow public murals on structures other than the wall of a building and, if so, to prepare potential amendments to these types of murals for review by the Salem Public Art Commission (SPAC) and City Council. As part of the public mural program, three-dimensional objects like silos and water towers are presently not allowed in Salem per SRC Chapter 15. To allow for murals on buildings with curved surfaces, like storage silos and water towers, new definitions for "building" and "public mural" are required. Staff proposed new definitions of "building" and "public mural" to the SPAC at its March 8, 2023, meeting. As reflected in the adopted meeting minutes (See Attachment 3) SPAC passed a motion to recommend the new definitions to City Council. City Staff propose that the new definitions for "building" and "public mural" are authorized in SRC Chapter 15. This requires additions to SRC Chapter 15 that define "building" and "public mural."

Keith Bondaug-Winn
Management Analyst II

Attachments:

1. Ordinance Bill 8-23
2. Exhibit A, Amendments to SRC Chapter 15
3. Exhibit B, SPAC Adopted Minutes April 2023