

ORDINANCE NO. 172-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLIAMS AMENDING CHAPTER 17.11 OF THE WILLIAMS MUNICIPAL CODE AND ADDING SECTION 17.11.150 REGARDING SPECIFIC REGULATION OF MURALS

The City Council of the City of Williams does ordain as follows:

SECTION 1. Purpose and Authority. The purpose of this ordinance is to amend the City's Zoning Ordinance, Title 17, Chapter 17.11, "Signs," of the City's Municipal Code to provide a permitting process for murals in the City of Williams. This ordinance is adopted pursuant to California Constitution Article 11, Section 7, Government Code section 65850, and other applicable law.

SECTION 2. Amendments.

Williams Municipal Code section 17.11.150 is hereby added: "Specific Regulations Regarding Murals," to read as follows:

"A. Murals shall be reviewed by the Planning Commission for consideration and approval at a noticed public hearing. The application shall include a detailed drawing or sketch of the mural plus other details as prescribed on the application form. Any written message used for advertising a business shall be counted as part of the allowable aggregate sign area.

B. In addition to the information requested on the form, the application shall include:

1. A list of the persons and addresses who own property within a three-hundred-foot radius of the proposed mural, and accompanying radius map.
 - a. Written notice shall be mailed or delivered at least ten days prior to the hearing to the applicant, if any, and to all persons, including businesses, corporations, or other public or private entities, shown on the last equalized assessment roll as owning real property within three hundred feet of the proposed mural.
 - b. Contents of notice shall comply with section 17.10.050. Notice shall be deemed given when deposited in the United States mail, postage prepaid and addressed to the intended recipient at the address shown on the latest equalized assessment roll.

C. In granting or denying approval, the Planning Commission shall consider the extent to which the proposal fulfills the following standards:

1. The mural shall demonstrate superior artistic quality or theme as opposed to direct or indirect illustrative advertising;
2. The mural or graphic shall be designed to enhance or distinguish the architectural features of the structure on which it is placed;

3. The design and colors used shall be harmonious with the surrounding environment and shall not be used for the exclusive purpose of calling attention to the mural or graphic;
4. The mural shall not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic;
5. The proposed mural, by its design, construction and location, will not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the City's unique character and quality of life;
6. The paint to be used and applied shall be appropriate for use in an outdoor locale, for an artistic rendition and shall be of a permanent, long-lasting variety;
7. Possible historic value."

SECTION 3. Effective Date. This ordinance shall take effect 30 days after its adoption.

SECTION 4. Posting. Within 15 days from the date of passage of this ordinance, the City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be posted in three public places within the City of Williams.

INTRODUCED to the City Council on the 17th day of February, 2010.

PASSED AND ADOPTED by the City Council of the City of Williams, this 3rd day of March 2010, by the following vote:

AYES: Troughton Jr., Johnson, Barker, Plachek-Fulcher.
NOES: None.
ABSTAIN: None.
ABSENT: Ash.

APPROVED:

Angela Plachek-Fulcher, Mayor

ATTEST:

Rene L. Miles, City Clerk