

Recommend approval of the ordinance amendment to the Planning Commission and City Council with the conditions that:

1. The definition of Mural be modified as follows:

"One-of-a-kind visual depictions and/or works of art or licensed reproductions of

original works of art including, but not limited to, mosaic, painting, or graphic art techniques that are applied, painted, implanted, or placed directly onto the exterior of any structure. ~~wall of a building~~. This definition is not intended to discourage the use of new paint and printing technologies. ~~A building, for purposes of this definition only, means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.~~

[Reference: see Section ~~59-16108~~ 59-16112 of this Code.]

2. Paragraph 59-16112.B.2. be modified as follows:

"The Planning Director ~~may~~ shall approve additional words, text, logos, emblems, trademarks or numbers (hereinafter "text") if: within 65 days after the mural permit is submitted, the Arts Commission determines that the text is an artistic element that is integral to the mural. In making this determination, the Arts Commission shall consider the form, proportion, scale, color, materials, surface treatment, overall mural size, and the size and style of lettering. The Arts Commission shall not consider the message that the text conveys. Once a request for comment is presented to the Arts Commission, the additional text area is deemed approved unless the Arts Commission recommends denial within the time period established above.

- a. ~~The application for a mural permit is recommended for approval by the~~

~~Oklahoma City Arts Commission ("Arts Commission")(see Chapters 38-495 and~~

~~38-499 of the Municipal Code).~~

- b. ~~Within 65 days after the mural permit is submitted, the Arts Commission determines that the text is an artistic element that is integral to the mural. In making this determination, the Arts Commission shall consider the form, proportion, scale, color, materials, surface treatment, overall mural size, and the~~

~~size and style of lettering. The Arts Commission shall not consider the message that the text conveys.~~

~~c. Once a request for comment is presented to the Arts Commission, the additional text area is deemed approved unless the Arts Commission recommends denial within the time period established in subsection B.2.b above."~~

3. Paragraph 59-16112.E.4.2. be modified as follows:

2. Arts Commission staff may refer any application to the Oklahoma City Arts Commission for consideration if:

- a. Staff finds that the project is not consistent with the standards in this section; or,
- b. Staff finds that compliance with any standard in this section cannot be objectively measured or uniformly verified by reference to an external and uniform benchmark and therefore requires interpretation; or,
- c. Project has potential adverse effects on surrounding areas or uses due to the mural's placement or use of bright colors and/or distracting patterns; or,
- d. Requested in writing by the applicant.

4. Paragraph 59-16112.E.5 be modified as follows to add:

- g. The mural is designed and constructed under the supervision of an artist who has demonstrated murals expertise.

5. Paragraph 59-16112.E.5.g. be modified as follows:

- h. The Arts Commission, and Arts Commission Staff, shall also be guided by the most recently approved Arts Commission's Murals Policy: Standing Rules and the Curatorial Plan: Standing Rules. Copies of the same are on file in the office of the City Clerk, are available in the Planning Department and online at okc.gov/planning, and are incorporated by reference. Where discrepancies exist between the Murals Policy: Standing Rules, the Curatorial Plan: Standing Rules, and other regulations established in this section, the regulations established in this section shall take precedence. Nothing in this section authorizes the Arts Commission or Arts Commission Staff to consider or review the content of a mural in rendering a recommendation or decision pursuant to this section.