

Signs and Murals - Definitions: (Insert on page 32 under header)

- **Sign:** Any device, structure, placard, surface, or fabric using graphics, letters, symbols, pictures, or sculptured matter designed to convey information visually and exposed to public view from outside.
- **Mural:** A mural is an Original work of art that covers all or a portion of a wall that may depict a scene or event of historic, social or cultural significance. It shall not promote any on or off-premise business, product or event.

(Place under item O)

O. Murals

Murals may be permitted within the Downtown Historic District under the following guidelines.

- **Application Requirements**

Completed Certificate of Appropriateness application, including all appropriate signatures.

An application for a Certificate of Appropriateness must be filed with the Planning Department to be reviewed for compliance with the requirements of The Downtown Design Guidelines. The mural application will be reviewed once all provisions of this section have been met.

Decisions on the application will be made by the Historic Zoning Commission.

A letter of support from the Public Art Committee shall accompany the application and written verification of the property owner's agreement to have the mural installed. If the proposed wall is owned by the City of Johnson City, approval shall be given by the City Commission (or City Manager?)

Building elevation drawn to scale, and one 8.5" x 11" reduction suitable for photocopying, that identifies:

- the facade on which the mural is proposed;
 - the location of existing and proposed murals;
 - the mural dimensions;
 - the height of the mural above grade; and
 - the building eave/cornice and roof line.
- Site plan drawn to scale and one 8.5" x 11" reduction suitable for photocopying, that identifies:
 - Building location and facade on which the mural will be located; names of streets that abut site, map showing location.

- Written description of the type of mural (painted, mosaic, etc.) and details showing how the mural is affixed to the wall surface.

- **Structural Review**

Murals with any element that weighs more than 7 pounds per square foot, or in total weigh more than 400 pounds require structural review by the Chief Building Inspector or his designee.

- **Design Standards**

Murals in all locations are required to meet these standards.

Within the Downtown Historic District, murals are permitted only on non-street facing walls that do not abut a parking lot. Walls must be at an angle greater than 45 degrees from the street facade.

Murals are permitted only on the flat planes of walls.

~~Murals are not allowed to be applied directly to unpainted brick~~ (Murals may be painted directly on brick surfaces if only silicate dye paints are used. Per Policy 16, A; elastomeric paints such as Latex, acrylic and oil base paints shall not be applied directly to brick.)

A mural may be printed on a breathable mesh vinyl or fabric material designed for exterior applications and applied to the wall. Such materials must be removeable without damage to the walls at the end of their term

Murals will not be applied on or obscure architectural features such as: windows, doors, pilasters, cornices, window, door or other building trim, feature bands, and other recessed or projecting features.

- **Number of Mural Permits per building wall.**

Only one mural permit may be obtained per wall.

- **Mural Size.**

The top of the mural may be no higher than the floor level of the third floor for projects on

buildings greater than two stories.

- **Actions of the Historic Zoning Commission**

Where the Historic Zoning Commission finds that a proposed mural does not comply with the Downtown Design Guidelines, the Commission must either require revisions to the proposal, require additional reviews or deny the application.

- **Suspension or Revocation**

The Historic Zoning Commission may suspend or revoke a permit issued under the provisions of the Downtown Design Guidelines. The Commission will inform the permit holder of the suspension or revocation in writing. Permits may be suspended or revoked when:

The permit is issued in error;

The permit is issued on the basis of incorrect information supplied by the applicant; or

The permit is issued in violation of any of the provisions of the Downtown Design Guidelines

- **Inspections and Expiration of Permit**

The Historic Zoning Commission staff person will conduct inspection of murals for which a permit has been issued. The permit holder must notify staff when the work is ready for inspection.

The inspection shall verify that the mural is in conformance with the application and in conformance with the provisions of the Downtown Design Guidelines.

At least one photo is to be kept on file to document the site, mural size, mural location and mural image consistency. The photo or photos may be taken by the inspector, or provided to the inspector by the applicant.

Structural inspections shall be completed in conjunction with any separate permits and shall verify the applicable requirements from the applicable codes.

The Historic Zoning Commission may conduct inspections whenever it is necessary to enforce any provision of the Downtown Design Guidelines, to determine compliance, or whenever the Historic Zoning Commission has reasonable cause to believe there exists any violation may exist.

- **Expiration of Permit.**

If no inspection approval has taken place within twelve months of issuance of a mural permit, the permit is void, and no further work on the mural may be done at the premises until a new permit has been secured.

- **Extensions of Permit.**

The Historic Zoning Commission may extend a permit for one period of twelve months upon finding that the applicant was unable to commence or continue work for reasons beyond his or her control. A request for permit extension must be in writing and must be received by the Historic Zoning Commission before the permit expiration date. If an inspection approval has not been granted within this extended time period, the permit is void. A permit may be extended only once under the standards of this subparagraph.

- **Renewal of Expired Permits.**

A permit that has been expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once. No permit that has been expired for more than six months may be renewed

- **Maximum Duration of a Permitted Mural**

The mural, as approved by permit, shall be maintained without alteration for a maximum of two (five) years. The approved mural permit does not expire so long as there is not a modification to the approved mural size, location, and imagine.

- **Maintenance of a Permitted Mural**

Building owners are responsible for ensuring that a permitted mural is maintained in good condition and is repaired in the case of vandalism or accidental destruction.

Muralists and building owners are encouraged to consider protective clear top coatings, cleanable surfaces, and/or other measures that will discourage vandalism or facilitate easier and cheaper repair of the mural if needed.

- **Removal of a Permitted Mural**

- **Removal of the mural within the first two-years of the date of completion.**

Permitted murals may be removed within the first two years of date of completion under the following circumstances:

- the building on which mural is located is sold; or
- the building or property is substantially remodeled or
- altered in way that precludes continuance of mural.

Removal of the permitted mural for reasons other than the circumstances described above precludes approval of a new mural permit at the site for a five- year period after the date of the original mural permit completion.

Prior to mural removal the applicant must notify the Historic Zoning Commission with a letter stating intent to remove the mural and an explanation of the circumstances necessitating the removal.

- **Removal of the mural after the first two years of the date of completion.**

Permitted murals must be removed after two years of the date of completion. A property owner may ask that the mural remain for another two years with Historic Zoning Commission approval.

- **Removal of materials associated with the mural.**

Any (All) associated materials that were used to affix or secure the mural to the wall must be removed at the time of the removal of the mural. This includes, but is not limited to mounting hardware or brackets, caulk, adhesives, etc.