

## **PUBLIC STREET ART AND/OR MURAL APPLICATION PACKET**

Thank you for your interest in the process for executing exterior public street art and/or murals on public or private property within the City of Lebanon. The attached documents are intended to assist applicants through the approval and installation process.

- Guidelines and Process for executing/installing an exterior public street art and/or mural in the City of Lebanon
- Public Street Art and/or Mural Application
- Art Agreement between City of Lebanon and Property Owner if art is located on City property or located within a City right-of-way.



# **PUBLIC STREET ART AND /OR MURALS GUIDELINES AND PROCESS**

The City of Lebanon Zoning Ordinance requires that exterior murals and/or street art must be reviewed by the Design Review Board (DRB) and approved by the Mayor whose role is to ensure that each project aesthetically enhances its location and surroundings. The costs associated with developing and executing/installing the street art and/or mural are the responsibility of the applicant and/or property owner of the wall where the proposed mural will be installed or the area where the public street art will be displayed.

*To simplify this document, the word 'mural' refers to artwork that is painted on an exterior wall and other works of art affixed to an exterior wall. Street art is visual art created in public locations for public visibility. Street art is NOT defined as graffiti, which is not permitted.*

## **Overview**

- The approval process for executing/installing public street art and/or murals on public or private property within the City of Lebanon is administered by the City of Lebanon staff liaison to the Design Review Board (DRB).
- Applicants without professional mural experience may apply but should partner with a professional muralist.
- Applicant must provide a budget for the project and if the project is approved funding must be in place before work can begin.
- Proposed murals are reviewed by the DRB and if recommended by the DRB, approved by the Mayor.
- Murals shall not be considered for installation on building facades with a public entrance in historic districts.
- Murals may be considered for installation on building with a public entrance outside historic districts.
- Murals shall not be proposed for installation on an unpainted façade

surface (natural brick, stone) of a historic building.

- For all public street art and/or murals proposed to be located on City Property or within the City right-of-way, all property owners must sign an Art Agreement to be included with the Public Street Art and/or Mural application agreeing to transfer ownership of the mural to the City pending approval of the proposed street art and/or mural by the City Council.
- All street art and/or murals approved through this process become part of the City's public art collection for as long as the Art Agreement remains in effect.
- The number of murals per block may be limited.
- Historically significant murals (including historic advertisements) shall not be painted over, even if faded.
- To the extent practicable, murals shall be applied only to the flat planes of walls.
- Imitative materials including but not limited to asphalt siding, wood textured aluminum, and artificial stone should be avoided on murals within historic districts.
- All applicants are required to meet with the staff liaison at least one month prior to submitting an application. To schedule an appointment, contact Janelle Mendoff, Community & Economic Development Administrator at 717-639-2800 Option 5.

### **Murals on Historic Buildings**

- Murals proposed for installation on the exterior of structures listed on the National Register of Historic Places or to a contributing property within a Historic District on the National Register of Historic Places will be forwarded to the PA Historical & Museum Commission (PHMC) for review.
- PHMC will review the proposal using criteria standards stated in the City of Lebanon Zoning Ordinance and provide their comments to the Design Review Board and to the Mayor.

### **Criteria for Approval of Public Street Art and/or Wall Murals**

The street art and/or murals should be a professionally designed, original work of exceptional quality with consideration of the following criteria:

- Work that is of enduring value for including in the City's public art collection.
- Visual imagery that enhances the aesthetic experience within the City and the character and nature of the site.
- Visual imagery that is appropriate for all audiences (not reflecting partisan politics or containing sexual or religious content or expressing a commercial aspect, etc.).
- Artwork that is appropriately designed for all view points to the mural (by pedestrians, from moving vehicles, seated audiences, etc.).
- Artwork that is appropriately sited for directional exposure to minimize fading of colors.
- Suitability of the wall surface to receive all materials that are to be used to execute the mural including the wall preparation material.
- Work that is appropriate in scale to the building and to the site.
- All installation and technical issues.

### **Public Street Art and/or Mural Design Application**

Applicants (artist, property owner, etc.) intending to execute/install a mural on an exterior wall or installed public street art that is visible from a public-right-of-way and within the boundaries of the City of Lebanon must apply for approval through the following process. Applicant shall:

- a. Schedule an appointment and meet with the staff liaison to the DRB for an informational overview of the process and initial review of the proposed project.
- b. Complete and submit a Public Street Art and/or Mural application.
- c. Submit a signed Art Agreement from the property owner.

- d. Prepare public street art and/or mural presentation package as described in Public Street Art and/or Mural Design Presentation and Review.
- e. Schedule an appointment for DRB review of mural package at a DRB meeting.
- f. Submit a complete Public Street Art and/or Mural Presentation package to staff prior to DRB review. Only packages that are totally complete will be accepted for review thus starting the 30 day review period.

### **Public Street Art and/or Mural Design Presentation and Review**

The proposed public street art and/or mural application will be presented to the DRB and within 30 days after acceptance, the DRB shall determine whether the proposal serves the purpose of the City's policy and complies with section 1312.13 of the City of Lebanon Zoning Ordinance.

### ***Initial DRB Presentation Meeting***

Presentation materials for the initial meeting must include:

- a. Photos of the proposed location of the public street art and/or mural including all wall features and features immediately adjacent to the proposed mural site; complete wall measurements.
- b. Professional portfolio of the lead artist's public street art and/or mural work including examples of the artist's demonstrated ability from prior projects to carry out the project as designed.
- c. A color drawing at ½ inch scale that adequately illustrates the proposed public street art and/or mural including actual color, finishes and materials samples with their locations designated on the public street art and/or mural drawing,
- d. Verbal explanation of imagery concept including:
  - how the artwork enhances the existing character of the site through scale, color, material, texture, and content,
  - how the artwork considers the social dynamics of the location, and
  - how the artwork considers the historical, geographical and cultural

features of the site as well as its relationship to existing architecture and landscaping.

- e. Statement regarding the durability of the artwork and its potential to require ongoing maintenance.
- f. Art Agreement signed by the property owner.

### ***Preliminary Design Approval***

Generally, the DRB review and preliminary approval for the applicant to move forward with the proposed public street art and/or mural concept occurs at a DRB meeting to be scheduled within 30 days after acceptance by the staff liaison. Following the applicant's initial presentation, staff will notify the applicant of the DRB's recommendation. If the DRB is unable to make a recommendation for approval because additional information is needed, the DRB may request a second design meeting.

*NOTE: If the mural is proposed for installation on the exterior of structures listed on the National Register of Historic Places or to a contributing property within a Historic District on the National Register of Historic Places the proposal will be forwarded to the Historic Commission for review. See **Murals on Historic Buildings** above.*

### **Design Approval by Mayor**

Following final design approval by the DRB and review by the PHMC, if required, the DRB will forward the public street art and/or mural concept to the Mayor for approval.

Once final approval is granted by the Mayor, the applicant must:

- a. Provide staff with the installation schedule. Applicant will be responsible for implementing all safety requirements per direction from staff (if work is occurring within the public right of way).
- b. Provide a \$500 deposit to the City, if required. This deposit is held in reserve

until the completed public street art and/or mural receives final installation approval by the DRB.

- c. The Artist shall provide the City with proof of an insurance policy currently in effect covering the Artist for liability imposed by law for damages on account of bodily injury, death or property damage. The limit of this policy shall not be less than one million dollars (\$1,000,000) and issued from an insurance company duly licensed to transact such business in the State of PA. The insurance policy shall list the City as an additional insured and shall require that the City be notified of cancellation of such coverage pursuant to the terms of the policy. Failure to maintain insurance during the duration of this Agreement shall result in the City's termination of the Agreement immediately. In the alternative, the Property Owner shall provide proof of insurance as required hereunder naming the Artist and the City as additional insureds. The Artist shall be solely responsible for the payment of all expenses incurred by the Artist, and his/her/its employees, in the performance of work under this Agreement, including but not limited to motor vehicle expenses and other expenses. Artist agrees that it shall indemnify and hold City harmless from any liability resulting from the negligent or intentional use of any motor vehicle by Artist, or his/her/its agents or employees.
- d. Enter into a contract between the applicant and the City of Lebanon, if the public street art and/or mural is located on City property and/or City right-of-way.

### **Review of Project during Installation**

In order to facilitate timely DRB reviews throughout the public street art and/or mural prep and painting process, the applicant must provide staff a schedule of dates for completion of each public street art and/or mural stage addressed below.

- The DRB will review the project three separate times during the installation. The applicant must notify staff at the end of each of the following steps:
  - a. After the wall is prepped and ready for application. At this step, the PAC

will also review paint colors and medium as well as other materials to be applied to the wall to ensure they are the same colors and materials approved during the review process and the medium is appropriate and durable.

- b. Halfway through the application process for review of compliance with the drawings, materials and finishes.
  - c. Within seven days of completion
- Following the third review, the DRB will determine if the completed mural is in compliance with the approved documents, drawings, materials and finishes.

*Note: If the DRB finds that there are areas of the public street art and/or mural that are not rendered according to the approved design documents, the DRB may request the applicant adjust the public street art and/or mural to comply with the approved design. The DRB also recognizes that an artist may wish to make minor changes during the process that deviate from the approved concept but that enhance the overall project. The DRB and artist will agree on any changes to the approved design drawing.*

- Once the DRB and applicant are satisfied that the public street art and/or mural is complete, the street art and/or mural must be coated with a clear UV protectant paint to protect the street art and/or mural from graffiti and ultra violet rays, if applicable.
- The DRB will vote to accept the public street art and/or mural into the City's public art collection and forward their recommendation to the Mayor for approval.

### **Other Things to Know**

- The City will contract with the applicant for the execution/installation of the public street art and/or mural.



- The contract will require the applicant to submit proof of liability insurance.
- The Art Agreement will be in place for a period of five years. At the expiration of the five years, the Art Agreement may be terminated or extended by either party upon 30-day written notice.
- The City retains the right to remove the public street art and/or mural if the public street art and/or mural is not executed according to the approved concept documents.
- The property owner is responsible for the maintenance of the public street art and/or mural during the existence of the Art Agreement.

**DESIGN REVIEW BOARD PUBLIC STREET ART  
AND/OR MURAL APPLICATION**

**Applicant (City contracts with)**

Applicant Name:

Phone Number:

Email:

Address:

**Lead Artist**

Artist Name:

Phone Number

Email:

Address:

Artist website (if applicable):

**Proposed Public Street Art and/or Mural Building (Location)**

Name of Property Owner of proposed public street art and/or mural:

Phone:

Email:

Proposed Public Street Art and/or Mural Building Street Address:

Property Owner mailing address:

Dimensions of proposed mural wall:

Has the owner given permission for a mural to be painted on the proposed wall and is the owner willing to enter into an Agreement with the City?

The wall is:

brick      cinderblock      stucco      wood      other

Dimensions of proposed public street art:

Has the owner given permission for the public street art to be installed and is the owner willing to enter into an Agreement with the City?

### **Questions**

1. Please describe the project, the specific location of the public street art and/or mural and why the artwork will enhance the area.
2. Can the wall or display area be seen from the public right of way (e.g. sidewalk, alley, street etc.)?
3. Describe the process you used to select a professional artist?
4. Describe the theme/image you envision for this street art and/or mural if known at this time.
5. Why do you want street art and/or mural at this location? How will the street art and/or mural benefit the neighborhood? Community?

6. Please attach a detailed budget for the project. What funding do you have for the project?
  
7. Describe the ground in front of the wall (condition, debris etc.) and surrounding features.

# PUBLIC STREET ART AND/OR MURAL AGREEMENT

The Agreement is between \_\_\_\_\_(Property Owner) and the City of Lebanon(City).

## RECITALS

1. The City has adopted a process for the placement of public street art and/or murals on public and private buildings throughout Lebanon City.
2. The Property Owner owns the real property situated at \_\_\_\_\_ (physical address) and is willing to make an exterior wall (Wall) available for a public art mural and/or for an area available for display of public street art.
3. After final approval by the DRB of the installed public street art and/or mural, it becomes the property of the property owner and may be removed by either party after a period of five years.

The parties agree as follows:

This agreement is in effect for at least five years. After the five year minimum, the agreement may be terminated by either party upon 30 days written notice. Upon termination, the Wall will be restored to its prior condition at the expense of the party who initiated the termination.

The property owner is responsible for the maintenance and if necessary repair of the public street art and/or mural during the life of the agreement unless agreed to differently in writing. The property owner shall have the right to access the public street art and/or mural and the artwork location for maintenance purposes. The property owner may remove the public street art and/or mural, if in the sole judgement of the property owner, the public street art and/or mural cannot be maintained.

In the event of any dispute in any manner relating to this agreement, the parties shall submit the dispute to be resolved by binding arbitration. The arbitration award shall be final and binding on the parties on the parties in the same manner as the final judgment of a court.

## CITY OF LEBANON, PA

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

## PROPERTY OWNER

Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Date: \_\_\_\_\_