

ORDINANCE NO. 837

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SUBSECTION (F) OF SECTION 17.38.080 AND ADDING SECTION 17.30.100 OF CHAPTER 17.30 OF TITLE 17 OF THE GRASS VALLEY MUNICIPAL CODE TO ESTABLISH STANDARDS FOR ART INSTALLATIONS IN THE CITY.

WHEREAS, the ordinance was initiated by City of Grass Valley staff to address questions regarding standards and approval processes for a range of types of artwork on public and private property (the "Ordinance"); and

WHEREAS, the City of Grass Valley desires to facilitate artwork on public and private property to enhance the city visually; and

WHEREAS, the City desires to amend the Zoning Code to establish requirements for artwork citywide to promote the general welfare of the community and to protect the public health, safety, and welfare; and

WHEREAS, the Planning Commission of the City of Grass Valley, after giving notice thereof as required by law, held a public hearing on August 19, 2025 to review the draft Ordinance No. 837; and

WHEREAS, on August 19, 2025, the Planning Commission of the City of Grass Valley recommended adoption of Ordinance No. 837 by City Council; and

WHEREAS, the City Council of the City of Grass Valley, after giving notice thereof as required by law, held a public hearing on September 9, 2025 for a first hearing of Ordinance No. 837; and

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. RECITALS. The recitals and findings set forth above are true and correct and incorporated herein by reference.

SECTION 2. CODE AMENDMENT. Subsection (F) Section 17.38.080 of Chapter 17.38 and Section 17.30.100 of Chapter 17.30 of Title 17 of the Grass Valley Municipal Code is hereby amended to read as follows (deletions denoted by ~~struck through~~ text and additions denoted by underlined text):

17.38.080 – Standards for specific sign types.

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F. Murals. A mural ~~placed~~ painted on the wall of a structure may be allowed in any commercial, industrial, and other nonresidential zone subject to the following requirements. ~~All murals shall be subject to the review and recommendation by the development review committee (DRC) and approval by the commission.~~

1. Murals on privately-owned property shall comply with requirements of Section 17.30.100(B) (Standards for visual art).

2. Murals on publicly-owned property shall comply with requirements of Section 17.30.100(C) (Standards for visual art).

~~3. 4-~~ A mural without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Section [17.38.070](#) (zone sign standards), above; a mural with text shall comply with the sign area limitations applicable to the site.

~~2. Murals that illustrate the local setting, history, or cultural significance as sources of inspiration are encouraged.~~

~~3. The approval of a mural shall require that the review authority first find that the colors, placement, and size of the mural are visually compatible with the structure's architecture, and that the mural will serve to enhance the aesthetics of the city.~~

(NEW) 17.30.100 – Standards for visual art.

A. Applicability. The provisions of this section apply to any proposed installation of visual art on publicly or privately-owned property in all non-residential zoning districts.

B. Visual Art on Privately-owned Property. Visual art may be allowed in any commercial, industrial, and other nonresidential zone subject to the following requirements. All visual art shall be subject to the review and recommendation by the development review committee (DRC) and approval by the planning commission.

1. Visual art without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Section [17.38.070](#) (zone sign standards), above; visual art with text shall comply with the sign area limitations applicable to the site.

2. Visual art that illustrates the local setting, history, or cultural significance as sources of inspiration are encouraged.
 3. Historic District: Visual Art that is proposed within the historic district shall be reviewed by the historical commission who shall provide a recommendation to the planning commission.
 4. Review Authority and Finding: The approval of visual art shall require that the planning commission first find that the colors, placement, and size of the artwork are visually compatible with the structure's architecture, and that the art will serve to enhance the aesthetics of the city.
- C. Visual Art on Publicly-owned Property. The following standards apply to visual art placed on publicly-owned property in all zones. All visual art in public spaces shall be subject to the review and recommendation by the DRC and Planning Commission and approval by City Council.
1. Visual art on publicly-owned property without visible text may be approved in addition to (not counted as part of) the sign area allowed by Section 17.38.070 (zone sign standards), above; visual art with text shall comply with the sign area limitations applicable to the site.
 2. The composition of the artwork shall be of a permanent type of materials to be durable against vandalism, theft, and weather, and in order to require a low level of maintenance. Paintings and murals shall be treated with a protectant to prevent vandalism, fading, and wear.
 3. Illumination of artwork shall comply with requirements of Section 17.30.060 (Outdoor lighting).
 4. Artwork that illustrates the local setting, history, or cultural significance as sources of inspiration is encouraged.
 5. Historic District: Visual Art that is proposed within the historic district shall be reviewed by the historical commission who shall provide a recommendation to the planning commission.
 6. Planning commission: All visual art proposals shall be reviewed by the DRC and planning commission who will provide a recommendation to City Council.
 7. Review Authority and Finding: The approval of visual arts shall require that the City Council first find that the colors, placement, and size of the artwork are visually compatible with the surrounding character of the area, and that the artwork will serve to enhance the aesthetics of the city.

Chapter 17.100 – Definitions

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"Visual Art." Original creations of art including, but not limited to, murals, paintings, drawings, carvings, mosaics, fountains, sculptures, and other artwork that are not intended to advertise or identify any business or product.

SECTION 3. EFFECT OF ADOPTION. It is the intent of the City Council of the City of Grass Valley that the Grass Valley Municipal Code sections affected by this Ordinance shall not be considered repealed and reenacted in their amended form; that the portions which are not altered are to be considered as having been the law from the time when they were enacted; that the new provisions are to be considered as having been enacted at the time of the amendment; and that the omitted portions are to be considered as having been repealed at the time of the amendment.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect 30 days after its adoption pursuant to Article VII, § 2 of the Grass Valley City Charter.

SECTION 5. PUBLICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in The Union, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read at a regular meeting of the City Council on the 9th day of September 2025.


FINAL PASSAGE AND ADOPTION by the City Council was at a meeting thereof held on the 23rd day of September, 2025, by the following vote:

AYES: Bonardo, Ivy, Arbuckle, Caravelli, Mayor Hodge

NOES: None

ABSENT: None

ABSTAINING: None



Hilary Hodge, Mayor

APPROVED AS TO FORM:



For Michael G. Colantuono, City Attorney

ATTEST:



Taylor Whittingslow, City Clerk

VISUAL ART APPLICATION



SUPPLEMENTAL APPLICATION INFORMATION

Application Request: _____

Property Address or Location: _____

SUPPLEMENTAL CHECKLIST

The following includes items required for a complete application. Some specific types of information may not apply to your project. If you are unsure, check with Planning Division Staff. A copy of this list will be returned to you if your application is determined to be incomplete.

A. Application Checklist:

- ☐ One completed copy of Universal Application form.
- ☐ One completed copy of the Environmental Review Checklist (if applicable).
- ☐ One electronic copy of the site plan and all other applicable plans/information.
- ☐ One materials sample board (if applicable).
- ☐ The appropriate non-refundable filing fee.

B. Site Plan:

- ☐ SITE PLAN; On electronic copy of the Site Plan for the property on which the sign(s) will be placed including:
 - ☐ Location of proposed artwork indicating the orientation of the art
 - ☐ Square footage of proposed artwork
 - ☐ Color elevation rendering clearly showing the artwork to scale in relation to its surroundings
 - ☐ Material specifications, including finishes
 - ☐ A written statement by the artist describing any theme or development of the art

- ☐ For more than one art installment, please give each piece of art a number starting with the number 1
- ☐ If artwork includes text, provide height of lettering and square footage of text area

E. Mounting and Lighting Details (if applicable):

- ☐ Mounting details may be placed on the Sign Plan or as a separate sheet but must include the following:
 - ☐ Description of material used in construction of artwork.
 - ☐ Means of exterior or interior lighting including shielding, type, and size of fixtures (if applicable). Should include a photometric plan.
 - ☐ For sculptures or mounted art, provide details of footings, mounting hardware, etc. as applicable.

VISUAL ARTISTS RIGHTS ACT OF 1990 (VARA) CONSENT FORM

AGREEMENT by and between City of Grass Valley (Owner), and Autumn Gallagher (Artist) regarding the installation of the Artist's Work of Visual Art at the old pump house building located at 350 Race Street.

Through this Agreement, the Owner gives consent, receipt of which is hereby acknowledged by the Artist, for work of visual art by the Artist consisting of an approximate 15 by 20 foot mural on the east facing wall at 360 Race Street (APN: (09-300-01).

In consideration of consent, the Artist acknowledges the Artist's understanding and agreement that such installation may subject such work to destruction, distortion, mutilation or other modification by reason of the removal of such artwork from such location. Therefore, Artist hereby waives all rights under Visual Artists Rights Act of 1990 (VARA) and California Civil Code section 987 (Art Preservation Act)

ARTIST:

Date: _____

Printed Name: _____

CITY:

Date: _____

Printed Name: _____