



## **Mural Application Form**

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303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Dear Applicant:

In an effort to improve customer service and ensure development projects are processed as quickly as possible, the Planning Department finds it necessary to remind its clients that complete application submittals are crucial to the plan review process. In the past, accepting incomplete applications has led to errors and time delays at the end of the review process. I do not want this to happen to you.

Consequently, the Planning Department staff will only accept complete applications at time of submittal. All items requested by this application packet, along with the required filing fee, must be provided before the Planning Department counter staff can accept your application for filing. Please review all minimum requirements prior to submitting your application, as counter staff do not have the authority to waive any requirements.

Please remember that failure to provide all of the required plans and information will result in significant time delays in the processing of your application. If you have any questions regarding the necessity of any particular item required by this application packet, please feel free to contact the Planning Department counter supervisor to discuss your questions.

The Planning Department looks forward to a continued efficient and professional relationship with you in the future. If you have any questions, comments, or concerns regarding this matter, please feel free to contact the Planning Department at (909) 395-2036.

Respectfully,

A handwritten signature in blue ink, appearing to read "H. Noh".

Henry K. Noh  
Planning Director

**ATTENTION!**

The City of Ontario strives to provide you with efficient and effective service in a businesslike manner. We are committed to the principle that every interaction you have with the City must be based on honesty and integrity.

City employees are prohibited by law from soliciting or accepting money, services, or gifts of any kind in connection with the discharge of their duties.

If you are approached or are aware of any violation of this policy, please immediately contact any of the following:

- Scott Ochoa, City Manager ..... (909) 395-2396 or [sochoa@ontarioca.gov](mailto:sochoa@ontarioca.gov)
- Mike Lorenz, Police Chief ..... (909) 395-2710 or [mlorenz@ontarioca.gov](mailto:mlorenz@ontarioca.gov)
- Ethics Line ..... (800) 500-0333



## Sign Plan- Mural Application Form

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### GENERAL INFORMATION

#### Mural Installation Location

Mural Installation Street Address: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_

Property Owner Mailing Address: \_\_\_\_\_

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

#### Mural Artist Information

Mural Artist Name: \_\_\_\_\_

Address: \_\_\_\_\_

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

Mural Sponsor Name: \_\_\_\_\_

Address: \_\_\_\_\_

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

*For Staff Use Only*

File No.: \_\_\_\_\_

Related Files: \_\_\_\_\_

\_\_\_\_\_

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

Received by: \_\_\_\_\_

Fees Paid: \$\_\_\_\_\_

Cash  Check (# \_\_\_\_\_)

Credit Card

Receipt No.: \_\_\_\_\_

**Action:**

Approved  Denied

By: \_\_\_\_\_

### Mural Information

#### Type of Mural (check all that apply):

Mural painted on exterior building or wall  Mural consisting of tile or other material affixed to exterior building or wall

#### Proposed mural dimensions:

Width	Height	Total Area
ft.	ft.	sq. ft.

Project Site is Located within the Downtown District (**Note:** The Downtown District is bordered by "I" Street on the north, Vine Avenue on the west, railroad tracks (immediately south of Emporia Street) on the south, and Sultana Avenue on the east)?  Yes  No

### REVIEWING DEPARTMENT SIGNATURES (to be completed by City staff)

	<u>Approved</u>	<u>Denied</u>	<u>Signature</u>	<u>Date</u>
Planning:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Museum:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Engineering:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

**CRITERIA FOR MURAL APPROVAL**

Murals must meet the following criteria, to ensure conformance with all applicable land use regulations and/or entitlements, and review and recommendation by the Planning Commission.

1. Compatibility of the design with the immediate environment of the site;
2. Appropriateness of the design and size to the function of the site;
3. Compatibility of the design and location within a unified theme; and
4. Appropriateness of the design as a public work of art. The design may portray, but not be limited to, a cultural, historical, or scenic subject.
5. The mural must be created using durable, graffiti resistant and weather resistant materials.
6. Murals cannot serve as an advertisement sign in violation of section 8.01.020: *Sign Standards* of the Ontario Development Code.
7. Mural permit or approval does not warrant or guarantee that, after installation, the mural will be preserved or remain intact for the expected life span of the mural. If the artist wishes to preserve the mural, it is his or her responsibility to reach an agreement regarding maintenance, and preservation with the property owner.
8. **PROPERTY OWNERS:** Murals are protected under the California Art Preservation Act of 1980 (Civil Code Section 980 et.seq.), and/or federal copyright laws. **THE PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING THEIR OWN LEGAL ADVICE AND FOR COMPLIANCE WITH ALL APPLICABLE LAWS.**
9. The City of Ontario assumes that the mural will be kept in good repair with periodic maintenance to be performed by the artist as needed. By submitting the application both the artist and property owner agree that should the mural be defaced and/or not repaired, maintained, preserved and/or conserved to the satisfaction of the City of Ontario, the City of Ontario has, in its sole discretion, the authority to repair, maintain, preserve, and/or conserve the mural, or alternatively, the authority to remove, alter, or destroy the mural.
10. If for any reason the mural is removed, altered, or destroyed by the property owner and/or artist, the property owner and/or artist are responsible for restoring the property to the original condition.

**MURAL PERFORMANCE STANDARDS**

Thank you for your interest in creating a public art mural in the City of Ontario, California.

Artists, property owners, and community residents and organizations are encouraged to work together to create new murals and when necessary to save existing murals. Public art murals do much to beautify the urban environment and promote community pride.

Murals are intended to enhance the quality of the area in which it is located, and the community as a whole. They should not serve to direct attention to a specific business, product, or service.

Any group or individual that wishes to paint or create a mural must obtain permission from the property owner. Painting murals on private property without permission of the property owner is illegal and punishable by law. The City of Ontario does not condone any type of illegal graffiti murals or art, irrespective of artistic content.

Per the City of Ontario's Development Code:

1. Murals shall be original, non-commercial works of art; uniquely designed for the specific location it is proposed. Ideally, murals should depict the historic character of the community or reflect Ontario's environmental setting.
2. There is no maximum allowed mural area; however, murals must complement the scale and architectural features of the building on which they are located.
3. There are no height or length restrictions.

If the request for a mural is on a historic eligible building, then the mural application process will also potentially require review and approval by the Historic Preservation Subcommittee.

**APPLICANT CERTIFICATION**

I, the undersigned, certify and say that I am the applicant in the foregoing application, that I have read the foregoing application and know the content thereof, and state that the same is true and correct to the best of my knowledge and belief. With my signature below, I agree to each of these terms. I understand that I am contractually bound by these terms for the life of the mural.

Furthermore, I hereby agree to defend, indemnify, and hold harmless the City of Ontario or its agents, officers, and employees, from any claim, action or proceeding against the City of Ontario or its agents, officers or employees, to attack, set aside, void, or annul any approval by the City of Ontario, whether by its City Council, Planning Commission, or other authorized board or officer, as it pertains to this application. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
Name (print or type): \_\_\_\_\_

**PROPERTY OWNER OR APPROVING AGENT ACKNOWLEDGEMENT**

I, the undersigned, certify and say that I am the  **owner**,  **approving agent**, for the property in the foregoing application, that I have read the foregoing application and know the content thereof, and agree to the filing of this application with the City of Ontario.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
Name (print or type): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_



## Mural Application Form— Minimum Filing Requirements

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### MINIMUM FILING REQUIREMENTS

The following submittal documents are required to be submitted through our Citizen Portal Access website at <https://automation.ontarioca.gov/onlinePermits> and shall be in **PDF file format**.

- (1) Completed *Mural Application Form*.
- (2) Artist biography.
- (3) Site plan that identifies:
  - (a) Property lines.
  - (b) Building location and façade on which the mural will be located.
  - (c) Names of streets that abut the site.
  - (d) Work zone area. Identify right of way, and if accessibility through street, alley or sidewalk will be temporarily impeded. Work that impedes access will require an Encroachment Permit from the Engineering Department.
- (4) Photographs of the site, including existing signs and proposed mural location(s).
- (5) Preliminary color sketch/image, including size and scale.
- (6) Details on how the mural will be applied to building façade, materials used, and the type of equipment used to apply the mural such as a ladder, lift or scaffolding.
- (7) Evidence of property owner's permission, with written commitment to periodically inspect the mural and agree to promptly remove any graffiti.
- (8) Filing fee (see Planning Department Fee Schedule found here: <https://www.ontarioca.gov/Planning/Applications>). This fee will be invoiced upon confirmation by staff that all minimum filing requirements were provided.