



City of Salem

SALEM PUBLIC ART COMMISSION MEETING

Wednesday, August 9, 2023
2:30 P.M. – 4:30 P.M.

Si necesita ayuda para comprender esta información, por favor llame 503-540-2371

PARTICIPANTS

Board Members

Zach Hull, Chair; Susan Napack, Vice-Chair; Spencer Emerick; Eduardo Diaz-Salazar, Barbara Sellers-Young, Krista Lauer.

The commission has one vacancy for a member experienced in landscape architecture, real estate development or community foundations.

Staff

Keith Bondaug-Winn, Public Works Staff Liaison

AGENDA

1. Welcome and call to order
2. Public Comment – Appearance of persons wishing to address the Board on any matter other than those which appear on this Agenda
3. Approval of Consent Agenda – Agenda for August 9, 2023; Minutes of July 12, 2023.
4. Discussion Items
 - a. **Updates**
 1. SPAC Vacancies – Keith
 2. Update on Communication with Deacon Development – Chair Hull
 3. Public Mural Application at 1380 Madison St NE – Commissioner Diaz-Salazar
 4. Brochure Distribution – Keith
 - b. **Subcommittee Reports**
 1. Chair Hull and Commissioner Sellers-Young to initiate subcommittee on Value Statement
 2. Art Collection Maintenance
 - a. Repair of *Drummer & Rooster* – Keith
 - b. *Good Cents* cleaning and sign placement – Keith
 - c. *Black Discs* – Keith
 3. Social Media Plan – Commissioner Lauer
 4. PGE and Gilbert House Children's Museum – Keith

5. New Business
 - a. **Exploring alternatives to Salem's current mural program**
 1. Regional Arts & Culture Council Public Art Murals Program: <https://racc.org/public-art/public-art-murals-program/>
 2. Portland Public Art Committee: <https://www.publicartportland.org/about/>
 3. City of Milwaukie Public Art Mural Guidelines & Mural Application: <https://www.milwaukieoregon.gov/arts-committee/murals-milwaukie>
 4. Taming murals in the city: a foray into mural policies, practices, and regulation. This article will be provided as part of the agenda packet.
6. Action Items
7. Commissioners Comments
 - a. **Discussions about public art**
8. Adjourn

Next Meeting: September 13, 2023; 2:30 P.M – 4:30 P.M.

This meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may view the meeting online on [YouTube](#). Please submit written comments on agenda items, or pre-register to provide Public Comment on items not on the agenda, by 5 p.m. or earlier one day prior to the day of the meeting at kbondaug@cityofsalem.net

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Public Works Department

555 Liberty Street SE / Room 325 • Salem OR 97301-3513 • Phone 503-588-6211 • Fax 503-588-6025

Salem Public Art Commission

July 12, 2023

ONLINE

Commissioners Present

Zach Hull, Chair

Susan Napack, Vice-Chair

Krista Lauer, Commissioner

Eduardo Diaz-Salazar, Commissioner

Guests

Carol Snyder, Salem Parks Foundation

Staff

Keith Bondaug-Winn, Public Works Staff Liaison

1. **Call to Order** – With a quorum present, Chair Hull called the meeting to order around 2:30 p.m.

2. **Public Comment**

No written comment received. No in-person public comment received.

3. **Approval of Consent Agenda**

a. Approval of the Consent Agenda – Agenda for July 12, 2023; Minutes of June 14, 2023.

Motion: Chair Hull proposed approving the consent agenda and minutes.

Commissioner Lauer seconded the motion. The motion was put to a vote and passed unanimously. The consent agenda and minutes have been approved.

4. **Discussion Items**

a. **Review Action Items from June 14 meeting:** See items below.

b. **Updates:**

**Transportation and Utility
Operations**

1410 20th Street SE / Building 2
Salem OR 97302-1209
Phone 503-588-6063
Fax 503-588-6480

Parks Operations

1460 20th Street SE / Building 14
Salem OR 97302-1209
Phone 503-588-6336
Fax 503-588-6305

**Willow Lake Water Pollution
Control Facility**

5915 Windsor Island Road N
Keizer OR 97303-6179
Phone 503-588-6380
Fax 503-588-6387

1. **Status of Proposed Code Change Language:** Enactment occurs on July 12, 2023. Keith will contact Pacific Coast Producers to notify them of this opportunity for them to paint on curvilinear surfaces (their two silos) as originally planned.
2. **SPAC Vacancy:** SPAC's current vacancy is for a member experienced in landscape architecture, real estate development, or community foundations. The process includes an online application for volunteering on a city board or commission. We have not yet received any applications interested in serving on SPAC. Keith encouraged the commissioners to reach out to their personal and professional networks for anyone interested in joining SPAC. Vice-chair Napack wanted to know if the City could promote the vacancy in their social media channels. Keith stated that he would submit a social media plan to the City's communications team once Commissioner Lauer has completed it. Commissioner Lauer currently has four pages completed of the social media plan and will share it with the commission once completed.

c. **Subcommittee Reports**

1. **Subcommittee on Value Statement:** Chair Hull was unable to work on this due to vacation and family illness.
2. **Art Collection Maintenance:**
 - **Repair of *Drummer & Rooster*:** Keith reported that Lee loaded the *Drummer & Rooster* from the convention center with the help of convention center staff and was taking it to his studio in Eugene. He will be going on vacation and will follow-up with Keith on his return.
3. **Social Media and Outreach:**

In our meeting, Commissioner Lauer reported that she has completed four pages of the comprehensive year-long social media plan. She plans to present it to the commission upon completion and looks forward to feedback from fellow commissioners. She's encouraging each commissioner to choose artwork that resonates with them, to create engaging social media posts that generate excitement and participation. The idea is for commissioners to share their personal connection with the chosen artwork, connecting more deeply with the community. Keith suggested involving the city's desktop publishers to capture each commissioner alongside their chosen artwork, adding a personalized touch to our social media efforts.

Vice-Chair Napack asked if the SPAC brochures I provided were placed at Travel Salem as intended. Keith confirmed that the brochures are available at the new customer service center in the Civic Center. He had prepared packets for each commissioner, but since they weren't picked up from the city manager's office, he will send them by mail. Commissioners also suggested placing brochures at the Willamette Heritage Center, Salem Public Library, and Center 50+.

5. **New Business**

- a. **Annual Contracts for Public Art Conservation, Maintenance, and Restoration Services:**

Keith reported that the fiscal year ended on June 30, and those contracts up for annual

renewal included two contractors that SPAC had secured in the past to serve as our maintenance contractors of record. The two agreements can be used for services up to \$200,000 for each contract, but that is not how much is budgeted for maintenance. SPAC currently has about \$40,000 in its bank account. These two companies include:

1. Architectural Resources Group, Inc.
2. Art Solutions Lab, LLC.

b. **Good Cents**

1. Signage Issue – Keith shared a photo of the statue and an email from a concerned citizen about how the signage detracts from the image of a bottle created by the negative space between the legs. Keith will need to do research on what needs to be done to relocate the sign so that it does not obstruct the view. Vice-Chair Napack agrees that it should be moved. Chair Hull is in agreement.
2. Scheduled Cleaning - Keith will schedule a time with the Stormwater section's water truck to wash the statue and will investigate further on how the sign/post is affixed to the ground and see if the city's Facilities crews can move it and at what cost. Commissioner Lauer is also in agreement. Vice-Chair Napack recommended that in the future SPAC should be consulted on placement of signage.

c. **Black Discs**

1. Cleaning – Keith stated that he received an email that the artist wanted to clean the artwork itself. Commissioners stated that it would be best to have the artist clean it since it is their work and staff can be present for liability reasons. Keith will look into it further and make contact with the artist, William Ryan.

d. **Deacon Development Email**

1. Potential for public murals on internal courtyard walls on their downtown apartment complex. Chair Hull would be happy to respond directly and invite them to a conversation about opportunities for art in that space. Chair Hull said to give that action item to him.

6. **Commissioner and Staff Comments**

Keith shared his recent experience with a potential mural applicant located at 1380 Madison St NE. According to the business owner, three artists were enlisted to paint an exterior wall of his commercial building, which is adjacent to an alleyway connected to a residential neighborhood. Despite assuming no permit was required, compliance services intervened due to a complaint, resulting in the unfinished artwork. The absence of a sign or public mural permit compounded the issue. In response, compliance officers extended an opportunity for the business owner to initiate a review under the city's public mural code by submitting a public mural application. However, the business owner expressed challenges in completing the application due to time constraints and lack of technical expertise.

Notably, Commissioner Diaz-Salazar highlighted that two out of the three artists have a distinguished reputation for street art within Portland and their involvement with the respected Portland Street Art Alliance (PSAA). The third artist hails from Hawaii and is not a local resident. Commissioner Diaz-Salazar proposed collaborating with the two Portland-

based artists, particularly those experienced with lettering and involved with the PSAA, to develop a comprehensive plan outlining the final mural design.

Aiming to streamline the application process, Keith emphasized the need for an accessible and straightforward procedure for all applicants. Vice-Chair Napack echoed this sentiment, suggesting a comprehensive review of the application process.

Commissioner Lauer raised an inquiry regarding the possibility of extending the artwork to the building's front by wrapping it around the entire structure. Keith clarified that although the business owner had intentions to expand the mural to the sides, the plan is not currently in motion due to existing flaking on the wall that requires repair prior to painting.

Commissioner Diaz-Salazar expressed willingness to liaise with the other artists, overseeing the creation of the finalized concept and collaborating with the business owner on the application process. He further offered his assistance in reaching out to the business owner to facilitate this cooperation.

Vice-Chair Napack inquired about the specific city personnel responsible for overseeing potential changes to the application process, thereby highlighting the need for identifying the appropriate channels for such modifications.

Commissioner Diaz-Salazar asked about the progress of reaching out to PGE regarding the possibility of placing art on the walls of their substation along Water St NE, adjacent to the Gilbert House Children's Museum. Keith confirmed that he will initiate communication with the Director of the Gilbert House Children's Museum, who holds the necessary contact information for the PGE representative responsible for artwork installation. It's worth noting that the Director also provided a letter of support for our application to the Bloomberg Asphalt Art Grant.

Keith will check with Allen Dannen about the progress on the artwork installation at the new public works building and when we can schedule the next SPAC meeting there.

7. **Action Items**

1. Chair Hull will respond to the Deacon Development email to invite interested stakeholders to the SPAC meeting to discuss potential artistic opportunities for the interior courtyard of the new downtown development.
2. Commissioner Diaz-Salazar will work with artists and business owner on a public mural application for the painting in the alleyway off 1380 Madison St NE.
3. Keith will contact Salem Public Library, Travel Salem, Willamette Heritage Center, and Center 50+ to see if they can distribute SPAC brochures at their sites.

8. **Adjournment:** Chair Hull adjourned the meeting around 3:34 p.m.

9. **Next Meeting:** August 9, 2023; 2:30 P.M. – 4:30 P.M. via Zoom.

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Taming murals in the city: a foray into mural policies, practices, and regulation

Article in *International Journal of Cultural Policy* · February 2020

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Taming murals in the city: a foray into mural policies, practices, and regulation

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ARTICLE



Taming murals in the city: a foray into mural policies, practices, and regulation

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ABSTRACT

In recent decades, murals have become a common phenomenon in urban landscapes. They are markers of identity and can provide benefits to individuals, communities, and cities. Some murals are created sporadically, while others are carefully promoted by the establishment. Given the adoption (or co-optation) of murals as an acceptable, and even desired, municipal tool, local governments around the world have established their own mural policies. While many scholars accept murals as an important element in urban environments, the literature has somewhat neglected the policies and practices that administer them. This paper aims to fill this gap by facilitating a better understanding of mural policies and enabling future evaluations. To do so, we introduce a conceptual framework that assists in identifying, characterizing and evaluating mural policies. We then demonstrate the applicability of the conceptual framework through a case-example of Portland, Oregon.

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Introduction

In today's urban landscapes, murals are incorporated into many public spaces. They are highly visual elements that serve as a major avenue for public expression, reflecting and influencing the city's social, political, cultural, and aesthetic values (see, e.g. Halsey and Young 2006; Hall 2007; Riggle 2010; Iveson 2010; Young 2013). Although murals are a global phenomenon, they are created in and for specific locations and are locally managed. By weaving artistic and cultural expressions into their surroundings (Halsey and Pederick 2010; Riggle 2010; Schacter 2016), murals continually shape and reshape their environment and challenge the way in which we imagine and experience the city (Visconti et al. 2010). These attributes provide a strong impetus for studying mural art.

Murals are a complex phenomenon, varying in size, style, and legal status. They are created within a broad spectrum of policies: some are actively promoted by the municipal establishment as part of different urban strategies, while others come from the ground up, expressing private or community identity and aspirations, and inserting spontaneity into today's heavily regulated urban public spaces (Hou 2010; Mcauliffe and Iveson 2011; Ferrell 2016; Bengsten and Arvindsson 2014). The legitimization of the latter type of murals is constantly being negotiated, stimulating an ongoing dialogue between municipalities, artists, and community members.

With the global shift towards cultural planning and neoliberal agendas, cities around the world have been adopting (or co-opting) murals as an acceptable, and even desirable, element in their municipal toolkit. Cities encourage mural creation as means of encouraging urban growth and promote economic and social development. In this regard, murals are perceived as: place-makers (Miles 1997; Austin 2010; Visconti et al. 2010; Dovey, Wollan, and Woodcock 2012; Bengsten and

Arvindsson 2014; Youkhana 2014); community builders (Cockcroft, Weber, and Cockcroft 1998; Golden et al 2002; Drescher 2009; Grodach 2011; Sieber, Cordeiro, and Ferro 2012); self-expression of local subcultures and a theatrical display of the ‘right to the city’ (Gomez 1992; Halsey and Young 2006; Riggle 2010; Iveson 2010); objects of ornamentation and beautification (Howland 1898; Halsey and Young 2002; Schacter 2016); catalytic tools for urban regeneration and growth (Gomez 1992; Miles 1997; Hall and Robertson 2001; Rosenstein 2011; Young 2013). Additionally, some argue that murals are employed as methods of controlling public spaces by defining the boundaries of ‘aesthetics of authority’ (Halsey and Young 2002; Halsey and Pederick 2010; Ferrell and Weide 2010; Young 2013; Mould 2015), and as methods of reducing ‘unauthorized’ graffiti tagging (Taylor and Marais 2009; Shobe and Conklin 2018).

This paper focuses on mural policies promoted by local governments to facilitate and manage mural art in cities. By murals, we refer to any surface painting or writing created directly on outdoor façades and exposed to the public. The main questions we address here are the following: first, is it possible to characterize and study mural policies with the help of a conceptual framework? And second, what are the attributes of mural policies and what can they teach us about the disposition of cities towards mural art?

The paper begins by outlining the challenges and contradictions associated with murals that may call for government intervention. The following section reviews existing literature on mural laws and policies, underlining the dearth of studies on the topic. Next, we devise a conceptual framework for analyzing mural policies. In the final section, we demonstrate the applicability of our conceptual framework by reviewing the mural policy of Portland, Oregon.

Challenges and contradictions

Despite their assumed benefits, murals incorporate tensions and contradictions that present many challenges to policymakers, owners, and those involved in their creation. They confront municipalities with questions regarding ownership, rights, and control of public space, challenging the city’s ability to manage, maintain and promote its murals. These challenges can be divided into four main categories (See Figure 1).

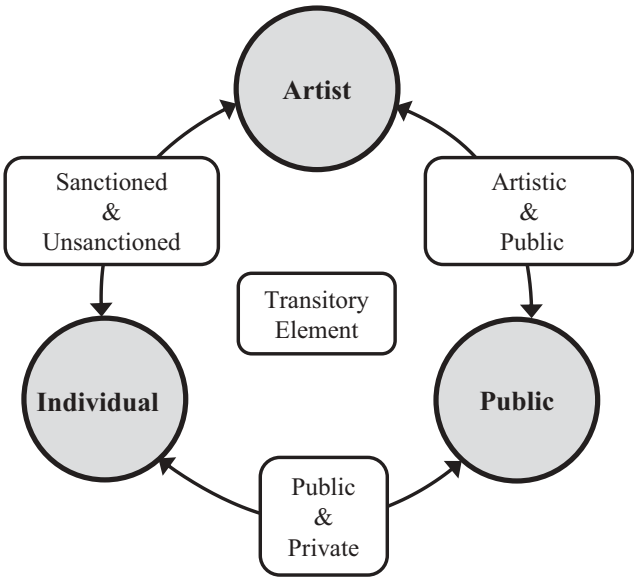


Figure 1. Outline of mural related challenges.

First, murals are both a public and private phenomenon. On one hand, they are situated in the public domain and are exposed to the general audience; on the other hand, they are located on specific properties, and therefore are subjected to proprietary interests. This duality is a source of inherent tensions between public and private benefits, interests, and ownership (Berkowitz Rhoda 1978; Cresswell 1992; Hoffman 1991; Miles 1997; Young 2013; Hansen 2018a, 2018b). Second, murals are both a private (artistic) and public expression, stimulating debates about censorship, freedom of speech, moral regulation, and the role of the artist in the public realm (Hoffman 1991; Kelly 1994; Cresswell 1996; Miles 1997; McGuigan 2004, 2012; Schacter 2008; Riggle 2010; Rosenstein 2011; Jarvie 2012; Young 2014).

Third, murals are created on a continuous spectrum between state-driven (top-down) and insurgent artworks, raising questions regarding the relationship between the desired and the subversive, and between formal and informal planning (Halsey and Young 2002; Schacter 2008; Riggle 2010; Halsey and Pederick 2010; Visconti et al. 2010; McAuliffe and Iveson 2011; Young 2012, 2013). In this regard, although municipalities commonly view sanctioned murals as a positive urban force, they may consider unsanctioned murals as chaotic and threatening, leading them to develop an ambivalent approach towards murals overall. The fourth category of challenges relates to the complex relationship between the transitory nature of murals and the need to maintain a stable, coherent urban environment. A mural's lifespan is uncertain and dependent on its meaning, value, and significance (McCormick and Jarman 2005). This challenges the city's ability to govern and administer murals and may cause conflict between stakeholders. This further raises questions regarding the life expectancy of murals, their spontaneity, their preservation, and the city's ability to control their replacement (Hall 2007; Hansen and Danny 2015; Hansen 2018b; Hannerz and Jacob 2019; McCormick and Jarman 2005).

Many of the challenges and contradictions associated with murals are rooted in the differing expectations of stakeholders including artists, property owners, the public at large (including local governments), and members of the community. These stakeholders may have different visions concerning the role played by the city's walls, the selection process of the artworks, the incorporation of local viewpoints, the content of the murals (which may be viewed as offensive), and the procedures used to administer them. For example, artists envision urban walls as potential canvases (Young 2013), yet they function also as part of everyday living spaces for city dwellers. Creating art in the public realm establishes a rapport between the artist, the public audience and other stakeholders, exposing the mural to social negotiation and tensions (see e.g. Hoffman 1991; Kelly 1994; Greaney 2002). This relationship raises questions about the balancing of interests through local policies and practices or lack thereof.

These challenges are not merely theoretical, they may escalate to real-life disputes that cause public outrage, instigate legal challenges, and affect redevelopment projects. A recent example is the case of '5Pointz' – a former well-known street art and graffiti space in Queens, New York – where, after a lengthy legal battle, the court forced a developer to pay 6.7 million dollars for destroying murals and violating the Visual Artists Rights of their artists-creators (Buckley and Santora 2013; Marks 2015). Similarly, in the case of Pierre Roti's mural in Atlanta, Georgia, a large mural was gray-washed shortly after its creation by angry citizens who believed that the artwork did not represent their neighborhood (Jarvie 2012). A reverse example is the case of 'Rabin's Mural' in Tel Aviv, in which the community was outraged following the blunt erasure (gray painting) of a landmark mural by the municipality (See Figure 2) (Blumenthal 2018; Chernick 2017).

The role of mural policies

Over the years, cities around the world have established mural policies that focus on creating and managing murals, while addressing the abovementioned challenges and contradictions. Such policies attempt to control (or tame) the city's increasing number of murals to better suit the



Figure 2. Removal of gray paint from the iconic 'Rabin' mural painted by Yigal Shtayim. Tel Aviv. 2018. Source: Adam Kamay.

municipality's vision of its public spaces. They are also designed to balance diverse interests, such as maintaining public order and protecting the rights and freedoms of individuals.

Mural policies vary from one city to the next, differing in scope, aim, and mechanisms. Their discrepancies reflect a wide range of motivations, preferences, and dispositions towards public art and culture, order, city planning, public spaces, and individual rights and freedoms (Zebracki 2011; Young 2013). Some municipalities refer to murals as one of countless cultural assets, while others see them as a unique element that requires specific policies. Additionally, there are cities that perceive murals as a localized and independent ad hoc phenomenon, while others integrate murals into broader urban or cultural strategies such as graffiti management policies or public art masterplans. Mural policies involve a complex set of tools such as laws, ordinances, statutory plans, guidelines, design control instruments, enforcement mechanisms, and funding tools. As a result, many stakeholders play active roles in managing and promoting the city's murals.

While a plethora of studies exists regarding public art and mural art, the literature has somewhat overlooked their policy aspects. Few studies look at murals in the field of public policy, addressing the way in which they are governed and administered by public authorities. Most studies that touch on mural policies address broad issues that only indirectly relate to murals. These include studies about: urban governance (Harvey 1989; Stone 1989, 2015; Kearns and Paddison 2000; Dowding 2001; Davies 2002; DiGaetano and Strom 2003; Elkin 2015); insurgent planning (Holston 1998; Miraftab 2009; Roy 2009; Hou 2010; Friedmann 2011); urban branding (Evans 2003; Bianchini and Ghilardi 2007; Grodach and Loukaitou-Sideris 2007); culture-led policies (Hall and Robertson 2001; García 2004; Markusen and Gadwa 2010; Grodach 2012, 2013; Lees and Melhuish 2015). The studies that directly relate to mural policies focus predominately on specific topics, such as moral or artistic rights

(Hoffman 1991; Kelly 1994; Lerman 2013; Marks 2015; Schwender 2016; Bonadio 2018), murals versus signage (Hoffman 1991; Orlando 2013), locations of murals (Ferrell and Weide 2010), community murals (Cockcroft, Weber, and Cockcroft 1998; Golden et al. 2002; Drescher 2009), governmental reactions to graffiti (Halsey and Young 2002; Dickinson 2008; Kramer 2010; Kimvall 2013), funding and maintenance (Berkowitz Rhoda 1978; Hamilton, Forsyth, and Iongh 2001; McGuigan 2004; Pollock and Paddison 2010), mural conservation (Hansen 2018a, 2018b; Flessas and Mulcahy 2018), and murals as possible regeneration tools (Hall and Robertson 2001; Evans 2003; McGuigan 2004; Ashley 2015; Lees and Melhuish 2015). Additionally, there are studies that focus on specific cases (Ferrell 1993; Droney 2010; Kramer 2010; Dovey, Wollan, and Woodcock 2012; McAuliffe 2012; Bloch 2016). Few scholars, however, have attempted to analyze mural policies in a broader context or to compare policies and make generalizations about them (Halsey and Young 2002; Young 2012; Young 2013; Dembo 2013; Sheldon 2015). Moreover, there is no consistent evaluation framework for mural policies in the city.

This paper seeks to fill this gap and develop a deeper understanding of how contemporary cities conceptualize and administer murals. In particular, we intend to facilitate a better understanding of mural policies, thus enabling future comparative evaluation of these policies and the development of best practices. To do so, we introduce a conceptual framework that examines different aspects of mural policies and helps identify, characterize and evaluate them.

We believe that studying mural policies is important not only to practitioners seeking inspiration from other jurisdictions, but it also has an influential academic contribution. It sheds light on how public spaces are shaped, controlled, and managed, on how governments establish boundaries between the sanctioned and the insurgent, and on how they balance interests in the public domain. In this paper we aspire to contribute in the fields of municipal governance of public spaces, placemaking, and adaptation (or co-option) of artistic expressions into urban policies.

Conceptual framework

In this subsection we introduce our conceptual framework for evaluating mural policies. The conceptual framework acts as a measuring rod and an analytical tool for characterizing and studying mural policies. It is constructed as a set of themes that address mural policies from different perspectives. It highlights the policy's strengths and weaknesses, and its ability to balance between stakeholders and resolve conflicts. By classifying these policies, it is possible to learn how cities cope with various mural related challenges, and how they shape, manage, and create public space. The conceptual framework also enables the comparison of different mural policies and sheds light on challenges and objectives associated with their creation. The framework ascertains the level of municipalities' involvement in the creation of murals, and reveals how they cater to public and private interests.

The conceptual framework is based on a thematic analysis we performed of existing studies regarding mural art. The framework is constructed of a set of themes that address different perspectives of mural policies as we identified them. To identify relevant themes, issues, and aspects pertaining to mural policies we have surveyed existing knowledge from fields of research that intersect with the study of murals, including architecture, urban planning, law, cultural studies, and sociology. We attempted to integrate scholarship from beyond Europe and North America, and to build a conceptual framework which utilizes knowledge from the global south, the Middle East and the Far East. The analysis is exploratory and leans on key publications in the field.

In the following sections we present the themes that make up our conceptual framework.

Motivations for promoting mural policies

The first feature in our conceptual framework concerns the rationales of public officials for promoting mural policies. Mural policies are driven by strategies seeking to address specific urban problems and

goals. Revealing the city's motivations for promoting mural policies will help contextualize the policies, highlight the perception of both public art and public spaces, and critically examine whether different measures adopted by the city are in line with its declared goals.

The literature points to several key motivations. Although we present these four motivations separately, they are not mutually exclusive and may also reinforce one another. Some relationships are more intuitive, such as that between 'urban regeneration' and 'urban branding,' while others are less obvious; for instance, the one between city branding and strengthening communities. Indeed, for example, Philadelphia perceives murals as a measure to strengthen its communities as well as to promote the city's image as the 'City of Murals'.

Urban branding: This motivation promotes proactive and market-driven strategies, employed to create a competitive advantage in the regional or global market (Kearns and Paddison 2000; Hall and Robertson 2001; Evans 2003; Droney 2010; Pollock and Paddison 2010; Iveson 2010). Urban branding strategies have traditionally advanced high-profile cultural flagship projects and events¹, promoting profoundly visible murals that are often created by internationally renowned foreign artists (Cockcroft, Weber, and Cockcroft 1998; Evans 2003; Grodach and Loukaitou-Sideris 2007; Mould 2015). By the turn of the millennium, new urban branding strategies – also known as 'creative urban branding' – were introduced. These strategies concentrate on marketing (creative) place qualities, cultural capacities, and ethnic diversity (Landry 2000; Hall and Robertson 2001; Sandercock 2005; Grodach and Loukaitou-Sideris 2007; Evans 2009; Rosenstein 2011; Lees and Melhuish 2015). Creative city agendas view murals as a fashionable and 'hip' artistic expression that promotes economic growth by contributing to the overall atmosphere of the city, highlighting its local cultures (Grodach 2013; Ashley 2015; Ferrell 2016). Urban branding strategies are criticized for their orientation towards outside audiences. They are accused of engendering spatial inequality, social exclusion and gentrification, and for commodifying public artworks instead of nurturing local culture and equality² (Bianchini, Dawson, and Evans 1992; Hall and Robertson 2001; Evans 2003, 2009; Sharp, Pollock, and Paddison 2005; Grodach and Loukaitou-Sideris 2007; Rosenstein 2011; Young 2013; Murdoch, Grodach, and Foster 2016).

An example of a mural created as part of urban branding strategies is the 'Las Etnias' mural (The Ethnicities), a 190-meter (624-foot) painting, by artist Eduardo Kobra (2016), depicting five indigenous people from around the world. The mural was created along the 'Olympic Boulevard' of Rio De Janeiro and was later registered in the Guinness Book of Records as 'the world's largest mural completed by a single man' (Lubell 2016).

Strengthening of communities: The second motivation promotes socially-oriented strategies that take a more ground-up approach. These policies focus on empowering communities and building social capital. They focus on encouraging a sense of communal ownership and belonging, and on promoting urban and social changes. Moreover, they introduce art into public places, and support the production of local and community participation (Evans 2005; Grodach and Loukaitou-Sideris 2007; Murdoch, Grodach, and Foster 2016). These strategies consider murals as a powerful medium for facilitating social interaction and promoting vibrant and inclusive communities (Cockcroft, Weber, and Cockcroft 1998; Hall and Robertson 2001; Murdoch, Grodach, and Foster 2016; Zitcer, Hawkins, and Vakharia 2016). Murals are used as tools to enable community expression, highlight the community's identity and narratives, and catalyse the re-appropriation of urban spaces (Miles 1997; Cockcroft, Weber, and Cockcroft 1998; Golden et al. 2002; Halsey and Young 2006; Grodach 2011; Sieber, Cordeiro, and Ferro 2012).

One well-known mural created to strengthen a community is the 'Wall of Respect' in Chicago, IL (1967) that was created in and by an African-American community as an attempt to visualize the black identity of the neighbourhood.

Community-oriented strategies are constantly challenged by economic forces that attempt to incorporate them into tourism and economic growth agendas (Molotch 1976; Cockcroft, Weber, and Cockcroft 1998; Evans 2005; Rosenstein 2011; McGuigan 2012). Critics have also noted that some

community murals are co-opted by government agencies as means of pacifying communities and controlling identity and social relations (Merriam 2011).

Urban regeneration: The third motivation seeks to integrate mural policies into urban development and social reconstruction strategies (Evans 2003). Contrary to urban branding policies, which are oriented towards the 'outside world', these policies are mostly oriented inwards. They utilize murals as tools for beautification, urban-upgrading, economic revival, and rehabilitation (Hall and Robertson 2001; Evans 2003; McGuigan 2004; Miles and Paddison 2005; Ashley 2015; Lees and Melhuish 2015). Supporters praise the embellishment and 'colorization' of rundown areas (Moughtin, Taner, and Tiesdell 1999; Halsey and Young 2002), while critics warn against the superficial use of murals to address urban problems (Hall and Robertson 2001; Moughtin, Taner, and Tiesdell 1999). They argue that the use of artwork, including murals, as a regeneration tool is not comprehensive enough. In their view, mural policies undermine urban diversity, encourage gentrification and privatization of public space, and exclude local populations from the decision-making process (see, e.g. Miles 1997; Evans 2005; Rosenstein 2011; Young 2013).

An example of a mural created to spur urban regeneration can be found in Bairro do Padre Cruz, Lisbon, Portugal (2016) where, as part of a housing renovation project, the municipality sponsored large murals to beautify the neighbourhood and to restore residential pride.

Reduction of unsanctioned markings: The fourth motivation is driven by the desire of local governments to manage (and usually reduce) unsanctioned markings such as graffiti/tagging. Corresponding with Wilson and Kelling (1982) broken windows theory, many local governments view unsanctioned markings as stimulators of social disorder and urban decay, challenging property ownership and government's ability to control public space (Gomez 1992; Halsey and Young 2002, 2006; Young 2012). These strategies therefore promote murals as methods to reduce unsanctioned markings by communicating with local subcultures and adopting social norms³ (Halsey and Young 2002; Mitchell 2003; Taylor and Marais 2009; Riggle 2010; Ferrell and Weide 2010; Young 2013). Critics, however, view such efforts as undemocratic repression, as a method of silencing minority views, and as an act against diverse and pluralistic public spaces (Kimvall 2013). In addition, scholars caution against the appropriation of murals as means of preserving the interests of the powerful while ordering the city in a certain fashion (Bloch 2016; Borriello 2013).

Scope of mural policy

The second feature in the conceptual framework focuses on the ability of cities to influence murals in their jurisdiction. Not all mural policies affect the entire territory of a given city. Some only apply to certain areas, while others only affect certain types of murals (for instance, some cities exempt privately owned murals from their mural policy). Understanding the scope of mural policies will assist analysts in determining which markings are affected by the mural policy and which are beyond its scope. To do so, there is need to review how murals are defined and whether certain murals are intentionally left out of mural policy.

The markings that exist on public facades are generally divided into three main categories: murals, signage (advertisement), and unsanctioned markings (like graffiti tagging). Each type of marking is usually governed by a range of laws and bylaws, which may not affect other markings⁴. For instance, murals are normally administered by mural policies but not by signage regulations. The distinction between these categories can vary between cities, changing the policies that apply to them. For example, unsanctioned paintings can be categorized as 'murals', and can therefore be controlled by mural policies. Alternatively, some painting can be regarded as 'unsanctioned markings', excluding them from the aegis of mural policies altogether. When advertisers use mural-like painting for commercial purposes, the artwork may be governed by signage regulations. Additionally, the way in which murals are defined can raise conflicts between stakeholders. On one hand, when the definition is unclear, controversies are more likely to emerge. On the other hand, when murals are tightly-defined, the policy may incorporate inflexible measures that bring about more tensions.

Level of permissiveness

Murals are created on a continuous spectrum between sanctioned and unsanctioned (even insurgent) artworks. While sanctioned murals are integrated into the planning and urban management systems, unsanctioned murals are created through bottom-up activities performed by local subcultures. They may not be directly regulated by formal policies and laws, but can be governed through other urban strategies (Taylor and Marais 2009; Halsey and Young 2006; Young, 2012; Guazon 2013).

Municipalities generally view sanctioned murals as a positive urban force, while unsanctioned murals are at times considered to be chaotic and threatening, leading cities to develop an ambivalent approach towards murals. Some cities continue advocating zero tolerance towards unsanctioned murals. Others have become more permissive, encouraging the formation of street art and various unsanctioned art forms in their jurisdictions (Droney 2010; Young 2012; Evans 2015). These cities take a more holistic and accepting approach towards unsanctioned murals and recognize their potential benefits (Gomez 1992; Halsey and Young 2002; Young 2012). For example, Melbourne has confined street art locations to legal spots (Young 2010, 2013), and Lisbon and Bogota allow the creation of unsanctioned murals in many places (Ortiz Van Meerbeke 2016; Sequeira 2013).

Notably, there is no clear-cut distinction between sanctioned and unsanctioned murals, and cities tend to define these categories differently (Young 2012). For example, some policies require only the consent of property owners⁵ while others require the consent of municipalities as well (see also the following section). Additionally, some municipalities may (unofficially) allow the creation of unsanctioned murals in certain areas of the city, causing them to be temporarily sanctioned. Although most of these initiatives are informal, in recent years some municipalities have begun to formally recognize 'tolerant zones' where unsanctioned murals are allowed. Evaluating the extent of the city's permissiveness towards sanctioned and unsanctioned murals will assist in understanding the degree of freedom and spontaneity that local authorities are willing to allow in their public spaces.

Level of control over murals

The level of control that local governments may exercise over the creation process of murals is directly related to the type of consent murals are asked to obtain in order for the work to be 'sanctioned'. As the level of control increases, stronger tools are employed by the municipality to shape appearance, content, and location of murals. But at the same time, the artist's freedom is jeopardized, and the artwork's spontaneity may be hampered.

For example, there is a general agreement among scholars that unsanctioned murals have the highest degree of freedoms⁶ and spontaneity. As murals are affected by external constraints, they may disconnect from their immediate social and physical settings (Abarca 2016; Bengtsen 2017). If a property owner's consent is required to put up a mural, the artist is bound by the owner's wishes, reducing her freedom of expression. When municipal approval is needed, more stakeholders influence the output. Furthermore, if the design needs to be pre-approved, another layer of supervision is added (Bengtsen 2017).

Assisted by the literature, we identified four consent types (see Figure 3). Each type adds an additional layer of approval requirements, and therefore allows municipalities a higher degree of control over murals.

Consent by tolerance: These are unofficial methods that allow murals through the non-objection of owners and/or municipalities. For example, owners can endorse murals by not opposing their existence over time, and local governments may turn a blind eye in some locations or to certain mural types. Ultimately, tolerance-based consent allows the highest level of artistic freedom, but may also lead to conflicts between stakeholders. Tolerance towards these murals can be part of municipal strategies or a product of the city's lack of enforcement. Usually this type of consent is temporal and granted through an ongoing dialogue between city government and artists. Therefore, its statutes may change as a result of changes in the city's power structures. As was the case in Sao

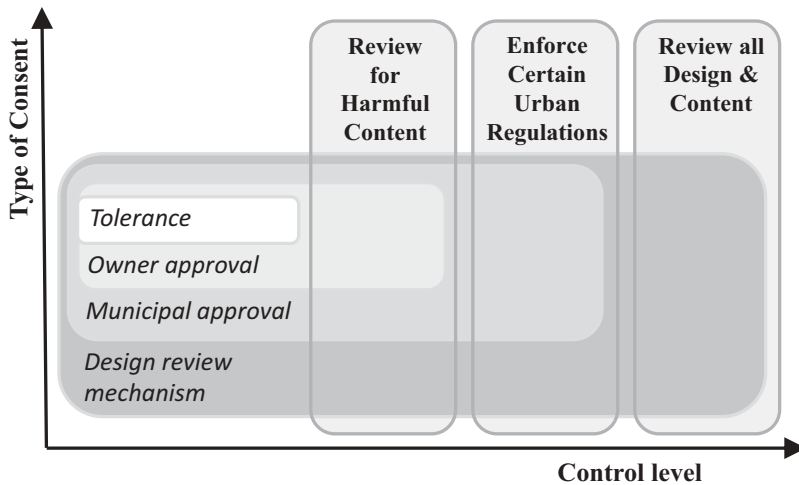


Figure 3. Connection between types of consent and control ability.

Paulo, Brazil, when the city began eradicating unsanctioned murals (even in formerly tolerant zones) following the election of a conservative mayor; and in Bogota, Colombia, when the municipality established tolerant zones throughout the city after the shooting of a graffiti artist by the police.

Consent by owner approval: In some cases, murals must obtain the express, usually written, permission of the property owner or other stakeholders with proprietary interest. There is no need to obtain any municipal consent. Because of this, the municipality has no capacity to control the content or location of the mural, apart from harmful topics (for example, hate speech) or the use of 'graffiti style' expressions in some cities (Lerman 2013; Young 2012). This type of consent allows a high level of artistic freedom, but has two main caveats. First, the lack of content control may increase the likelihood of controversial artworks that generate conflicts between property owners and other stakeholders, resulting in municipal intervention. Second, the difficulty of enforcing and proving owner permission may lead to errors, misunderstandings, and erasure of sanctioned murals⁷ (Young 2013). To complicate things further, as a result of the increasing popularity of street art murals, the visual distinction between sanctioned and unsanctioned murals has blurred, making it even harder to enforce owner consent (Young 2014).

Consent by municipal approval: Under this category, apart from (or instead of) the owner's consent, there is a need to obtain a mural permit or license from the municipality. This bureaucratic procedure assists municipalities in controlling the appearance of public spaces and enables the enforcement of non-content related city regulations such as size, placement, or location. In some cities, post-production consent may be granted as a 'legalization' method. While these procedures slow down the creation process of murals, they still give artists considerable leeway and artistic freedom.

Consent by a design review mechanism: In this track, a designated public-art/mural committee must pre-approve the mural. This consent type allows local governments to play an active role in reviewing the design and content of murals. While it provides municipalities the highest level of control, it also has some inherent complications. The designated committee may impose its own artistic taste on murals that it chooses to approve, thus limiting the styles of sanctioned murals and the variety of artists. Furthermore, artists may tame their artwork to suit the city administration's taste in order to increase the likelihood of receiving future commissions (Miles 1997; Frey 1999). During this process, the initiator of the mural and the municipality share responsibility over the mural's content (Hoffman 1991; Merriam 2011). This may lead to the promotion of uncontroversial murals that are more acceptable to the public, yet reduce artistic expressions to mediocrity, pastiche, or kitsch (Miles 1997; Frey 1999; Abarca 2016).

Municipal activism and facilitation of murals

Cities adopt different levels of activism with respect to murals. Sometimes they are proactive, while in other cases they only react to existing situations or requests. By exposing their level of activism, it becomes possible to typify and ascertain the city's disposition toward murals and the amount of responsibility they are willing to assume over them. Building on existing studies and policies, we have identified four key approaches (see Figure 4). These approaches are not necessarily mutually exclusive, as some cities may harness a mixed approach depending on the mural's location, ownership, and style.

First in line are *proactive initiatives*: these are top-down interventions actively promoted by cities as means of facilitating the creation and protection of murals. Usually they are part of urban branding or regeneration strategies, and are promoted to deliberately enlarge the number of murals in specific locations. Municipalities may incorporate material incentives to encourage mural creation, as well as initiate mural projects or events. Because of the proactive stance of these initiatives, municipalities take upon themselves artistic responsibility. This may lead them to require murals to go through a design review mechanisms. While proactive initiatives have many positive attributes, they are criticized for promoting government agendas while overlooking local cultures and public participation processes (Hoffman 1991). Additionally, it is debated among scholars whether local governments should influence artistic and cultural expression in the first place (Frey 1999).

The second category, *consent and permission-based initiatives*, comprises reactive methods that allow cities to singularly approve murals in response to individual requests by communities, artists, or property owners. Consent and permission-based initiatives can incorporate different consent types: in some cities only owner consent will be needed, while in other jurisdictions a designated committee is required to approve the mural. These methods allow municipalities to take a passive approach towards promoting murals, incorporating bottom-up and community-based acts. They also allow municipalities to legalize murals after their creation, mostly through a licensing process.

The third category includes *tolerance and endurance*: city governments may allow murals to be sanctioned without obtaining specific consent from owners, municipalities, or other parties. There are different types of tolerant policies: some instruct enforcement personnel not to erase certain unsanctioned murals while other policies target specific locations where all murals and other unsanctioned artwork are tolerated (these are usually called 'legal walls', 'halls of fame', or 'exception zones') (Young 2010; McAuliffe 2013; Hannerz and Jacob 2019). These initiatives are usually promoted by tolerant jurisdictions that advocate a more holistic approach towards murals. In addition, they allow municipalities to indirectly manage unauthorized murals (or other illicit markings), enabling them to unofficially support certain activities without giving their full consent to the action itself. Municipalities that adopt said policies are often willing to ignore gross violations of municipal ordinances and other laws to promote vibrant street art sub-cultures or grassroots placemaking.

Finally, the literature also includes examples of 'zero-tolerance' approaches. Jurisdictions that adopt such an approach usually aim to obtain a high level of control over urban spaces and promote

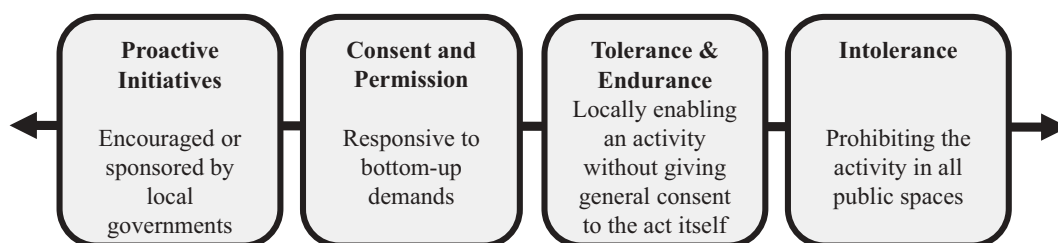


Figure 4. Scale of municipal activism.

various means to eradicate and prevent all unsanctioned art-forms. One of the more commonly used tools is the rapid removal of unsanctioned art works⁸ (Halsey and Young 2002; Kimvall 2013; Young 2013; Shobe and Conklin 2018). In some cases, municipalities may go as far as eradicating all of the city's graffiti-like murals, regardless of whether or not they were approved by the property owner (Kimvall 2013).

Scales of ability – the city's ability to impact murals

Mural policies differ in their ability to affect and control the placement of murals. In order to examine the policy's strengths and weaknesses, it is important to evaluate its impact ability. We have identified the following key abilities.

Design control: the power of the city to influence and control the design of murals through its design review mechanisms. This ability can be examined by evaluating whether mural content is reviewed by owners or/and local government, whether there are written criteria for evaluating murals, whether local governments can dictate changes in a suggested design, and whether certain artistic styles or designs are prioritized.

Location control: the power of the city to control the location of murals. This can be examined by reviewing whether the city has a mural oriented masterplan, guidelines, or incentives for promoting murals in certain areas; and whether the mural's location is taken into account when reviewing the mural or enforcing the policy.

Promotion of diverse mural types: Murals incorporate a variety of public and artistic expressions, created to appeal to diverse audiences. Additionally, it has become popular among urban planners and designers to enable the promotion of diverse spaces that brim with a variety of artistic expressions. The city's ability to enable (and promote) different types of murals can be examined, for example, by reviewing whether the city has a variety of mural tracks, funding mechanisms, optional mural initiators, and a range of consent mechanisms. Additionally it should be examined whether design review committees tend to approve diverse mural styles.

Conflict resolution: As we have demonstrated, murals can create conflicts between stakeholders. This category examines the ability and willingness of the city to interfere and mediate conflicts that emerge before or after the placement of a mural. This can be examined by reviewing whether the city has set a protocol for resolving conflict. Furthermore, specific cases should be reviewed to better understand how municipalities respond to conflict.

Sustainable funding and maintenance: Because many local governments do not have the means to exclusively fund murals (Cockcroft, Weber, and Cockcroft 1998; Hamilton, Forsyth, and Long 2001; Grodach 2013), financing has become a key component in implementing mural policies. Additionally, with an increase in the number of older murals in the public domain, cities also require a sustainable maintenance mechanism. Therefore it is important to evaluate the city's ability to provide sustainable funding both mural creation and maintenance over time.

Lifespan control: the power of the city to influence (or control) the mural's lifespan. This can be examined by reviewing whether the policy guides city officials on what to do when a mural matures and reaches the end of its lifespan; who is involved in the decision; and whether the policy addresses transitory aspects of murals, such as changes in content, removal, replacement, and preservation.

Mural policy's orientation

The last component in the conceptual framework relates to the way in which mural policies balance the different viewpoints of various stakeholders such as artists, communities and property owners (specifically, which stakeholders are prioritized by public officials during the creation, maintenance, or removal process). Understanding the orientations of mural policies

can help explain how cities perceive their role as moderators between various interests and how they distribute power between stakeholders.

We identify three main policy orientations. The first is an orientation towards the public, established by examining whether the policy allows individuals, community groups, civil society, and others to shape or assume responsibility over murals in their built environment; furthermore, whether the policy requires (and promotes) public participation, and whether public rights can be asserted on private locations. The second is an orientation towards mural artists, which examines whether the policy allows and protects artistic freedom and rights. The third is an orientation towards property owners, which focuses on whether the policy protects or promotes property owner's rights.

A brief case study review – Portland, OR, USA

So far we have presented the conceptual framework for analyzing mural policies. In this section we demonstrate the applicability of our conceptual framework by reviewing the mural policy of Portland, Oregon. The review is based on an analysis of policy documents, guidelines, legislation, and secondary sources such as articles and academic papers. We also conducted a set of 10 face-to-face semi-structured interviews with leading stakeholders from the Portland municipality, the Regional Arts and Culture Council, and leading NGOs.

Portland was chosen for several reasons. First, the city's effective urban planning and governing system is well documented and highly referenced in the literature (Leo 1998; Wheeler 2003). Second, the city is known as a creative planning archetype that promotes a wide range of urban and cultural strategies that prioritize strong citizen involvement (Peck 2005; Grodach and Loukaitou-Sideris 2007; Healey 2015). Third, due to a court ruling that prohibited the city from regulating the content of its murals, Portland has recently reinvented its mural policy, which has since become a precedent for many other mural policies in the United States (City of Portland Bureau of Planning and Sustainability 2004, 2009). The city's mural policy is the result of an ongoing dialogue between local government and stakeholders. One of the key issues policy makers faced when promoting this policy was how the city might relax its control over murals in favor of artistic and proprietary freedoms, while still maintaining its 'hands-on' approach towards public space.

To bypass Portland's legal restrictions on regulating mural content, the city developed two mural tracks (see Table 1). The first track is 'Public Art Murals', through which murals are administered, sponsored, and sometimes funded by the Regional Arts and Culture Council (RACC) through its Public Art Mural Program. Murals promoted through this track are technically owned by RACC, through an easement on the property (see for example Figure 5). Therefore, RACC has the ability to review their content (design). The second track is 'Original Art Murals', through which murals are granted a permit by the municipality. Since the content of these murals cannot be regulated, they are limited in their location and size⁹, and consequently are usually not situated on highly visual walls (see Figure 6).

Table 1. Public Art Murals vs Original Art Murals.

	Public Art Murals	Original Art Murals
Method of consent	Approved as public art by Regional Arts and Culture Council	applying for a permit
Ownership	Publicly owned	Privately or publicly owned
Administered by	Public Art Mural Program of the Regional Arts and Culture Council. - Independent agency	Portland's Bureau of Development Services - Department in municipality
Public funding	Can receive matching funds through Regional Arts and Culture Council	No
Design review	Designated committee	No content review
lifespan	At least five years	At least five years



Figure 5. 'Bad Karma', a mural created by the artists' group Broken Fingaz as part of forest for the trees mural festival and approved by RACC. Portland. 2018. Source: Authors.



Figure 6. 'Music Millennium', a community mural created by TLC and Jon Stommel, promoted by Street Art Alliance and approved as an Original Art Mural. Portland. 2018. Source: Authors.

Review of Portland's mural policy

In this section we review Portland's mural policy. The following analysis is arranged according to the conceptual framework. We conclude with a table summarizing the review's findings (see [Table 2](#)). The table offers one way to apply the suggested conceptual framework by using a scoreboard matrix

Motivations for promoting mural policies

Portland's mural policy was developed as a response to the demands of various local stakeholders who wanted to promote murals outside the remits of the city's sign code, which limited their size and location. The policy is motivated by a range of goals, including creative urban branding, urban regeneration, strengthening of

Table 2. Summary of Portland's Mural policy review.

Motivations for promoting mural policy	<ul style="list-style-type: none">• urban branding• community empowerment				<ul style="list-style-type: none">• urban renewal• graffiti reduction					
Scope of mural policy	Limited		Expansive							
	affect all city's territory									
Level of control	Low		High							
	Tolerant		owner approval		municipal approval		m.a. with design control			
Methods for facilitating murals	Intolerance		Tolerance & endurance		Consent & permission		Proactive			
Level of permissiveness	Low		High							
	1		2		3		4		5	
Scales of abilities										
• Design control	Weak		1		2		3		Strong	
• Location control	Weak		1		2		3		Strong	
• policy's diversity	Weak		1		2		3		Strong	
• Conflict resolution	Weak		1		2		3		Strong	
• Lifespan control	Weak		1		2		3		Strong	
• Sustainable Funding	Weak		1		2		3		Strong	
• Maintenance	Weak		1		2		3		Strong	
Orientation of the policy										
• Public	Weak		1		2		3		Strong	
• Owner	Weak		1		2		3		Strong	
• Artist	Weak		1		2		3		Strong	

communities, and graffiti reduction (City of Portland Bureau of Planning and Sustainability 2004, 2009, 2018; Muracchioli 2017)

Scope of mural policy

Portland's mural policy applies to the entire city and affects all types of ownership. Officially, any artwork that is not approved as a Public Art Mural or as an Original Art Mural is either unsanctioned or must obtain a sign permit.

Level of permissiveness

(Mid-Low) Officially, Portland does not permit non-regulated art in its public realm, and has historically adopted a zero-tolerance approach toward graffiti and unsanctioned markings. Any artwork created without governmental consent is considered unsanctioned and may be erased (buffed) by graffiti abatement. Additionally, Portland has three Enhanced Services Districts (ESD) in which private companies regularly scout and remove unsanctioned works. Despite the official rigidity of the city, Portland has shown, unofficially, some level of tolerance. For instance, because the erasure of unsanctioned murals is mostly complaint-based, unsanctioned murals that are not reported to the municipality are often not erased. This allows unsanctioned murals, located in areas with more tolerant residents, to remain for longer periods of time. It also leaves room for some unofficial rotating mural walls that are curated by local street artists ('Rotating Mural Walls' n.d.). These walls have no legal status and their legitimacy might change in the future.

Level of control over murals

(High) All sanctioned murals require both owner and government consent. The policy combines two consent methods: Public Art Murals are approved through a 'consent by design review mechanism', and Original Art Murals are approved through a 'consent by municipality' mechanism, and their content is not reviewed.

Level of municipal endorsement of murals

Portland views murals as one of its many cultural and public art elements, yet it does not have a long-term vision concerning mural art. Having said that, Portland has developed certain policies that promote the creation and management of murals (see Table 1). The city has a responsive approach towards murals, leaving individuals and local NGOs¹⁰ to promote them. Although the municipality has tools to actively encourage public art, such as 'percent for art' and 'floor area ratio' (FAR) bonus programs, to our knowledge these tools are hardly used for promoting murals. In recent years a change can be observed and the city's graffiti abatement program has begun to proactively promote murals on certain chronically tagged properties (Muracchioli 2017; Shobe and Conklin 2018); however, this change has not yet seeped into mural policy.

Scales of ability – Portland's ability to impact murals

We ranked Portland's abilities on a scale of 1 (weak) to 5 (strong)

Design control: (Grade = 3) Although all murals need to gain municipal consent, only Public Art Murals are subjected to a design review, whereas Original Art Murals are not.

Location control: (Grade = 2) The location of murals is primarily influenced by their initiator's wishes. The city has no mural-related master plan and mural locations are evaluated *ad hoc*, guided by a set of predetermined criteria.

Promotion of diverse mural types: (Grade = 3) Murals can be initiated by a variety of stakeholders holding different artistic tastes and motives. Because Original Art Murals do not require a design review process, they potentially allow diversity. However, most large and highly visible murals are promoted as Public Art Murals, and are reviewed by a single review committee of the Regional Arts and Culture Council (RACC). To increase the diversity of the murals it approves, RACC intentionally promotes murals that differ in style, including murals created by artists from various backgrounds. Moreover, RACC has adopted several mechanisms for choosing mural artists¹¹ and divided its

approval process into two distinct tracks: one focused on artist-based murals and the other on community-based projects.

Conflict resolution: (Grade = 2) In the Public Art Mural track, RACC assumes responsibility for its murals and may intervene in favour of the artist or the wall's owner. In Original Art Murals, the municipality expects local stakeholders to resolve mural related conflicts among themselves. If the mural has no permit, the municipality will order its removal; otherwise, it will not interfere or try to resolve the conflict.

Sustainable funding: (Grade = 1) Although Portland has a cultural and art trust fund to promote and manage public artworks, in practice its mural program is underfunded. Due to high demand, RACC has only been able to assist a small number of murals annually, supported by limited matching funds (1:1 ratio).

Sustainable maintenance: (Grade = 2) The city is not responsible for the maintenance of murals. The property owner or initiator is responsible for maintaining the mural for five years, after which most murals may be left to wear down. Due to an increase in funding, in recent years the city's graffiti abatement program has been able to assist finance graffiti removal from murals, and the installation of anti-graffiti coatings (Shobe and Conklin 2018)

Lifespan control: (Grade = 3) In both mural tracks, murals must remain on the wall for at least five years. After this period, the mural may be removed, and the city loses its ability to influence its lifespan. That being said, murals can be changed or removed even before five years have passed if the building on which the mural is located is sold, substantially remodelled or altered.

Mural policy's orientation

We ranked Portland's orientations on a scale of 1 (weak) to 5 (strong).

Orientation towards the public: (Grade = 3) While both mural tracks have a mandatory public participation process, the public has a limited ability to affect murals, and has no say in their removal or maintenance. Although the Original Art Mural track mandates a neighborhood open meeting prior to the mural's creation, there are no official guidelines for the meeting, and there is no obligation to implement its output. RACC only invites the neighborhood association to express its opinion when promoting public art murals. Recently, RACC has updated its guidelines to ensure that neighboring residents are also invited to express their concerns. Moreover, a community based approval track has been established that will involve an extensive public participation process.

Orientation towards property owners: (Grade = 5) Portland's mural policy is highly oriented towards property owners' rights. Murals cannot be approved without owner consent; after they are created, murals may be removed if they impinge on the owner's property rights.

Orientation towards the mural artists: (Grade = 2) Original Art Murals allow a high level of artistic freedom, but the policy is not oriented towards defending the artist's rights. When promoting Public Art Murals, property rights are favored over artistic rights and artists need to sign-off any part of their artistic rights that may interfere with the mural's easement (City of Portland Bureau of Planning and Sustainability 2018).

Summary of Portland's mural policy

Portland's mural policy, which affects all the city's markings on public facades, is formed by an assortment of motives and upholds a responsive approach to the creation and management of murals. The policy historically has adopted an intolerant approach, but has liberalized considerably in recent years. While Portland increasingly recognizes its artists and the public at large as legitimate stakeholders, the policy tends to protect the interests and rights of property owners. Portland's municipality also has a weak capacity to resolve conflict, relying on local stakeholders to resolve conflicts among themselves. In recent years Portland has relaxed some of its control over neighborhood murals, enabling property owners and local communities to promote and shape their own built

environment. One of the major drawbacks of Portland's mural policy is its lack of sustainable funding, which acts as a barrier to promoting the city's murals.

Conclusion

With the growing popularity of murals in urban public spaces, cities have established policies that attempt to control (or tame) this artwork, while balancing diverse interests. In this paper we have introduced a conceptual framework for reviewing mural policies, and have demonstrated its applicability by reviewing Portland's mural policy.

The framework is constructed as a set of themes that address mural policies from different perspectives. It acts as a measuring rod and as an analytical tool for evaluating, assessing, and studying mural policies. It highlights the policy's strengths and weaknesses, how it balances between stakeholders and how it resolves various challenges. The conceptual framework enables a better understanding of how our cities are shaped and managed, of who has the right to modify public spaces, and of how different interests and stakeholders are taken into consideration and prioritized.

By setting criteria for evaluating policies, the conceptual framework encourages future comparative evaluation between cities. It can help decision-makers and researchers to better understand the policies with which they work, share knowledge and learn about mural policies elsewhere, thereby promoting best practices. Furthermore, the suggested framework is also useful for cities with no mural policy or a mural policy in its infancy that are seeking ways to enhance their ability to promote public art. The mapping of the policy landscape, as presented in [Table 2](#), typifies overarching and key features. Its explanatory power increases as the sample of analyzed cities increases. In addition, the thematic review of mural policies opens the hatch for an ensuing analysis of other features, such as the way in which tolerant (or intolerant) policies express themselves, or the manner in which the police react to certain murals.

Over and above this, the case of Portland accentuates the fact that mural policies are situated at an interesting intersection of a variety of interests, opinions, and needs, all of which are brewed together while devising mural policies. By studying the laws and policies governing murals, it is possible to ascertain the role of policy in establishing boundaries between the formal and informal, between the sanctioned and the unsanctioned. The study of these measures also helps to assess whether the public domain and the city walls are up for grabs by anyone, or whether they are subjected to the interests of a particular stakeholder.

Notes

1. Referring to large-scale cultural projects that involve mega-events or extensive development schemes.
2. Although many creative strategies originate as bottom-up initiatives, because of their economic potential, they have been embraced (co-opted) by local governments and private investors (Atkinson and Easthope 2009; Evans 2009; Droney 2010; Young 2012).
3. These may include mural art programs, commissioning of murals in highly tagged areas, and enabling designated tolerant areas such as 'legal walls'.
4. Cities commonly distinguish murals from signage because, while signage is considered to be a commercial expression, murals are often perceived as a purer form of artistic parlance.
5. This can be seen in the case of 5pointz, in New York, where the property owner allowed his abandoned warehouse to become a graffiti tolerant zone.
6. This concept has been challenged in recent years when unsanctioned artworks began undergoing legalization processes, whether by the local authority or indirectly through the demand for copyright.
7. If a municipal cleaning crew spots an unrecognised markings on public facades, it does not always have the means to identify the property owner to ask if the artwork had been approved; this may lead to its removal.
8. It is believed that by reducing the benefits artists get from creating artworks (e.g. exposure and fame), they will be discouraged from creating other artwork (Halsey and Young 2002; Young 2013).
9. For example, Original Art Murals cannot be located on residential buildings having fewer than five dwelling units and cannot exceed the height of 30 feet (9.14 meters). Additionally, within the Central City Plan District (a highly visual location), they must be located on non-street-facing walls or on street-facing walls located more than 20

feet (6 meters) away from the street lot line (Portland Municipal Code title-4 2009; Portland's Bureau of Development Services Administrative Rule ENB-13.23 2017).

10. E.g. Portland Street Art Alliance and Forest for the Trees.

11. RACC may choose artists through an open competition or invitation. It may encourage owners to pick the artist out of an online database they created, or it may outsource the process to an outside curator.

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