



**DEPARTMENT OF CULTURAL AFFAIRS**  
*City of Los Angeles*



Antonio R. Villaraigosa  
MAYOR

Olga Garay  
EXECUTIVE DIRECTOR

November 13, 2008

Council of the City of Los Angeles  
Arts, Parks Health and Aging Committee  
Honorable Councilmember Tom LaBonge, Chair  
Honorable Committee Members  
200 North Spring Street  
Los Angeles, CA 90012

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Council of the City of Los Angeles  
Planning and Land Use Management Committee  
Honorable Councilmember Ed Reyes, Chair  
Honorable Committee Members  
200 North Spring Street  
Los Angeles, CA 90012

Re: Support for the Department of Planning Report on Fine Art Murals  
Council Files 08-0515, 08-0530, 08-0539-S1, and 08-1233

**Introduction**

This letter by the Department of Cultural Affairs (DCA) is submitted in support of the Department of Planning's recommendation for changes to the municipal code for the handling of public art murals on private property. The proposed approach would create public art easements such as those successfully managed by the City of Portland. DCA would administer the public art easement program on behalf of the City.

**Background**

Murals are currently prohibited under the City's Sign Regulations. Council motions 08-1233, 08-0530, 08-530-s1, and 08-515 addressed the need for a correction to this situation and instructed the Planning Department (with the assistance of the Department of Cultural Affairs and the City Attorney) to develop a process to allow for murals on private property in the City of Los Angeles.

Murals are an important and vital art form with a long and vibrant history within the City of Los Angeles. Murals on private property are regulated by the sign code. The majority of Los Angeles' murals are painted on privately owned walls supported by private entities. However, in 2007, it was identified that murals fall under the "mural sign" definition and are regulated by the prohibitions articulated in the sign code. As a result, new mural projects have not commenced, property owners with murals have received citations from Building and Safety, and mural "paint-outs" have occurred. This has been

extremely troubling and runs counter to the desire to see murals enhance our community landscapes.

### **Discussion**

The Department of Cultural Affairs, in tandem with the Planning Department, believes the Portland process of creating public art easements to be the most promising solution to addressing the current murals situation. This recommendation would allow the City to develop an easement process for review and approval of murals on private property that addresses many of the other concerns and issues affecting our city's murals. Additionally, following the Portland process would allow the Cultural Affairs Commission to approve murals to be placed on public art easements.

However, for this process to be successful according to the City Attorney, the Public Art Easements would be dependant on public funding for the creation of new murals. We anticipate that this and other details of the public art easements will require additional work before a program is finalized. A process can be enacted quickly that is familiar to artists and private property owners which includes community notice, public input, an anti-graffiti plan, mural maintenance, and sustains the federal Visual Artists Rights Act and the California Art Preservation Act. DCA further recommends that the task of finalizing these details commence with members of the murals community as participants.

We look forward to the support of the City Council on this direction, and working with the Department of City Planning, Building and Safety, and the City Attorney's Office to develop the details of the Public Art Easements. If you have further questions, please contact Pat Gomez, our Murals Manager at 213-202-5555.

Sincerely,

A handwritten signature in black ink, appearing to read 'Olga Garay', written in a cursive style.

Olga Garay  
Executive Director

Cc: Gail Goldberg, General Manager, Department of City Planning  
Andrew Edelman, General Manager, Department of Building & Safety  
Adrienne Khorasanee, Deputy City Attorney