

Westwood South of Santa Monica Blvd
Homeowner's Association

Incorporated November 8, 1977

P. O. Box 64213

Los Angeles, CA 90064-0213

Date: 10/9/13
Submitted in APHA/PLUM Committee

Council File No: 11-0923-S1

Item No.: 1

Deputy: Adam R. Lid

October 8, 2013

Los Angeles City Council
Planning and Land Use Management Committee
Arts, Parks, Health and Aging Committee
200 North Spring Street
Los Angeles, CA 90012

VIA EMAIL: Sharon.gin@lacity.org, Adam.lid@lacity.org

RE: Mural Ordinance No. 182706; Council File 11-0923-S1

Honorable Members of the Planning and Land Use Management Committee:
Honorable Members of the Arts, Parks, Health and Aging Committee:

We understand that you will be considering the adoption of Administrative Rules needed to fully implement the recently adopted Mural Ordinance. We would like to take this opportunity to suggest some additional refinements for your consideration that have not been included in the recommendations recently conveyed from the Department of Cultural Affairs. They are:

- 1) Murals were not to be allowed in R1 zones unless the community implements and adopts an "opt in" initiative (yet to be developed). No murals are to be allowed on single family homes (regardless of the zones in which they are located) as indicated in the Administrative Rules submitted to Council. We note, however, that there are many neighborhoods in which there exist duplexes and/or other residential properties (other than R1) in R1 zoned areas. These properties have been "grandfathered in" as a result of circumstances often unknown today. **We request written clarification in the Administrative Rules that murals may NOT be placed in the midst of an R1 zoned area on properties that may have been grandfathered in at higher density levels (most often duplex properties).** This is requested to preserve neighborhood character and to ensure that any murals placed in such areas be done as a result of an "opt in" process by and for the neighborhood – not as the result of past zoning/entitlement exceptions or irregularities. If this gap is left unaddressed, a loophole will exist in the Ordinance to undermine the exclusion granted for R1 neighborhoods.

The current language in the Administrative Rules states:

7. No mural shall be placed on a lot that is improved with only one single-family residential structure and accessory structures.

We request a change to state that: No mural shall be placed on a lot that is improved with only one single-family residential structure and accessory structures. No mural shall be placed on a non-conforming property in a neighborhood zoned R1 consisting mostly of (a majority of) single family homes.

The Council voted to adopt the version of the ordinance that did NOT allow for placement of murals in single family residential areas. Yet, we note that there is no language in the Ordinance that expresses this policy decision. Was this an oversight? As noted above, the language in the Administrative Rules from Cultural Affairs does not adequately address the community concerns related to the preservation of and respect of community character. We also note that there has not yet been an attempt to define the community process for those seeking to "opt in."

As you consider the mechanism for communities to "opt in," we trust you will include:

- (a) a requirement that a specified number of residents must agree that there be murals permissible in their area. That number should be similar to other percentages of

I did not address this item in my oral comment



residents who must agree to planning modifications of other types. We are most familiar with a 2/3 or 70 percent threshold.

- b) A minimum "mural district area" that can be requested. The Ordinance and its rules should not create small spot zoned areas, individual blocks or islands where murals may be placed. R1/single family mural districts should relate to some already existing community boundaries if possible.

Please understand that we continue to believe that the Mural Ordinance should initially allow for mural placement only on commercial and industrially zoned properties—leaving residential properties (multi-family) for later consideration. A thoughtful initial implementation in the commercial and industrial areas may provide some valuable knowledge before the Ordinance is brought to multi family residential areas.

- 2) **An extension of the public notice period to communities:** The Administrative Rules require a minimum 14 day notice in advance of the Community Meeting about a proposed mural. In order to give Neighborhood Councils time to be involved and to comply with Brown Act requirements, a minimum 30 day advance notification is needed. A 45-day period will ensure that Neighborhood Councils have ample time to calendar any planned community meetings and, in fact, an artist may wish the local Neighborhood Council to co-sponsor or facilitate such community meetings. In order to do so, there must be ample time allowed. We are pleased to see that there has already been an extension of the notification period to 45 days prior to the culmination of a filing. However, it is equally (if not more) important that there be adequate notification of the public meeting to be held.

- 3) While there is a maximum brightness for **mural illumination** defined, there is no differentiation made between lighting requirements of murals in commercial districts as opposed to those in residential areas. This raises two important considerations for Council to address:

- a) Should there be a **nighttime "cut-off" time for mural illumination in residential areas?** We would suggest an 11pm curfew for lighting of murals installed in residentially zoned areas. All-night lighting, no matter how bright or muted, is intrusive when it shines through the night.
- b) Should there be a specific requirement that lighting used to illuminate murals be **energy efficient** with specifications as to the types of lighting permitted?

We thank you for your consideration and look forward to the full implementation of the Mural Ordinance and the preservation of vintage murals throughout the City.

Sincerely,

Barbara Broide

Barbara Broide
President

cc: Paul Koretz, CD 5, Shawn Bayliss, CD 5

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