

## **Ordinance to Allow Murals on Single-Family Residences in Council Districts 1, 9, and 14**

### **Categorical Exemption Narrative**

#### **PROJECT DESCRIPTION**

The proposed ordinance modifies Section 22.119 of the Los Angeles Administrative Code to allow Original Art Murals on lots that are developed with only one single-family residential structure and that are located within Council Districts 1, 9, and 14 and to allow murals on exterior building openings and on roll down security doors on commercial or industrial buildings.

#### **PROJECT BACKGROUND**

The purpose of this draft ordinance is to allow murals on single-family homes in select areas of the City. The City's mural regulations currently prohibit murals on single-family homes. Accordingly, the draft ordinance will allow murals on lots that are developed with only one single-family residential structure and that are located within Council Districts 1, 9, or 14. The Director of Planning has disapproved the draft ordinance on behalf of the City Planning Commission. Accordingly, approval of the ordinance requires an affirmative vote of at least two-thirds (2/3) of the members of the City Council.

The Mural Ordinance, adopted on August 19, 2013, established a citywide program for permitting new and existing murals on a content-neutral basis in Los Angeles with certain terms and conditions. One of the conditions bans the creation of new murals on single family homes citywide. Concurrently with adopting that ordinance, the City Council adopted Motion 7-F, which instructed the Planning Department with the assistance of the City Attorney and the Department of Cultural Affairs to report in 30 days with an ordinance to establish a pilot program in Council Districts 1 and 14 which implements the proposals contained in the ordinance identified as Alternative A, specifically allowing murals on single-family residences. At the October 9, 2013 joint meeting of the Arts, Parks, Health, Aging and River Committee and the Planning and Land Use Management Committee, Councilman Price requested that Council District 9 also be included in the draft ordinance.

Transmitted is a proposed ordinance that modifies Section 22.119 of the Los Angeles Administrative Code to allow (1) Original Art Murals on lots that are developed with only one single-family residential structure and that are located within Council Districts 1, 9, and 14; (2) allow painted Original Art Murals on exterior building openings; and (3) allow Original Art Murals to be placed on roll down security doors on commercial or industrial buildings. The language contained in the draft ordinance is substantially different from the preceding draft ordinance that eliminated the long-standing City-wide ban on murals and put in place a set of regulations allowing the installation of new Original Art Murals and the grandfathering of existing Original Art Murals. The preceding draft ordinance was approved by the City Planning Commission on October 11, 2012.

## ENVIRONMENTAL REVIEW

The project as embodied in the proposed draft ordinance would consist of the anticipated installation of murals on single-family homes in three Council districts in the City of Los Angeles. The installation of murals on single-family homes in not only those three Council districts, but rather citywide, was contemplated in a "Version A" of an earlier draft ordinance considered by the City Council on August 19, 2013. On that date, the City Council chose not to adopt "Version A" of that earlier draft ordinance but to instead adopt a "Version B" of that draft ordinance. "Version B" did not allow murals on single family homes and instead prohibited them. The California Environmental Act ("CEQA") Narrative (ENV 2008-2143-CE) that was prepared in connection with that earlier draft ordinance was intended to apply to either "Version A" or "Version B" of that earlier draft ordinance. Because "Version A" of that earlier draft ordinance, if adopted, would have allowed murals on single-family homes, that earlier CEQA Narrative, ENV 2008-2143-CE, also applies to the current draft ordinance which allows part of what Version A would have allowed: the installation of murals on single-family homes on three of the City's Council Districts rather than all fifteen of them.

If anything, any conceivable environmental impact resulting from the current draft ordinance, which allows murals on single-family homes only in three Council districts, would be less than allowing murals on single-family homes in all fifteen Council districts. Accordingly, it is appropriate for the current CEQA Narrative, ENV-2013-3392-CE, to incorporate by reference all discussion from the earlier CEQA Narrative, ENV 2008-2143-CE.

### **Additional Technical Analysis**

Staff evaluated all potential exceptions to the use of Categorical Exemptions for the proposed project and determined that no exceptions apply as explained in earlier CEQA Narrative ENV 2008-2143-CE. Following is an additional explanation of why the current proposed ordinance will not result in potentially adverse environmental impacts with respect to aesthetics:

*Aesthetics and Visual Resources: Aesthetics generally refer to the identification of visual resources and the quality of what can be seen, or overall visual perception of the environment.*

The proposed project would have less than a significant impact on the effects of scenic vistas due to the fact that there will be a height restriction that enforces the engagement of pedestrian traffic from the street level and away from scenic vantage points. A regulation that allows murals to be painted only on non-historic walls would have no impact on scenic resources i.e. trees, rocks, outcroppings, historic buildings. Further, the City's zoning regulations generally do not impose restrictions on the colors or patterns used to paint a single-family house, unless those patterns are deemed to "present a message" and thus qualify as a sign, as defined in Los Angeles Municipal Code Section 14.4.2. Installing a fine-arts mural will in most instances will not produce greater negative aesthetic impacts than an unusual color or pattern of paint on a single-family home could cause. Also, adding a fine-arts mural in a neighborhood as a reflection of that particular community will serve as a public and community benefit, uplifting its surrounding and not degrading it. Lastly, there will be no aspect within this project that allows for the adding of new structures or any new sources of light, therefore, having no impact on affecting day or nighttime views.