

PPCC Motion re Murals Ordinance (passed 08-08-2013)

Re CF 11-0923

In regard to Versions A and B of the draft murals ordinance submitted by the Los Angeles City Attorney on 6-17-2013, Pacific Palisades Community Council (PPCC) takes the following positions:

I. SUPPORT Version B on the Condition that the Seven (7) Revisions Set Forth Below are Incorporated:

1. Murals shall be clearly prohibited in all residential zones on all dwellings, including but not limited to single family homes and apartment buildings, except that in all residential zones murals that are not visible from the public-right-of-way or from neighboring properties shall be permitted.
2. Communities that wish to allow murals in residential zones shall be required to apply for permission to allow murals in such zones, using currently available Planning processes; *or* via a less time-consuming “streamlined” process to be developed and set forth pursuant to the ordinance.
3. Existing murals shall be clearly grandfathered.
4. “Digitally printed images” shall be prohibited and/or not included within the definition of “Original Art Mural.” If included, the term “digitally printed images” shall be defined with greater clarity; any definition shall specifically exclude images which extend around corners and cover more than one exterior wall (commonly known as "building wraps") in all residential zones.
5. The “Neighborhood Involvement Requirement” (Sec. 22.119 (b)(3)) shall set forth key administrative rules relative to notice and procedures for holding the required community meeting, including without limitation a requirement that the applicant shall confer in advance with the applicable Neighborhood and/or Community Council to arrange an acceptable time, at a regularly scheduled meeting of such Council, for the required community review and comment on the proposed mural, and that the applicant shall be responsible for required mailing and posting of notice on-site at least 45 days prior to the meeting. “Community Councils” shall be expressly added, along with Neighborhood Councils and Business Improvement Districts, as entities entitled to receive notice.
6. The term “commercial message” shall be defined with greater clarity; specifically, the following language shall replace the definition of “Original Art Mural” (Section I): “A one-of-a-kind, hand-painted, hand-tiled [or digitally printed, *if this language is retained*] image on the exterior wall of a building that does not function as or contain any commercial message and for which nothing of value has been given to the owner or person in control of the building in exchange

for permission to use the building for the image or to the artist in exchange for including the image any specific products or goods produced for sale or purchase (commonly known as “product placement”). For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.”

7. Specific enforcement procedures and funding sources for enforcement shall be provided.

II. OPPOSE Version A; if Version A is Adopted Instead of Version B, PPCC Urges the Following Nine (9) Revisions:

1. In all residential zones, murals shall be limited to areas that are not visible from the public-right-of-way or neighboring properties.
2. In all residential zones, direct illumination of murals on dwellings shall not be permitted; indirect or incidental illumination of any murals resulting from otherwise permitted landscape lighting shall be allowed.
3. In all residential zones, murals on dwellings shall not exceed 18 feet from grade or one-story from grade in height, whichever is less, regardless of the actual structure height.
4. A less time-consuming “streamlined” process shall be developed and set forth pursuant to the ordinance, to allow any communities that wish to prohibit murals in residential zones to apply for such prohibition.
5. Existing murals shall be clearly grandfathered.
6. “Digitally printed images” shall be prohibited and/or not included within the definition of “Original Art Mural.” If included, the term “digitally printed images” shall be defined with greater clarity; any definition shall specifically exclude images which extend around corners and cover more than one exterior wall (commonly known as “building wraps”) in all residential zones.
7. The “Neighborhood Involvement Requirement” (Sec. 22.119(b)(3)) shall set forth key administrative rules relative to notice and procedures for holding the required community meeting, including without limitation a requirement that the applicant shall confer in advance with the applicable Neighborhood and/or Community Council to arrange an acceptable time, at a regularly scheduled meeting of such Council, for the required community review and comment on the proposed mural, and that the applicant shall be responsible for required mailing and posting of notice on-site at least 45 days prior to the meeting. “Community Councils” shall be expressly added, along with Neighborhood Councils and Business Improvement Districts, as entities entitled to receive notice. Further, in all

residential zones: 1) the applicant shall also be required to mail notice of the community meeting to all owners and/or residents of properties located adjacent to and across-the-street from the location of the proposed mural; and 2) these requirements shall not be deemed “procedural only” and no action shall be taken by the City on any permit application pursuant to this section unless and until all requirements of Sec. 22.119(b)(3) are met.

8. The term “commercial message” shall be defined with greater clarity; specifically, the following language shall replace the definition of “Original Art Mural” (Section I): “A one-of-a-kind, hand-painted, hand-tiled [or digitally printed, *if this language is retained*] image on the exterior wall of a building that does not function as or contain any commercial message and for which nothing of value has been given to the owner or person in control of the building in exchange for permission to use the building for the image or to the artist in exchange for including the image any specific products or goods produced for sale or purchase (commonly known as “product placement”). For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold.”
9. Specific enforcement procedures and funding sources for enforcement shall be provided.