

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to the creation of new original art murals and the preservation of existing original art murals on private property.

A. Recommendations for Council action:

1. FIND that this action is categorically exempt from California Environmental Quality Act pursuant to Article III, Section 1, Class 1 of the City's Environmental Guidelines. [ENV 2008-2143-CE]
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the FINDINGS of the Council.
3. REVISE new Los Angeles Administrative Code Section 22.119(d)(6) to read:

No mural shall be placed over the exterior surface of any building opening, including, but not limited to, windows, doors and vents, except that murals and public art installations shall be allowed on roll-down security doors.
4. APPROVE the July 30, 2013 technical changes from the City Attorney:
 - a. Revise the last sentence of the first paragraph in Section 14.4.20 for Ordinance Version A and B to read:

A building permit from the Department of Building and Safety is required for new hand-tiled or digitally printed Original Art Murals and all Public Art Installations.
 - b. Update, if Ordinance Version B is approved, the delayed operative date of 90 days.
 - c. Delete the Citywide Sign Code's current ban on "mural signs" to avoid inadvertent use of that prohibition against Original Art Murals.
 - d. Add the term "Vintage Art Mural" immediately after the term "Original Art Mural" in Section 22.119(b)(1) in either Ordinance Version A or B.
5. APPROVE the proposed amendments to Ordinance Version B below:
 - a. Keep a two-year requirement and have for property owners, through the Department of Cultural Affairs, a process to de-register and remove murals.
 - b. Revise Appendix B of Ordinance Version B to reflect the above recommendation.
 - c. Allow communities to opt in for single family residences if the community wants.
6. INSTRUCT the Department of City Planning, in conjunction with the City Attorney, to report back on:
 - a. The pro's and con's of opting in and out for each version of the Mural Ordinance.

- b. How to streamline each process for opting in and opting out.
- c. The adjudication process when there are controversies regarding a mural, whether the mural is hate speech, obscene speech or art.
- d. The adjudication process should a neighborhood or Neighborhood Council want to opt out.

B. SUBMITS WITHOUT RECOMMENDATION the recommendation of the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

ADOPT the accompanying ORDINANCE Version A or B, along with any amendments made during Council consideration of this matter.

Fiscal Impact Statement: None submitted by the City Attorney and the LACPC. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

Support Proposal: LA-32 Neighborhood Council
Reseda Neighborhood Council
Silver Lake Neighborhood Council
Winnetka Neighborhood Council

Against Proposal: Valley Village Neighborhood Council
Mid-City Neighborhood Council
Encino Neighborhood Council
Greater Wilshire Neighborhood Council
Westside Neighborhood Council

General Comments: North Hills West Neighborhood Council
West Hills Neighborhood Council
Studio City Neighborhood Council
Glassell Park Neighborhood Council

(10 VOTES REQUIRED ON SECOND READING)

Summary

At a regular meeting held on July 30, 2013 (continued from November 20, 2012 and January 15, 2013), the Planning and Land Use Management Committee considered reports from the City Attorney, the Department of City Planning (DCP) and the Department of Cultural Affairs (DCA) and Ordinance relative to the creation of new original art murals and the preservation of existing original art murals on private property. Staff from the DCP, DCA and City Attonrey's Office gave the Committee background information on the matter. City Attorney's Office staff also asked the Committee to approve technical changes. Members of the public as well as staff from the Council Offices spoke.

After an opportunity for public comment, the Committee approved the technical changes requested by the City Attorney, requested report backs from the DCP and the City Attorney, and submitted without recommendation the Ordinance relative to the creation of new original art murals and the preservation of existing original art murals on private property. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
CEDILLO:	YES
ENGLANDER:	YES

-NOT OFFICIAL UNTIL COUNCIL ACTS-