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November 8, 2013

The Honorable Michael N. Feuer  
City Attorney  
City Hall East, 7<sup>th</sup> Floor  
200 North Main Street  
Los Angeles, CA 90012

Attention: Kenneth T. Fong  
Deputy City Attorney

**RE: An ordinance to allow murals on single family homes in 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.**

**Council File Nos: 08-0515, 08-0530, 08-1233 and 11-0923 (not transmitted)  
CPC File No: 2008-2142-CA (not transmitted)**

Dear Mr. Feuer:

The attached ordinance amends the City's mural regulations to allow murals on single-family homes in Council Districts 1, 9, and 14, as directed by the Joint Arts, Parks, Health, Aging and River and Planning Land Use Management (PLUM) Committees on October 9, 2013. Additionally, the ordinance further modifies the mural regulations to allow murals on any exterior building opening and on roll down security doors on commercial or industrial buildings.

Transmitted is a proposed ordinance that 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; allow painted murals on exterior building openings; and allow 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 IMPACT

Categorical Exemption CE-2013-3392-CE was signed on this matter on October 25, 2013. The Ordinance, creating an exception for Council Districts 1, 9, and 14 from the mural ban on single-family homes, was determined to constitute a Class 3 Categorical Exemption; where the adoption and implementation of the proposed ordinance will permit only *“construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.”* (Section 15303).

Per City of Los Angeles CEQA Guidelines, the project constitutes a Class 3, Article 3 Categorical Exemption for *“construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.”* Per CEQA Guidelines Section 15352, the passage of this ordinance by City Council is the final legislative action and constitutes an “approval” for purposes of CEQA.

## FINDINGS

**In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan in that it supports:**

Goal 3D of the Framework Element of the General Plan, “Pedestrian-oriented districts that provide local identity, commercial activity, and support Los Angeles’ neighborhoods,” – Appendix A specifically addresses Objective 3.8, to **“Reinforce existing ... neighborhood districts which accommodate a broad range of uses that ... promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit”** through implementation of Policy 3.8.4, which aims to “enhance pedestrian activity by the design and siting of structures in accordance with Chapter 5 *Urban Form and Neighborhood Design*” toward enhanced “livability” by addressing the lack of “visual and recreational amenities”; and

Goal 3F of the Framework Element of the General Plans aims at creating, “Mixed-use centers that provide jobs, entertainment, culture, and serve the region,” – Appendix A addresses Objective 3.10 to **“Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve...and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles”** through implementation of Policy 3.10.3 by allowing for murals on private property which “Provide for the development of public streetscape improvements, where appropriate.”

In accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix A) is directly related to the General Plan, specific plans, or other plans being prepared by the Department of City Planning in that it supports:

Goal 5A of the Framework Element of the General Plan, "A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales." – Appendix A addresses Objective 5.5 to "**Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm**" by the increased allowance of community-based and site specific murals that fulfill Policy 5.5.3 to "Formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide" **with respect to murals and public art improvements; and**

Goal 7A of the Framework Element of the General Plan, which aims to create a "vibrant economically revitalized City," by addressing **Objective 7.8, to "Maintain and improve municipal service levels throughout the City to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development"** by creating a sensible mural permitting process where one does not currently exist. The clustering of creative industry in Los Angeles has given it a regional advantage in this regard, and the arts have proven themselves to be the precursor to investment and economic development in increasing demand for complementary goods and services as well as attracting the highly productive "creative class." In this way expanded space for artists can fulfill policy 7.8.1., to "place the highest priority on attracting new development projects to Los Angeles which have the potential to generate a net fiscal surplus for the City.

#### CHARTER SECTION 559

As provided under the authority of Charter Section 559 and City Plan Case No. 13505-A, I find that the proposed ordinance does not conform with the October 11, 2012 action of the City Planning Commission, and I therefore disapprove the draft ordinance and recommend that it not be adopted by the City Council.

Sincerely,

MICHAEL J. LOGRANDE  
Director of Planning



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ALAN BELL, AICP  
Deputy Director

Attachment