

11-0923

Refer to CF 08-1233
and sub-files

JUN 01 2011

MOTION

Despite Los Angeles' rich cultural tradition of fine art murals that build community identity and represent a signature feature of our urban fabric, Ordinance No. 174,517, effective April 19, 2002, prohibits "mural signs" except "when mural signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement."

There is a tremendous need to develop a legally-defensible method to allow new murals in Los Angeles to preserve and enhance our cultural heritage and encourage the creation of new murals. Several ideas have been discussed within the City to establish new regulations for the preservation of existing murals and the creation of new murals. Such ideas have included adopting a form of Portland's Public Arts Mural Program, which requires property owners to grant an easement to the city to install large murals, or creating a number of "mural districts" under the provisions of Ordinance No. 174,552, effective June 16, 2002, which allows for the establishment of Sign Districts as a type of supplemental use district that allows "special sign regulations designed to enhance the theme or unique qualities" of an area.

A series of reports by City agencies and feedback from several meetings with muralist stakeholders have identified problems with both ideas. The "easement approach" requires ongoing city funding and maintenance. The "mural district approach" is complicated by proposed changes to the Sign District regulations currently under discussion by the City Council and would therefore require additional enabling legislation.

In August 2009, the City of Portland, Oregon, after contending with legal disputes similar to those in Los Angeles, adopted the Original Art Murals Program to allow for the creation of new murals on private property with content-neutral, time/place/manner regulations that exist independent of the sign code. Key concepts to this program are that property owners cannot receive payment, murals must remain in place for at least five years, public notification is required, and other size, placement, and medium restrictions are included.

I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the Department of Cultural Affairs and the Department of Building and Safety, and in consultation with the City Attorney, to prepare and present an ordinance to define murals as something other than signs and establish a citywide program for permitting murals in the City.

PRESENTED BY Bill Rosendahl
BILL ROSENDAHL
Councilmember, 11th District

SECONDED BY Ed P. Ryan
Ed P. Ryan

ORIGINAL

JUN 1 2011
rrm

eb