



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R17-0219

JUN 22 2017

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTION 2.119 OF THE LOS ANGELES  
ADMINISTRATIVE CODE TO ALLOW ORIGINAL ART MURALS TO BE  
DEVELOPED ON SINGLE-FAMILY RESIDENTIAL PROPERTIES LOCATED WITHIN  
COUNCIL DISTRICT 15**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 11-0923-S4

Honorable Members:

Pursuant to the request of the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, to allow original art murals to be developed on single-family residential properties located within Council District 15.

On September 4, 2013, the City Council enacted a law regulating original art murals on private property. Los Angeles Administrative Code (LAAC) Section 22.119. The law prohibited a mural on a lot improved with only one single-family residential structure and accessory structures. Three months later, on December 10, 2013, the City Council amended Section 22.119(d)(7) by allowing a mural to be placed on a lot improved with only one single-family structure and accessory structures that is located in Council Districts 1, 9 or 14.

The enclosed draft ordinance would amend LAAC Section 22.119(d)(7) to add Council District 15 as a Council District where a mural may be placed on a lot improved with only one single-family structure and accessory structures.

#### CEQA Determination

A California Environmental Quality Act (CEQA) narrative has been prepared concluding that the City Council may make a determination that this project is exempt from CEQA based upon the categorical exemption set forth in CEQA Guidelines Section 15301, (Class 1 - Existing Facilities). As described in Section 15301:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. ...The key consideration is whether the project involves negligible or no expansion of an existing use.

The reliance on a categorical exemption for a CEQA clearance is appropriate when substantial evidence in the record supports its application and the City determines that none of the exceptions to exemptions in CEQA Guideline Section 15300.2 apply to the project.

If you agree with the conclusion in the CEQA narrative, you may determine that the Class 1 exemption is appropriate.

#### Council Rule 38 Referral

A copy of the final draft ordinance was sent, pursuant to Council Rule 38, to the Department of Cultural Affairs, with a request that all comments, if any, be provided directly to Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8202. He or another member of this Office will be present when you consider this matter to answer any question you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:KTF:mv  
Transmittal