

LA Could Once Again Allow Murals

After a decade of outlaw wall art, Los Angeles has drafted an ordinance legalizing murals. LA, historically known for its mural art, has effectively banned murals since 2002, when officials responded to lawsuits from advertisers by ending the distinction between billboards and artistic murals.

Murals became subject to the same limiting requirements as advertising signs. Since 2002, only murals commissioned by certain public agencies or those in special districts have been allowed. Even so, murals flourish in the city despite crackdowns.



Gabriela Worrel

A decade-long ban on murals hasn't stopped them from proliferating. Above: A portion of a larger mural, entitled *Los Angeles Crimes*, on La Brea Boulevard in Hollywood. Left: *Black Seeds*, near Leslie Shaw Park in South Los Angeles, celebrates the history of the black community.

Randal Morrison, an attorney who specializes in sign law, says the conundrum over murals resides in the subjective interpretation of content. "Sometimes it's difficult to determine what a mural is," says Morrison, citing the well-known case of *Wag More Dogs LLC v. Arlington County*, in which the Virginia county considered a mural placed by a business owner to be marketing because of the content nexus with her business model. Morrison says that jurisdictions rarely distinguish murals from strictly limited marketing signs.

Los Angeles's new approach regulates the time, place, and manner of the artistic expression, but does not discriminate based on content. "A new model and permitting system is needed for murals as something different and distinct from signs," explains Tanner Blackman, a planner in the Department of Planning Code

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Studies section. "The time/place/manner approach works within the framework of what municipalities may regulate under the zoning code. We hope to create a simple, accessible permitting system to enable the creation of new murals and preserve the city's existing fine art murals."

Previously designated as "mural signs" in the code, the draft ordinance language refers to murals as "original art murals." Art must be hand-designed, and may not include electronic aspects or appear to change. Additionally, applicants may not receive compensation for the artwork, and must not alter the artwork for five years. Applicants must pay a \$200 fee for the permit and must also hold a

community meeting so that the public may view and comment on the content.

Existing murals will be viewed as "vintage art murals" and will be permitted as long as they meet the standards. A mural must not affect the property's compliance with other applicable codes, thereby drawing a relationship with other codes (such as special districts). Variances are not permitted.

The city has held public meetings to get community input, and the public comment period will close this month. The planning department hopes to present recommendations and reports to the Department of Cultural Affairs and city council in March.

—Gabriela Worrel

Worrel, who holds a Masters of Urban and Regional Planning, is a writer in Los Angeles.

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