

LA Fashion District BID Sidewalk Display Enforcement Update: 3-13-2012

Update on Status of LAPD Enforcement - March 8, 2012

Councilmember Jose Huizar, District 14, appointed his Deputy Chief of Staff Francine Godoy to help mediate the issues. Godoy has met and discussed possible solutions with all involved City Department supervisors and the LAPD. On Wednesday, March 7, 2012, property owner Mark Chatoff and BID staff escorted Godoy on a walking tour of the district to observe sidewalk display and merchandising activities.

BID Executive Director Kent Smith met with Captain Horace Frank, LAPD Central Division, on Thursday, March 8, 2012, to discuss the most recent activity regarding sidewalk display enforcement. Captain Frank reported that LAPD will suspend enforcement until March 22, 2012. Captain Frank will attend the Board meeting on Thursday, March 22, 2012 to discuss the issues with Board Members and property owners.

During this "cooling off" period, the LA Fashion District will work with Councilmembers Jan Perry and Jose Huizar to craft a motion that places a moratorium on enforcement and set out a path to legitimize some form of sidewalk display throughout the district.

First Steps toward Enacting Outdoor Display Overlay Zone – March 12, 2012

This morning BID Executive Director Kent Smith and attorney Tim McOsker met with Council District 9 Legislative Deputy Stephanie Rockwell Magnien and representatives from the Bureau of Street Services, Bureau of Engineering and Planning to discuss the creation of an overlay zone to allow sidewalk display in the retail areas of the LA Fashion District.

All parties agreed that the only way to move forward is to formalize outdoor displays by creating an Overlay Zone. The creation of the overlay zone will be a public process in which owners and tenants can participate.

A draft list of criteria was developed at the meeting that is still in the development stages. Not all buildings will be allowed to have outdoor display because of public safety concerns and ADA accessibility requirements. Those buildings that are allowed to have outdoor displays on private and public property will have to obtain a Revocable Permit. Only those owners who want to have outdoor display would be required to obtain this permit. The permit would include:

- Show ADA Compliance & no impact on public safety,
- Indemnification of the City of Los Angeles,
- Annual insurance coverage,
- Only those tenants listed by the owner would be permitted to display merchandise outside.

Draft Map of Overlay Zone

A draft map is attached that identifies possible Overlay Zone locations. We have limited the outdoor display locations in order to focus on retail, retain the distinctiveness of the products in each Overlay Zone and the overall unique nature of sidewalks displays in the 110-block LA Fashion District. This map will likely be included in the draft motion.

ACTION

A motion asking for an enforcement moratorium, including LAPD enforcement actions, and presentation of the Overlay Zone concept is being prepared and may be presented at Council as early as Friday, March 16, 2012.

However, the entire process will likely take more than 12 months to formalize. Again there will be ample opportunity for owners and the public to raise concerns and have input into the process.