Venice Neighborhood Council

P. O. Box 550, Venice, CA 90294

www.VeniceNC.org

Land Use & Planning Committee (LUPC)
STAFF REPORT
October 29, 2026

City Case No:	**DIR-2026-3938-BSA**
Related City Case No(s):	**DBS-260034-DCP, Order to Comply #A-6539238**
Address of Project:	**52 Windward Ave**
Applicant/Property Owner:	**The 1915 Building LLC**
Applicant's Representative:	**Daniel F. Freedman, Brownstein Hyatt Farber Schreck, LLP**
Standard of Review:	**LAMC sections 14.4.2, 14.4.4(B)(11), 12.23 Venice Coastal Zone Specific Plan 9.D.**
Coastal Zone:	**Single Permit Jurisdiction**
City Hearing:	**Planning Hearing Officer extended public comment for 8 weeks from hearing date, October 7th to December 2nd**
Email for Zoning Administrator:	**Jack.Chiang@lacity.org**
LUPC Staff assigned:	**Sarah Wauters & Gabriel Ruspini**

I. Detailed Project Description:

The building at 52 Windward Ave. contains several businesses – Menotti's, Townhouse Venice and offices in the upper floor. It presently has an Al Fresco patio installed in the parking lane of Windward Ave. in front of the building. On the westside wall of the upper floor, a sign displays advertising of various businesses, and since sometime in 2022, the signage has displayed advertising for various products, although not for the main businesses that are resident in the building. Some of the products advertised were/are sold in the businesses therein, ex: Miller Beer, which is sold at the Townhouse Venice. The present ad is for soda, not sold onsite.

On May 7, 2025, LADBS issued an Order to Comply to the building owner to either obtain required permits or demolish the painted billboard on the west side of the building. The owner/petitioner (Petitioner) filed a petition for modification, and this was denied on March 26, 2026. On May 4, 2026, the Petitioner filed an appeal alleging that

the modification denial was made in error. The Planning Department Zoning Administrator held an appeal hearing on October 7, 2026 and heard the Petitioner's arguments. Three Land Use and Planning Committee members spoke at the hearing and warned of the dangers of setting a precedent allowing off-site advertising where code does not allow it. The Zoning Administrator promised to decide the matter relying on the code and the law. He extended the deadline for public comments for 2 months from the date of the hearing. The petitioner argues that he does not need the required permit, which would almost certainly not be granted, because the wall has been used for advertising continuously for 100 years or more. Most of the images that have been found have shown advertising for the establishments then extant in the building at that time.

II. Motion:

The Venice Neighborhood Council supports the continued legal non-conforming use of the signage painted on the building at 52 Windward Ave, but only for non-illuminated on-site advertising signage.

Moved by Robin, Seconded by Mark
Vote: 6-2-0 (1 absent)

The motion expresses support for any legally established on-site sign rights. LUPC has not undertaken the historical investigation necessary to determine whether a one-year discontinuance occurred and does not make a finding that the owner has proved uninterrupted use.

III. Pros & Cons of the Signage in Question:

Positive aspects of project:

Townhouse Venice is a long-established and well-liked bar on the well patronized Windward Plaza, where tourists and Venice residents alike enjoy various business. Members of the public and members of the committee stated their general support for the bar's place in our community. There are historical photographs showing that businesses resident to the plaza have been advertised on this exposed wall as far back as the 1920s. The coffee shop on the street level is named Menotti's after the signage that was pictured there in historical photos. These references to the past suggest a long-standing visual tradition on Windward Plaza which includes on-site advertising and which has added to the visual flare of Venice.

Negative aspects of project:

While idiosyncratic and artistic signs throughout Venice have formed a part of the neighborhood's visual fabric, advertisements for standard products and their rotating national campaign imagery are not a part of that visual fabric. City zoning prohibits the use of new billboards outside of specific sign districts, and as such, the allowance of advertising for products on this historical site is not lawful. Such national advertising is not unique in its imagery in a way that is handmade, particular to our Coastline or Venice culture.

IV. Neighborhood Outreach/Summary of Community Input:

There appears to have been no community outreach. Three members of the Land Use and Planning Committee attended the Zoning Administrator's meeting.

V. Findings re. Entitlements:

A. LAMC 14.4.2 and LAMC §14.4.4(B)(11)

The Off-Site Sign Ban: Under LAMC 14.4.4 section 11 prohibits new off-site signs generally, with specific exceptions for "sign districts" (such as Hollywood or LA Live) Venice does not have an active billboard-permissive Sign District. The code in Los Angeles is superceded by the local code of the Venice Coastal Zone, as related below.

Under LAMC 14.4.2 Definitions, an "**Off-Site Sign"** is defined as a "sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located."

The painted wall sign on the building at the property at 52 Windward Avenue in recent history identified and advertised the "Saloon", a business operating at the premises. The sign remained in place for many years until sometime in 2022, when that sign was painted over and replaced with a commercial advertisement for Miller Beer. Subsequent advertisements for other products, like soda, have followed the Miller Beer ad.

The premises are occupied by Menotti's, a coffee shop that does not sell beer or other alcoholic beverages. It is also occupied by the Townhouse Venice, which does sell alcohol. The building owner receives compensation for displaying advertisements such as Miller Beer and other products unrelated to the premises. The advertising is not appurtenant to the businesses therein but is a billboard business onto itself.

The Miller Beer advertisement constitutes an **Off-Site Sign** because it promotes a product sold or offered elsewhere and is "*generally* conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises". Even if the product advertised on the wall is sold within the Townhouse, if it is a national or regional brand, it is "generally sold" in many establishments. So, when the language was changed from the "Saloon" to Miller Beer, this is not simply a change in the wording of an on-site business sign; it is a change from advertising an on-premises business to displaying paid commercial advertising for unrelated third parties.

The distinction between off-site signs and on-site signs is a heavily litigated land use regulatory distinction. The California Court of Appeal upheld the City's regulatory

distinction between on-site and off-site signs in *Lamar Central Outdoor, LLC v. City of Los Angeles* (2016) 245 Cal.App.4th 610. This case affirmed the City of Los Angeles' right to regulate off-site and on-site sign uses differently. It reinforces that because off-site advertising is an entirely different category of land use, owners of standard on-premises signs cannot retroactively bypass billboard bans by simply changing the message to an off-site business.

Accordingly, the Petitioner's assertion of continuous lawful non-conforming use can be accepted but ONLY as an on-site advertisement. This is true only because the historical existence of an on-site painted business sign does not establish a grandfathered right to conduct off-site commercial advertising.

California strictly adheres to the rule that the **burden of proof is placed on the property owner** to establish the lawful existence and continuous maintenance of a nonconforming land use. While some photographs portray uses in the 1920s and 1930s, there is a long gap between those historic photos and the photos that are shown of "the Saloon" in the 2000s. This long gap essentially shows that the Petitioner has not proven a continuous use. **Furthermore, there is substantial photographic evidence that shows ONLY an on-site advertising use for several years (the "Saloon"), so if there was ever a continuous use of off-site advertising, it was abandoned during the long period when the Saloon ad occupied the wall.**

B. The Venice Coastal Zone Specific Plan (Ordinance No. 175,693)

The Venice Coastal Zone Specific Plan regulates all development within the Venice Coastal Zone to ensure neighborhood compatibility, protect visual resources, and preserve the coastal environment. Where the Specific Plan is more restrictive than the general Los Angeles Municipal Code (LAMC), the **Specific Plan takes legal precedence**.

Venice Specific Billboard Restrictions

Venice Coastal Zone Specific Plan § 9.D prohibits billboards and rooftop signs within the Specific Plan area, and certified Venice Land Use Plan Policy I.D.4 likewise prohibits billboards and rooftop signs in all land use categories. In addition to LAMC §14.4.2, the LAMC also recognizes that billboard signs may be painted directly onto building walls; a billboard need not be freestanding, illuminated, or mounted on a separate structure to be defined as a "billboard." Accordingly, the current painted wall sign at 52 Windward Avenue, which displays commercial advertising for products offered generally to the public, is an off-site advertising billboard, notwithstanding its location on an existing building wall. Its historical use for on-site business advertising does not establish a grandfathered right to operate an off-site billboard, which is prohibited by both the Venice Coastal Zone Specific Plan and the certified Venice Land Use Plan.

C. California Coastal Act – Section 30251 – Scenic and Visual Qualities

Coastal Act Section 30251 Scenic and visual qualities states: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public*

importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Historic photographs show that advertisements for establishments at the beach formed a portion of the character on Windward at the beginning of its history. The permitted "development shall be sited and designed to…be visually compatible with the character of surrounding areas…". With regard to 52 Windward Ave., an **on-site advertising sign** might enhance the visual character of this heavily touristed zone if it could be thoughtfully planned by the owner of such business and unique to the establishment within the building. An off-site advertisement will reflect national advertising campaigns which are completely standardized and not visually unique, generally, in any way. Such national ads will degrade the visual quality of the Venice Beach environment, in direct contradiction of the Coastal Act.

Conclusion

Therefore, while we support the owner's right to have an on-site advertising sign, and we request that the Zoning Administrator allow the non-conforming use of the wall as on-site signage, but only with the express restriction that the owner may not utilize any off-site advertising signage such as national brands with imagery that has no relationship to Venice.