

# **PRELIMINARY DRAFT DOCUMENT**

**TVC 2050 SPECIFIC PLAN**

**October 13, 2023**

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**ORDINANCE NO. \_\_\_\_\_**

An ordinance establishing the Television City (TVC) 2050 Specific Plan (Specific Plan) pursuant to the provisions of Section 13B.1.2 of Chapter 1A of the Los Angeles Municipal Code (Code), for a portion of the Wilshire Community Plan area.

**WHEREAS**, the entertainment industry is continually evolving, whether it be technological advancements, shifts in production and post-production, or increased competition from other states and countries, and long-term adaptation in land use and planning is a requirement for ongoing consistency with a City's General Plan policies.

**WHEREAS**, the existing TVC major film and television studio campus needs to modernize and expand its existing facilities to address the unmet and anticipated future demands of movie, television, streaming, and other forms of content production in order to remain competitive in the industry and for the long-term preservation of the TVC campus;

**WHEREAS**, TVC has, over time, made improvements in a piecemeal and ad hoc manner and does not have a comprehensive set of requirements for on-site development, and a Specific Plan would allow for a more comprehensive set of regulations to address the unique characteristics of a major studio and entertainment facility, guiding the future development of the site, and establishing an ecosystem of production uses suited to meet modern entertainment needs for decades to come;

**WHEREAS**, modernization of the TVC campus will honor William Pereira and Charles Luckman's original vision for a major studio headquarters, which was designed to be modified and expanded over time to meet the changing needs of the constantly evolving media and entertainment industry;

**WHEREAS**, a Specific Plan will enable TVC to continue to be at the forefront of such change and innovation, providing artists and creators with the necessary physical space and infrastructure;

**WHEREAS**, a clear and consistent set of principles and regulations established by this Specific Plan, would provide a level of certainty for future development of the site while remaining mindful of the Specific Plan area's surrounding community;

**WHEREAS**, development under the Specific Plan would support the local and regional economy by creating a wide range of entertainment jobs, catering to all types of production and media-related companies, and supporting the City of Los Angeles as the global capital of media and entertainment;

**WHEREAS**, it is the intent of the City Council that this Ordinance be applied and administered consistent with the goals and purposes stated above; and in order to assure that such development proceeds in compliance with the General Plan and the above goals, it is necessary to adopt the following Specific Plan.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELES DO  
ORDAIN AS FOLLOWS:**

**SECTION 1. ESTABLISHMENT OF THE SPECIFIC PLAN**

**Section 1.1 Boundaries.**

The City Council hereby establishes the TVC Specific Plan, which shall be applicable to the approximately 25-acre site located at 7716–7860 West Beverly Boulevard, generally bounded by Beverly Boulevard to the north, Fairfax Avenue to the west, The Grove Drive and apartments to the east, and The Original Farmers Market and The Grove to the south, as shown within the heavy dashed line on Map 1 (Specific Plan Boundary Map). An approximately 0.63-acre portion of the Specific Plan falls under the land use jurisdiction of the County of Los Angeles and is planned to be annexed into the City of Los Angeles; upon annexation, this Specific Plan will apply to the 0.63-acre property.

**MAP 1. SPECIFIC PLAN BOUNDARY MAP**

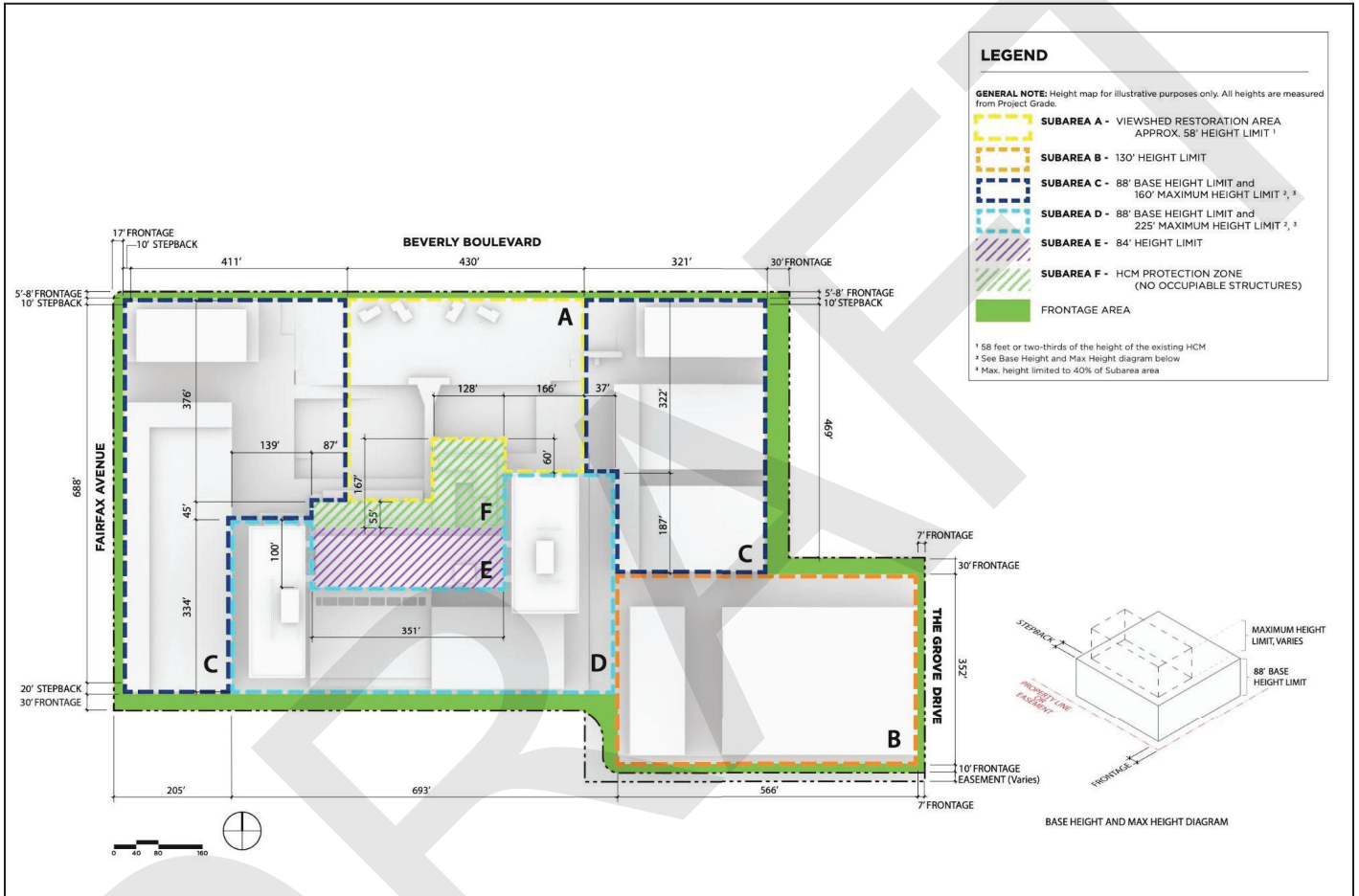


**Section 1.2 Subareas.**

In order to regulate the use of property as provided in this Specific Plan, the Specific Plan is divided into six subareas. The locations and boundaries of these subareas

are depicted on Map 2 (Specific Plan Subarea Map), as the same may be modified from time to time in accordance with the requirements of this Specific Plan. In the event the annexation of an 0.63-acre County of Los Angeles property occurs, the Director shall amend the boundaries of the subareas to be consistent with the annexation.

## MAP 2. SPECIFIC PLAN SUBAREA MAP



### Section 1.3 Relationship to the Code.

- A. Does Not Convey Rights.** The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of the Chapter 1 or 1A of the Code, as amended, and any other relevant ordinances, and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained in the Code or other ordinances, except as provided for in this Specific Plan.
- B. Superseded Code Regulations.** Wherever this Specific Plan contains provisions that establish regulations (including, but not limited to, standards such as height, use, floor area, setbacks, vehicle and bicycle parking, open space and landscape requirements), that are different from, more restrictive, or

more permissive than the Code, this Specific Plan shall prevail and supersede the applicable provisions of the Code. Accordingly, approvals (including, without limitation, conditional use approvals) under, and compliance with, the following sections are not required for development within the Specific Plan area:

1. Project Review. Code Section 16.05.
2. Major Development Project. Code Section 12.24 U.14.
3. Mini-Shopping Centers and Commercial Corner Development. Code Sections 12.22 A.23 and 12.24 W.27.
4. Alcoholic Beverage Sales and Service Regulations. Code Sections 12.21 A.10, 12.21 A.14, and 12.24 W.1.
5. Street Dedications and Improvements. Code Section 12.37. Public Rights-of-Way widths and improvements shall comply with those dimensions set forth by Vesting Tentative Tract Map No. 82287.

**C. Sign Regulations.** In the event the City adopts a “SN” Supplemental Signage Use District (Sign District) with boundaries that are the same as, or include, the Specific Plan area, the provisions of the Sign District would govern signs located within those portions of the Specific Plan area which are within the Sign District. The adoption of the Sign District shall be subject to all the provisions set forth in Section 13.11 of the Code with the following exception: properties in the TVC 2050 Specific Plan Zone may be included in such Sign District notwithstanding the restrictions on the zoning of property included in a sign district as set forth in Section 13.11 B of the Code. To this extent, this Specific Plan and the Sign District, if adopted, shall supersede Section 13.11 of the Code.

1. **Historic Sign Guidelines.** Signs identified within Appendix E (Historic Sign Guidelines) shall be designed and constructed per the Guidelines identified. Said signs shall be reviewed by OHR and permitted in compliance with the TVC 2050 Sign District. Specifically, the TVC 2050 Specific Plan allows for replacement of non-conforming signs on the Primary Studio Complex (a City-designated Historic Cultural Monument [HCM]). Said signs may be retained or recreated at the approval of the Office of Historic Resources (OHR) based on sufficient evidence of the existence of the historic sign, and upon consensus that the sign complies with the Secretary of the Interior’s Standards.

## **SECTION 2. PURPOSE**

**Section 2.1 General.** This Specific Plan provides the regulatory framework for the comprehensive redevelopment of the Specific Plan area to maintain TVC as a studio use and to modernize and enhance production facilities to meet both the existing unmet and anticipated future demands of the entertainment industry,

preserve historic resources, upgrade utility and technology infrastructure, enhance the street frontage areas, and create a cohesive studio lot.

**Section 2.2 Purposes and Objectives.** The purposes and objectives of this Specific Plan are as follows:

- A.** Provide regulatory controls and incentives for the systematic and incremental execution of those portions of the Community Plan which relate to this geographic area and to provide for public needs, convenience and general welfare as the development of such area necessitates.
- B.** Set forth principles, standards and general procedures to assure the orderly development of the Specific Plan area.
- C.** Establish permitted uses and/or activities and provide a mechanism for implementing the appropriate operational requirements, regulations or other requirements for the uses.
- D.** Create a fully integrated and cohesive planned site regulated by this Specific Plan that retains the land use as a studio facility and provides an expandable, flexible, and operationally seamless production ecosystem that can respond to evolving market demands, support content creation, and maximize studio production capabilities.
- E.** Rehabilitate and preserve the integrity of the Primary Studio Complex consistent with the Historic-Cultural Monument (HCM) designation, while building upon William Pereira and Charles Luckman's master plan for a flexible and expandable studio campus.
- F.** Address and discontinue ad hoc building through implementation of a clear set of regulations which allow for the construction of technologically advanced sound stages and a complementary mix of state-of-the-art production support facilities and production offices to meet the existing unmet and anticipated future demands of the entertainment industry.
- G.** Complement the neighboring community through design elements that would be compatible with surrounding uses, concentrate building mass and height towards the center of the TVC campus, and provide an enhanced public realm to promote walkability, foster connectivity and safety, and better integrate on- and off-site uses.
- H.** Provide adequate, safe, and efficient ingress/egress, circulation, staging, and parking that satisfies the unique demands of a large-scale production studio with direct, enhanced access to the uses on-site and sufficient truck and trailer circulation areas, in compliance with modern fire and life safety requirements.
- I.** Create multiple production basecamps to allow for the flexible and efficient staging of vehicles necessary for film and television productions.

- J. Provide multi-modal transportation solutions, including a Project Mobility Hub, to connect TVC employees and guests with surrounding public transit lines, employee shuttles, and a rideshare program, to encourage alternative means of transportation, and focus growth in a high-density, jobs-rich area in close proximity to bus and rail transit.
- K. Create a model for environmental sustainability in modern production studio operations by implementing best management practices regarding water, energy, and resource conservation by achieving LEED Gold certification or equivalent green building standards.
- L. Enhance the identity of TVC as a media center by providing architecturally distinct development, and a creative signage program that reflects and complements the production uses on-site.

### SECTION 3. DEFINITIONS

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section. Definitions of the terms set forth in this Section shall supersede the definitions set forth in the Code, including, without limitation, Section 12.03 of the Code. Words and phrases not defined here shall be construed as defined in Section 12.03 of the Code, or pursuant to Section 13B.4.6 of the Code and Section 4.1 of this Specific Plan for interpretations of the Specific Plan by the Director.

**Basecamp.** A temporary or permanent area at, near, or within a filming location where Production Activities can be coordinated and where mobile facilities such as trucks and support vehicles related to production are temporarily staged, that includes, but is not limited to: loading, wardrobe, hair, make-up, craft service, parking, storage of mobile facilities, support vehicles, etc., in direct support of the Production Activity.

**Cellular Facilities.** Wireless telecommunication facilities, including cellular facilities, for telephone, information and data transmission, and similar communication and future technological advances in such communication. Cellular Facilities shall also include all necessary support infrastructure, such as electrical or electromagnetic vaults, cabling, equipment racks, generators, transformers, and other related communication support equipment and systems.

**Character-Defining Feature.** The features identified in the findings that were adopted as part of the Historic Cultural Monument Character-Defining Features (Appendix G) for the Primary Studio Complex (CHC-2018-476-HCM).

**Communications Facilities.** Any structure or equipment used for the purpose of sending or receiving data and information communications or housing equipment to support the sending or receiving of communications, other than Cellular Facilities. Communication Facilities may include, but are not limited to, satellite and microwave dishes, antennae dishes and/or satellite farms, wireless telecommunication facilities



such as Wi-Fi, television and two-way radio transmitters and broadcast communications facilities, communications and data facilities, control and telemetry signals, cable or fiber optic systems, or future technological advances in Communication Facilities. Communication Facilities may also include, but are not limited to, all necessary support infrastructure, such as electrical or electromagnetic vaults, cabling, equipment racks, generators, transformers, downlink systems, uninterrupted power supply (UPS) systems, and other related broadcast and communication support equipment and systems.

**Floor Area.** Floor area shall be as defined in accordance with Section 12.03 of the Code, with the following exceptions: areas related to the Mobility Hub; basecamp, outdoor eating areas (covered or uncovered); trellis and shade structures; covered walkways and circulation areas (including the existing marquee structure); and all temporary uses (e.g., Sets/Facades).

**General Office.** A Studio Land Use that includes general office uses, which may or may not include those office uses associated with or in furtherance of Production Activity, including but not limited to merchandising, marketing, promotion, licensing, sales, leasing, accounting, distribution, legal, general commercial, professional, executive, business, and administration. General office also includes related support functions and facilities including, but not limited to, conference rooms, reception and waiting rooms, file rooms, copy rooms, coffee rooms, restrooms, and other ancillary office functions/facilities.

**Grade (Project Grade).** Grade shall be measured from a fixed point of 201 feet above mean sea level (AMSL), which represents the base level of Production Activity.

**Historic Preservation Professional.** A professional who meets the applicable Secretary of the Interior's Professional Qualifications Standards.

**Initial Development Plans.** The buildings, structures, improvements, landscaping, and streetscapes shown in the plans included in Appendix A (Initial Development Plans), and related on- and off-site infrastructure improvements.

**Primary Studio Complex.** The two attached buildings, the Service Building on the east and the Studio Building on the west, that were constructed in 1952 and together are designated as HCM No. 1167.

**Production Activity.** Indoor and/or outdoor activities in conjunction with the creation, development, production (on Sound Stages or any other indoor and outdoor location), acquisition, reproduction, recording, processing, editing, synchronizing, duplication, transmission, reception, viewing, and other use of visual, digital, print and/or aural works, products, services, rights and communications, including without limitation sound and lighting effects associated with such activities and the use of any and all vehicles, aircraft, and watercraft; equipment, machinery

(temporary or permanent); materials (including pyrotechnic and other special effects materials); and animals.

**Production Office.** A Studio Land Use that includes those office uses associated with or in furtherance of Production Activity, including but not limited to merchandising, marketing, promotion, licensing, sales, leasing, accounting, distribution, legal, and administration. This includes, but is not limited to, motion pictures, internet, cable, commercials, television and radio production and programming, video games, video recordings, audio recordings, digital recordings, digital media, computerization, publications, and any derivation or evolution of the foregoing.

**Production Support.** A Studio Land Use primarily used for the support of Production Activities and employee services, and includes, but is not limited to, equipment facilities, wardrobe, and storage (indoor and outdoor), Sets/Façades manufacturing, mill shop, equipment maintenance and repair, transportation maintenance and repair, commissary, gym, audience security and processing, IT infrastructure, financial services, museum storage and display, archives, and retail associated with studio/production uses where goods are displayed, sold and/or services, including studio tours and related activities, and other similar uses.

**Project.** The construction, erection, addition to or structural alteration or modification of any building or structure, or improvement in whole or in part within the Specific Plan area that requires the issuance of a building permit or use of land permit. However, the term “Project” shall not include any of the following:

- A. Demolition in substantial conformance with the applicable provisions of the Mitigation Monitoring Program (excluding demolition of the Primary Studio Complex);
- B. Construction, replacement, or modification of utilities or other infrastructure, including, but not limited to, water and sewer facilities, gas, cable, water and electrical generation and transmission facilities and cooling towers;
- C. Interior remodeling of any building, including interior remodeling of the Primary Studio Complex unless the alteration will impact a Character-Defining Feature;
- D. A change in use within or between any building, structure, or improvement, provided that the new use is a permitted use, does not involve a Land Use Exchange per Section 5.2.E or a change between Studio Land Use categories set forth in Table 5.2.B and does not exceed the Permitted Floor Area under Table 5.2.B;
- E. The maintenance, repair, reconstruction, including, but not limited to, exterior or interior remodeling, of or to any building, structure, or improvement, provided that any exterior remodeling is consistent with Appendix D (Design Standards) of this Specific Plan, and excluding any work on the Primary Studio Complex; and

- F. Construction of Sets/Façades, and/or other production-related items (including, but not limited to, bleachers, stages, risers, tents/enclosures, sets, and other production related items) which are temporary in nature.
- G. Any construction for which a building permit is required:
  - 1. In order to comply with any order issued by the Los Angeles Department of Building and Safety (LADBS) to repair an unsafe or substandard condition; or
  - 2. In order to rebuild as a result of destruction by fire, earthquake or other natural disaster, provided that the rebuilding does not increase the height or Floor Area of the destroyed building.

**Retail.** A Studio Land Use which is limited to Neighborhood Retail uses identified in Section 13.07 C of the Code.

**Set/Façade.** A temporary or permanent structure not intended for occupancy that is constructed and used for motion picture, film, television, commercials, or digital production and any derivation or evolution of the foregoing technologies, utilized in conjunction with Production Activities.

**Sound Stage(s).** A Studio Land Use that includes permanent buildings for Production Activities and which may contain Sets/Façades.

**Stepback.** A horizontal distance by which the upper levels of a building façade is offset from the lower levels of the façade, in order to reduce building mass above a specified height.

**Studio Land Use.** Studio Land Uses are comprised of the following uses: General Office, Production Office, Production Support, Retail, and Sound Stage(s).

## **SECTION 4. PROCEDURES**

### **Section 4.1 Specific Procedures.**

- A. **Applicability of Sections 13B.3, 13B.4, and 13B.5 of the Code.** The procedures for the granting of an Administrative Review shall be governed by and implemented in accordance with Section 13B.1 of the Code. The procedures for granting a Project Compliance, modification to a Project Compliance, Project Adjustment, Project Exception, Specific Plan Interpretation, and/or Specific Plan Amendment shall be governed and implemented in accordance with the provisions set forth in Section 13B.4 of the Code. The procedures for the granting of an Alternative Compliance shall be governed by and implemented in accordance with Section 13B.5.1 of the Code, except as set forth in this Section 4.1.B of this Specific Plan.

- B. Decision and Appeal Authority.** Notwithstanding the provisions of Sections 13B.4 and 13B.5 of the Code, in each case where the Area Planning Commission has the authority for initial review, hearing, appeal and/or approval of a request for Project Compliance, modification to a Project Compliance, Project Adjustment, Project Exception, and/or Specific Plan Interpretations, such authority shall be vested in the City Planning Commission in place of the Area Planning Commission.

#### **Section 4.2 Development Review Process.**

- A.** Notwithstanding Section 13B.4 of the Code, the development review process set forth in this Specific Plan shall be applicable to, and is required for, all Projects (as defined in Section 3 of this Specific Plan) in the Specific Plan area.
- B.** Any activity that does not meet the definition of "Project" (as defined in Section 3 of this Specific Plan) can be reviewed as part of a building permit sign-off and shall not require an Administrative Review or discretionary review process as set forth in this Section. This Specific Plan's Development Review Process is divided into three categories: Administrative Review, Alternative Compliance, and Project Compliance. No grading permit, foundation permit, or building permit shall be issued for a Project unless an Administrative Review, Alternative Compliance, or Project Compliance has been approved pursuant to the procedures set forth in this Section.
- C. Administrative Review.** Projects (as defined in Section 3 of this Specific Plan) in substantial conformance with Appendix A (Initial Development Plans) or Appendix D (Design Standards), Cellular Facilities and Communication Facilities in substantial conformance with Appendix D (Design Standards), and any Alcohol Use that complies with Section 9 (Alcohol Consumption Regulations) of this Specific Plan, shall be eligible for Administrative Review. The Director shall approve an Administrative Review if the Project complies with the Specific Plan. Prior to any sign-off, the Project shall demonstrate compliance with any Project Design Features and Mitigation Measures set forth in Appendix B (Environmental Standards) of the Specific Plan which apply to the specific project, and shall demonstrate that the Project is within the scope of analysis of the Environmental Impact Report (EIR). The Administrative Review shall be a ministerial review and determination of whether a Project complies with the applicable provisions of the Specific Plan and is approved with a sign-off from the Director. The approval of an Administrative Review is not discretionary for the purposes of Sections 15060(c)(1) and 15268 of the CEQA Guidelines. The decision of the Director shall be final and not appealable.
- D. Alternative Compliance.** Projects that do not comply with a design, development, or performance standard required by Appendix D (Design Standards) of this Specific Plan, but which propose an alternative standard or condition that does not substantially alter the execution or intent of the Specific Plan, shall be eligible for an Alternative Compliance review. A Project seeking

Alternative Compliance shall be reviewed in accordance with Sections 13B.5.1.C through H of the Code, except as otherwise provided in Section 4.1.B (Decision and Appeal Authority) of this Specific Plan.

- E. Project Compliance.** Projects that request approvals allowed in accordance with Section 5.2.E, Land Use Exchange, or that do not conform to the Initial Development Plans, but otherwise comply with all applicable regulations of this Specific Plan, shall be processed as a discretionary Project Compliance pursuant to Section 13B.4.2 of the Code, as modified by Section 5 of this Specific Plan. Prior to any Project Compliance approval, the Director shall ensure that such Project substantially complies with all applicable regulations of this Specific Plan (either as submitted or with conditions imposed to achieve compliance) and complies with CEQA.
- F. Specific Plan Deviations.** An application to deviate from the development regulations in this Specific Plan shall be processed, as applicable, in accordance with the procedures for Project Adjustments, Project Exceptions, Specific Plan Interpretations, or Specific Plan Amendments, as set forth in this Specific Plan and Sections 13B.4.6 and 13B.1.2, respectively, of the Code.
- G. Development Agreement.** No building permits shall be issued by LADBS until the Department of City Planning (City Planning) has verified compliance with the terms of Case No. CPC-2021-4089-DA, Development Agreement between the City of Los Angeles and Television City Studios, LLC, authorized pursuant to California Government Code Section 65864, et seq., as applicable, and as may be amended.
- H. Specific Plan Tracking.** Each application submitted under this Specific Plan shall include Project information as indicated in Section 5.2.C (Accounting of Floor Area) of this Specific Plan.

### **Section 4.3 Environmental Standards.**

- A. Applicability.** The environmental standards in Appendix B (Environmental Standards) are included in the Specific Plan to implement the Mitigation Monitoring Program, included as part of the EIR, Case No. ENV-2021-4091-EIR (State Clearinghouse No. 2021070014), certified on  An applicant seeking an approval under this Specific Plan shall comply MONTH XX, 2023 with all applicable Environmental Standards as set forth in Appendix B (Environmental Standards), subject to the below provisions. A Project does not need to comply with any Environmental Standard that is not relevant to the scope of activities involved with the Project. For example, a Project that proposes only minor facade alterations and no grading, shall not be subject to Environmental Standards that apply to grading activities (such as noise and vibration standards). The Director, in his or her reasonable discretion, shall determine the applicability of Environmental Standards to a Project.

- B. Plans.** Compliance with all applicable Environmental Standards listed in Appendix B (Environmental Standards) shall be demonstrated on the plans as features that are physically built into the project (such as an air filtration system) or as operational measures listed on a sheet within the plans that are carried out either during the construction of the Project, or over the life of the Project, or through the submittal of other documentation, as required by the Director in his or her reasonable discretion.
- C. Specific Plan Approvals.** No approval shall be issued until an applicant has demonstrated substantial compliance with all applicable Environmental Standards or a modification of an Environmental Standards has been approved pursuant to Subsection D, below. Determination of substantial compliance shall be in the reasonable discretion of the Director.
- D. Modification of Environmental Standards.** A modification to an Environmental Standard under Section 4.3 shall not by itself require an Administrative Review, Project Compliance, Adjustment, Exception, Alternative Compliance pursuant to Section 4.2.D, or any other discretionary action. The Director or decision-making body on appeal, at the request of the Applicant, may modify or not require an Environmental Standard listed in Appendix B (Environmental Standards) for any Project when: (1) the Director finds in writing, based on substantial evidence, that the Environmental Standard is infeasible because the measure or condition has been performed by others, has been rejected by an agency with jurisdiction, or for other reasons outside of the Applicant's reasonable control and the Director has adopted a new equally or more effective measure and the new measure will not result in any new significant impact; (2) the Director finds in writing, based upon substantial evidence, the Environmental Standard is not necessary to avoid or mitigate an impact, including because of the existence of a similar or more effective regulation that applies to the Project; (3) the City complies with Section 15162 of the CEQA Guidelines, including by preparing an addendum or subsequent environmental clearance to the EIR to analyze the impacts from the modifications to the Environmental Standard; or (4) the City prepares a new CEQA clearance for the Project. No approval shall be issued for a Project with modified Environmental Standards until this subsection has been complied with. The modification of an Environmental Standard is not independently appealable unless an appeal of an entitlement or CEQA determination is otherwise available through the Specific Plan, the Code, or CEQA.
- E. Sustainability.** Each Project shall comply with sustainability measures identified in Appendix B (Environmental Standards), which incorporates commitments to water efficiency measures identified in conjunction with the Los Angeles Department of Water and Power, tailored to each subarea, including irrigation standards, California Native Plants, and efficient fixtures. Finally, Appendix B (Environmental Standards) incorporates a robust program to reduce Vehicle Miles Traveled, improving air quality and reducing emissions.

## SECTION 5. LAND USE AND DEVELOPMENT REGULATIONS

### Section 5.1 Permitted Uses.

- A. Studio Land Uses.** The uses permitted within the Specific Plan area shall be consistent with the following five Studio Land Uses: Sound Stage, Production Support, Production Office, General Office, and Retail, including, but not limited to the following ancillary uses set forth below.
- B. Ancillary Uses.** The following uses and activities shall be allowed anywhere within the Specific Plan area, as ancillary uses to the Studio Land Uses:
1. Basecamp
  2. Cellular Facilities and Communication Facilities (including, but not limited to, Community Antenna)
  3. Childcare (ancillary to General Office or Production Office)
  4. Emergency Medical Facilities (for on-site users)
  5. Helipad
  6. Infrastructure and Private and Public Utilities (including, but not limited to, Energy Systems and Structures, and Distribution Sub-Station)
  7. Parking (including, but not limited to, Automobile Parking, Automobile Storage Area or Garage, Electric Vehicle Charging Stations)
  8. Recreational and Fitness Facilities (for on-site users)
  9. Security Facilities and Entry Kiosks
  10. Sleeping Quarters (limited to infrequent use by on-site personnel and not located within the lower level used for parking, Basecamp, or Mobility Hub)
  11. Special Events
  12. Temporary Uses
  13. Existing uses/facilities that were permitted in the zone in which such existing uses/facilities were located prior to the effective date of this Specific Plan
- C. Prohibited Uses.** Unless approved by the Director as allowed in Subsection D of this Specific Plan (and consistent with the permitted Studio Land Uses), any

use not identified above shall not be permitted within the Specific Plan area..

- D. Use Not Listed.** Proposed uses not listed in Section 5.1 of the Specific Plan may be permitted upon determination by the Director, pursuant to Section 13B.4.6 (Specific Plan Interpretation) of the Code, that such uses are similar to and no more objectionable to the public welfare than the uses provided in Section 5.1 of the Specific Plan. Upon approval thereof, such uses shall be deemed Permitted Uses for all purposes under this Specific Plan.
- E. Residential Capacity.** Notwithstanding the above, in accordance with California Government Code Section 66300(b)(1), the Specific Plan area may also be developed with residential uses allowed in accordance with density and all other development standards in effect prior to the effective date of the Specific Plan, and as may be permitted pursuant to any applicable State or local law or regulation; provided, however, any such future residential Project shall be subject to receipt of all necessary governmental approvals and compliance with CEQA.

**Section 5.2 Floor Area**

- A. Floor Area.** This Specific Plan shall supersede any regulations in the Code which address the permitted Floor Area or Floor Area Ratio (FAR) for a lot. The total Floor Area contained in all buildings within the Specific Plan area shall not exceed 1,874,000 square feet.
- B. Studio Land Uses.** The permitted Floor Area by Studio Land Use category is set forth in Table 5.2.B below.

**TABLE 5.2.B  
PERMITTED FLOOR AREA BY STUDIO LAND USE CATEGORY**

<b>STUDIO LAND USE</b>	<b>PERMITTED FLOOR AREA</b>
SOUND STAGE	350,000 SF
PRODUCTION SUPPORT	104,000 SF
PRODUCTION OFFICE	700,000 SF
GENERAL OFFICE	700,000 SF
RETAIL	20,000 SF
<b>TOTAL</b>	<b>1,874,000 SF</b>

*SF = Square Feet*



- C. Accounting of Floor Area.** Prior to the issuance of any building permit resulting in the addition of Floor Area within the Specific Plan area, the Director shall verify that the total Floor Area proposed does not exceed the maximum allowed by the Specific Plan. The Director shall, at all times, maintain an updated summary sheet that accurately reflects: (a) the amount of Floor Area permitted or built within the Specific Plan; and (b) the remaining amounts of total Floor Area available under the Specific Plan. Each Administrative Review and discretionary review determination shall include, as of the date of the determination letter, the following information regarding the cumulative amounts approved through Administrative Review or discretionary actions regarding: (i) the total amount of Floor Area by Land Use Category, (ii) the amount of Floor Area exchanged for additional Sound Stage or Production Support Floor Area, if any, pursuant to Section 5.2.E (Land Use Exchange); and (iii) the number of approvals granted for alcohol permit sales.
- D. Location of Uses and Floor Area.** Any permitted use as set forth in Section 5.1 is allowed in all subareas within the Specific Plan area. A Project that includes a mix of uses identified under Table 5.2.B or with an amount of Floor Area that varies from what is set forth in the Initial Development Plans for the subarea shall still qualify for an Administrative Review if: 1) the Project is in compliance with the applicable regulations set forth in this Specific Plan; 2) the permitted Floor Area for the use does not exceed that set forth in Table 5.2.B (except as allowed by Section 5.2.E Land Use Exchange); and 3) the Total Permitted Floor Area does not exceed that set forth in Table 5.2.B.
- E. Land Use Exchange.** The Land Use Exchange procedure is established to provide development flexibility by permitting limited exchanges of permitted Floor Area between certain Studio Land Uses, as set forth above and in Table 5.2.B of this Specific Plan, while maintaining the intent and regulatory requirements of this Specific Plan. As noted in Section 4.2.E of this Specific Plan, and this Section, Floor Area from any permitted Studio Land Use may be exchanged for a limited amount of additional Sound Stage and Production Support uses. The Total Permitted Floor Area for Sound Stages and Production Support uses may exceed the square footages in Table 5.2.B as a result of Land Use Exchanges; however, under no circumstances shall the total permitted Floor Area of 1,874,000 square feet be exceeded. A Project Compliance shall be required to approve a Project involving a Land Use Exchange, as set forth below.
1. The adjustment of total permitted Floor Area for the Sound Stage, Production Support, Production Office, General Office, and Retail Studio Land Uses pursuant to the Land Use Exchange shall be limited as follows:
    - a. The total permitted Sound Stage Floor Area may be increased from 350,000 square feet up to a total of 450,000 square feet in exchange for an equivalent decrease in the Floor Area of other Studio Land Uses.

- b. The total permitted Production Support Floor Area may be increased from 104,000 square feet up to a total of 450,000 square feet in exchange for an equivalent decrease in the Floor Area of other Studio Land Uses.
- c. The total Production Office Floor Area shall not exceed 700,000 square feet.
- d. The total General Office Floor Area shall not exceed 700,000 square feet.
- e. The total Retail Floor Area shall not exceed 20,000 square feet.
- f. The total Floor Area within the Specific Plan area shall not exceed 1,874,000 square feet.

**Section 5.3 Building Height.**

**A. Maximum Building Height.** The maximum permitted building height, as measured from Grade (Project Grade), for any Project shall not exceed the heights as set forth in the Subarea Map (Map 2) and the following:

Subareas may have a base height limit, with a maximum height limited to a percentage coverage of the lot area, in order to limit bulk and massing within areas immediately surrounding the Primary Studio Complex.

**TABLE 5.3.A  
MAXIMUM BUILDING HEIGHTS BY SUBAREA**

SUBAREA	BASE HEIGHT LIMIT (in feet)	MAXIMUM HEIGHT LIMIT (in feet)	MAXIMUM COVERAGE OF SUBAREA WITH THE MAXIMUM HEIGHT (percentage of subarea area)
A	N/A	59	100
B	N/A	130	100
C	88	160	40
D	88	225	40
E	N/A	84	100
F	N/A	EXISTING CONDITIONS	EXISTING CONDITIONS

1. **Subarea A. Viewshed Restoration Area:** Subarea A is located within the northern portion of the Specific Plan area and extends 430 feet along Beverly Boulevard to the west from Genesee Avenue on the east, and southward toward the Primary Studio Complex. Buildings in Height Zone A shall be limited to 58 feet in height. Buildings in Subarea A shall also comply with the Viewshed Restoration Area objective standards included in Section 5.6 of this Specific Plan.
  2. **Subarea B. 130-Foot Height Limit:** Subarea B is located within the southeast portion of the Specific Plan area and shall be subject to a height limit of 130 feet.
  3. **Subarea C. 160-Foot Height Limit:** Subarea C is located along the western side and in the northwest and northeast sections of the Specific Plan area. Buildings in Subarea C shall be limited to a base height of 88 feet. However, a maximum height of 160 feet shall be permitted within up to 40 percent of the Subarea C area.
  4. **Subarea D. 225-Foot Height Limit:** Subarea D is located within the central and southern portion of the Specific Plan area. Buildings in Subarea D shall be limited to a base height of 88 feet. However, maximum height of 225 feet shall be permitted within up to 40 percent of the Subarea D area.
  5. **Subarea E. 84-Foot Height Limit:** Subarea E is a rooftop zone that extends a length of approximately 350 feet along the northerly façades of the Primary Studio Complex at a beginning point 55 feet south of the northerly façade of the Studio Building. Subarea E shall be subject to a height limit of 84 feet. Accordingly, new construction in Subarea E would be limited to a height of 36 feet above the existing parapet of the Studio Building within the entirety of the Subarea E area.
  6. **Subarea F. HCM Protection Area:** Subarea F is a rooftop zone that extends a length of approximately 350 feet along the northerly façades of the Primary Studio Complex, approximately 167 feet south from the northerly façade of the Service Building and approximately 55 feet south from the northerly façade of the Studio Building. The construction of any new occupiable building is prohibited in Subarea F. Existing rooftop appurtenances in Subarea F may be maintained and modernized, as long as screening is provided in conformance with the Appendix D (Design Standards).
- B. Measurement of Height.** Building height shall be measured as the vertical distance above Project Grade to the highest point of the roof structure, not including parapets or guardrails.

- C. **Elements Exempt from Height Calculation.** Roof Structures and Equipment shall be governed by Section 12.21.1 B.3 of the Code with the following addition: Communication Facilities shall be added to those items exempt from the building height limits listed in Section 12.21.1 B.3(a) of the Code.
- D. **Transitional Height.** The transitional height requirements of Section 12.21.1 A.10 of the Code shall not apply.

#### **Section 5.4 Yard, Setback (Frontage Areas), and Stepback Regulations.**

##### **A. Yards and Setbacks (Frontage Areas).**

Building setbacks (also referred to as frontage areas) shall be provided along the property lines adjacent to each public right-of-way, as well as along the southern Specific Plan area boundary, as shown in Map 1. Otherwise, no front, side, or rear yards or building setbacks are required.

These areas along the Specific Plan boundaries shall function as buffers and transitional space around the perimeter of the Specific Plan area and are identified for the purpose of improving the public realm around the perimeter of, and concentrating building mass towards the center of, the Specific Plan area.

Within these areas, features such as driveways, walkways, landscaping, fences, walls, projections, stairs, balconies, art installations, wayfinding signage, and security kiosks are permitted. Except for security facilities or entry kiosks, no building Floor Area shall be developed within the setback areas. The following setback areas shall be required, as shown in Map 2:

1. **Fairfax Avenue:** A 17-foot-wide setback shall be provided along the entire length of Fairfax Avenue.
2. **Beverly Boulevard:** A varying 5- to 8-foot-wide setback shall be provided along the entire length of Beverly Boulevard.
3. **Shared Eastern Property Line:** A 30-foot-wide setback shall be provided along the entire length of the property located at Assessor Parcel No. 5512-002-010 (Broadcast Center Apartments).
4. **The Grove Drive:** A 7-foot-wide setback shall be provided along the entire Specific Plan edge along The Grove Drive, for a total length of approximately 405 feet, excluding driveways and pedestrian entrances.
5. **Southern Property Line/Southern Shared Access Drive:** A varying 10- to 30-foot-wide setback shall be provided along the southern property line. A 10-foot-wide setback shall be provided along the approximately 570-foot-long eastern segment of the southern property line beyond the approximately 20-foot-wide access easement within the Specific Plan site

for the southern shared access drive (for a total of a 30-foot-wide area), and a 30-foot setback shall be provided along the approximately 900-foot long central portion and western segments of the southern property line, for a total length of approximately 1,470 feet.

- B. Stepbacks.** The following stepbacks are required as shown in Map 2:
- 1. Fairfax Avenue:** Within five feet of the setback along Fairfax Avenue, a 10-foot building setback shall be provided for any portion of a building that exceeds the 88-foot base height limit within Subarea C.
  - 2. Beverly Boulevard:** Within five feet of the setback along Beverly Boulevard, a 10-foot building setback shall be provided for any portion of a building that exceeds the 88-foot base height limit within Subarea C.
  - 3. Southern Specific Plan Boundary:** Within five feet of the setback along the southern Specific Plan boundary, a 20-foot building setback shall be provided for any portion of a building that exceeds the 88-foot base height limit within Subarea C or D.

#### **Section 5.6 Historic Preservation Regulations.**

- A.** This Section regulates the preservation, rehabilitation, and alteration of the Primary Studio Complex, and the demolition, alteration, and construction of new buildings adjacent to the Primary Studio Complex. The requirements of this Section and the HCM Designation shall be the exclusive historic preservation requirements applicable to the Specific Plan area.
- B.** Projects shall comply with Project Design Features CUL-PDF-1 and CUL-PDF-2, as applicable, which are included in the Mitigation Monitoring Program, in Appendix B (Environmental Standards), in compliance with Section 22.171 of the Los Angeles Administrative Code.

***[FOR REFERENCE ONLY: CUL-PDF-1 and CUL-PDF-2 are listed below, as written in the Draft EIR. These PDFs may or may not be modified in the Final EIR Mitigation Monitoring Program, to be included in Appendix B (Environmental Standards)]***

***Project Design Feature CUL-PDF-1: Project Parameters*** — *The following Project Parameters set forth the maximum permitted development footprint and building heights for new adjacent construction and additions to the Primary Studio Complex to ensure that the historic significance of the Primary Studio Complex is not adversely impacted by new construction. These Project Parameters will not limit the land uses or floor areas permitted under the proposed Specific Plan. Conceptual diagrams illustrating the Project Parameters set forth below are included in Section 9 of the Historical*

*Resources Technical Report — TVC 2050 Project (Historic Report), provided in Appendix C of the Draft EIR.*

*Rehabilitation of the Primary Studio Complex and new construction adjacent to the Primary Studio Complex will comply with the following Project Parameters:*

### ***Rehabilitation of the Primary Studio Complex***

- *Preserve the existing character-defining features of the Primary Studio Complex, as detailed in designated Historic-Cultural Monument (HCM) No. 1167 (CHC-2018-476-HCM), and restore those character-defining features which, in some cases, have been compromised in the past (prior to this Project).[1]*
- *Remove the non-historic Support Building addition on the west side of the Studio Building, thereby restoring the original volume of the Studio Building, revealing the currently obstructed portions of the Studio Building's original west wall and restoring areas that have previously been removed.*
- *Remove up to two bays of the Studio Building's west wall to allow for an interior east-west passage through the Primary Studio Complex.*
- *Remove the non-historic Mill Addition constructed in 1969 on the east side of the Service Building.*
- *Retain and rehabilitate the three-story office portion of the Service Building and its steel frame and glass curtain walls on the primary (north) and east façades.*
- *Remove the portion of the Service Building south of the three-story office, much of which has been altered since 1963.*
- *Replace the portion of the Service Building south of the three-story office with new construction that partially restores the original volume of the Service Building.*
- *Remove and/or extend the south façade of the Studio Building by up to 20 feet south.*
- *Remove portions of the roof of the Studio Building above the interior east-west passage to create a partial open-air corridor.*

### ***Rooftop Addition above the Primary Studio Complex***

- *Design any rooftop addition as a single rectangular volume.*

- *Design any rooftop addition to be a separate and distinct volume rather than as an integrated extension of the Primary Studio Complex.*
- *Limit the height of any rooftop addition to 36 feet in height when measured from the top of the parapet of the Studio Building (approximately 84 feet above Project Grade) to the roof of the rooftop addition.*
- *Set back any rooftop addition a minimum of 55 feet from the north façade of the Studio Building.*
- *Engineer the structural support of any rooftop addition so that it could be removed without impairing the essential form and integrity of the Primary Studio Complex.*

### **Adjacent New Buildings**

- *Locate new buildings immediately adjacent to the Primary Studio Complex to the east and south of the Service Building and to the west of the Studio Building.*
- *For any new construction immediately east of the Service Building that exceeds the height of the Service Building, any occupiable structure will be set back southerly from the north façade of the Service Building by a minimum of 60 feet and separated from the east façade of the Service Building by a minimum of 15 feet.*
- *For any new construction immediately west of the Studio Building that exceeds the height of the Service Building, any occupiable structure will be set back southerly from the north façade of the Service Building by a minimum of 150 feet and separated from the west façade of the Studio Building by a minimum of 10 feet.*
- *Limit new construction on the west and east of the Primary Studio Complex to 225 feet in height above Project Grade.*
- *Design new construction to the west and east of the Primary Studio Complex as distinct volumes.*
- *Permit up to six open-air bridges at the interior floor levels (three on the east and three on the west) to provide pedestrian access to the Primary Studio Complex and any rooftop addition from the adjacent new buildings.*

**Project Design Feature CUL-PDF-2: Historic Structure Report**—The Applicant will prepare a Historic Structure Report (HSR) that will further document the history of the Primary Studio Complex and guide its rehabilitation in compliance with the Secretary of the Interior’s Standards for Rehabilitation (Rehabilitation Standards). The HSR will be completed prior to the development

*of the architectural and engineering plans for the Project. The HSR will be prepared based upon the National Park Service's Preservation Brief #43: The Preparation and Use of Historic Structure Reports. The HSR will thoroughly document and evaluate the existing conditions of the character-defining features of the Primary Studio Complex and make recommendations for their treatment. The HSR will also address changes to the buildings to suit new production techniques and modern amenities as well as their on-going maintenance after Project completion. The HSR will set forth the most appropriate approach to treatment and outline a scope of recommended work before the commencement of any construction. As such, the report will serve as an important guide for the rehabilitation of the Primary Studio Complex and will provide detailed information and instruction above and beyond what is typically available prior to the rehabilitation of a historical resource.*

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*[1] The character-defining features of the Primary Studio Complex are set forth in the findings that were adopted as part of the HCM designation (CHC-2018-476-HCM), which is included in Appendix C of the Historic Report.*

- C. Non-Historic Buildings.** The demolition or substantial alteration of any building that is less than 45 years old and is not a “historical resource”, as defined in Section 15064.5 of the CEQA Guidelines, or a “historic cultural monument”, as defined in Section 22.171.7 of the Los Angeles Administrative Code, is permitted upon written verification by the Office of Historic Resources.
- D. Interior Modifications.** Demolition and alteration of any non-Character-Defining Feature is permitted and no written verification from a Historic Preservation Professional is required. The preservation, rehabilitation, and alteration of the Character-Defining Features in the interior of the Primary Studio Complex is permitted and shall require submittal and approval of written verification from a Historic Preservation Professional that the modification complies with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (Secretary of the Interior’s Standards), in compliance with Section 22.171 of the Los Angeles Administrative Code.
- E. Viewshed Restoration Area.** Any Project within Subarea A Viewshed Restoration Area shall preserve meaningful views of the Primary Studio Complex from the adjacent public right-of-way along Beverly Boulevard, as guided by the following criteria, consistent with the HCM Designation:
1. Heights of structures within Subarea A shall not exceed 58 feet.
  2. One-story buildings and structures of a similar size and height shall be permitted throughout Subarea A. Such buildings and structures within Subarea A that do not exceed 25 feet shall be permitted through the Administrative Review process set forth in Section 4.2 of this Specific Plan. Buildings and structures within Subarea A that exceed 25 feet shall



be permitted through the Project Compliance process set forth in Section 4.2 of this Specific Plan, and shall require review by the Office of Historic Resources for compliance with the HCM Designation, and may require further CEQA review.

3. View corridors from the adjacent public right-of-way along Beverly Boulevard shall maintain clear and unobstructed views of the following:
  - a. Central entryway bridge
  - b. Signage at the western corner of the Service Building
  - c. The connection between the asymmetrical volumes of the western portion of the Service Building and Studio Building (see Exhibit 1a).



**Exhibit 1a:** Illustration of Enumerated Exterior Viewshed Features Based on a No-Longer Extant View from Beverly Boulevard

- d. Glass curtain wall of the Service Building, including enough of the eastern corner of the Service Building to appear as a three-dimensional cube (see Exhibit 1b).



**Exhibit 1b:** Illustration of One Possible View of the Eastern Corner of the Service Building Showing the Glass Curtain Wall as a Three-Dimensional Cube

4. A Project shall maintain clear and unobstructed views of the exterior viewshed features. However, this does not require continuous views of the exterior viewshed features along Beverly Boulevard for the entire width of the Viewshed Restoration Area.

- F. **New Non-Adjacent Construction.** Documentation shall not be required to be submitted to the OHR for any new Project that is not directly adjacent to the Primary Studio Complex or within Subarea A.

## **SECTION 6. STUDIO OPERATION REGULATIONS**

### **Section 6.1 Standard Operation and Access.**

- A. **Hours of Operation.** The regular hours for the studio's operation shall continue to be 24 hours a day, seven days a week.

- B. **Access.** A driveway access plan shall be submitted to the Los Angeles Department of Transportation (LADOT) Development Review Section for review and approval prior to the construction of any Project pursuant to this Specific Plan, and prior to any change to the driveway access or location of a Mobility Hub. The Mobility Hub shall be an off-street area within the Specific Plan area for the temporary parking of bicycles, buses, carpools, vanpools, shuttles, ride-share, taxi and/or other alternate modes of commercial and non-commercial transit utilized for the loading and unloading of employees, passengers, and staff by means other than single-occupancy vehicles. A Mobility Hub includes the support, storage, maintenance, staging, security facilities and ridership amenities which are related to these uses. The location of loading areas and proposed Mobility Hub shall also be clearly identified. Access to the Specific Plan area shall be provided during operation with the requirements set forth below:

1. A minimum of one automobile entrance and one pedestrian entrance each shall be provided along Beverly Boulevard, Fairfax Avenue, and The Grove Drive into the Specific Plan area. All vehicular and pedestrian access points shall be gate-controlled. Additional vehicular and pedestrian ingress and egress may be provided, consistent with Appendix F (Streetscape Plan). (Additional ingress/egress beyond those shown in Appendix F [Streetscape Plan] shall be allowed as required by the Los Angeles Fire Department or LADOT for emergency access.)

### **Section 6.2 Childcare Facilities.**

- A. Conditions for the operation of a childcare use within the Specific Plan area are set forth below:

1. The establishment of any childcare use within the boundary of the Specific Plan area shall be permitted.
2. Operation of any childcare use shall comply with the applicable State of California Code of Regulations (CCR), including, without limitation, all licensing requirements.
3. Outdoor activity space (if required by the CCR) shall be located as regulated by all applicable CCRs, and shall be no closer than 200 feet from existing residential uses.
4. Any childcare use shall comply with all applicable regulations under the CCRs related to hours of operation; e.g., in no instance shall a childcare use offer any overnight lodging of children.

## **SECTION 7. VEHICULAR PARKING STANDARDS**

### **Section 7.1 Parking Standards.**

The required parking ratios and minimum parking requirements set forth in Section 12.21 A.4 of the Code shall not apply. The ratios of automobile parking permitted within the Specific Plan area for a Project shall be determined in accordance with Table 7.1.

#### **A. General Provisions.**

1. Parking spaces may include standard, compact, or disabled parking space, including tandem, stacked, valet, attendant, or other methods to optimize the number of parking spaces. Vehicles parked in tandem (double or triple) or by valet may only be utilized if parking attendants are available to move vehicles at all times that said stalls are being utilized.
2. Prior to the issuance of the Administrative Review or Project Compliance review for the first Project developed under this Specific Plan, the Specific Plan area property owner shall provide a table summarizing the existing parking supply for the Specific Plan area. With each Administrative Review or Project Compliance submittal, the Applicant shall provide a table summarizing any changes in parking required pursuant to this Section and proposed by the Project.

**TABLE 7.1  
PARKING STANDARDS**

<b>STUDIO LAND USE</b>	<b>MAXIMUM PARKING RATIO PER 1000 SF OF FLOOR AREA</b>
SOUND STAGE	2.5 SPACES
PRODUCTION SUPPORT	2.0 SPACES
PRODUCTION OFFICE	3.0 SPACES
GENERAL OFFICE	3.0 SPACES
RETAIL	2.0 SPACES

*SF = SQUARE FEET*

**Section 7.2 Location of Parking.**

Parking provided for a Project may be located anywhere within the Specific Plan area.

**Section 7.3 Valet, Tandem, and Compact Spaces.**

There is no limitation on the number, configuration, or percentage of valet, tandem, or compact spaces permitted within the Specific Plan area.

**Section 7.4 Commercial Loading.**

Project commercial loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles.

**Section 7.5 Parking for Existing Uses and Facilities.**

Any use or facility, including but not limited to buildings, structures and infrastructure, existing within the Specific Plan area as of the effective date of this Specific Plan, may be continuously maintained with parking as provided as of the effective date of this Specific Plan with no change in parking requirements.

**SECTION 8. STREETScape IMPROVEMENTS**

**Section 8.1 Streetscape Plan.**

All Projects shall comply with the TVC 2050 Streetscape Plan set forth in Appendix F (Streetscape Plan) of this Specific Plan. Beyond general City standards and

specifications that apply to streetscape projects, each Project shall be reviewed for consistency with the Streetscape Plan as a condition of approval and permitting by the Department of Public Works. In the event of a conflict between a general City standard and a standard in the Streetscape Plan, the Streetscape Plan shall prevail. Prior to the issuance of a building permit for any Project, the Director shall have the discretion to require the Applicant to record a covenant guaranteeing to the City that the Project shall improve and maintain the public right-of-way in accordance with the Streetscape Plan. The Applicant shall complete any required Streetscape Improvement prior to the issuance of a certificate of occupancy for the Project requiring such improvement.

## **SECTION 9. ALCOHOL CONSUMPTION REGULATIONS**

### **Section 9.1 Regulations for On-Site Alcohol Sales, Service, and Consumption.**

- A.** The sales and service of alcoholic beverages for on-site consumption shall be permitted within the Specific Plan area subject to the following provisions. Establishments that sell and serve alcoholic beverages for on-site consumption shall obtain, as required, licenses or permits from the State Department of Alcoholic Beverage Control (ABC).
- B. New Establishments/Uses.** On-site sales, service, and consumption of a full line of alcoholic beverages for new establishments/uses shall be subject to the following requirements.
  - 1. Number of Establishments.** A maximum of 10 establishments shall be allowed for the sale and service of a full line of alcoholic beverages for on-site consumption, including, but not limited to, restaurant, bar, or other space.
  - 2. Approval Procedure.** Each establishment subject to Section 9.1.A of this Specific Plan shall apply for an Administrative Review, to be approved by the Director. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sales or service of alcoholic beverages. The Director's review shall follow the same procedure as required for an Administrative Review, except that the Director's review shall be limited to the review of the application for substantial compliance with the conditions listed in Appendix C (Alcohol Conditions) of this Specific Plan. A table identifying all existing on-site alcohol permits within the Specific Plan area, type of alcohol application, and Floor Area of each establishment shall be submitted with the application.

Prior to the utilization of the grant for sale of alcoholic beverages, any establishment subject to Section 9.1.A of this Specific Plan shall apply for an Alcohol Use Approval following the same procedure as an Administrative Review, except that a separate sheet containing a table identifying all alcohol permits within the Specific Plan area, type of alcohol application, and the square footage of each restaurant, bar, or other space shall be submitted with the application.

The Director's review shall be limited to substantial compliance with the conditions listed in Appendix C (Alcohol Conditions).

- C. Conditions.** Each establishment and Administrative Review shall comply with the conditions for all alcohol sales and service for on-site consumption in Appendix C (Alcohol Conditions) of this Specific Plan.
- D. Modifications to Existing Establishments.** Cumulative changes of 10 percent or less in Floor Area devoted to the sale or service of alcoholic beverages, or changes of owner/operator, shall not require a new Alcohol Use Approval.
- E. Revocation.** If the conditions of Appendix C (Alcohol Conditions) have not been complied with, the City may give notice to the Applicant/licensee, property owner, and any lessee of the non-compliant alcohol establishment to appear at a time and place fixed by the City and show cause why the use permitted by this Section at such establishment should not be modified, discontinued, or revoked. These proceedings shall be in accordance with Section 13B.6.2 of the Code.
- F.** Prior to the application for the first Alcohol Use Approval under this Specific Plan, the Specific Plan area property owner shall provide a table summarizing any existing alcohol permits for the Specific Plan area. Each establishment subject to Section 9.1.A of the Specific Plan shall apply to the Director for an Alcohol Use Approval, following the same procedure as an Administrative Review, except that a separate sheet containing a table identifying all existing alcohol permits within the Specific Plan area, type of alcohol application, and the square footage of each restaurant, bar, or event space shall be submitted with the application. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages. The Director's review of the Alcohol Use Approval application shall follow the same procedures as required for an Administrative Review, except that the Director's review shall be limited to review of Alcohol Use Approval applications for substantial compliance with the conditions listed in Appendix C (Alcohol Conditions) of the Specific Plan.

## **Section 9.2 Regulations for Off-Site Alcohol Sales, Service, and Consumption.**

- A.** The sales and service of alcoholic beverages for off-site consumption shall be

permitted within the Specific Plan area subject to the following provisions. Establishments that sell and serve alcoholic beverages for on-site consumption shall obtain, as required, licenses or permits from the State Department of Alcoholic Beverage Control (ABC).

**B. New Establishments/Uses.** Off-site sales, service, and consumption of a full line of alcoholic beverages for new establishments/uses shall be subject to the following requirements.

- 1. Number of Establishments.** A maximum of 2 establishments shall be allowed for the sale and service of a full line of alcoholic beverages for off-site consumption, including, but not limited to, restaurant, bar, or other space.
- 2. Approval Procedure.** Each establishment subject to Section 9.2.A of the Specific Plan shall apply for an Administrative Review, to be approved by the Director. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sales or service of alcoholic beverages. The Director's review shall follow the same procedure as required for an Administrative Review, except that the Director's review shall be limited to the review of the application for substantial compliance with the conditions listed in Appendix C (Alcohol Conditions) of the Specific Plan. A table identifying all existing on-site alcohol permits within the Specific Plan area, type of alcohol application, and Floor Area of each establishment shall be submitted with the application.

Prior to the utilization of the grant for sale of alcoholic beverages, any establishment subject to Section 9.2.A of this Specific Plan shall apply for an Alcohol Use Approval following the same procedure as an Administrative Review, except that a separate sheet containing a table identifying all alcohol permits within the Specific Plan area, type of alcohol application, and the square footage of each restaurant, bar, or other space shall be submitted with the application.

The Director's review shall be limited to substantial compliance with the conditions listed in Appendix C (Alcohol Conditions).

**C. Conditions.** Each establishment and Administrative Review shall comply with the conditions for all alcohol sales and service for off-site consumption in Appendix C (Alcohol Conditions) of this Specific Plan.

**D. Modifications to Existing Establishments.** Cumulative changes of 10 percent or less in Floor Area devoted to the sale or service of alcoholic beverages, or changes of owner/operator, shall not require a new Alcohol Use Approval.

- E. Revocation.** If the conditions of Appendix C (Alcohol Conditions) have not been complied with, the City may give notice to the Applicant/licensee, property owner, and any lessee of the non-compliant alcohol establishment to appear at a time and place fixed by the City and show cause why the use permitted by this Section at such establishment should not be modified, discontinued, or revoked. These proceedings shall be in accordance with Section 13B.6.2 of the Code.
- F.** Prior to the application for the first Alcohol Use Approval under this Specific Plan, the Specific Plan area property owner shall provide a table summarizing any existing alcohol permits for the Specific Plan area. Each establishment subject to Section 9.2.A of the Specific Plan shall apply to the Director for an Alcohol Use Approval, following the same procedure as an Administrative Review Clearance, except that a separate sheet containing a table identifying all existing alcohol permits within the Specific Plan area, type of alcohol application, and the square footage of each restaurant, bar, or event space shall be submitted with the application. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages. The Director's review of the Alcohol Use Approval application shall follow the same procedures as required for an Administrative Review Clearance, except that the Director's review shall be limited to review of Alcohol Use Approval applications for substantial compliance with the conditions listed in Appendix C (Alcohol Conditions) of the Specific Plan.

## **SECTION 10. INTERPRETATION**

Whenever any ambiguity or uncertainty related to the provisions or application of this Specific Plan exists, the Director shall, upon application by the property owner, issue a Specific Plan Interpretation per Section 13B.4.6 of the Code, the Specific Plan requirements consistent with the purpose and intent of this Specific Plan. Ambiguity between the Specific Plan and Codeshall be interpreted in favor of and consistent with the goals and purposes of this Specific Plan. Even if the Code is more recent or more restrictive, this Specific Plan shall control.

## **SECTION 11. SEVERABILITY**

If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other Specific Plan provisions, clauses or applications which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Specific Plan are declared to be severable.