

INTERPRETATION MANUAL

UNIVERSAL STUDIOS SPECIFIC PLAN



March 6, 2023

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Purpose

The purpose of this interpretation manual is to provide guidance and clarification when ambiguity or uncertainty exists related to the application of the Universal Studios Specific Plan (Specific Plan). Per Section 22.408.230 of Los Angeles County's Title 22, when ambiguity or uncertainty makes it difficult to determine the precise application of the Specific Plan's provisions, the Director shall, upon application by the Applicant, issue written interpretations of the Specific Plan requirements consistent with the purpose and intent of the Specific Plan. The Director may consult with County Counsel and other County departments as necessary in evaluating and issuing such interpretations. These interpretations, along with background information on how they were reached, are documented in this manual.

Interpretations

I. 22.408.050 – Definitions

A. Excluded Floor Area

a. *Background*

This Section 22.408.050 (Definitions) of the Specific Plan defines Floor Area as “The total of the area in square feet of the floor surfaces confined within the exterior walls of a building.” The definition also includes a list of areas that do not count towards a building’s Floor Area. These areas which are not intended for occupation by individuals (e.g. elevator shafts, mechanical/electrical equipment rooms, sets/facades) or which may be occupied by individuals but only for brief moments (e.g. pedestrian circulation areas, parking structures, ride track areas). There are additional areas though, beyond those listed in this Floor Area definition, which qualify for exclusion from Floor Area calculations as they too are not intended for occupation by individuals or are only occupied for brief moments. This interpretation documents those additional areas.

b. *Interpretation*

It is LA County Regional Planning Staff’s (Staff) interpretation that the intent of the Specific Plan is to exclude areas not intended for occupation by individuals, or intended for brief occupation only, from counting towards a project’s Floor Area. Therefore, in addition to the excluded areas listed in the Floor Area definition of the Specific Plan, the following areas do not count towards Floor Area:

1. Storage in partial basements
2. Janitorial closets
3. Corridors
4. Receiving areas (loading docks)
5. Trash chutes
6. Mobile merchandise cart fill, wash, or storage stations

(June 2022)

B. Theme Park

a. *Background*

This Section 22.408.050 (Definitions) of the Specific Plan defines the Theme Park as “The area that has controlled access and comprises Universal Studios Hollywood and associated uses, including Entertainment Attractions, related retail, restaurants, food service facilities, and related Back-of-House and accessory uses. The Theme Park includes portions of the Universal Studio Tour and also accessory facilities such as plazas, streets, walkways, promenades, water features, parks, and other landscaped open space areas.” The Specific Plan though contains no map or further guidance on what the physical boundaries of the Theme Park are. This creates challenges for Staff when determining where provisions specific to the Theme Park apply. It was the intent of the Specific Plan though not to provide permanent, well-defined boundaries for the Theme Park.

Per Exhibit 2-B of the Specific Plan, the areas of the Universal Studios Lot regulated by the Specific Plan are split into four Land Use Districts (Business, Entertainment, Studio, and Backlot). Per Specific Plan Section 22.408.070 (Land Use and Design Regulations), the Theme Park is a permitted use within each of these districts. The Specific Plan allows NBCUniversal to propose new or eliminate the Theme Park use

from each district through a land use application submittal to LA County Planning. Therefore, the Theme Park's physical boundaries are meant to fluctuate over the course of time. Given this fluidity, the purpose of this interpretation is to provide Staff with guidance when need arises to identify the Theme Park's physical boundaries.

b. Interpretation

It was the intent of the Specific Plan not to prescribe static boundaries for the Theme Park. The Theme Park's boundaries are fluid and subject to change as modifications are made to the operating area for Universal Studios Hollywood, the Universal Studio Tour, and associated facilities and uses. When identifying Theme Park boundaries, Staff shall, at their discretion, define those boundaries based on the operating area for Universal Studios Hollywood, the Universal Studio Tour, and associated facilities at the particular point in time for which they are defining the boundaries. When documenting those boundaries, Staff shall include a time stamp and a note stating that such boundaries are subject to change.

(June 2022)

II. 22.408.110 – Alcoholic Beverages Regulations

A. Level of Review for New Alcohol Selling Establishments

a. Background

Per this Section 22.408.110, new alcohol selling establishments are permitted by the Specific Plan. The Specific Plan's regulations regarding the level of review required to permit these new alcohol selling establishments are ambiguous though. The purpose of this interpretation is to clarify the required level of review.

New alcohol selling establishments are addressed in the alcohol beverages regulations of the Specific Plan within Section 22.408.110.A which states the following:

“Existing Establishments/Uses. There are 20 establishments existing as of the effective date of this Specific Plan as shown on Exhibit 8-A that are permitted to sell and serve alcoholic beverages for on-site consumption including one that also is permitted for off-site consumption sales within the Universal Studios Specific Plan area. Within 30 days of the effective date of this Specific Plan, the Universal Studios Specific Plan area property owner shall provide the Director a list of the existing establishments including the address and the type of alcohol permit of each establishment and their respective floor plan(s). **An additional 15 new establishments for the sale and/or service of alcoholic beverages for on-site and/or off-site consumption may be permitted within the Universal Studios Specific Plan area pursuant to the regulations set forth below.**”

The pertinent regulation set forth below is Section 22.408.110(A)(3) regarding new establishments/uses. This section states the following:

“Following the effective date of this Specific Plan, in addition to the establishments selling and serving alcoholic beverages existing as of the effective date of this Specific Plan as provided for in Section 22.408.110.A.1.a, A.1.b and A.1.c, above, **a maximum of 15 new establishments shall be permitted to sell and serve a full line of alcoholic beverages as provided in Section 22.408.110.B, C, and D, below.**”

Section 22.408.110(B) and 22.408.110(C) address alcohol use approvals for new hotel and cinema uses. New hotel and cinema uses would therefore count as part of the 15 new establishments. Section 22.408.110(D) addressed other new alcohol use establishments and states the following:

“Approval Process for Other New Alcohol Use Establishments. Any additional establishments requesting to sell or serve alcoholic beverages for either on-site or off-site consumption **beyond those permitted by Section 22.408.110.A—C, above, shall be subject to a Conditional Use Permit** pursuant to, and the modification, inspection and enforcement requirements of, Sections 22.56 and 22.60 of the Zoning Code...”

Sections 22.408.110.A-C, as discussed above, address the 15 new establishments including hotel and cinema uses. Therefore, it was not the intent of the Specific Plan to require a Conditional Use Permit (CUP) for these 15 new establishments as they are permitted by Sections 22.408.110.A-C. It was the intent of the Specific Plan though for these 15 establishments to have some level of review. Both Sections 22.408.110.B (Hotel) and 22.408.110.C (Cinema) state that the operator shall apply for alcohol use approval via a Substantial Conformance Review (SCR). Therefore, consistent with Sections 22.408.110.B and C, new alcohol use establishments permitted under Section 22.408.110.A shall also apply for alcohol use approval via a SCR.

This interpretation was made in consultation with Supervising Regional Planner Alex Garcia who participated in the development of the Specific Plan. Mr. Garcia confirmed that this interpretation is consistent with the intent of the Specific Plan when developed.

b. Interpretation

The Specific Plan allows for 15 new alcohol selling establishments (including cinema and hotel use establishments) without the requirement of a CUP. Those 15 new establishments though are required to seek approval from County Planning for the sale of alcohol via a SCR. Any new alcohol selling establishments beyond the 15 permitted under sections 22.408.110.A-C of the Specific Plan are subject to a CUP.

(March 2022)

B. Back Lot/Studio Grill Alcohol Sales

a. Background

Per Section 22.408.110 of the Specific Plan, there were 20 existing establishments authorized to continue selling alcohol at the inception of the Specific Plan. These 20 establishments are mapped in Exhibit 8-A of the Specific Plan below.

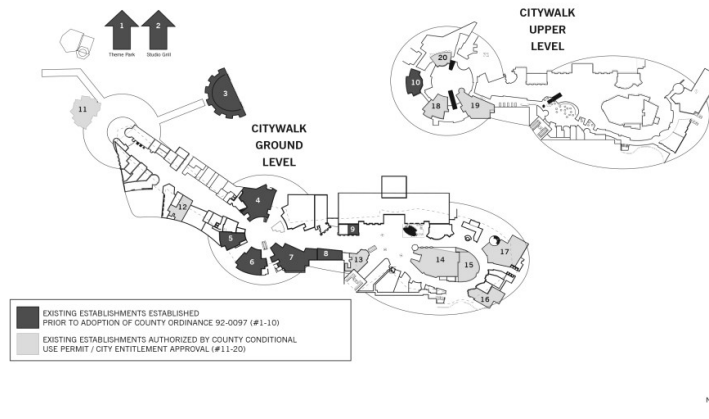


EXHIBIT 8-A – Locations of Existing Establishments That Sell and/or Serve Alcoholic Beverages

One of these establishments is the Studio Grill, identified in this exhibit as one of the two arrows on the top left-hand corner pointing north. The Specific Plan though contains no further guidance on the location of the Studio Grill. A list of existing alcohol selling establishments submitted to County Planning per Section 22.408.110(A) of the Specific Plan though identifies the Back Lot as the location of the Studio Grill (referred to as the Universal Grill in the document). The lack of specificity on the location of the Studio Grill creates a challenge for Staff when determining where in the Back Lot alcohol sales can be conducted under the authorization for alcohol sales granted to the Studio Grill. The purpose of this interpretation is to clarify the location of the Studio Grill.

For the purpose of this interpretation, the “Back Lot” refers to all areas regulated by the Specific Plan outside of the Theme Park (see Section I.B of this Interpretation Manual above for the Theme Park definition) and City Walk as identified on Exhibit 2-B of the Specific Plan. It is Staff’s interpretation that, when it pertains to alcohol sales, the intent of the Specific Plan was for the Studio Grill to function within the “Back Lot” much like the Theme Park and in contrast to establishments on City Walk.

Per Exhibit 8-B of the Specific Plan, the Theme Park is considered a single establishment with a single permit and is permitted to sell a full line of alcoholic beverages at various location with its boundaries. The Theme Park operates as a single unit in a highly controlled environment. Access to the Theme Park is highly regulated and alcohol purchased within the Theme Park must be consumed within its boundaries. Like the Theme Park, the “Back Lot” also operates as a single unit in a highly controlled environment. Furthermore, alcohol selling establishments in the “Back Lot” are closed to the public and therefore do not need to be individually regulated as City Walk establishments, which are all accessible to the public.

Given that the “Back Lot” operates as a single entity and alcohol sales are not accessible to the general public, it is Staff’s interpretation that the “Back Lot” is a single alcohol selling establishment identified in Exhibit 8-A of the Specific Plan as the Studio Grill.

b. Interpretation

The “Back Lot” shall be considered a single alcohol selling establishment identified in Exhibit 8-A of the Specific Plan as the Studio Grill and shall be permitted to sell a full line of alcoholic beverages within its boundaries. For the purpose of this

interpretation, the “Back Lot” refers to all areas regulated by the Specific Plan outside of the Theme Park (see Section I.B of this Interpretation Manual above for the Theme Park definition) and City Walk as identified on Exhibit 2-B of the Specific Plan.

(April 2022)

III. 22.408.210 – Substantial Conformance Review (SCR)

A. Submittal Criteria

a. *Background*

NBCUniversal projects submitted to LA County Planning typically require a SCR per this Section 22.408.210 of the Specific Plan. On June 3, 2019 though, LA County Planning issued a memo to the Department of Public Works titled “Regional Planning Referral Policy” outlining the types of projects regulated by Title 22 exempt from formal review and approval by LA County Planning. Consistent with this memo, the first purpose of this interpretation is to provide a similar list of exempt projects custom though to the Specific Plan’s unique regulations.

On February 29, 2012, County Planning issued an internal memo titled “Zoning Conformance Review Application Criteria.” This memo outlined the types of Title 22 ministerial projects that would qualify for a Zoning Conformance Review (ZCR) application. These are projects which tend to be small and minor, requiring less time and effort by Staff to process. Consistent with this memo, the second purpose of this interpretation is to provide a similar list of projects that would qualify for a ZCR custom to the Specific Plan’s unique regulations.

This section of the interpretation manual does not apply to projects explicitly identified in the Specific Plan as requiring a Substantial or Sign Conformance Review application.

b. *Interpretation*

Exemptions

The following types of NBCUniversal projects may be exempt from formal review and submittal to County Planning:

1. Uses and activities listed in Section 22.408.060(C) of Title 22 (https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT22PLZO_DIV11SPPL_CH22.408UNSTSPPL_22.408.060DELI)
2. Window/door relocation and/or change out within an existing structure outside of the Historic District.
3. New or replacement accessory equipment (i.e. generators, air conditioning (AC) unit, water heaters etc.) with no impact to protected trees or the parking table required per Section 22.46.2130(A)(2) of the Specific Plan (Parking Table).
4. Maintenance and/or repair of accessory equipment (i.e. generators, air conditioning (AC) unit, water heaters etc.)
5. Minor interior modifications if the Land Use Category does not change.
6. Fence/wall/hedges no more the 6ft in height that are not serving as a retaining wall or underneath a protective tree.
7. Repair or maintenance of an existing permitted structure with no increase in height. This includes reroofing with the same material without reshaping the structure of the roof.

8. Shade structures (i.e., canopies) outside of the Historic District with no impact to the Parking Table or protected trees.
9. Uncovered concrete pads or decks outside the Historic District that do not require more than 50 cubic yards of grading, do not impact protected trees, and do not impact the Parking Table.
10. Maintenance and/or repair of parapet walls if height remains the same.
11. Restriping of an existing parking lot with the same configuration or with no reduction in the required number of parking spaces.
12. Tenant improvements where no change in Land Use Category is proposed, there is no impact to the Parking Table, and no impact to floor area.

This list does not capture all project scenarios. LA County Planning staff has the discretion to exempt projects not listed above from requiring formal LA County Planning review. For all projects which may qualify for an exception, NBCUniversal shall submit a brief project description, including location, to LA County Planning staff. LA County Planning staff will assess the project and determine if it qualifies for an exception. In scenarios where LA County Planning staff determine that a project does not require formal review, LA County Planning shall inform NBCUniversal and the appropriate Building & Safety (B&S) staff via email.

Zoning Conformance Review

The following types of NBCUniversal projects may qualify for a ZCR:

1. Exterior maintenance or remodeling of existing structures where increase in height is proposed.
2. Window/door relocation and/or change out within an existing structure in the Historic District.
3. New or replacement accessory equipment (i.e. generators, air conditioning (AC) unit, water heaters etc.) impacting the Parking Table.
4. Tenant improvements and/or minor interior modifications involving change of Land Use Category, and/or impacts to the Parking Table and/or floor area.
5. Shade structures (i.e., canopies) and uncovered concrete pads or decks within the Historic District and/or which impact the Parking Table.
6. Reroofing involving the use of different material and/or reshaping of the roof.
7. Maintenance and/or repair of parapet walls if height increases.
8. New construction under 1000 square feet of Floor Area.

All projects which impact floor area, the Parking Table, and/or involve a minimum of 50 cubic yards of grading shall, at a minimum, require a ZCR. The list above does not capture all project scenarios. Should a project not meet the ZCR criteria, NBCUniversal shall file for the appropriate review and/or be exempt as determined by County Planning staff.

(March 2022)

B. Floor Area Inventory Calculation

a. Background

Per Section 22.408.210.D.5 with each SCR application, NBCUniversal must fill out and submit Table 20-1 below containing an inventory of Floor Area for each Land Use category.

TABLE 20-1 SUBSTANTIAL CONFORMANCE REVIEW FLOOR AREA INVENTORY					
Land Use Category	Total Existing Development (sf)	Proposed Project Demolition (sf)	Proposed Project Gross New Development (sf)	Proposed Project Net New Development (sf)	Total Development including Proposed Project (sf)
Studio Use					
Studio Office					
Office					
Hotel					
Entertainment Use					
Entertainment Retail Use					
Amphitheater					
TOTAL					

The Specific Plan though provides no guidance on how to calculate each column on the table. As a result, this table has been filled out inconsistently. For example, within the Specific Plan’s boundaries discrepancies are known to exist between some buildings’ floor area on record vs their actual floor area in the field. As a result, one project’s proposed demolition (column 3) could be calculated based on a building’s floor area on record while the next project’s may be based on a building’s actual floor area in the field. The purpose of this interpretation is to create consistency on how to each column should be calculated.

b. Interpretation

Per Section 22.408.210.D.5 of the Specific Plan, with each SCR application NBCUniversal must prepare and submit a Table 20-1 containing an inventory of Floor Area for each Land Use Category. Quantities for each column within the table shall be calculated as follows:

1. Total Existing Development (sf) – The square footage depicted under “Total Development including Proposed Project (sf)” in the latest Table 20-1 submitted to, and approved by, LA County Planning.
2. Proposed Project Demolition (sf) – The square footage proposed to be demolished based on a building’s floor area on record. A building’s floor area on record can be found in the latest summary of required parking submitted to, and approved by, LA County Planning.
3. Proposed Project Gross New Development (sf) - The square footage of all new floor area being proposed within the inside perimeter of the exterior walls of a building.
4. Proposed Project Net New Development (sf) - The square footage of those areas defined as Floor Area per Section 22.408.050 of the Specific Plan and Section II.A.1 of this interpretation manual.
5. Total Development including Proposed Project (sf) – “Total Existing Development (sf)” minus “Proposed Project Demolition (sf)” plus “Proposed Project Net New Development (sf)”.

(September 2022)