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VIA EMAIL

October 11, 2016

City Council
City of Los Angeles
c/o City Clerk
200 N. Spring Street, Room 395
Los Angeles, CA 90012

File No. 043172-0005

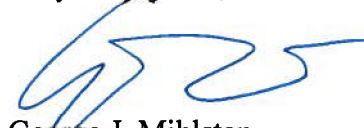
Re: October 11, 2016, Agenda, Items 4, 5, 6, 22, 23, and 47: Paramount Pictures Master Plan Project (Council File Nos. 16-0876, 16-0876-S1, 16-0876-S2)

Dear President Wesson and Honorable Councilmembers:

On behalf of Paramount Pictures, we are providing for your consideration responses to comments recently submitted by Beth S. Dorris on behalf of Mary Ann Biewener regarding the proposed Paramount Pictures Master Plan (Attachment A). Previous comments from Ms. Dorris and others were addressed in letters we previously submitted to the Planning and Land Use Management Committee and City Council.

Consistent with the recommendations of the Planning and Land Use Management Committee, the City Planning Commission, and Planning Department staff, we respectfully request your approval of the Paramount Pictures Master Plan and the related actions.

Very truly yours,



George J. Mhlsten
of LATHAM & WATKINS LLP

Attachment

cc: Sharon Keyser, Paramount Pictures
Luciralia Ibarra, Department of City Planning
Elva Nuno-O'Donnell, Department of City Planning

Attachment A

Responses to Comments submitted on behalf of Mary Ann Biewener (“Biewener Comments”)

The Biewener Comments dated September 27, 2016, repeat prior comments that have already been addressed by City Planning staff and in prior letters from Latham & Watkins to the Planning and Land Use Management Committee and the City Council. Contrary to assertions in the Biewener Comments, the Deputy Advisory Agency and the City Planning Commission have made explicit findings that the proposed entitlements, including the proposed tentative map and the design and improvement of the proposed subdivision, are consistent with applicable general and specific plans. Further, the conditions of approval for the tract map include a requirement that prior to issuance of the building permit or the recordation of the final map, the General Plan Amendment, zone change, and proposed Specific Plan case associated with the Project (Case No. CPC-2011-2459-GPA-ZC-SP-SN-CA) must be decided. In the event the General Plan Amendment, zone change, and proposed Specific Plan are not approved, a tract modification is required. (See condition 23 of the conditions for Tentative Tract No. 71751). In addition, prior to recordation of the final map, the Applicant is required to show compliance with the conditions/requirements of the General Plan Amendment, zone change, and proposed Specific Plan case as applicable. (See condition 10.c of the conditions for Tentative Tract No. 71751).

Both the Subdivision Map Act and the Los Angeles Municipal Code provide authority to the City to conditionally approve tentative maps (Government Code Section 66415; LAMC Section 17.03.A). The Subdivision Map Act also requires a tract map to be consistent with the “**applicable** general and specific plans.” (Government Code Section 66474(a) (emphasis added).) The Subdivision Map Act provides that “[i]f the subdivision applicant requests changes in the applicable ordinances, policies or standards in connection with the same development project, **any ordinances, policies or standards adopted pursuant to the applicant’s request shall apply.**” (Subdivision Map Act Section 66474.2(c) (emphasis added).)¹ Accordingly, the tentative map is properly conditioned on the General Plan Amendment, zone change, and proposed Specific Plan requested in connection with the Project, and the General Plan *as amended* is applicable to the map.

The recommended actions before the City also include explicit recommended findings with regard to the proposed General Plan Amendment and proposed Specific Plan, including compliance with Section 555 of the Los Angeles City Charter. In particular, the City recommended findings state that “[t]he Project site has a significant economic and physical

¹ We note that the 1975 case cited in the Biewener Comments (*Woodland Hills Residents Ass’n, Inc. v. City Council of Los Angeles*) pre-dated Section 66474.2(c), which was added to the Subdivision Map Act by the state legislature in 1982. In any event, the *Woodland Hills* case is inapplicable because it involved a failure to make *any* express general plan consistency findings, which is not the case here.

identify in that it represents the Paramount Studios, the largest movie, television, and entertainment studio physically located within Hollywood. The majority of the Project Site has been used for motion picture and television production for nearly 100 years, and Paramount Studios is an integral and historic entity in the entertainment industry.” The City’s findings conclude that the Ancillary Lots serve an important support function for the Paramount Studios, reinforcing an area that has its own economic and physical identity.

With regard to the procedural concern expressed in the Biewener Comments regarding initiation of the General Plan Amendment, the Los Angeles City Charter authorizes the Director of Planning, in addition to the City Council and the City Planning Commission, to initiate the process to amend the General Plan. (Charter Section 555(b); LAMC Section 11.5.6(B).) The City’s findings for the Project explain that in compliance with Section 555 of the Los Angeles City Charter, the Director of Planning proposed the amendment to the Hollywood Community Plan and Wilshire Community Plan. The City has established a process, consistent with the Charter, which allows land owners and members of the public to petition the City to consider a proposed plan amendment; however, the Director of City Planning retains the authority to reject a request or choose to initiate the process to amend the General Plan. This process was followed by Paramount and City Planning. Paramount submitted its request, which was taken under consideration by City Planning. After internal review and consideration of the request, the Director of Planning (not Paramount) then properly initiated the General Plan Amendment under authority granted by Los Angeles City Charter Section 555(b).

In addition to the September 27th comments, various exhibits (approximately 150 pages) were just added to the Council file on behalf of Ms. Biewener. Many of the exhibits are articles and reports from the 1960’s and do not appear to have any relevance to the Paramount Pictures Master Plan.