

City Hall East
200 N. Main Street
Room 800
Los Angeles, CA 90012

(213) 978-8100 Tel
(213) 978-8312 Fax
CTrutanich@lacity.org
www.lacity.org/atty



CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 1 - 0 2 2 6

JUN 14 2011

REPORT RE:

REVISED DEPARTMENT OF CITY PLANNING FEE ORDINANCE AMENDING SECTIONS 19.01, 19.02, 19.03, 19.05, 19.06 AND 19.10 OF THE LOS ANGELES MUNICIPAL CODE RELATING TO APPLICATION FEES FOR PLANNING APPROVALS AND INCREASING THOSE FEES TO RECOVER FULL CITY OVERHEAD RATE

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 09-0600-S50

Honorable Members:

This Office previously transmitted an ordinance to amend Sections 19.01, 19.02, 19.03, 19.05, 19.06 and 19.10 of the Los Angeles Municipal Code (LAMC) as they relate to the fees for filing applications under the Zoning Code. (City Attorney Report No. 11-0208, dated June 3, 2011.) This revised ordinance makes a technical change to incorporate another recent amendment to one of the affected LAMC Sections. The enclosed ordinance, which is approved as to form and legality, should be substituted for the draft ordinance previously transmitted.

These amendments are necessary to increase application fees for planning approvals to recover 100% of City-wide overhead costs associated with such applications.

On April 17, 2009, the Department of City Planning submitted its comprehensive fee study and recommendations to the City Council. The recommendations were adopted on August 5, 2009. These recommendations included a phased-in approach for the City overhead rates. The plan, as adopted by Council and approved by the Mayor, was to charge no overhead costs in the first year, 50% of the overhead costs in the second year, and the remaining 50% of the overhead costs in the third year.

Ordinance No. 180,847 (CF 09-0969), representing the first year fees (no overhead), was adopted by the City Council on August 12, 2009, and approved by the Mayor on August 25, 2009, with an effective date of October 26, 2009.

Ordinance No. 181,528 (CF 09-0600-S50), representing the second year fees (50% of overhead), was adopted by the City Council on January 4, 2011, and approved by the Mayor on January 12, 2011, with an effective date of February 19, 2011.

The attached draft ordinance provides for the third year phase, including full City overhead rates.

In addition to including the overhead rates, the draft ordinance includes two minor changes:

- 1) The Relief from Fence Height Limitation fee will be expanded to include fence or wall structures in excess of eight feet high. This will remove an inequity whereby approval of fences under eight feet high are charged a fee of \$4,525 and fences over eight feet high are charged only \$2,685. (Section 19.01 E of the Code.)
- 2) Plan Approvals for Revocation cases will now be charged full cost recovery based on actual billings. In the current fee structure, this is a flat fee of \$31,315. Under the proposed ordinance, applicants would pay a \$5,000 initial deposit, then be billed for the actual cost of processing the application. This should better reflect the cost differences among businesses of various types and sizes and encourage compliance with the City's zoning regulations. (Section 19.01 P of the Code.)

Fiscal Impact Statement

The increases in the proposed ordinance should increase annual fee revenue by approximately 11%, or \$1.1 million if implemented for a full fiscal year. The two minor changes are not anticipated to have a significant impact on revenues.

CEQA Findings

Regarding a finding pursuant to the California Environmental Quality Act (CEQA), the Director of Planning recommends that the City Council adopt Categorical Exemption

ENV-2005-1102-CE, pursuant to Article II, Section 2, Subsection (m) of the City's CEQA Guidelines, because these ordinance changes do not of themselves have any impact on the physical environment. If the City Council concurs, it must adopt ENV-2005-1102-CE.

Charter Findings Not Required

The attached final draft ordinance strictly relates to correcting the fee schedule and is not a land use ordinance. For this reason, this ordinance is not subject to approval by the City Planning Commission pursuant to Charter Section 559. This ordinance is consistent with previous action taken on similar ordinances, including Ordinance No. 180,847, which subsequently have been enacted into law.

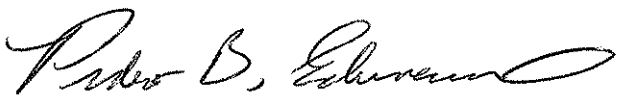
Fee Notice Requirement

The attached final draft ordinance increases a number of existing fees. Prior to adopting a new fee or increasing an existing fee, the City Council must conduct a public hearing concerning the matter, as required by Government Code Section 66018. Notice of the time and place of the meeting at which the hearing will be held, including a general description of the matter to be considered, must be published in accordance with Government Code Sections 66016 and 6062a. Those sections of State law require that prior to adoption of a new or increased fee a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication. After conducting the hearing, the City Council should determine whether the amounts of the fees contained in the draft ordinance are appropriate. The City Council may impose these fees so long as the fees do not exceed the expected cost of providing the requested services.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. He or another member of this Office will be available to answer any questions you may have when you consider this matter.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:KTF:zra
Transmittal

ORDINANCE NO. _____

An ordinance amending Sections 19.01, 19.02, 19.03, 19.05, 19.06 and 19.10 of the Los Angeles Municipal Code relating to application fees for planning approvals.

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

Section 1. Subsection A of Section 19.01 of the Los Angeles Municipal Code is amended to read:

A. Establishment or Change of Zones, Height Districts or Supplemental Use Districts and Other Related Actions.

The following fees shall be charged for a zone change, height district or supplemental use district when that action is consistent with the General Plan. (See Section 19.03 for zone change requests that are not consistent with the General Plan.)

[FILING FEE]

Type of Application	Fee (1)
Zone Change – Single Family and Multi-Family dwelling up to 49 units (Section 12.32)	\$ 11,734 (2)
Zone Change – Single Family and Multi-Family dwelling - additional fee for each 50 units over 49 (Section 12.32)	\$ 5,747 (2)
Zone Change – Non-residential less than and including 49,999 square feet (Section 12.32)	\$ 11,737
Zone Change – Non-residential 50,000 square feet and greater (Section 12.32)	\$ 16,440
Clarification of Q Classifications or D Limitations (Section 12.32 H.)	\$ 4,428
Land Use Determinations by City Planning Commission (Section 12.24.1)	\$ 11,060
Amendment of Council's Instructions involving (T) Tentative Classifications (Section 12.32)	\$ 4,264
Height District Change (Section 12.32)	\$ 11,123
Supplemental Use District: Change or Removal including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and SN Districts (Section 12.32 S.)	\$ 67,915
Supplemental Use District: Establishment including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and SN Districts (Section 12.32 S.)	\$134,608

Conditions of Approval for Oil Drilling (Section 13.01 H.)	\$7,650
Zone Boundary Line Adjustment (Section 12.30 H.)	\$5,473
Building Line - Establishment, Change or Removal (Section 12.32)	\$8,833
Surface Mining Permits (Section 13.03)	\$2,640

Notes:

- (1) See Section 19.01.V. for multiple applications.
- (2) Determination of Credit for Recreation and Park Fees.
 - (a) A filing fee of \$149.00 shall accompany each application for a credit pursuant to Section 12.33 B.
 - (b) A fee equal to 85% of the filing fee shall accompany each appeal of a determination of credit made pursuant to Section 12.33 B.

Sec. 2. Subsection C of Section 19.01 of the Los Angeles Municipal Code is amended to read:

C. Commission Conditional Uses and Other Similar Quasi-Judicial Approvals and Public Benefit Approvals.

[FILING FEE]

Type of Application	Fee *
Conditional Use by Area Planning Commission or City Planning Commission (Sections 12.24 U. and 12.24 V.)	\$13,224
Public Benefit Project, including sign off for by-right project, i.e., shelter for homeless, religious and philanthropic institution	\$338
Public Benefits Alternative Compliance Proposal (Section 14.00 B.)	\$16,938
Modification of Existing Conditional Use Permit by Area Planning Commission or City Planning Commission (Section 12.24 M.)	\$ 8,878
Letters of Correction, Modification or Clarification of a determination by a Zoning Administrator or the Director initiated by Applicant	\$ 1,331

*See Section 19.01 V. for multiple applications.

Sec. 3. Subsection D of Section 19.01 of the Los Angeles Municipal Code is amended to read:

D. Variances, Adjustments or Modifications from the Regulations and Requirements of the Zoning Ordinances.

[FILING FEE]

Type of Application	Fee *
Variance (Sections 12.24 Y. and 12.27)	\$6,448
Adjustment by Zoning Administrator except Single Family dwelling (Section 12.28 A.)	\$5,370
Adjustment by Zoning Administrator for Single Family dwelling (Section 12.28 A.)	\$2,685
Slight Modification by Zoning Administrator (Section 12.28 B.2.)	\$3,941
Reasonable Accommodation Determination (Section 12.22 A.27.)	\$3,311

*See Section 19.01 V. for multiple applications.

Sec. 4. Subsection E of Section 19.01 of the Los Angeles Municipal Code is amended to read:

E. Zoning Administrator Conditional Uses, Interpretations and Various Quasi-Judicial Approvals.

[FILING FEE]

Type of Application	Fee *
Zoning Administrator Interpretation of Yard or Use Regulations (Section 12.21 A.2.)	\$5,831
Conditional Use by Zoning Administrator – Alcohol [on- or off-site] and Entertainment [dance halls, hostess dance halls, massage parlors] (Sections 12.24 W.1. and 12.24 W.18.)	\$6,459
Conditional Use by Zoning Administrator – all other uses (Section 12.24 W.)	\$5,358
Modification or Review by Zoning Administrator (Sections 12.24 J., 12.24 L. and 12.24 M.)	\$5,754
Relief from Fence Height Limitation (under 8 feet) or other Height Limitation for similar structures above 8 feet (Sections 12.24 X.7., 12.24 X.8., and 12.28)	\$4,525

Child Care less than or equal to 50 children in the R-3 zone or Large Family Daycare (Section 12.24 X.)	\$4,601
Certified Farmer's Market (Section 12.24 X.6.)	\$2,641
Service of Alcohol in a small restaurant less than or equal to 50 seats (Section 12.24 X.2.)	\$6,040
Approval to Erect Amateur Radio Antenna (Section 12.24 X.3.)	\$2,592
Zoning Administrator Determination under Section 12.24 X. unless listed separately	\$6,093
Miscellaneous Clearance - Zoning Administrator	\$1,722
Miscellaneous Clearance - Zoning Administrator Single Family dwellings with no exceptions	\$861

* See Section 19.01 V. for multiple applications.

Sec. 5. Subsection F of Section 19.01 of the Los Angeles Municipal Code is amended to read:

F. Fees for Historic Related Applications.

[FILING FEE]

Type of Application	Fee (1)
Historic Preservation Overlay Zone: Establishment, Change or Removal (Section 12.20.3)	\$138,017 (2)
Historic Preservation Overlay Zone (HPOZ) Preservation Plan (stand alone application of Preservation Plan, not as part of establishment, change or removal of the original HPOZ)	\$30,998
HPOZ Certificate of Appropriateness not involving new construction or additions (Section 12.20.3)	\$473
HPOZ Certificate of Appropriateness or Compatibility for new additions or construction up to 750 square feet (Section 12.20)	\$708
HPOZ Certificate of Appropriateness or Compatibility for new additions or construction over 750 square feet (Section 12.20)	\$1,706
Historic Resources Building Permit Clearance (Larger Project)	\$783
APC/DEM Case (Historic) demolition of main structure	\$4,317
APC/DEM Case (Historic) demolition of accessory structure	\$2,158

Notes:

- (1) See Section 19.01 V. for multiple applications.

(2) HPOZ fees are not to be charged for technical corrections to a previously certified Historic Resource Survey.

Sec. 6. Subsection G of Section 19.01 of the Los Angeles Municipal Code is amended to read:

G. Sign Application.

[FILING FEE]

Type of Application	Fee
Sign Modification by Zoning Administrator (Section 14.4.20)	\$6,448
Comprehensive Sign Program (Section 14.4.21)	\$11,738
Amendment of Comprehensive Sign Program (Section 14.4.21)	\$5,748

Sec. 7. Subsection H of Section 19.01 of the Los Angeles Municipal Code is amended to read:

H. Temporary Subdivision Direction Signs.

Type of Application	For First Sign Appertaining to One Subdivision	For each additional sign
Request for Approval to Erect Temporary Subdivision Directional Signs	\$1,052	\$383

Sec. 8. Subsection I of Section 19.01 of the Los Angeles Municipal Code is amended to read:

I. Fees for Plan Approvals.

[FILING FEE]

Type of Application	Fee *
Miscellaneous Clearance – Director or Commission	\$745
Landscape Plan Approval (including water management approval) as part of a Discretionary Approval	\$647
Building Permit Sign-off for minor Projects	\$199

*See Section 19.01 V. for multiple applications.

Sec. 9. Subsection J of Section 19.01 of the Los Angeles Municipal Code is amended to read:

J. Commission or Director Approvals.

[FILING FEE]

Type of Application	Fee *
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Minor (Section 11.5.7 and Article 3 of Chapter 1)	\$1,477
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Standard (Section 11.5.7 and Article 3 of Chapter 1)	\$3,244
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Standard (Single Family) (Section 11.5.7 and Article 3 of Chapter 1)	\$1,622
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Major (Section 11.5.7 and Article 3 of Chapter 1)	\$4,787
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Major (Single Family) (Section 11.5.7 and Article 3 of Chapter 1)	\$2,393
Project Permit Compliance with Design Review Board - Minor (Section 11.5.7 and Article 3 of Chapter 1)	\$2,496
Project Permit Compliance with Design Review Board – Minor (Single Family) (Section 11.5.7 and Article 3 of Chapter 1)	\$1,248
Project Permit Compliance with Design Review Board - Standard (Section 11.5.7 and Article 3 of Chapter 1)	\$4,167
Project Permit Compliance with Design Review Board – Standard (Single Family) (Section 11.5.7 and Article 3 of Chapter 1)	\$2,083
Project Permit Compliance with Design Review Board – Major (Section 11.5.7 and Article 3 of Chapter 1)	\$5,628
Project Permit Compliance with Design Review Board – Major (Single Family) (Section 11.5.7 and Article 3 of Chapter 1)	\$2,814
Design Review Board – Preliminary (Section 16.50 E.3.)	\$3,044
Design Review Board – Preliminary for Single Family residential dwelling (Section 16.50 E.3.)	\$1,522
Project Permit Modification (Section 11.57 D.)	\$3,308
Project Permit Adjustment (Section 11.57 E.)	\$4,901
Specific Plan Exception (Section 11.5.7 F.)	\$14,932

Specific Plan Amendment (Section 11.5.7)	\$40,560
Specific Plan Interpretation (Section 11.5.7)	\$2,994

*See Section 19.01 V. for multiple applications.

The following definitions shall be used in the categories for Project Permit Compliance:

Minor cases are defined as three signs or less or a change of use.

Standard cases are defined as more than three signs, wireless cases, or projects with additions of less than 200 square feet.

Major cases are all other projects not falling into the categories of Minor or Standard projects.

Sec. 10. Subsection L of Section 19.01 of the Los Angeles Municipal Code is amended to read:

L. Transfer Plan.

[FILING FEE]

Type of Application	Fee *
Approval of Transfer of Floor Area Plan (Article 4.5)	\$16,292

*See Section 19.01 V. for multiple applications.

Sec. 11. Subsection M of Section 19.01 of the Los Angeles Municipal Code is amended to read:

M. Extension of Time or Suspension of Time Limits for Planning and Zoning Matters.

[FILING FEE]

Type of Application	Fee
Time Extension for other than Maps	\$708

Sec. 12. Subsection N of Section 19.01 of the Los Angeles Municipal Code is amended to read:

N. Adult Entertainment Business Exception.

[FILING FEE]

Type of Application	Fee *
Adult Entertainment Business Exception within 500 feet of another Adult Entertainment Establishment (Section 12.22 A.20.)	\$5,317

*See Section 19.01 V. for multiple applications.

Sec. 13. Subsection O of Section 19.01 of the Los Angeles Municipal Code is amended to read:

O. Density Increase.

[FILING FEE]

Type of Application	Fee *
Application for a Density Bonus including a request for one or more Incentives included in the Menu of Incentives (Section 12.22 A.25(g)(2))	\$7,115
Application for a Density Bonus including a request for an Incentive not included in the Menu of Incentives (Section 12.22 A.25(g)(3))	\$23,287
Application for a density increase in excess of that permitted by Section 12.22 A.26. (Sections 12.24 U.26.)	\$20,718

*See Section 19.01 V. for multiple applications.

Sec. 14. Subsection P of Section 19.01 of the Los Angeles Municipal Code is amended to read:

P. Modifications or Discontinuance of Use Pursuant to Nuisance Abatement Proceedings.

[FILING FEE]

Type of Application	Fee
Imposition of Conditions (Section 12.27.1)	\$26,680

Reconsideration (Section 12.27.1)	\$29,866
Plan Approval for Revocation case (Initial Deposit) (Section 12.27.1)	\$5,000

In addition to the initial deposit for plan approval for revocation cases set forth in this section, fees shall be paid for the actual costs associated with the plan approval process.

The Planning Department shall calculate the actual costs and resultant fee, in accordance with Chapter 35, Section 5.403(b)3 of Division 5 of the Los Angeles Administrative Code and shall maintain appropriate accounting records of the actual costs. The Director of Planning shall resolve any dispute related to the fee. The Director shall exclude from consideration any cost incurred or attributed to the processing of appeals.

Sec. 15. Subsection S of Section 19.01 of the Los Angeles Municipal Code is amended to read:

S. Site Plan Review.

[FILING FEE]

Type of Application	Fee*
Site Plan Review Application for Residential Project of 50 or more dwelling units (Section 16.05)	\$7,806
Other Site Plan Review Application (Section 16.05)	\$7,925

*See Section 19.01 V. for multiple applications.

Sec. 16. Subsection U of Section 19.01 of the Los Angeles Municipal Code is amended to read:

U. Hillside. Application pursuant to Section 12.21 A.17 of this Code to permit increased Lot coverage, reduced parking or additional height for One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map (Section 12.24 X.11); and application to permit construction of or addition to One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet; and application to permit construction of, or addition to, One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map on Substandard Hillside Limited Streets where

providing parking requires the Grading of 1,000 or more cubic yards from the Lot (Section 12.24 X.21).

Application pursuant to Section 12.21 C.10 and Section 12.24 X.28 on properties zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map to:

1. Reduce Front and Side Yard setback requirements;
2. Permit additions of up to 1,000 square-feet to Structures existing prior to August 1, 2010;
3. Exceed the maximum envelope height;
4. Increase the maximum Lot coverage;
5. Exceed the Grading, import and export limits;
6. Reduce the number of required off-street parking; or
7. Permit construction of or addition to One-Family Dwellings on properties which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet.

Filing Fee	Fee for Each Appeal
\$6,094	85% of filing fee

Sec. 17. Subsection X of Section 19.01 of the Los Angeles Municipal Code is amended to read:

X. Eldercare Facility Unified Permit Application.

[FILING FEE]

Type of Application	Fee *
Eldercare Facility Unified Permit Application (Section 14.3.1)	\$6,369

* See Section 19.01 V. for multiple applications.

Sec. 18. Subsection Y of Section 19.01 of the Los Angeles Municipal Code is amended to read:

Y. Green Building Program Application Fee.

[FILING FEE]

Type of Application	Fee
Green Building Program Application (Section 16.10)	\$282

Sec. 19. Section 19.02 of the Los Angeles Municipal Code is amended to read:

SEC. 19.02. FILING FEES - DIVISION OF LAND AND PRIVATE STREET MAPS AND APPEALS.

The following fees and charges shall be paid to the Department, except as otherwise specified here, in connection with the following:

A. Subdivision Maps.

1. Tentative Map.

(a) Single-Family Residential Dwellings.

(1) RE40 or More Restrictive Zones:

Type of Application	Fee
5 to 10 Lots	\$11,219
11 to 49 Lots	\$12,662
Each 50 Lots over 49 Lots (additional)	\$3,867

(2) RE20 or Less Restrictive Zones:

Type of Application	Fee
5 to 10 Lots	\$10,165
11 to 49 Lots	\$11,257
Each 50 Lots over 49 Lots (additional)	\$3,073

(b) Multi-Family Residential Dwellings:

Type of Application	Fee
5 to 49 Units	\$10,416
50 to 99 Units	\$13,856
100 Units or More	\$17,611

(c) Commercial/Industrial:

(1) With Building:

Type of Application	Fee
Less than 50,000 Square Feet of Floor Area	\$12,552
50,000 to Less Than 100,000 Square Feet of Floor Area	\$14,309
100,000 to Less Than 250,000 Square Feet of Floor Area	\$16,065
250,000 Square Feet of Floor Area or More	\$17,822

(2) Without Building:

Type of Application	Fee
Less Than 1 Acre	\$11,498
1 to Less Than 5 Acres	\$12,552
5 Acres or More	\$13,608

(d) *Phasing of Map.* For each request for the Advisory Agency to approve the recording of a final map which covers only a portion of the property shown on an approved tentative map pursuant to the provisions of Subsection B. of Section 17.07 of this Code a fee of \$545.00.

(e) *Very High Fire Hazard Severity Zone.* For tentative maps within Very High Fire Hazard Severity Zones, as described in Section 57.25.01 of this Code, a surcharge of one-half the sum of the fees paid pursuant to paragraphs (a) through (c) shall be paid.

(f) *Mixed Use.* Where the project involves a combination of Single-Family, Multi-Family, Commercial, and/or Industrial uses, the highest fee, including modifications to the base fee, shall be charged at 100 percent (100%), the second highest at fifty percent (50%), and the

third and subsequent fee at twenty-five percent (25%). This fee discounting shall not apply to the surcharge required by paragraph (e) of this subdivision.

2. **Final Map.**

(a) Before acceptance for examination by the City Engineer, the Department of Public Works, through its Bureau of Engineering, shall charge and collect a fee for each and every final map submitted to the City Engineer, plus a fee for each lot shown on the map except the lots required by the City to be reserved as planting strips or for street purposes. The fees to be charged shall be determined and adopted in the same manner as provided in Section 12.37 I.1 of this Code for establishing fees.

(b) Where a part of the subdivision is located in an area within the Very High Fire Hazard Severity Zone pursuant to Section 57.25.01 of this Code, a hillside surcharge of one-half the fee collected for each final map and each lot shown on the map shall be charged.

(c) In addition to the original fee, a resubmission fee shall be charged and collected for each and every map, or any part of a map, submitted to the City Engineer more than three times, including the original submission, and shall be paid each time a map or any part is submitted. Resubmission shall include submitting a final map to the City Engineer after the map or any part has been returned to the subdivider or his or her representative by the City, upon the City's initiative or upon request of the subdivider or his or her representative. The fee charged shall be determined and adopted in the same manner as provided in Section 12.37 I.1. of this Code for establishing fees.

(d) In the event a final map is filed for the purpose of reverting subdivided land to acreage or for merger and resubdivision of land pursuant to the Subdivision Map Act, the Department of Public Works, through its Bureau of Engineering, shall charge and collect, in addition to any fee imposed here, an additional fee determined and adopted in the same manner as provided in Section 12.37 I.1. of this Code for establishing fees.

(e) In the event a final map is filed for the purpose of reverting subdivided land to acreage or for merger and resubdivision of land pursuant to the Subdivision Map Act, and the City Council has given preliminary approval to the vacation of any street or streets within the subject property, the Department of Public Works, through its Bureau of Engineering, shall charge a fee in lieu of the fee imposed under Paragraph (d) above which shall be in addition to any other fee imposed here. The

fee shall be determined and adopted in the same manner provided in Section 12.37 I.1. of this Code for establishing fees.

3. **Improvement Plans.** Engineering, checking and inspection fees shall be deposited with the City in accordance with the provisions of Sections 62.109 and 62.110 of this Code.

4. **Appeals.** Each appeal of a tentative map shall be accompanied by the payment of a fee pursuant to Section 19.01 B of this Code.

5. **Modifications.** Each request for a modification of an approved Tentative Map or Recorded Final Map shall be accompanied by the payment of the appropriate fee indicated in Section 19.02 F of this Code.

B. Parcel Maps.

1. **Preliminary Parcel Map.**

(a) Residential Dwellings, up to 4 Lots:

Type of Application	Fee
Single-Family, RE40 or More Restrictive Zones	\$9,989
Single-Family, RE20 or Less Restrictive Zones	\$8,935
Multi-Family	\$10,416

(b) Commercial/Industrial, up to 4 Lots:

(1) With Building:

Type of Application	Fee
Less than 50,000 Square Feet of Floor Area	\$12,552
50,000 to Less Than 100,000 Square Feet of Floor Area	\$14,309
100,000 to Less Than 250,000 Square Feet of Floor Area	\$16,065
250,000 Square Feet of Floor Area or More	\$17,822

(2) Without Building:

Type of Application	Fee
Less Than 1 Acre	\$11,498
1 to Less Than 5 Acres	\$12,552
5 Acres or More	\$13,608

(c) Other Parcel Map Actions:

Type of Application	Fee
Parcel Map Exemption (Lot Line Adjustment) (Section 17.50 B.3(c))	\$3,507
Parcel Map Waiver (Section 17.50 D.)	\$3,729

(d) *Very High Fire Hazard Severity Zone.* For preliminary parcel maps within the Very High Fire Hazard Severity Zones, as described in Section 57.25.01 of this Code, a surcharge of one-third the sum of the fees paid pursuant to paragraphs (a) and (b) shall be paid.

(e) *Mixed Use.* Where the project involves a combination of Single-Family, Multi-Family, Commercial, and/or Industrial uses, the highest fee, including modifications to the base fee, shall be charged at 100 percent (100%), the second highest at fifty percent (50%), and the third and subsequent fee at twenty-five percent (25%). This fee discounting shall not apply to the surcharge required by paragraph (d) of this subdivision.

2. **Certificate or Conditional Certificate of Compliance.** A fee of \$3,683.00 shall be paid for each determination of the Advisory Agency with respect to a certificate or conditional certificate of compliance pursuant to California Government Code Section 66499.35. The above fee shall be waived when the Advisory Agency has approved a division of land and collected a fee without the requirement of a final map being filed with the County Recorder. In every case, the applicant shall also pay a fee equal to the amount required by law for recording any certificate or conditional certificate of compliance issued in connection with the decision.

3. **Final Parcel Map.**

(a) Before acceptance for examination by the City Engineer, the Department of Public Works, through its Bureau of Engineering, shall charge and collect a fee for each final parcel map submitted to the City Engineer, plus an additional fee for each parcel shown on each map except those areas required by the City to be reserved as planting strips or for street purposes. The fees shall be determined and adopted in the same manner as provided in Section 12.37 I.1 of this Code for establishing fees.

(b) Where the final parcel map includes parcels located in an area within the Very High Fire Hazard Severity Zone pursuant to Section 57.25.01 of this Code, a hillside surcharge of one-half the fee collected for each final parcel map and each parcel map shown on the map shall be charged.

(c) In addition to the original fee, a resubmission fee shall be charged and collected for each map, or any part of the map, submitted to the City Engineer more than three times, including the original submission, and shall be paid each time a map or any part is submitted. Resubmission shall include submitting a parcel map to the City Engineer after the map or any part has been returned to the subdivider or his or her representative by the City, either upon the City's initiative or upon request of the subdivider or his or her representative. The fee shall be determined and adopted in the same manner as provided in Section 12.37 I.1 for establishing fees.

(d) In the event a final parcel map is filed for the purpose of reverting subdivided land to acreage or for merger and resubdivision of land pursuant to Sections 17.10 or 17.10.1 of this Code, the Department of Public Works, through its Bureau of Engineering, shall charge and collect, in addition to any fee imposed, a fee determined and adopted in the same manner as provided in Section 12.37 I.1 of this Code for establishing fees.

4. **Appeals.** Each appeal of a preliminary map shall be accompanied by the payment of a fee pursuant to Section 19.01-B.

5. **Modifications.** Each request for a modification of an approved Preliminary Map or Recorded Final Map shall be accompanied by the payment of the appropriate fee indicated in Section 19.02-F.

C. Private Street Map.

1. **Filing Fee.**

Type of Application	Fee
Deemed to be Approved Private Street (Section 18.00-C)	\$ 3,787
Private Street Map	\$15,421
Very High Fire Hazard Severity Zone Private Street Map	\$22,415

(a) In the event the person plotting or dividing land as lots or building sites pursuant to Article 8 of this chapter shall elect to subdivide land in accordance with Article 7 of this chapter within one year from the filing date of the private street map, the fees required and paid under this subsection may be applied against the payment of the fees required by Subsection A of this section.

(b) For each request for modification of the requirements governing private streets pursuant to the provisions of Section 18.12 of this Code, a fee of \$3,168.00 shall be paid. For each and every lot or building site shown on a private street map, excepting the lots or building

sites as are shown at the request of the City Engineer to facilitate the description of the land to be acquired by condemnation proceedings, a fee of \$56.00 shall be paid.

D. Mobile Home Park Impact Reports.

1. **Filing Fee.**

Type of Application	Fee
Mobile Home Park Impact Report (4 th Paragraph of Section 17.04)	\$13,992

2. If no request for hearing is filed within the time periods set forth in Section 47.09 D.5. of this Code, upon written demand by park management, a refund of \$5,229.00 shall be made to park management.

E. Condominium Conversion for Subdivision and Parcel Maps.

1. **Residential Dwellings:**

(a) **Filing Fee.**

Type of Application	Fee
1 to 4 Units	\$8,055
5 to 49 Units	\$16,109
50 to 99 Units	\$19,575
100 Units or More	\$22,161

(b) For the approval of any relocation assistance plan required by Section 12.95.2 F.6. of this Code, a fee of \$177.00.

2. **Commercial/Industrial:**

Type of Application	Fee
Less than 50,000 Square Feet of Floor Area	\$13,430
50,000 to Less Than 100,000 Square Feet of Floor Area	\$14,309
100,000 to Less Than 250,000 Square Feet of Floor Area	\$15,187
250,000 Square Feet of Floor Area or More	\$16,065

3. **Mixed Use:** Where the project involves a combination of Residential, Commercial, and/or Industrial uses, the highest fee shall be charged at 100 percent (100%), the second highest at fifty percent (50%), and the third and subsequent fee at twenty-five percent (25%). This fee discounting shall not apply to the fee required by paragraph (b) of subdivision 1 of subsection E of this Section 19.02 of this Code, above.

F. Map Related Fees.

Type of Application	Fee
Review of grading plans in hillside areas having an area in excess of 60,000 square feet to determine whether a tract map is required to be filed	\$12,201
Review or Revision of Tentative/Preliminary Map, Prior to Hearing	\$889
Review or Revision of Tentative/Preliminary Map, After Hearing	\$1,374
Modification to Approved Tentative/Preliminary Map (Sections 17.11, 17.53-H) or Recorded Final Map (Sections 17.14, 17.59)	\$8,052
Reversion to Acreage (Section 17.10)	\$8,876
Quimby Fee Calculation (per instance)	\$276
Advisory Agency (AA) Public Discussion Meeting at a time post-hearing and before Determination	\$1,734
Time Extension for Maps	\$793
Letter of Clarification or Correction (initiated by Applicant)	\$1,331

Sec. 20. Section 19.03 of the Los Angeles Municipal Code is amended to read:

SEC. 19.03. FEES FOR GENERAL PLAN CONSISTENCY.

The following fees shall be charged when a zone change is requested by an applicant that necessitates the initiation of a General Plan Amendment to achieve consistency between the requested zone change and the General Plan:

[FILING FEE]

Type of Application	Fee *
Zone Change and associated costs for a General Plan Amendment for less than 400 dwelling units, less than 500,000 square feet for commercial/ industrial, or less than 250,000 square feet for mixed use (Section 11.5.6)	\$23,884
Zone Change and associated costs for a General Plan Amendment for 400 dwelling units or greater, 500,000 square feet or greater for commercial/ industrial, or 250,000 square feet or greater for mixed use (Section 11.5.6)	\$32,116
Annexation, Zone Change and associated costs for a General Plan Amendment less than 400 dwelling units, less than 500,000 square feet for commercial/ industrial, or less than 250,000 square feet for mixed use (Section 11.5.6)	\$46,357
Annexation, Zone Change and associated costs for a General Plan Amendment for 400 dwelling units or greater, 500,000 square feet or greater for commercial/ industrial, or 250,000 square feet or greater for mixed use (Section 11.5.6)	\$62,566

*See Section 19.01 V. for multiple applications.

Sec. 21. Section 19.05 of the Los Angeles Municipal Code is amended to read:

SEC. 19.05. FILING FEES FOR ENVIRONMENTAL CLEARANCES.

A. Fees. For the processing of each initial study prepared or environmental impact report (EIR) filed in connection with a permit application, or for the processing of any supplemental report or for the preparation of a general exemption pursuant to City CEQA Guidelines, the following fees shall be paid to the appropriate City departments at the time the permit application is filed or the supplemental report or general exemption is prepared or processed:

1. Environmental Clearances Except EIRs:

Type of Application	Fee
Categorical Exemption	\$81
Environmental Assessment Form (EAF) / Initial Study leading to Negative Declaration or Mitigated Negative Declaration	\$2,280
Mitigated Negative Declaration – Expanded	\$1,953
Reconsideration of Prior Environmental Determination	\$703
Publication Fee for Negative Declaration or Mitigated Negative Declaration	\$946

2. Environmental Impact Reports:

(a) Initial Deposit.

(1) Non-Very High Fire Hazard Severity Zone Areas

Type of Application	Fee
Less Than 1 Acre in Area	\$7,156
1 to Less Than 5 Acres in Area	\$11,520
5 Acres or More in Area	\$11,696

(2) Very High Fire Hazard Severity Zone Areas

Type of Application	Fee
Less Than 1 Acre in Area	\$14,710
1 to Less Than 5 Acres in Area	\$21,448
5 Acres or More in Area	\$32,770

(b) Supplemental EIR. A fee of one-half the original filing deposit shall be paid for the processing of any report supplemental to the environmental impact report.

(c) **EIR Full Cost Recovery.** In addition to the fees set forth in this section, fees shall be paid for the actual costs associated with the City's preparation and processing of an environmental impact report, and processing of applications for all discretionary approvals associated with it.

For purposes of this section, any discretionary approval related to the use of land where an environmental impact report is required includes the following: adjustment; building line; coastal development permit; conditional use; parcel map; plan approval; private street; adoption, amendment or repeal of a specific plan pursuant to Subsection (b) of Government Code Section 65456; any approval which is required to be consistent with a specific plan pursuant to Subsection (a) of Government Code Section 65456; subdivision map, zone change, including zone changes pursuant to Section 11.5.8 of this Code; and variance. The actual costs shall be offset by the fees collected pursuant to this chapter.

The Planning Department shall calculate the actual costs and resultant fee, in accordance with Chapter 35, Section 5.403(b)3 of Division 5 of the Los Angeles Administrative Code and shall maintain appropriate accounting records of the actual costs. The Director of Planning shall resolve any dispute related to the fee. The Director shall exclude from consideration any cost incurred or attributed to the processing of appeals.

The processing of an initial study is not required as a prerequisite to the filing of an environmental impact report. For the purposes of this section, the definition of "Very High Fire Hazard Severity Zone" contained in Section 57.25.01 of this Code shall apply.

The requirements of this subsection shall not apply to the Harbor Department.

B. Child-Care Fees. No fee shall be charged in connection with the processing of an initial study or filing of an environmental impact report for any child care facility or nursery school which is determined to be nonprofit, including but not limited to parent cooperatives and facilities funded by a governmental agency or owned or operated by a philanthropic institution, church, or similar institution. A facility funded by a governmental agency shall indicate the primary current and anticipated source of funds.

Where any uncertainty exists as to the nonprofit status of the facility, the applicant shall file a copy of the articles of incorporation or an affidavit showing, to the satisfaction of a Zoning Administrator, that the child care facility will be nonprofit.

Sec. 22. Subsection A of Section 19.06 of the Los Angeles Municipal Code is amended to read:

SEC. 19.06. FILING FEES FOR COASTAL DEVELOPMENT PERMITS.

A. Filing Fees. In addition to any other fees set forth in this Code, the following fees shall be charged and collected by the permit granting authority in connection with the filing of all applications for coastal development permits:

[FILING FEE]

Type of Application	Fee *
Coastal Development Permit for Single Family and Multi-family residential dwelling (Section 12.20.2)	\$7,057
Coastal Development Permit for Single Family residential dwelling with no exceptions (Section 12.20.2)	\$3,528
Coastal Development Permit for Non-residential (Section 12.20.2)	\$7,798
Coastal Development Permit Exemption Determination (Section 12.20.2.1)	\$684
Coastal Development Permit Approval in Concept (Section 12.20.2)	\$703
Coastal Development Permit Amendment for Single Family and Multi-family residential dwelling and non-residential (Sections 12.20.2.1 Q. and 12.20.2 O.)	\$6,456
Coastal Development Permit Amendment for Single Family residential dwelling with no exceptions (Sections 12.20.2.1 Q. and 12.20.2 O.)	\$3,228
Mello Compliance Review	\$828

*See Section 19.01 V. for multiple applications.

B. Filing Fees for Environmental Impact Reports and Negative Declarations. Where an environmental impact report or negative declaration is prepared for a project for which application for a coastal development permit has been made, a negative declaration or environmental impact report shall consider the effect of the project in light of the criteria established in Section 12.20.2 G 1 (a) through (e) of this Code, and no additional charge shall be made. Where the underlying project is otherwise exempt from the preparation of a negative declaration or environmental impact report but either document is required for the coastal development permit, those fees set forth in Section 19.05 of this Code shall be applicable, and shall be collected by the appropriate permit granting authority.

Sec. 23. Section 19.10 of the Los Angeles Municipal Code is amended to read:

SEC. 19.10. DEVELOPMENT AGREEMENT FEES.

[FILING FEE]

Type of Application	Fee
Request for a pre-development agreement consulting session with the City Planning Department staff	\$798
Initial Development Agreement Application (Section 12.32)	\$29,690

In addition to the fees set forth above, the City may negotiate with the applicant for reimbursement of the actual costs to City associated with administering the development agreement. The actual costs assessed shall be offset by the fees collected as indicated in the table above.

Sec. 24. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By *Kenneth T. Fong*

KENNETH T. FONG
Deputy City Attorney

Date 6-13-2011

File No. CF 09-0600-S50