

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
CITY PLANNING COMMISSION

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ERIC HOLOMAN
FR. SPENCER T. KEZIOS
YOLANDA OROZCO
BARBARA ROMERO
MICHAEL K. WOO
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271
VINCENT P. BERTONI, AICP
DEPUTY DIRECTOR
(213) 978-1274
JANE BLUMENFELD
ACTING DEPUTY DIRECTOR
(213) 978-1272
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.planning.lacity.org

March 16, 2010

Honorable Members of the City Council
c/o Office of the City Clerk
Room 395, City Hall
Mail Stop 160

Attention: Lauraine Braithwaite, Legislative Assistant

CORRECTIONS TO THE DEPARTMENT OF CITY PLANNING FEE ORDINANCE NO. 180874 AND INCREASES TO INCLUDE A PORTION OF THE CITY OVERHEAD RATE – CF 09-0969 AND CF 09-0600-S50

On April 17, 2009, the Department of City Planning submitted its comprehensive fee study and recommendations to the Mayor and City Council. The report was heard at a joint Planning and Land Use Management (PLUM) and Budget and Finance Committee meeting on June 1, 2009. The City Council adopted the report on August 5, 2009, with a second reading on August 12, 2009. Ordinance No. 180847 was approved by the Mayor on August 25, 2009. The new fees were implemented on October 26, 2009.

The discussion in adopting the fees included a phased-in approach for the City overhead rates. The proposal was to have 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. This draft ordinance provides for the second year phase of the overhead rates.

During the implementation phase of the new fees and fee calculator, the Department recognized some omissions and corrections that were needed in the adopted fee ordinance. Therefore, we are transmitting a draft correcting ordinance to address these issues, as well as adding 50% of the City overhead rates as instructed by the City Council.

The specific changes requested are as follows:

- 1) Letters of Correction, Modification or Clarification are only charged for Zoning Administrator or Director Determinations, and when an applicant makes the request. Reference to the Deputy Advisory Agency is being

moved to Section 19.02 F and language is being added to indicate charges when "initiated by Applicant". Applicants are not charged when a correction, modification or clarification is required as a result of Department error. (Section 19.01 C.)

- 2) The fees for Mills Act applications should have been placed in Section 19.144 of the Administrative Code, not the Municipal Code. Therefore, they are being removed from this fee ordinance. (Section 19.01 F.)
- 3) The fee for miscellaneous approval of plans was inadvertently left off from the new ordinance. There was no intent to delete or change the amount from the previous code section. This fee is being restored at the previous rate of \$745. (Section 19.01 I.)
- 4) The fees related to project permits were originally applicable to each application. Project permit applications for the same project should only be charged once and, therefore, the reference to "each" is being removed. (Section 19.01 J.)
- 5) The fee for Specific Plan Interpretation was inadvertently left off from the new ordinance. This fee is being restored at the rate of \$2,659. Also, new definitions are being added to this section to clarify the distinction between minor, standard, and major project permit compliance cases. (Section 19.01 J.)
- 6) The revocations section is being clarified to show that charges apply only when the cases are City initiated. (Section 19.01 P.)
- 7) The formats for Section 19.02 relating to Division of Land and Private Streets and Section 19.05 relating to Environmental Impact Reports is completely revised to be more understandable and include fee categories that were inadvertently left off.
- 8) The fee for Certificate of Compliance was changed in one portion of the ordinance but not changed in the text language. This correction is simply to eliminate any contradiction of fees. (Section 19.01 B.2)
- 9) The fees for General Plan Consistency are being amended to cite the correct code section and make changes to the square foot ranges to avoid overlap. (Section 19.03)
- 10) The language for the Mitigated Negative Declaration – Expanded is being changed to delete reference to "per additional study". This fee may be charged whenever required, not only when an additional study is requested. (Section 19.05)

Correction to Fee Ordinance

March 16, 2010

Page 3 of 3

- 11) The language in the pre-development counseling session is being amended to delete reference to "prior to filing an application for a Development Agreement." (Section 19.10)

Fiscal Impact Statement

The corrections proposed will have no fiscal impact on the General Fund. However, the increases included in the proposed ordinance to account for 50% of the City overhead rates can be expected to generate approximately \$850,000 in the Planning Case Processing Special Revenue Fund.

If you have any questions regarding this request, please contact me at (213) 978-1271 or Deputy Director of Planning Eva Yuan McDaniel of my staff at (213) 978-1273.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Gail Goldberg" with a stylized flourish at the end.

S. GAIL GOLDBERG, AICP
Director of Planning

Attachment: Draft Correcting Ordinance

cc: Carmen A. Trutanich, City Attorney
Miguel Santana, City Administrative Officer
Gerry Miller, Chief Legislative Analyst

ORDINANCE NO. _____

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

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

Sec. 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) | \$10,428 (2) |
| Zone Change – Single Family and Multi-Family dwelling - additional fee for each 50 units over 49 (Section 12.32) | \$5,105 (2) |
| Zone Change – Non-residential less than and including 49,999 square feet (Section 12.32) | \$10,431 |
| Zone Change – Non-residential 50,000 square feet and greater (Section 12.32) | \$14,612 |
| Clarification of Q Classifications or D Limitations – each (Section 12.32 H) | \$3,935 |
| Land Use Determinations by City Planning Commission – each (Section 12.24.1) | \$9,829 |
| Amendment of Council's Instructions involving (T) Tentative Classifications – each (Section 12.32) | \$3,787 |
| Height District Change – each (Section 12.32) | \$9,885 |

| | |
|---|-----------|
| 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) | \$59,566 |
| 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) | \$119,676 |
| Conditions of Approval for Oil Drilling – each (Section 13.01 H) | \$6,773 |
| Zone Boundary Line Adjustment – each (Section 12.30 H) | \$4,865 |
| Building Line- Establishment, Change or Removal (Section 12.32) | \$7,850 |
| Surface Mining Permits – each (Section 13.03) | \$2,338 |

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 percent 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 – each (Sections 12.24 U and 12.24 V) | \$11,753 |

| | |
|--|----------|
| Public Benefit Project, including sign off for by-right project, i.e., Shelter for Homeless, religious and philanthropic institution | \$299 |
| Public Benefits Alternative Compliance Proposal – each (Section 14.00 B) | \$15,055 |
| Modification of Existing Conditional Use Permit by Area Planning Commission or City Planning Commission – each (Section 12.24 M) | \$7,891 |
| Letters of Correction, Modification or Clarification of a determination by a Zoning Administrator or the Director initiated by Applicant | \$1,179 |

* 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 (Section 12.27) | \$5,709 |
| Adjustment by Zoning Administrator except Single Family dwelling (Section 12.28 A) | \$4,755 |
| Adjustment by Zoning Administrator for Single Family dwelling (Section 12.28 A) | \$2,377 |
| Slight Modification by Zoning Administrator – each (Section 12.28 B 2) | \$3,490 |
| Reasonable Accommodation Determination – each (Section 12.22 A 27) | \$2,941 |

* 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) | \$5,163 |
| 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) | \$5,719 |
| Conditional Use by Zoning Administrator – all other uses (Section 12.24 W) | \$4,744 |
| Modification or Review by Zoning Administrator (Sections 12.24 J, 12.24 L and 12.24 M) | \$5,095 |
| Relief from Fence Height Limitation (Sections 12.24 X.7 and 12.24 X.8) | \$4,007 |
| Child Care less than or equal to 50 children in the R-3 zone or Large Family Daycare (Section 12.24 X) | \$4,074 |
| Certified Farmer’s Market – each (Section 12.24 X.6) | \$2,338 |
| Service of Alcohol in a small restaurant less than or equal to 50 seats (Section 12.24 X.2) | \$5,348 |
| Approval to Erect Amateur Radio Antenna – each (Section 12.24 X.3) | \$2,295 |
| Zoning Administrator Determination under Section 12.24 X unless listed separately – each | \$5,396 |
| Miscellaneous Clearance requiring Zoning Administrator decision – each | \$1,525 |
| Miscellaneous Clearance requiring Zoning Administrator decision for Single Family dwellings with no exceptions – each | \$762 |

* 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 – each (Section 12.20.3) | \$122,020 (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) | \$27,559 |
| HPOZ Certificate of Appropriateness not involving new construction or additions (Section 12.20.3) | \$420 |
| HPOZ Certificate of Appropriateness or Compatability for new additions or construction up to 750 square feet (Section 12.20) | \$599 |
| HPOZ Certificate of Appropriateness or Compatability for new additions or construction over 750 square feet (Section 12.20) | \$1,181 |
| Historic Resources Building Permit Clearance (Larger Project) | \$693 |
| APC/DEM Case (Historic) demolition of main structure | \$3,838 |
| APC/DEM Case (Historic) demolition of accessory structure | \$1,919 |

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) | \$5,709 |

| | |
|--|----------|
| Comprehensive Sign Program (Section 14.4.21) | \$10,431 |
| Amendment of Comprehensive Sign Program (Section 14.4.21) | \$5,105 |

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 | \$936 | \$341 |

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, Approval of Plans | \$745 |
| Landscape Plan Approval (including water management approval) as part of a Discretionary Approval – each | \$576 |
| Building Permit Sign-off for minor Projects | \$177 |

* 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 13) | \$1,314 |

| | |
|--|---------|
| Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Standard (Section 11.5.7 and 13) | \$2,880 |
| Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Standard (Single Family) (Section 11.5.7 and 13) | \$1,444 |
| Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Major (Section 11.5.7 and 13) | \$4,251 |
| Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases – Major (Single Family) (Section 11.5.7 and 13) | \$2,131 |
| Project Permit Compliance with Design Review Board - Minor (Section 11.5.7 and 13) | \$2,221 |
| Project Permit Compliance with Design Review Board – Minor (Single Family) (Section 11.5.7 and 13) | \$1,111 |
| Project Permit Compliance with Design Review Board - Standard (Section 11.5.7 and 13) | \$3,699 |
| Project Permit Compliance with Design Review Board – Standard (Single Family) (Section 11.5.7 and 13) | \$1,854 |
| Project Permit Compliance with Design Review Board - Major (Section 11.5.7 and 13) | \$4,997 |
| Project Permit Compliance with Design Review Board – Major (Single Family) (Section 11.5.7 and 13) | \$2,505 |
| Design Review Board – Preliminary (Section 16.50 E3) | \$2,704 |
| Design Review Board – Preliminary for Single Family residential dwelling (Section 16.50 E3) | \$1,352 |
| Project Permit Modification (Section 11.57 D) | \$2,939 |
| Project Permit Adjustment (Section 11.57 E) | \$4,355 |

| | |
|--|----------|
| Specific Plan Exception (Section 11.5.7 F) | \$13,272 |
| Specific Plan Amendment (Section 11.5.7) | \$36,058 |
| Specific Plan Interpretation (Section 11.5.7) | \$2,659 |

* 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 – each (Section 14.5.1 - 14) | \$14,481 |

* 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 | \$627 |

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) | \$4,708 |

* 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 A25(e)) | \$6,323 |
| Application for a Density Bonus including a request for an Incentive not included in the Menu of Incentives (Section 12.22 A25(e)) | \$20,698 |
| Application for a density increase in excess of that permitted by Section 12.22 A.25 (Sections 12.24 U.25 and 14.00 A.2) | \$18,416 |

*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 – City initiated (Section 12.27.1) | \$23,853 |
| Reconsideration – City initiated (Section 12.27.1) | \$26,701 |
| Plan Approval for Revocation case – City initiated (Section 12.27.1) | \$31,315 |

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) | \$6,935 |
| Other Site Plan Review Application (Section 16.05) | \$7,041 |

* 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 to permit increased lot coverage, reduced parking or additional height for one-family dwellings in hillside areas (Section 12.24. X.11); and application to permit construction of or addition to one-family dwellings in hillside areas on substandard hillside limited streets, which are improved to a width of less than twenty feet; and application to permit construction of or addition to one-family dwellings in hillside areas 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)

| | |
|-------------------|---|
| FILING FEE | FEE FOR EACH APPEAL BY APPLICANT |
| \$5,396 | 85% of filing fee |

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

V. MULTIPLE OR COMBINATION APPLICATIONS. If more than one application is filed at the same time for the same project and the fee for each separate application is set forth in sections 19.01, 19.03, 19.06 or 19.10, then the charges will be as follows: 100% for the highest application fee, 50% for the second application (second highest fee), and 25% for each additional application fee.

Sec. 18. 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 – each (Section 14.3.1) | \$5,639 |

* See Section 19.01.V for multiple applications.

Sec. 19. 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. 20. 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 | \$ 9,982 |
| 11 to 49 Lots | \$11,266 |
| Each 50 Lots over 49 Lots (additional) | \$ 3,440 |

(2) RE20 or Less Restrictive Zones:

| Type of Application | Fee |
|--|----------|
| 5 to 10 Lots | \$ 9,044 |
| 11 to 49 Lots | \$10,015 |
| Each 50 Lots over 49 Lots (additional) | \$ 2,733 |

(b) Multi-Family Residential Dwellings:

| Type of Application | Fee |
|---------------------|----------|
| 5 to 49 Units | \$ 9,267 |
| 50 to 99 Units | \$12,327 |
| 100 Units or More | \$15,668 |

(c) Commercial/Industrial.

(1) With Building:

| Type of Application | Fee |
|--|----------|
| Less than 50,000 Square Feet of Floor Area | \$11,168 |
| 50,000 to Less Than 100,000 Square Feet of Floor Area | \$12,731 |
| 100,000 to Less Than 250,000 Square Feet of Floor Area | \$14,294 |
| 250,000 Square Feet of Floor Area or More | \$15,857 |

(2) Without Building:

| Type of Application | Fee |
|------------------------|----------|
| Less Than 1 Acre | \$10,230 |
| 1 to Less Than 5 Acres | \$11,168 |

| | |
|-----------------|----------|
| 5 Acres or More | \$12,105 |
|-----------------|----------|

(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 a fee of \$485.00.

(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. 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. 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. 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. 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.

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.

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 | \$8,888 |
| Single-Family, RE20 or Less Restrictive Zones | \$7,950 |
| Multi-Family | \$9,267 |

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

(1) With Building:

| Type of Application | Fee |
|---|----------|
| Less than 50,000 Square Feet of Floor Area | \$11,168 |
| 50,000 to Less Than 100,000 Square Feet of Floor Area | \$12,731 |

| | |
|--|----------|
| 100,000 to Less Than 250,000 Square Feet of Floor Area | \$14,294 |
| 250,000 Square Feet of Floor Area or More | \$15,857 |

(2) Without Building:

| Type of Application | Fee |
|------------------------|----------|
| Less Than 1 Acre | \$10,230 |
| 1 to Less Than 5 Acres | \$11,168 |
| 5 Acres or More | \$12,105 |

(c) Other Parcel Map Actions

| Type of Application | Fee |
|--|---------|
| Parcel Map Exemption (Lot Line Adjustment) (Section 17.50-B,3(c)) | \$3,121 |
| Parcel Map Waiver (Section 17.50-D) | \$3,318 |

(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 \$3,277.00 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 1.1 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 1.1 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, 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 1.1 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) | \$ 3,370 |
| Private Street Map (each) | \$13,721 |
| Very High Fire Hazard Severity Zone Private Street Map (each) | \$19,943 |

2. 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.

3. **Modification.** For each request for modification of the requirements governing private streets pursuant to the provisions of Section 18.12, 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) | \$12,449 |

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 | \$ 7,169 |
| 5 to 49 Units | \$14,333 |
| 50 to 99 Units | \$17,394 |
| 100 Units or More | \$19,718 |

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

2. **Commercial/Industrial:**

| Type of Application | Fee |
|--|----------|
| Less than 50,000 Square Feet of Floor Area | \$11,949 |
| 50,000 to Less Than 100,000 Square Feet of Floor Area | \$12,731 |
| 100,000 to Less Than 250,000 Square Feet of Floor Area | \$13,513 |
| 250,000 Square Feet of Floor Area or More | \$14,294 |

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 this subsection.

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 | \$10,856 |
| Review or Revision of Tentative/Preliminary Map, Prior to Hearing | \$ 791 |
| Review or Revision of Tentative/Preliminary Map, After Hearing | \$1,223 |
| Modification to Approved Tentative/Preliminary Map (Sections 17.11, 17.53-H) or Recorded Final Map (Sections 17.14, 17.59) | \$7,164 |
| Reversion to Acreage (Section 17.10) | \$7,898 |
| Quimby Fee Calculation (per instance) | \$ 246 |
| Advisory Agency (AA) Public Discussion Meeting at a time post-hearing and before Determination (each) | \$1,543 |
| Time Extension for Maps | \$ 706 |
| Letter of Clarification or Correction (initiated by Applicant) | \$1,179 |

Sec. 21. 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 399 dwelling units, 499,999 square feet for commercial/ industrial, or 249,000 square feet for mixed use (Section 11.5.6) | \$21,229 |
| 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) | \$28,548 |
| Annexation, Zone Change and associated costs for a General Plan Amendment less than 399 dwelling units, 499,999 square feet for commercial/ industrial, or 249,000 square feet for mixed use | \$41,209 |

| | |
|---|----------|
| (Section 11.5.6) | |
| 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) | \$55,621 |

* See Section 19.01.V for multiple applications.

Sec. 22. Section 19.05 of the Los Angeles Municipal Code is amended to read:

SEC. 19.05. FILING FEES FOR ENVIRONMENTAL IMPACT REPORTS AND INITIAL STUDIES.

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. Exemptions and Initial Studies

| Type of Application | Fee |
|---|---------|
| Categorical Exemption | \$ 72 |
| Environmental Assessment Form (EAF) / Initial Study leading to Negative Declaration or Mitigated Negative Declaration | \$2,027 |
| Mitigated Negative Declaration - Expanded | \$1,737 |
| Reconsideration of Prior Environmental Determination | \$ 626 |
| 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 include 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; 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 provisions of this subdivision shall not apply to cases filed prior to February 11, 1993.

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 principal 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. 23. 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) | \$6,249 |
| Coastal Development Permit for Single Family residential dwelling with no exceptions (Section 12.20.2) | \$3,124 |
| Coastal Development Permit for Non- residential (Section 12.20.2) | \$6,905 |
| Coastal Development Permit Exemption Determination – each (Section 12.20.2.1) | \$606 |
| Coastal Development Permit Approval in Concept – each (Section 12.20.2) | \$623 |
| 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) | \$5,716 |
| Coastal Development Permit Amendment for Single Family residential dwelling with no exceptions (Sections 12.20.2.1 Q and 12.20.2 O) | \$2,858 |
| Mello Compliance Review – each | \$733 |

* 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), 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 article shall be applicable, and shall be collected by the appropriate permit granting authority.

Sec. 24. 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 counseling session with the City Planning Department staff | \$798 |
| Initial Development Agreement Application (Section 12.32) | \$26,394 |

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. 25. The operative date of this ordinance shall be July 1, 2010.

Sec. 26. 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 _____
SHARON SIEDORF CARDENAS
Assistant City Attorney

Date _____

File No(s). CF No. 09-0600-S50

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted

March , 2010

See attached report.

S. Gail Goldberg
Director of Planning