

DEPARTMENT OF
CITY PLANNING

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AND
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July 31, 2009

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

DEPARTMENT OF CITY PLANNING FEE STUDY REVISED PLAN – CF 09-0969

The Department of City Planning (Department) is submitting this revised planning fee proposal pursuant to your instruction of June 30, 2009. Based on community, developer and City Council input, the Department is proposing that the proposed fees be lowered to an amount that is less than full cost recovery. In order to lower the proposed fees, the Department is recommending the following actions:

- Create and publish a list of case processing timelines and goals to be met on a quarterly basis.
- Delay implementation of the two proposed surcharges: General Plan Maintenance Surcharge of 3% and Historic Resources Surcharge of 1%.
- Phase-in the Citywide overhead rates used in the Fee Study over a 3-year period (0 – first year; 50% - second year; 50% - third year).
- Provide alternative appeal fees to be either 85% of the original fee or a flat fee of \$13,277 for first level appeals or \$11,211 for second level appeals, whichever is less.
- Establish a threshold of over \$50,000 in fees to allow applicants to pay either up front or through an initial deposit followed by time and material billing.
- Create new tiered fee categories for Project Permit Compliance with and without Design Review Board, Design Overlay Plan Approvals and other Director's Determinations.
- Identify a list of no more than 10 processes that could be improved or streamlined with the help of the development community and propose code revisions within 120 days.

Background

On April 17, 2009, the Department of City Planning submitted its comprehensive fee study and fee 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, and the Committees forwarded the item to City Council without recommendation. On June 30, 2009, the report was heard by the full City Council where these concepts were initially proposed. The City Council instructed the Department to return within 30 days with a final proposal.

This revised plan came about through various meetings with the local development community including, but not limited to, the Chamber of Commerce, Valley Industry and Commerce Association, and Business Industry Association. Input was also received from several City Council offices, Neighborhood Councils, and members of the public. As a result of this input, specific changes were made to appeal fees, condominium conversions, project permit compliance with and without Design Review Board, and Design Overlay Plan Approvals. The appeals now allow an applicant to pay either 85% of the original fees or \$13,277 for first level and \$11,211 for second level appeals, whichever is less. A new fee category was added for condominium conversions for 1 to 4 units at a reduced rate. Lastly, compliance and plan approvals related to Design Review Boards or Community Design Overlay projects have been classified as minor, standard, and major projects with the fees commensurate to the level of work required for each classification.

The Department's Follow-up report dated June 19, 2009 estimated that changes to the fee recommendations, such as reduction of the citywide overhead rates, would reduce the additional revenue projection from \$6 million to \$5 million if implemented for a 9-month period. These additional revisions are likely to further reduce the Planning and Land Use revenue to the City.

The Department is hereby attaching a second revision to the Fee Schedule (Attachment A from the original report) to show the fee reduction amount of the Cost Allocation Plan (CAP) rate (citywide overhead) and the various fee changes described above.

Special Revenue Fund

With the support of the CAO, City Attorney, and Controller's Office, the Department recommends establishing a Special Revenue Fund to segregate the Planning and Land Use fees. This recommendation is critical for the development community to support the fee increases. Funds deposited into this account would only be allowed to pay for labor, expenses, equipment, materials and services in support of case processing related functions. It also consolidates two of the Department's existing special funds: Major Projects Review Fund and Expedited Permit Fund into one Special Revenue Fund by establishing accounts for those two purposes. Attached is a draft ordinance for this Fund.

Fee Study Revised Plan
July 31, 2009
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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,



S. GAIL GOLDBERG, AICP
Director of Planning

Attachments: Second Revision to Attachment A - Proposed Fee Schedule
Draft Planning Case Processing Special Revenue Fund Ordinance

cc: Raymond P. Ciranna, Interim City Administrative Officer
Gerry Miller, Chief Legislative Analyst

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
			LEGISLATIVE ACTIONS							
	1	1	GPA (Stand Alone without ZC or Annexation)*		-	delete				-
	1	2	Zone Change - SFD/MF Residential (up to 49 Units)	12.32 F	12,608	reduced	11,734	2,613	9,121	36
	2	3	Zone Change - SFD/MF Residential (add'l fee for each 50 units over 49)							
	3	4	Zone Change - Non-residential (≤49,999 s.f.)	12.32 F	6,888	reduced	5,747	1,285	4,462	2
	4	5	Zone Change - Non-residential (≥50,000 s.f.)	12.32 F	12,695	reduced	11,737	2,613	9,124	4
	5	6	Height District Change (each)	12.32 F	12,695		16,440	3,657	12,783	-
	6	7	Amendment of Council's Instructions: Removal of T Class. (each)	12.32 H + D14	2,399		11,123	2,476	8,647	2
	7	9	Supplemental Use District: Establishment (Including, but not limited to O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, and SN Districts)	12.32 S	-	New	134,608	29,864	104,744	1
	8	10	Supplemental Use District: Change or Removal (Including, but not limited to O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, and SN Districts)	12.32 S	1,626		66,289	13,446	52,843	-
	9	11	Building Line (Establishment, Change or Removal)	12.32 R	3,217		8,833	1,967	6,866	2
	10	12	Zone Boundary Line Adjustment (each)	12.30 H + K	3,812		5,476	1,223	4,253	5
	11	13	Approval of Transfer of Floor Area Plan (each)	14.5.1 - 14	14,549		16,292	3,622	12,670	-
	12	14	General Plan Amendment and Zone Change (≤999 Units., 499K s.f (comm/ind), 249K s.f. (mixed use))	11.5.8	17,578		23,884	5,310	18,574	18
	13	15	General Plan Amendment and Zone Change (≥400 d.u., 500K s.f (comm/ind), 250K s.f. (mixed use))	11.5.8	22,823		32,116	7,137	24,979	-
	14	16	Annexation, General Plan Amendment, and Zone Change, (≤999 d.u., 499K s.f (comm/ind), 249K s.f. (mixed use))	11.5.8	4,793		46,357	10,296	36,061	-
	15	17	Annexation, General Plan Amendment, and Zone Change, (≥400 d.u., 500K s.f (comm/ind), 250K s.f. (mixed use))	11.5.8	-	New	62,566	13,891	48,675	-
	16	18	Land Use Determinations by City Planning Commission (each)	12.24.1	4,121		11,060	2,463	8,597	-
			COMMISSION OR DIRECTOR APPROVALS							
	17		Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Minor (Project limited to 3 signs or less or change of use)	11.5.7 + 13	1,187		1,476	325	1,151	-
RP	18	19	Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Standard (More than 3 signs, wireless equipment or less than 200 sq. ft addition)	11.5.7 + 13	1,187		3,244	728	2,516	411
RP	19		Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Standard (Less than 200 sq. ft addition) Single Family	11.5.7 + 13	1,187	50% subsidy	1,622	357	1,265	-
RP	20		Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Major (New projects adding more than 200 sq. feet of floor area)	11.5.7 + 13	1,187		4,787	1,072	3,715	-
RP	21		Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Major (New projects adding more than 200 sq. feet of floor area) Single Family	11.5.7 + 13	1,187	50% subsidy	2,394	527	1,867	-

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/ Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
RP	22	20	Project Permit Compliance with Design Review Board - Minor	11.5.7 + 13	1,187		2,495	549	1,946	25
RP	23		Project Permit Compliance with Design Review Board - Minor (Single Family)	11.5.7 + 13	1,187	50% subsidy	1,248	275	973	-
RP	24		Project Permit Compliance with Design Review Board - Standard	11.5.7 + 13	1,187		4,166	935	3,231	-
RP	25		Project Permit Compliance with Design Review Board - Standard (Single Family)	11.5.7 + 13	1,187	50% subsidy	2,083	458	1,625	-
RP	26		Project Permit Compliance with Design Review Board - Major	11.5.7 + 13	1,187		5,627	1,261	4,366	-
RP	27		Project Permit Compliance with Design Review Board - Major (Single Family)	11.5.7 + 13	1,187	50% subsidy	2,814	619	2,195	-
	28	21	DRB - Preliminary	16.50 E3	594		3,044	660	2,384	-
	29	22	DRB - Preliminary (Single Family)	16.50 E3	594	50% subsidy	1,522	340	1,182	-
	30	22	Project Permit Modification (each)	11.5.7 D	594		3,308	738	2,570	83
	31	23	Project Permit Adjustment (each)	11.5.7 E	2,395		4,901	1,092	3,809	2
	32	24	Specific Plan Exception (each)	11.5.7 F	3,847		14,932	3,321	11,611	25
	33	25	Specific Plan Amendment (each)	11.5.7	17,570		40,560	9,005	31,555	1
	34	26	Specific Plan Interpretation (each)	11.5.7	4,300	reduced	2,994	671	2,323	-
			CUP's and OTHER SIMILAR QUASI JUDICIAL APPROVALS							
	35	27	Conditional Use by APC or CPC (each)	12.24 U + 12.24 V	4,490		13,224	2,943	10,281	13
	36	28	Child Care (≤50 children in the R3 Zone, or Large Family Daycare)	12.24 X, 24 & 25	1,280		4,601	1,054	3,547	-
	37	29	Conditional Use by ZA (All other uses)	12.24 W	4,490		5,358	1,228	4,130	166
	38	30	Conditional Use by ZA (Alcohol (on- or off-site sales) Entertainment (dance halls, hostess dance halls, massage parlors))	12.24 W1 + 12.24 W18	6,474	reduced	6,459	1,480	4,979	228
	39	31	Adult Entertainment Business Exception (Within 500 feet of another Adult Entertainment)	12.22 A20	401		5,317	1,218	4,099	4
	40	32	Reasonable Accommodation Determination (each)	12.22 A27	-	New	3,311	741	2,570	-
	41	33	Variances (All)	12.27	5,879		6,448	1,478	4,970	140
	42	34	Adjustments by ZA (All except SFD (including, but not limited to, reduced parking for theaters or historic buildings, adaptive reuse, open storage for autos, or live/work))	12.28 A	5,398	reduced	5,370	1,231	4,139	48
	43	35	Adjustments by ZA (SFD (policy))	12.28 A	1,423	50% subsidy	2,685	616	2,070	-
	44	36	Slight Modification by ZA (each)	12.28 B2	215		3,941	903	3,038	6
	45	37	ZA Interpretation of Yard or Use Regulations (ZAI) (Yards and hillsides)	12.21 A2	397		5,831	1,336	4,495	14
	46	38	ZA Determinations under 12.24 X (unless listed separately) (each)	12.24 X	4,326		6,093	1,395	4,698	129
	47	39	Relief from Fence Height Limitation (Fences not to exceed 8 feet in the required front, side, or rear yard in the A and R zones (X7) or Not to exceed 8 feet in the front yard of a group of lots (X8))	12.24 X7 + X8	794		4,525	1,037	3,488	22
	48	41	Certified Farmer's Market (each)	12.24 X6	586		2,641	606	2,035	-
	49	42	Service of Alcohol in a Small Restaurant (≤50 seats)	12.24 X2	229		6,040	1,384	4,656	-
	50	43	Approval to Erect Amateur Radio Antenna (each)	12.24 X3	530		2,592	594	1,998	-

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
	51	44	Coastal Development Permit - SFD/MF Residential	12.20.2	1,285		7,057	1,617	5,440	21
	52		Coastal Development Permit - SFD Residential (no exceptions)	12.20.2	1,285	50% subsidy	3,529	809	2,720	-
	53	48	Coastal Development Permit - Non-residential	12.20.2	10,643	reduced	7,798	1,787	6,011	-
	54	50	Coastal Development Permit - Exemption Determination (each)	12.20.2.1	108		684	157	527	258
	55	51	Coastal Development Permit - Approval in Concept (each)	12.20.2	340		703	161	542	53
	56	52	Coastal Development Permit - Amendment (Residential/Single-family or Multi-family and Non-residential)	12.20.2.1Q + 12.20.2 O	217		6,456	1,480	4,976	-
	57		Coastal Development Permit - Amendment (Residential Single-family - no exceptions)	12.20.2.1Q + 12.20.2 O	217	50% subsidy	3,228	740	2,488	-
	58	53	Coastal Development Permit - Amendment (Non-residential)	12.20.2.1Q + 12.20.2 O	1,280	Combine with Fee 49	6,456	1,480	4,976	-
	59	56	Mello Compliance Review (each)*		-	New	828	190	638	-
	60	57	Public Benefits - Alternative Compliance Proposal (each)	14.00 B	4,490		16,938	3,767	13,171	1
	61	58	Eldercare Facility Unified Permit Application (each)	14.3.1	7,266	reduced	6,369	1,460	4,909	-
	62	59	DENSITY BONUS Application for Density Bonus (Request for one or more Incentives included in the Menu of Incentives)	12.22 A25 (e)	1,278		7,115	1,585	5,530	11
	63	60	Application for Density Bonus (Request for an Incentive not included in the Menu of Incentives)	12.22 A25 (e)	4,490		23,287	5,178	18,109	-
	64	61	Application for Density Increase in excess of that permitted by Section 12.22 A.25 (each)	12.24 U25 + 14.00 A2	4,490		20,718	4,604	16,114	-
	65	62	SITE PLAN REVIEW Site Plan Review - (Residential Projects of 50 or more dwelling units)	16.05	1,278		7,806	1,742	6,064	5
	66	63	Site Plan Review - (All Other)	16.05	2,398		7,925	1,769	6,156	12
	67	64	PLAN APPROVALS Conditions of Approval for Oil Drilling (each)	13.01 H	3,289		7,650	1,754	5,896	-
	68	65	Surface Mining Permits (each)	13.03	1,258		2,640	605	2,035	-
	69	66	Modification of Existing CUP by APC or CPC (each)	12.24 M	2,750		8,878	1,975	6,903	1
	70	67	Modification or Review by ZA (Plan Approval Applications, and, for example, non-conforming oil wells, landscaping nonconforming in the A and R Zones, shared parking, and parking near transit. Existing CUP or Variance)	12.24 J, L, M	1,280		5,754	1,318	4,436	233
	71	68	Clarification of Q or D Limitations (each)	12.32 H	607		4,428	987	3,441	8
	72	69	ADMINISTRATIVE CLEARANCES Public Benefit Projects (SIGN OFF FOR BY-RIGHT PROJECT Shelter for Homeless with ≤30 beds in the R3, M1, M2, or M3 Zones; or Shelter for Homeless in ≤6 trailers by a church, religious institution, or philanthropic institution)	14	586	reduced	338	78	260	-
	73	70	Public Benefit Projects (All Other Public Benefit Projects)	14	4,490	reduced	338	78	260	-
	74	71	RIVER Clearance (each)*		-	New	487	111	376	75

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
	75	72	Green Building Program Application (Includes staff time only. Consultant costs are a pass through and will be calculated separately.)	16.10	282	reduced	115	27	88	24
	76	73	Miscellaneous Clearances - ZA Decision (each)		-	New	1,722	395	1,327	-
	77	74	Miscellaneous Clearances - ZA Decision (SFD - no exceptions)		-	50% subsidy	861	198	664	-
	78	75	Time Extension (All (except maps))		-	New	708	162	546	144
	79	76	Letters of Correction, Modification, or Clarification of a ZA's, Director's, or DAA's Determination (each)		-	New	1,331	305	1,026	1
RP	80	77	Building Permit Sign-Off for minor Projects	11.5.7 + 13	294	reduced	199	44	155	150
RP	79	79	Miscellaneous Clearances - CPB (For example, ICO and Director's Determination Conditions)		745	delete	3,124	693	2,431	228
	80		OTHER							
	81	81	delete							
	82	82	Development Agreement Application - Initial (each)	12.32	4,074		29,690	6,592	23,098	2
	83	83	Change of or Add'l Hearing Scheduling (each)*		-	delete	0	0	0	
	83	83	Cancellation of Hearing (each)*		-	delete	0	0	0	
	84	84	PARCEL AND TENTATIVE SUBDIVISION MAPS							
	85	85	SFD (RE 20 or less restrictive zone) (up to 4 lots)	17.50 -						
	86	86	SFD (RE 20 or less restrictive zone) (5 to 10 lots)	17.01 -	1,115		8,935	1,971	6,964	16
	87	87	SFD (RE 20 or less restrictive zone) (11-49 lots)	17.13 -	3,256		10,165	2,242	7,923	7
	88	88	SFD (RE 20 or less restrictive zone) (add'l fee for each 50 lots over 49)*	17.01 -	3,256		11,257	2,484	8,773	3
	89	89	SFD (RE 40 or more restrictive zone) (up to 4 lots)	17.50 -			3,073	680	2,393	-
	90	90	SFD (RE 40 or more restrictive zone) (5 to 10 lots)	17.58 -	1,115		9,989	2,203	7,786	1
	91	91	SFD (RE 40 or more restrictive zone) (11-49 lots)	17.01 -	3,256		11,219	2,475	8,744	1
	92	92	SFD (RE 40 or more restrictive zone) (add'l fee for each 50 lots over 49)*	17.13 -	3,256		12,662	2,793	9,869	-
	93	93	Multi-Family (<50 units)	17.01 -	-	New	3,867	855	3,012	-
	94	94	Multi-Family (50-99 units)	17.13 -	992		10,416	2,299	8,117	41
	95	95	Multi-Family (≥100 units)	17.01 -	2,657		13,856	3,058	10,798	2
	96	96	COMM / IND (with building) (<50K FAR s.f.)	17.13 -	2,657		17,611	3,887	13,724	3
	97	97	COMM / IND (with building) (50K FAR s.f. - <100K FAR s.f.)	12.95.3	2,732		12,552	2,769	9,783	9
	98	98	COMM / IND (with building) (≥100K FAR s.f. - <250K FAR s.f.)	12.95.3	5,327		14,309	3,156	11,153	1
	99	99	COMM / IND (with building) (≥250K FAR s.f.)	12.95.3	5,327		16,065	3,543	12,522	2
	100	100	COMM / IND (without building) (< 1 acre)	12.95.3	5,327		17,822	3,930	13,892	-
	101	101	COMM / IND (without building) (≥ 1 acre to <5 acres)	12.95.3	2,732		11,498	2,536	8,962	6
	102	102	COMM / IND (without building) (≥ 5 acres)	12.95.3	5,327		12,552	2,769	9,783	6
	103	103	Review or Revision to Tentative Maps (Prior to Hearing)*	17	5,327	New	13,605	3,000	10,605	-
					-		889	196	693	-

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
	101	104	Review or Revision to Tentative Maps (After Hearing)*	17	-	New	1,374	303	1,071	-
	102	105	Phasing of Map (each)*	17	-	New	545	120	425	-
RP	103		Condo Conversion MF (1 - 4 units)	12.95.2 + 12.95.3	1,984	50% subsidy	8,055	1,772	6,283	-
	104	106	Condo Conversion MF (<50 units)	12.95.2 + 12.95.3	1,984		16,109	3,553	12,556	20
	105	107	Condo Conversion MF (50-99 units)	12.95.2 + 12.95.3	2,657		19,530	4,272	15,258	1
	106	108	Condo Conversion MF (≥100 units)	12.95.2 + 12.95.3	5,002		22,161	4,887	17,274	2
	107	109	Condo Conv. COMM / IND (with building) (<50K FAR s.f.)	12.95.2 + 12.95.3	5,464		13,430	2,962	10,468	6
	108	110	Condo Conv. COMM / IND (with building) (≥50K FAR s.f. - <100K FAR s.f.)	12.95.2 + 12.95.3	10,654		14,309	3,156	11,153	2
	109	111	Condo Conv. COMM / IND (with building) (≥100K FAR s.f. - <250K FAR s.f.)	12.95.2 + 12.95.3	10,654		15,187	3,349	11,838	-
	110	112	Condo Conv. COMM / IND (with building) (≥50K FAR s.f.)	12.95.2 + 12.95.3	10,654		16,065	3,543	12,522	-
	111	113	Mountain Fire Dist. SFD (RE 20 or less restrictive) (up to 4 lots)	17.52	1,652		13,492	2,976	10,516	-
	112	114	Mountain Fire Dist. SFD (RE 20 or less restrictive) (5 - 10 lots)	17.52	4,884		14,897	3,286	11,611	-
	113	115	Mountain Fire Dist. SFD (RE 20 or less restrictive) (11-49 lots)	17.52	4,884		16,478	3,634	12,844	-
	114	116	Mountain Fire Dist. SFD (RE 20 or less restrictive) (add'l fee for each 50 lots over 49)*	17.52	-	New	6,096	1,344	4,752	-
	115	117	Mountain Fire Dist. SFD (RE 40 or more restrictive) - (up to 4 lots)	17.52	1,450		15,424	3,402	12,022	-
	116	118	Mountain Fire Dist. SFD (RE 40 or more restrictive) - (5 - 10 lots)	17.52	4,233		16,478	3,634	12,844	-
	117	119	Mountain Fire Dist. SFD (RE 40 or more restrictive) - (11 to 49 lots)	17.52	4,233		18,586	4,099	14,487	-
	118	120	50 lots over 49)*	17.52	-	New	6,354	1,402	4,952	-
	119	121	Hillside Grading Plan Review (≥60K sq.ft.)	91.7006.8.2	3,034		12,201	2,691	9,510	1
	120	122	Time Extension (Maps)	17.06	384		793	175	618	56
	121	123	Parcel Map Exemption (Lot Line Adj.) (each)	17.5	1,048		3,507	773	2,734	80
	122	124	Parcel Map Waiver (each)*	17.5	-	New	3,729	822	2,907	-
	123	125	Certificate of Compliance (each)	17.5	931		3,683	812	2,871	70
	124	126	PRIVATE STREET MAPS Private Street map (each)	18 - 18.12	7,370		15,421	3,401	12,020	4
	125	127	Very High Fire Hazard Private Street Map (each)	18 - 18.12	11,055		22,415	4,944	17,471	-
	126	128	Deemed to be Approved Private Street (each)*	18 - 18.12	-	New	3,787	835	2,952	1
	127	129	LAND DIVISION - OTHER Temporary Subdivision Direction Sign (First sign)	17	845		1,052	232	820	-
	128	130	Temporary Subdivision Direction Sign (Each additional sign)	17	425	reduced	383	84	299	-
	129	131	Mobile Home Park Impact Report (each)	17.04	2,484		13,992	3,086	10,906	-
	130	132	delete							
	131	133	Landscape Plan Approval (incl. water mgmt approval) As Part of a Discretionary Approval (each)	12.40	169		647	143	504	144
	132	134	Reversion to Acreage (each)*	17.10 A 17.14 +	-	New	8,876	1,957	6,919	1
	133	135	Modifications to Maps (each)	17.59	1,229		8,052	1,776	6,276	-

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
	134	136	Quimby Fee Calculation (per instance) (each)*	12.33 A +	-		276	61	215	-
	135	137	Advisory Agency (AA) Public Discussion Meeting (each)*	17.12	-	New	1,734	383	1,351	-
			ENVIRONMENTAL REVIEW	17.03	-	New				
	136	138	EAF - Initial Study to ND/MND		923		2,280	506	1,774	685
	137		Publication Fee for ND/MND		-	New	946	0	946	-
	138	139	MND-Expanded (per add'l study)*		-	New	1,953	433	1,520	-
	139	142	Categorical Exemption (each)		79		81	18	63	1,260
	140	143	Reconsideration Request (each)		146		703	155	548	139
			HISTORIC RESOURCES							
	141	144	Mills Act - Application (Single-Family Dwelling)		200	88% subsidy	250	0	250	19
	142		Mills Act - Application (Commercial)		200	\$1/\$1,000 valuation	1,142	0	1,142	-
	143	145	Mills Act - Contract Execution (Single-Family Dwelling)		243		variable		variable	-
	144	146	Mills Act - Contract Execution (Commercial)		243		1,866	0	1,866	-
	145	147	Valuation Exemption Processing (each)*		-	New	609	136	473	30
	148	148	Contract Compliance Periodic Inspection (each)*	12.20.3	-	delete	0	0	0	66
	149	149	Historic Cultural Monument Application (each)*	12.20.3	-	delete	0	0	0	66
			Historic Cultural Monument Application (each)* (Owner Initiated)	12.20.3	-	delete	0	0	0	66
	146	150	Historic Preservation Overlay: Establishment, Change, or Removal (each)	12.20.3	1,361		136,656	29,272	107,384	2
	147	151	HPOZ Preservation Plan (Stand Alone application of Preservation plan, not as part of establishment, change or removal of the original HPOZ)*	12.20.3	-	New	30,998	6,879	24,119	-
	148	152	HPOZ Certificate of Appropriateness (not involving new construction or additions)	12.20.3	294	90% subsidy	472	105	367	47
	149	153	HPOZ Certificate of Appropriateness or Compatibility (new additions or construction up to 750 sq ft)	12.20.3	294	85% subsidy	708	218	490	13
	150		HPOZ Certificate of Appropriateness or Compatibility (new additions or construction over 750 sq ft)	12.20.3	294	75% subsidy	1,181	0	1,181	-
	154	154	HPOZ Conforming Work (Board sign-off)*	12.20.3	-	delete	0	0	0	612
	155	155	HPOZ Conforming Work (Staff sign-off)*	12.20.3	-	delete	0	0	0	612
	156	156	HR Building Permit Clearance - (Admin. Review)*	12.20.3	-	delete	0	0	0	8
	157	157	HR Building Permit Clearance - (Larger Project)*	12.20.3	-	66% subsidy	784	181	603	8
	158	158	HR Building Permit Clearance - (Minor Project)*	12.20.3	-	delete	0	0	0	8
	159	159	Demolition Review - (Minor Historic Significance)*	12.20.3	-	delete	0	0	0	8
	160	160	Demolition Review - (Major Historic Significance)*	12.20.3	-	delete	0	0	0	8
	152	173	APC/DEM Case (Historic) - demolition of main structure	12.20.3	294		4,317	958	3,359	1
	153	153	APC/DEM Case (Historic) - demolition of accessory structure	12.20.3	294	50% subsidy	2,159	479	1,680	-
			MODIFICATIONS/DISCONTINUANCE OF USE (REVOCATIONS)							
	154	169	Imposition of Conditions	12.27.1	3,914		26,680	5,655	21,025	8
	155	170	Reconsideration	12.27.1	746		29,866	6,330	23,536	1
	156	171	Plan Approval for RV Case	12.27.1	2,398		35,027	7,424	27,603	8
	172	172	Parcel Map Violations (IMPOSITION OF COND.)		-	delete				
										6,002

Revised Plan (RP)	NEW FEE NO.	STUDY FEE NO.	Fee Name	Code Section	Average Current Fee/Unit	Subsidized Fees & Notes	Full Cost Recovery Fee Amount	CAP Portion of Fee Amount	Proposed Fee Amount w/out CAP	Estimated Annual Volume
	157		APPEALS/SUPPORTING ACTIVITY FEES Appeal by Applicant (85% of the application fee)				variable		variable	255
RP	158		Appeal by Applicant - First level if less than 85% of the application fee				17,022	3,745	13,277	-
RP	159		Appeal by Applicant - Section level if less than 85% of the application fee				14,258	3,137	11,121	-
	160		Appeal by Aggrieved Parties within legal notice area		74	subsidized	150	0	150	-
	161		Appeal by Aggrieved Parties outside of the legal notice area		74	subsidized	500	0	500	-
	162		Building and Safety Appeal	12.26 K	368		7,933	1,745	6,188	9
RP	163		General Plan Maintenance Fee (3% on all permits and applications)			delay				
RP	164		Historic Resources Fee (1% on all permits and applications - to sunset on 6/30/12)			delay				
										6,266

NOTES:

- * Denotes new fee items added or resulting from fee restructuring
- ** Amendments / Additions to Approved Plans or Vested Regulations will be charged at 25% of the original application fee
- *** Multiple Application permits will be charged as follows: 100% of the first application (highest fee), 50% of the second application (second highest fee), 25% of each additional application

D R A F T

ORDINANCE NO. _____

An ordinance repealing Chapters 35 and 87 of Division 5 of the Los Angeles Administrative Code and adding Article 10 to Chapter 6 of Division 5 of the Los Angeles Administrative Code to provide for a Planning Case Processing Special Revenue Fund.

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

Section 1. Article 10 is added to Chapter 6 of Division 5 of the Los Angeles Administrative Code to read:

**CHAPTER 6, ARTICLE 10
PLANNING CASE PROCESSING SPECIAL
REVENUE FUND**

Sec. 5.122. Creation of the Fund.

(a) There is created and established a special revenue fund within the Treasury of the City of Los Angeles to be known as the Planning Case Processing Special Revenue Fund ("**Fund**").

(b) For purposes of this Article, certain words and phrases are defined as follows:

DEPARTMENT OF CITY PLANNING ("DEPARTMENT") shall mean a Department within the City of Los Angeles described in Section 22.171 of this Code.

PLANNING FEES are those monies collected for the processing of Planning Department entitlement case applications.

MAJOR PROJECT is defined as any project so determined by the Director of Planning for which the planning or processing of requests for entitlements will severely impact departmental resources.

SUPPLEMENTAL FEE AGREEMENT is negotiated by the Planning Department on Major Projects to determine services to be provided by the City and funded by the applicant. These agreements are executed by the Mayor.

Sec. 5.123. Administration of Fund.

(a) All monies received by the Department from the following sources shall be deposited into the Fund:

1. Fees received related to the processing of applications for discretionary action, including but not limited to, zone changes, variances, conditional uses, zoning administrator interpretations and reviews, plan approvals, plan amendments, specific plans, Division of Land cases, environmental impact reports, coastal development permits, expedited cases, supplemental fee agreements and development agreements.

2. Fees received related to support functions necessary for the processing of the above-mentioned applications, including but not limited to automated records, publications, map sales, and overtime.

3. Fees received related to processing appeals to the Department or to the City Planning Commission or Area Planning Commissions, or other bodies established within the City for purposes of appeals related to the above-mentioned functions.

4. All amounts received from developers under Supplemental Fee Agreements shall be placed in the Fund in the Account established for that Major Project. Notwithstanding any other ordinances to the contrary, when a developer enters into a Supplemental Fee Agreement with the City, any fees paid by that developer related to processing the discretionary actions shall be placed in the Account within the Fund and not in the General Fund.

5. Monies may also be contributed to the Fund by other City funds and by gifts, donations, or bequests from individuals or organizations. Any appropriation to the Fund by the City Council or the Mayor shall also be deposited into this Fund.

(b) The Fund shall be administered by the Director of Planning of the Department of City Planning ("Director") or designee. A year-end report shall be prepared which shall be submitted within 90 days after the close of said fiscal year. Unencumbered funds remaining in this Fund at the end of any fiscal year shall not revert to the Reserve Fund.

(c) The Fund shall be used to purchase or pay for labor, expenses, equipment, materials, and services in support of case processing related functions, and shall also be used to repay cash advances received from any other fund established by the City and used for these purposes. The Fund shall be used to reimburse budgetary salary, overtime, and related costs as appropriate, and to draw demands for printing, travel, equipment, training, and other services and expenses as appropriate to support entitlement case processing related functions described in Subsection (a) of this section and Section 5.122 of this Code. Appropriations will be established by an expenditure plan through the annual budget process.

(d) The City Council and the Mayor declare their intention to authorize, by ordinance or resolution, positions necessary to carry out the work programs provided for in each Supplemental Fee Agreement for the fiscal year; which positions and related expenses will be funded from the Fund. The Director of Planning may authorize interim staff during the fiscal year when needed to provide for necessary adjustments in personnel during any quarterly period.

(e) The Director shall inform the Controller of any special condition or restriction imposed upon any monies accepted for deposit in the Fund. The Controller shall establish a separate account in the Fund for each specific use. No money shall be expended from the Fund except in compliance with the provisions of the program for which it was accepted. Any request for expenditure of money from the Fund or of its separate accounts shall be accompanied by sufficient information from the Controller to determine that the proposed expenditure is consistent with the specific use for which the Fund or the separate account was established.

(f) The Department shall be responsible for maintaining the accounting records relating to each Account within the Fund.

(g) All interest or other earnings attributable to money in the Fund or to any of the separate accounts within the Fund shall be credited to the Fund or to the account to which it is attributable and shall be devoted to the purposes set forth in this article.

(h) No expenditure may be made from this Fund without the prior approval of the Director or a duly authorized representative.

(i) The Director is authorized to establish appropriate procedures to carry out the provisions of this article.

(j) The Mayor is authorized to transfer money among accounts that may be established within the Fund in an amount not to exceed \$50,000 per account per purpose in any one fiscal year.

Sec. 5.123.1 Special Accounts.

(a) **Case Processing Account.** The Case Processing Account shall be used to provide additional human and physical resources to the City of Los Angeles solely to process discretionary actions and to prepare and/or review associated environmental documents proposed in the City of Los Angeles. These resources may include, but not be limited to, staffing, expense and equipment for the aforesaid purposes only and in accordance with established City practices.

(b) **Major Projects Review Account.** The Major Projects Review Account shall be used to provide additional human and physical resources to the City of Los Angeles solely to process discretionary actions and to prepare and/or review associated environmental documents for Major Projects proposed in the City of Los Angeles. These resources may include, but not be limited to, staffing, expense and equipment for the aforesaid purposes only and in accordance with established City practices.

(c) **Expedited Permit Account.** The Expedited Permit Account shall be used for the receipt, retention and disbursement of funds received by the Department from private developers to offset expenses for additional human and physical resources necessary to expedite the permit process for development projects submitted by the developers contributing to the Fund. The Fund may also be

used for the receipt, retention and disbursement of funds received by the Department from special funds to expedite the application process for City proposed zoning projects or projects proposed by the City's proprietary departments.

(d) Grants and Special Revenue Account. The Grants and Special Revenue Account shall be used for the receipt, retention and disbursement of funds received by the Department from grant or other sources to offset expenses for additional human and physical resources necessary to conduct case processing.

Section 2. Chapters 35 and 87 of Division 5 of the Los Angeles Administrative Code are repealed.

Section 3. The operative date of this ordinance shall be October 1, 2009.

Section 4. 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 in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; 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 the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

Carmen A. Trutanich, City Attorney

By _____
Assistant City Attorney

Date _____

File No. _____