



CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: December 2, 2010

TO: Honorable Members of the City Council
Honorable Jan Perry, Chair
Energy & Environment Committee
City Clerk
Room 395, City Hall

FROM:  Enrique C. Zaldivar, Director
Bureau of Sanitation 

SUBJECT: PROPOSED AMENDMENT TO THE LOS ANGELES MUNICIPAL CODE (LAMC) TO INCLUDE A LOW IMPACT DEVELOPMENT (LID) ORDINANCE - RESPONSE TO COUNCIL FILES NO. CF 09-1554 (GRUEL-REYES MOTION)

On January 15, 2010, after lengthy and comprehensive public outreach and extensive revision to address the public's input, the Board of Public Works adopted the Bureau of Sanitation's recommendation to amend the City of Los Angeles Municipal Code Sections 64.70 and 64.72 by including new provisions for Low Impact Development (LID), referred to as LID Ordinance. The Board of Public Works forwarded the report and the LID Ordinance to the Mayor and City Council. On June 11, 2010 and after extensive review, the Mayor's Office forwarded the Ordinance to the City Council with a recommendation for adoption with a minor modification.

Subsequent to the Board's action, several meetings took place with the business and development community and the environmental Non Governmental Organizations (NGOs), such as Heal the Bay, Tree People, the Green LA Coalition, the Building Industry Association (BIA) and the Central City Association (CCA), to further discuss and address issues with the proposed LID Ordinance. Specifically, the BIA and CCA raised the following three issues with the LID Ordinance. The issues were as follows:

- Eliminate the Offsite Runoff Mitigation Fee,
- Address the issue of developments that have a completed application in prior to the LID implementation and is delayed beyond the tolling period, and
- Direct City Departments to provide support as part of the implementation of any off-site mitigation.

After careful consideration, the Bureau recommends to the City Council to amend the proposed LID Ordinance to address the issues raised as follows:

1. Eliminate the Offsite Runoff Mitigation Fee, and all references herein, from the proposed LID ordinance; and

2. Concur with the Mayor's Office on changes to Section C.1.ii of the proposed LID Ordinance and amend to reflect the following changes.

(Mayor's amendments italicized, additional amendments underlined and in bold)

"Any entitlement application for a Development or Redevelopment filed with the Department of City Planning and deemed complete with the exception of CEQA review prior to the effective date of this ordinance. If the application is for a subdivision, the operative date for purposes of this section is the date the application is deemed complete. This exception shall no longer be valid if a Development or Redevelopment building permit has not been obtained within *three* years from the effective date of this ordinance, *except that this three-year period shall be tolled for the period of time that any City approvals of the Development or Redevelopment are subject to pending litigation in a court of competent jurisdiction.* **In those cases with projects deemed complete before the effective date of the ordinance, and to which the tolling period described above applies, if in addition the City's approval process has delayed the project beyond the three year period, the developer can appeal to the Board of Public Works for an extension of the tolling period. The appeal will be required to explain in detail the causes of the delay and must demonstrate that complying with the requirements of this ordinance will cause undue hardship.**"

3. Amend Section C.5 to read as follows:

"If partial or complete onsite compliance of any type is technically infeasible, the project Site and LID Plan shall be required to comply with, at a minimum, all applicable Standard Urban Stormwater Mitigation Plan (SUSMP) requirements in order to maximize onsite compliance. For the remaining runoff that cannot feasibly be managed onsite, **the project shall implement offsite mitigation on public and/or private land within the same sub-watershed out of the following five sub-watersheds: Upper Los Angeles River, Lower Los Angeles River, Ballona Creek, Santa Monica Bay, and Dominguez Channel. This shall include construction and perpetual maintenance of projects that will achieve at least the same level of runoff retention, infiltration and/or use, and water quality. All City Departments will assist the developer, when and where feasible, in the design, permitting and implementation of LID BMP projects within the public right of way, with a preference for utilizing the public right of way immediately adjacent to the subject development.**"

The Bureau believes that the agreements are a win-win for all parties and will strengthen the LID ordinance administration and implementation. Please refer to the attached strike out version of the LID ordinance for the details of the above recommendations.

Please refer any questions on this matter to Shahram Kharaghani, Watershed Protection Program Manager at (213) 485-0587.

Stormwater Low Impact Development (LID) Ordinance

An ordinance amending Chapter VI Article 4.4 Section 64.70.01 and 64.72 of the Los Angeles Municipal Code to expand the applicability of the existing Standard Urban Stormwater Mitigation Plan (SUSMP) requirements by providing rainwater Low Impact Development (LID) strategies for planning, and construction of Development and Redevelopment projects that require building permits; and amending Chapter IX Article I Section 64.72.05 of the Los Angeles Municipal Code to collect fees to recover the Bureau of Sanitation's cost of providing Best Management Practices plan check to comply with SUSMP, Site Specific Mitigation Plan, or LID.

WHEREAS, the City of Los Angeles is authorized by Article XI, §5 and §7 of the State Constitution to exercise the police power of the State by adopting regulations to promote public health, public safety and general prosperity;

WHEREAS, the City of Los Angeles has authority under the California Water Code to adopt and enforce ordinances imposing conditions, restrictions and limitations with respect to any activity which might degrade the quality of waters of the state;

WHEREAS, the City of Los Angeles has applied an integrated approach to incorporate wastewater, stormwater and runoff, and recycled water management into a single strategy through its Integrated Resources Plan;

WHEREAS, in conformance with the General Plan Framework, the City of Los Angeles is committed to a stormwater management program that protects water quality and addresses water supply by employing the watershed-based approaches that balance environmental and economic considerations;

WHEREAS, the City of Los Angeles, Department of Water and Power, has adopted an ordinance requiring water efficiency requirements for new Development and renovation of existing buildings;

WHEREAS, the State of California, in an effort to conserve water has facilitated a greater reuse of gray water, by chaptering Senate Bill 1258 to incorporate new gray water standards, and the California Building Standards Commission adopted such standards as changes to the 2007 California Plumbing Code (CPC), California Code of Regulations, Title 24, Part 5, Chapter 16A, Part 1 (Gray water Standards) on August 4, 2009, to be effective August 14, 2009;

WHEREAS, the purpose of this ordinance includes but not limited to: rainwater harvesting and stormwater runoff management, water conservation, recycled water reuse and gray water use which are key elements of the City of Los Angeles "Water Supply Action Plan" and are essential in any low impact Development and complement this ordinance in providing sustainable Development;

WHEREAS, urbanization has led to increased impervious surface areas which results in increased runoff and the transport of pollutants to downstream receiving waters and less percolation to groundwater aquifers;

WHEREAS the City of Los Angeles needs to find a new approach to managing rainwater and urban runoff while mitigating the negative impacts of Development and urbanization;

WHEREAS the City of Los Angeles' Los Angeles River Revitalization Plan has identified reduction in peak stormwater runoff in the Los Angeles River as necessary to implement many of the Los Angeles River revitalization projects;

WHEREAS, LID is widely recognized as a sensible approach to stormwater management in both quantity and quality;

WHEREAS, LID standards and practices seek to maintain or restore the natural hydrologic character of the site, help reduce off-site runoff, improve water quality, and provide groundwater recharge;

WHEREAS, LID standards and practices maintain watershed characteristics, provide green features to the communities and preserve the site hydrology by incorporating multi-beneficial site design elements that may include bio-retention, bio-filtration/infiltration, downspout disconnect, limiting impervious areas, maximizing pervious surfaces, and using drought tolerant landscaping;

WHEREAS, LID is a stormwater management strategy that seeks to mitigate the impacts of increased in runoff and stormwater pollution. LID comprises a set of site design approaches and best management techniques that promote the use of natural systems for infiltration, evapotranspiration, and use of rainwater. These LID practices can effectively remove nutrients, pathogens, and metals from stromwater as they reduce the volume and intensity of stormwater flows;

WHEREAS, it is the intent of the City of Los Angeles to expand the applicability of the existing Standard Urban Stormwater Mitigation Plan requirements by providing stormwater and rainwater LID strategies for planning, and construction of Development and Redevelopment projects that require building permits;

WHEREAS, it is the intent of the City of Los Angeles to incorporate LID standards and practices for the purpose of:

- Requiring the use of LID standards and practices in future Developments and Redevelopments to encourage use of rainwater and urban runoff;
- Reducing stormwater/urban runoff while improving water quality;
- Promoting rainwater harvesting;
- Reducing off-site runoff and providing increased groundwater recharge;
- Reducing erosion and hydrologic impacts downstream;
- Enhancing the recreational and aesthetic values in our communities.

NOW THEREFORE,

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

Sec. 4. Chapter VI, Article 4.4, Section 64.70.01 of the Los Angeles Municipal Code is hereby amended to include the following definition:

(Amended by Ord. No. 175,026, Eff. 2/2/03.)

Sec. 64.70.01 Definitions and Abbreviations

- A. **Definitions.** For the purpose of this article, the following words and phrases are defined and shall be construed as set out here, unless it is apparent from the context that they have a different meaning:

“Development” means any construction, rehabilitation, Redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit Development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

“Redevelopment” means land-disturbing activities that result in the creation, addition, or replacement of 500 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

“Environmentally Sensitive Areas (ESAs)” means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and Developments (California Public Resources Code § 30107.5). Areas subject to storm water mitigation requirements are: areas designated as Significant Ecological Areas by the County of Los Angeles (Los Angeles County Significant Areas Study, Los Angeles County Department of Regional Planning (1976) and amendments); an area designated as a Significant Natural Area by the California Department of Fish and Game’s Significant Natural Areas Program, provided that area has been field verified by the Department of Fish and

Game; an area listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" beneficial use; and an area identified by a Permittee as environmentally sensitive.

"Site" means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land use in connection with the facility or activity.

~~"Offsite Runoff Mitigation Fee" means fee paid to the City of Los Angeles for the management of storm water runoff generated from the 0.75-inch water quality storm in excess of the storm water runoff that is infiltrated, evapotranspired, stored for use, and/or treated through high removal efficiency biofiltration/biotreatment system onsite. The Offsite Runoff Mitigation Fee shall be used by the City to construct or apply towards the construction of an offsite mitigation project within the same sub-watershed that will achieve at least the same level of water quality protection as if all of the runoff was retained on site.~~

Sec. 4. Chapter VI, Article 4.4, Section 64.72 of the Los Angeles Municipal Code is hereby amended to read as follows:

SEC. 64.72 STORMWATER POLLUTION CONTROL MEASURES FOR DEVELOPMENT PLANNING AND CONSTRUCTION ACTIVITIES

(Title and Section Amended by Ord. No. 173,494, Eff. 9/14/00.)

(A) Objective. The provisions of this section set forth requirements for construction activities and facility operations of Development and Redevelopment projects requiring building permits for new buildings with impervious roofs, additions that expand the footprint, or use of land to:

- i. Comply with the requirements of the Standard Urban Stormwater Mitigation Plan;*
- ii. Integrate Low Impact Development (LID) practices and standards for stormwater pollution mitigation; and*
- iii. Maximize open, green and pervious space on all Developments consistent with the City's landscape ordinance and other related requirements.*

as defined by the "Development Best Management Practices Handbook" adopted by the Board of Public Works. LID shall be inclusive of SUSMP requirements and shall apply to all Development and Redevelopment projects.

(B) Scope. This section provides for the requirements of stormwater pollution control measures in accordance with the "Development Best Management Practices Handbook" adopted by the Board of Public Works. This section applies to Development and Redevelopment projects and authorizes the Board of Public Works to define and adopt stormwater pollution control measures, define and adopt LID principles and specifications, including the objectives and specifications for integration of LID strategies, collect Best Management Practices compliance plan check fees, grant waivers from the requirements of the Standard Urban Stormwater Mitigation Plan, collect funds from projects that are granted waivers, conduct inspections, cite violators for infractions, and impose fines. Except as otherwise provided herein, the Board of Public Works shall administer, implement and enforce the provisions of this section. (Amended by Ord. No. 178,132, Eff. 1/19/07.)

(C) Low Impact Development (LID) Requirements

- 1. Implementation of LID requirements shall become effective 180 days from the date of adoption of the ordinance by the City Council and the Mayor. The LID requirements shall apply to all Developments and Redevelopments in the City of Los Angeles that require building permits after the ordinance effective date except for the following:**
 - i. Any Development or Redevelopment for which plans and complete permit application are accepted by the Department of Building and Safety for plan check and appropriate fees are paid prior the effective date of this ordinance;**
 - ii. Any entitlement application for a Development or Redevelopment filed with the Department of City Planning and deemed complete with the exception of CEQA review prior to the effective date of this ordinance. If the application is for a subdivision, the operative date for purposes of this section is the date the application is deemed complete. This exception shall no longer be valid if a Development or Redevelopment building permit has not be obtained within two- three years from the effective date of this ordinance, except that this three-year period shall be tolled for the period of time that any City approvals of the Development or Redevelopment are subject to pending litigation in a court of competent jurisdiction. In those cases with projects deemed complete before the effective date of the ordinance, and to which the tolling period described above applies, if in addition the City's approval process has delayed the project beyond the three year period, the developer can appeal to the Board of Public Works for an extension of the tolling period. The appeal will be required to explain in detail the causes of the delay and must demonstrate that complying with the requirements of this ordinance will cause undue hardship.**

- iii. Any Development or Redevelopment that only creates, adds or replaces less than 500 square feet of impervious area;
- iv. Any Development and Redevelopment involving emergency construction activities required to immediately protect public health and safety;
- v. Infrastructure projects within the public right-of-way;
- vi. Any interior building alteration or addition that does not expand the building footprint.
- vii. Use of Land Permits that require no addition to or alteration of existing impervious surfaces;
- viii. Re-stripping of permitted parking lots; or
- ix. Any Development or Redevelopment not requiring a building permit.

2. Unless excluded by subsection 1 above, all Developments and Redevelopments shall comply with this Chapter as follows:

a. Residential Development of 4 Units or Less

- i. For new Development less than 1 acre, including hillside Development or where re-Development results in an alteration of at least fifty (50) percent or more of the impervious surfaces of an existing developed site, the Development shall implement at least two adequately sized LID BMP alternatives as defined and listed in the LID Section of the Development Best Management Practices Handbook; or
- ii. Where Redevelopment results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site, the Development shall implement one adequately sized LID BMP alternative as defined and listed in the LID Section of the Development Best Management Practices Handbook; or
- iii. For new Development that is 1 acre and greater, or 1 acre and greater in a hillside area, the Development shall comply with the standards and requirements of this ordinance and of the LID Section of the Development Best Management Practices Handbook; or
- iv. For new Development and Redevelopment that lies within an ESA, where it will create 2,500 square feet or more of impervious surface area, the Development shall comply with the standards

and requirements of the ordinance and of the LID Section of the Development Best Management Practices Handbook.

b. Residential Developments of 5 Units or More and Nonresidential Developments

- i. For new Development or where Redevelopment results in an alteration of at least fifty (50) percent or more of the impervious surfaces of an existing developed site, the entire Site shall comply with the standards and requirements of this ordinance and of the LID Section of the Development Best Management Practices Handbook; or**
 - ii. Where the re-Development results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site, only such incremental Development shall comply with the standards and requirements of this ordinance and of the LID Section of the Development Best Management Practices Handbook.**

- 3. The Site shall be designed to manage and capture stormwater runoff, in priority order of infiltration, evapotranspiration, capture and use, and/or treated through high removal efficiency biofiltration/biotreatment system of all of the runoff on site to the maximum extent feasible. The high removal efficiency biofiltration/biotreatment system shall comply with the standards and requirements of the LID Section of the Development Best Management Practices Handbook. A LID Plan shall be prepared to comply with the following:**
 - i. Stormwater runoff will be infiltrated, evapotranspired, captured and used, and/or treated through high removal efficiency Best Management Practices, onsite, through stormwater management techniques allowed pursuant to the LID Section of the Development Best Management Practices Handbook. The onsite stormwater management techniques must be properly sized, at a minimum, to infiltrate, evapotranspire, store for use, and/or treat through high removal efficiency biofiltration/biotreatment system, without any storm water runoff leaving the site to the maximum extent feasible, for at least the volume of water produced by the quality design storm event that results from:

(a) The 85th percentile 24-hour runoff event determined as the maximized capture stormwater volume for the area using a 48 to 72-hour draw down time, from the formula recommended in Urban Runoff Quality Management, WEF**

Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or

(b) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in the California Stormwater Best Management Practices Handbook – Industrial/Commercial, (2003); or

(c) The volume of runoff produced from a 0.75 inch storm event.

For purposes of compliance with the LID requirements, and without change the priority order of design preferences as mentioned in this section, all runoff from the water quality design storm event, as determined in section C.3.i above, that has been treated through an onsite high removal efficiency biofiltration/biotreatment system shall be credited as equivalent to 100% infiltration regardless of the runoff leaving the site from the onsite high removal efficiency biofiltration/biotreatment system and that runoff volume shall not be subject to the offsite mitigation requirement or ~~Offsite Runoff Mitigation Fee~~ section of this ordinance.

- ii. Pollutants shall be prevented from leaving the Development Site for a water quality design storm event as defined in 3.i. above unless it has been treated through an onsite high removal efficiency bio-filtration/bio-treatment system.
 - iii. Hydromodification impacts shall be minimized to natural drainage systems.
4. When the onsite LID requirements are technically infeasible, partially or fully, as defined in the LID Section of the Development Best Management Handbook, the infeasibility shall be demonstrated in the submitted LID plan, shall be consistent with other City requirements, and shall be reviewed in consultation with the Department of Building and Safety. The technical infeasibility may result from conditions, that may include, but are not limited to:
- a) Locations where seasonal high groundwater is within 10 feet of surface grade;
 - b) Locations within 100 feet of a groundwater well used for drinking water;
 - c) Brownfield Development sites or other locations where pollutant mobilization is a documented concern;
 - d) Locations with potential geotechnical hazards;

- c) Locations with impermeable soil type as indicated in applicable soils and geotechnical reports; and
- f) Other site or implementation constraints identified in the LID Section of the Development Best Management Practices Handbook.

5. If partial or complete onsite compliance of any type is technically infeasible, the project Site and LID Plan shall be required to comply with, at a minimum, all applicable Standard Urban Stormwater Mitigation Plan (SUSMP) requirements in order to maximize onsite compliance. For the remaining runoff that cannot feasibly be managed onsite, the project shall implement offsite mitigation on public and/or private land within the same sub-watershed out of the following five sub-watersheds: Upper Los Angeles River, Lower Los Angeles River, Ballona Creek, Santa Monica Bay, Dominguez Channel. This shall include construction and perpetual maintenance of projects that will achieve at least the same level of runoff retention, infiltration and/or use, and water quality. All City Departments will assist the developer, when and where feasible, in the design, permitting and implementation of LID BMP projects within the public right of way, with a preference for utilizing the public right of way immediately adjacent to the subject development.

~~5. provide one or a combination of the following:~~

~~a. Offsite mitigation on public and private land within the same sub-watershed, out of the following five sub-watersheds: Upper Los Angeles River, Lower Los Angeles River, Ballona Creek, Santa Monica Bay, Dominguez Channel. This include construction and perpetual maintenance of projects that will achieve at least the same level of runoff retention, infiltration and/or use, and water quality, and/or;~~

~~b. Offsite Runoff Mitigation Fee payment to the City of Los Angeles's Stormwater Pollution Abatement Fund for offsite mitigation, as described in the LID Section of the Development Best Management Practices Handbook. The funding will be allocated to construct or apply towards the construction of an offsite mitigation project within the same sub-watershed that will achieve at least the same level of water quality protection as if all of the runoff was retained onsite. To provide an incentive for onsite management of storm water runoff, Development and Redevelopment projects will receive the following reduction in the Offsite Runoff Mitigation Fee based on the percentages of storm water runoff that is managed on site through infiltration, evapotranspiration, and/or capture and use:~~

% of Storm water Runoff Managed onsite	Fee Reduction %
Between 90% and 99%	75%
Between 75% and 89%	50%

6. A Multi-Phased Project may comply with the standards and requirements of this section for all of its phases by: (a) designing a system acceptable to the Bureau of Sanitation to satisfy these standards and requirements for the entire Site during the first phase and (b) implementing these standards and requirements for each phase of Development or Redevelopment of the Site during the first phase or prior to commencement of construction of a later phase, to the extent necessary to treat the stormwater from such later phase. For purposes of this section, "Multi-Phased Project" shall mean any Development or Redevelopment implemented over more than one phase and the Site of a Multi-Phased Project shall include any land and water area designed and being used to store, treat or manage stormwater runoff in connection with the Development or Redevelopment, including any tracts, lots, or parcels of real property, whether Developed or not, associated with, functionally connected to, or under common ownership or control with such Development or Redevelopment.
7. The Director of the Bureau of Sanitation shall prepare, maintain, and update, as deemed necessary and appropriate, the "Development Best Management Practices Handbook" to include LID standards and practices and standards for stormwater pollution mitigation, which shall include urban and stormwater runoff quantity and quality control Development principles and technologies for achieving the LID Standards, as well as estimated costs of offsite mitigation alternatives. The "Development Best Management Practices Handbook" shall also include technical feasibility and implementation parameters, alternative compliance for technical infeasibility, as well as other rules, requirements and procedures as the Director deems necessary, for implementing the provisions of this section of the Los Angeles Municipal Code. The Board of Public Works shall adopt the LID section of the "Development Best Management Practices Handbook" no later than 90 days after the adoption of this ordinance by the City Council and the Mayor.
8. The Director of the Bureau of Sanitation shall develop as deemed necessary and appropriate, in cooperation with other City departments and stakeholders, informational bulletins, training manuals and educational materials to assist in the implementation of the LID requirements.
9. The applicant can appeal the Director of the Bureau of Sanitation's determination to the Board of Public Works within 30 days of the date of the determination.
10. Any Development or Redevelopment that is exempted from this ordinance under section C.1.i and C.1.ii has the option to voluntarily opt in and incorporate into the project the LID requirements of this ordinance. In such case, the LID plan check fee associated with the project shall be waived and all LID related plan checks processes shall be expedited.

11. Any Development and Redevelopment whose exemption from this ordinance under section C.1.i and C.1.ii is no longer valid due to expiration of the building permit or expiration of the exemption time limit, the Development or Redevelopment has the option to comply with all applicable SUSMP requirements and either:

a. Infiltrate, use, evapotranspire, and/or biofilter/ biotreat the stormwater runoff from the Site to the maximum extent feasible at an off Site location, as set forth in Section 5.a. above; ~~or~~

~~b. Provide the appropriate Offsite Runoff Mitigation Fee as set forth in Section 5.b. above.~~

-(D) Other Agencies of the City of Los Angeles. All agencies of the City of Los Angeles, including, but not limited to, the Department of Public Works, Department of Building and Safety, Department of Water and Power, Los Angeles World Airports, Port of Los Angeles, Community Development Department, Community Redevelopment Agency and Los Angeles Housing Authority, shall establish administrative procedures necessary to implement the provisions of this section on their Development and Redevelopment projects and report their activities annually to the Board of Public Works.

Sec. 5. Chapter VI, Article 4.4, Section 64.72.05 of the Los Angeles Municipal Code is hereby amended to read as follows:

SEC. 64.72.05. LID PLAN CHECK FEES.

(Added by Ord. No. 178,132, Eff. 1/19/07.)

- A. *Before formally accepting a set of plans and specifications for checking, the Bureau of Sanitation shall collect a Best Management Practices plan check fee.*
- B. *The fee schedule for providing Best Management Practices plan check services for Standard Urban Stormwater Mitigation Plan (SUSMP), Site Specific Mitigation Plan (SSMP), or LID Implementation Plan is as follows:*

	DEVELOPMENT CATEGORY	LID PLAN CHECK FEES
	Development and Redevelopment < 500 square feet	Exempt
1a	Residential, 4 Units or Less (≥ 500 square feet) For new Development (including hillside areas) less than 1 acre or where Redevelopment results in an alteration of at least fifty (50) percent or more of the impervious surfaces of an existing developed site	\$200 / Project
1b	Residential, 4 Units or Less (≥ 500 square feet) Where Redevelopment results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site	\$20 / Project
1c	Residential, 4 Units or Less (≥ 500 square feet) For new Development (including hillside areas) that is 1 acre and greater	\$ 700/ Project
1d	Residential, 4 Units or Less (≥ 500 square feet) For new Development and Redevelopment that lies within an ESA creating 2,500 square feet or more of impervious surface area	\$ 700/ Project
2a	Residential Developments of 5 Units or More and Nonresidential Developments (≥ 500 square feet) For Redevelopment that results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site	\$ 800 / Project

2b	Residential Developments of 5 Units or More and Nonresidential Developments (≥ 500 square feet) For new Development or where Redevelopment that results in an alteration of at least fifty (50) percent or more of the impervious surfaces of an existing developed site	\$ 1,000/ Project
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* Projects located in, adjacent to, or discharging directly to a designated Environmentally Sensitive Area (ESA)

- C. *At the discretion of the Bureau of Sanitation, a large scale project may be categorized as a Special Project and billed on actual cost incurred by the City.*
- D. *Off-hour Plan Check Fee. Upon request by an applicant, the Bureau of Sanitation may, at its discretion, provide plan check at other than normal working hours upon application therefore by an applicant. In addition to the plan check fees listed in B. of this Section, an additional 50 percent premium will be collected at the time of request.*
- E. *All entities, including City Departments and other public agencies, are required to pay the Best Management Practices plan check fees.*
- F. *All monies collected pursuant to Section 64.72.05 of this Code shall be placed and deposited into the Stormwater Pollution Abatement Fund, **under a separate account for each sub-watershed**, established by Section 64.51.11 of the Los Angeles Municipal Code.*

Sec. 7. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect remaining provisions of this Ordinance are declared to be severable.

Sec. 8. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing 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 Trutanich, City Attorney

By _____
Christopher M. Westhoff
Assistant City Attorney

Date _____

File No. _____