

Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0124
FEB 27 2026

REPORT RE:

DRAFT ORDINANCE AMENDING SECTION 19.16 OF CHAPTER I AND SECTION 15.7.3. OF CHAPTER 1A OF THE LOS ANGELES MUNICIPAL CODE TO IMPLEMENT A FEE UPDATE BY THE DEPARTMENT OF CITY PLANNING FOR CASE PROCESSING APPLICATION FEES

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

Council File No. 09-0969-S4

Honorable Members:

This Office transmits for your consideration, reviewed for form and legality, a draft ordinance to supplement recently adopted fee updates, and to address a requested amendment that was erroneously omitted from the list of fee updates in Ordinance No. 188796, approved by Council on December 10, 2025. (C.F. 09-0969-S4.)

Following the December 10, 2025 City Council meeting, the Department of City Planning discovered the adopted ordinance did not include the requested fee increase for the General Plan Maintenance Surcharge Fee codified at Los Angeles Municipal Code (LAMC) Section 19.16 (Chapter 1) and Section 15.7.3 (Chapter 1A). (See Recommendation No. 1 in Planning and Land Use Management (PLUM) Committee Report, dated 10/14/25 in C.F. 09-0969-S4.)



To address this issue, this Office has prepared the enclosed draft ordinance to amend these two sections omitted from the fee update contained in Ordinance No. 188796. This draft ordinance would increase the General Plan Maintenance Surcharge (GPMS) fee calculation from 7% to 10%, as specified by PLUM's report, dated October 14, 2025. (C.F. 09-0969-S4.)

This correction to the draft ordinance, as described above, does not alter the findings and notification requirements, as discussed in City Attorney Report No. R25-0562, including the California Environmental Quality Act (CEQA) findings, and are provided here for reference.

Charter Findings Not Required

The enclosed draft ordinance strictly relates to an increase in the existing GPMS Fee and is not a land use ordinance under Los Angeles City Charter Section 558. For this reason, this draft ordinance is not subject to approval by the City Planning Commission.

Fee Notice Requirements

Prior to increasing the GPMS Fee, the City Council must conduct a public hearing concerning the matter, as required by Government Code Section 66016. Notice of the time and place of the meeting at which the hearing will be held, including a general description of the matter to be considered, must be published in accordance with Government Code Section 6062a. Those sections of State law require that prior to adoption of a new or increased fee a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

CEQA Determination

This Office recommends that the City Council determine that the adoption of this ordinance does not constitute a "project," as defined by CEQA pursuant to CEQA Guidelines Section 15378(b)(4), which states that a "project" does not include "[t]he creation of government funding mechanisms or other government fiscal activities which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment."

Furthermore, even if it were found to be a "project" under CEQA, this Office recommends that the adoption of this ordinance is exempt from CEQA based upon CEQA Guidelines Section 15061(b)(3), which states that a project is exempt from CEQA if "[t]he activity is covered by the general rule that CEQA applies only to projects

which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” If you concur, you must comply with CEQA by making this determination prior to or concurrent with your action on the ordinance.

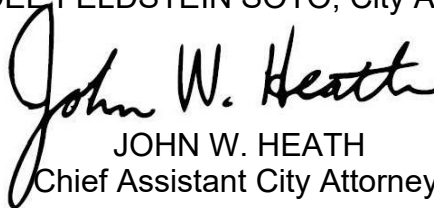
Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of City Planning with a request that all comments be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kimberly Huangfu at (213) 978-8257. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By 
JOHN W. HEATH
Chief Assistant City Attorney

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Transmittal