



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 1 4 - 0 3 7 4  
OCT 1 5 2014

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTION 19.15 OF ARTICLE 9 OF CHAPTER 1  
OF THE LOS ANGELES MUNICIPAL CODE TO REVISE AND UPDATE THE  
APPLICATION FEES PAID TO THE DEPARTMENT OF TRANSPORTATION FOR  
THE REVIEW AND ASSESSMENT OF TRAFFIC STUDY REPORTS, CONDITION  
CLEARANCE AND PERMIT ISSUANCE ACTIVITIES RELATED TO OBTAINING ANY  
ENVIRONMENTAL CLEARANCE FOR PRIVATE DEVELOPMENT PROJECTS  
WITHIN THE CITY OF LOS ANGELES**

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

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Section 19.15 of the Los Angeles Municipal Code in its entirety to revise and update the application fees paid to the Department of Transportation for the review and assessment of traffic study reports, condition clearance and permit issuance activities related to obtaining any environmental clearance for private development projects within the City of Los Angeles.

Fee Notice Requirement

We note that, because this ordinance would effectuate increases in existing fees, notice of its proposed adoption should be given in accordance with the provisions of California Government Code Sections 66018 and 6062a. Those sections of State law require that prior to adoption of a new or increased fee a public hearing be held and

notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

Council Rule 38 Referral

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

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Nagle at (213) 978-8141. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:MDN:ac  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Section 19.15 of Article 9 of Chapter 1 of the Los Angeles Municipal Code in its entirety to revise and update the fees paid to the Department of Transportation for the review and assessment of traffic study reports, condition clearance and permit issuance activities related to obtaining any environmental clearance for private development projects within the City of Los Angeles.

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

Section 1. Section 19.15 of Article 9 of Chapter 1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 19.15. DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY REVIEW,  
CONDITION CLEARANCE AND PERMIT ISSUANCE FEES.**

(a) **Fees.** The following specific fees shall be paid to the Department of Transportation (Department) for the preparation and processing of traffic reports, clearance of conditions and permit sign-offs in connection with obtaining any environmental clearance and/or permit issuance related tasks.

(1)	Building Permit Sign Offs ( <u>Note 1</u> ).....	\$365
(2)	Dedication & Widening Waivers.....	\$445
(3)	Department Referral Form ( <u>Note 2</u> ).....	\$430
(4)	Driveway Permit Sign Offs ( <u>Note 3</u> ).....	\$535
(5)	Haul Route Review.....	\$420
(6)	Master Plan / Complex Circulation Review ( <u>Note 4</u> ).....	\$1,595
(7)	Project Condition Clearance ( <u>Note 5</u> ).....	\$270
(8)	Revocable Permit.....	\$205
(9)	Street Vacation Requests.....	\$965
(10)	Subdivision Report.....	\$205
(11)	TDM Compliance / Trip Monitoring Report Review.....	\$770
(12)	Technical Study ( <u>Note 6</u> ).....	\$1,340

- (13) Traffic Study MOU.....\$1,175
- (14) Traffic Study Review (Note 7).....\$7,480
- (15) Traffic Study Review /  
Plan Review – Expedited.....See Subsection (c)
- (16) Worksite Traffic Control Plan Review (non B-permit).....\$1,645

**Note 1:** For a project with multiple addresses and permits (i.e., multi-family units), \$365 should be charged per distinct site plan and not per unit. For example: if, for a 100 unit small lot subdivision condominium project, each unit falls into one of three different site plan options, then the Department review fee should be \$1,110 (\$370 X 3) even if there are 100 separate building permits to approve.

**Note 2:** The Department Referral Form may also be submitted to the Department in the form of an Initial Site Assessment Form or a Site Plan Review Form. If this is the case, the Department Referral Form fee still would apply.

**Note 3:** When reviewing a Building Permit application that also includes a Driveway Permit Sign Off, the applicant should not be charged two fees (Building Permit and Driveway Permit). Instead, the applicant should be charged only the Building Permit fee if the driveway plan does not include a new curb cut. If the driveway plan does include a new curb cut, then the applicant only should be charged the Driveway Permit Sign-Off fee.

**Note 4:** This fee applies to Master Plan type developments or large scale projects with complicated circulation plans that require considerable staff time to help applicant arrive at an acceptable access and circulation plan.

**Note 5:** \$270 for the first three condition clearances plus \$200 for each additional condition clearance.

**Note 6:** A “technical study” can include technical memorandums (defined in LADOT’s Traffic Study Guidelines), trip generation assessments, traffic study supplements, shared parking analyses, etc. The fee includes the cost to process a study MOU, if required.

**Note 7:** \$7,480 for the first ten study intersections plus \$400 per each additional study intersection, not to exceed a total of \$25,000.

**Special Note:** If a project is approved by LADOT through the subdivision clearance or building permit process and the applicable fees have been paid, future approvals will not require additional fees as long as there have been no substantial changes to the approved portion of the project.

(b) **Transportation Review Fee Fund.** Each fee collected pursuant to this section shall include a five percent surcharge to be deposited into the Transportation Review Fee Fund No. 50Y. This fund shall be used exclusively by the Department to provide funding for the continual enhancement of development review related information technology systems and for procurement costs associated with equipment, software, materials, staff training and, if needed, consultant services. With the exception of the five percent surcharge deposited into the Transportation Fee Fund No. 50Y, the remaining 95 percent fees collected shall be credited to the General Fund.

(c) **Expedited Services.** The Department shall offer expedited services in the review of traffic studies or the review of B-permit design plans. Project applicants can choose to pay a higher review fee to allow Department staff to work overtime hours to expedite their review. The actual review fee to process a traffic study, which will be greater than the standard traffic study review fee, will be determined by the Department during the preparation of the Traffic Study Memorandum of Understanding executed between the Department and the applicant's representative. The fee established shall be based on the applicant's desired completion date, the availability of staff to work overtime and the affected division's case workload. During times of peak workloads, the expedited review fee may be utilized by the Department to procure an outside firm from the Department's pre-screened list of consultants to conduct the review of the study. Similarly, the actual fee to process B-permit design plans shall be established by the Department at the pre-design meeting with the applicant's representative.

(d) **Fee Revisions.** The Department shall provide an annual review of the fees established pursuant to this section, and shall submit recommendations for changes in these fees for special services to the Council. The fees shall be revised by the Department to account for any staff salary cost of living adjustments. Notice of a revision in fees shall be in accordance with California Government Code Sections 66018 and 6062a, which 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 second publications, not counting the dates of publication.

Sec. 2. 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 \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

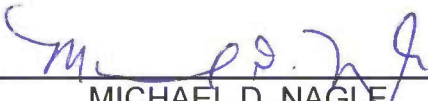
By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  \_\_\_\_\_  
MICHAEL D. NAGLE  
Deputy City Attorney

Date October 8, 2014

File No. \_\_\_\_\_