

ORDINANCE NO 183581

An ordinance amending Sections 12.24 and 19.01 of the Los Angeles Municipal Code to add pre-application fees to certain conditional use permit applications and to implement clearance, monitoring and revocation fees associated with certain conditional use permits.

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

Section 1. Subsection B of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

B. Application for Permit. To apply for a permit, an applicant shall file an application with the Department of City Planning on a form provided by the Department, and shall include all information required by the instructions on the application and the guidelines adopted by the Director of Planning. Any filing fees required under Section 19.01.E shall be included with the application. The Director of Planning shall adopt guidelines which shall be used to determine when an application is deemed complete.

1. **Pre-Application Consultation.** Prior to filing an application pursuant to Sections 12.24.M, 12.24.W or 12.24.X of this Code, an applicant must consult with the Department for a preliminary review of his or her project in order to receive an estimate of the fees and approvals required for a given project. The applicant shall pay a pre-application fee at the time of the initial meeting with the Department per Section 19.01. The applicant shall then file an application with the Department of City Planning as required by Subsection B above.

Sec. 2. Subsection F of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

F. Conditions of Approval. In approving a project, the decision-maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. The decision may state that the height and area regulations required by other provisions of this Chapter shall not apply to the conditional use approved.

The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar quasi-judicial approval granted pursuant to this section. Clearance, monitoring and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Section 19.01 of this Code.

If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar quasi-judicial approval granted pursuant to this section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the

correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to Subsection Z of this section may commence.

Sec. 3. Subsection Z of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

Z. Revocation. If the applicant fails to comply with the conditions of any conditional use or other similar quasi-judicial approvals granted pursuant to this section, the Director or the appropriate Area or City Planning Commission (if the approval or conditional use was granted by an Area or City Planning Commission), upon knowledge of the fact of non-compliance, may give notice to the record owner or lessee of the real property affected to appear at a time and place fixed by the Area or City Planning Commission or Director and show cause why the decision granting the approval or conditional use should not be repealed or rescinded. The City Planning Commission may delegate its authority in this matter to the Director.

1. **Hearing and Decision.** After the hearing, the Area or City Planning Commission or the Director may revoke, temporarily suspend or impose further restrictions on the conditional use or other similar quasi-judicial approval. An appeal from this revocation action may be taken to the City Council in the same manner prescribed in Subsection I. The City Council's decision on appeal shall be reviewable as an approval of a conditional use or other similar quasi-judicial approval in the manner prescribed in Subsection I.6.

After revocation, the property affected shall be subject to all the regulations of the zone in which the property is located, as provided in this article.

2. **Fees.** A fee as set forth in Section 19.01 of this Code shall be paid to the City within 30 days of the effective date of the decision by the Director or Area or City Planning Commission. If an appeal is filed and the decision of the Director or Area or City Planning Commission is upheld by the City Council on appeal, then the fee required by this subsection shall be paid in full within 30 days of the effective date of the final decision. However, if the City Council reverses the decision of the Director or Area or City Planning Commission then no payment of fees other than the appeal fee specified in Section 19.01.P shall be required.

Sec. 4. Subsection E of Section 19.01 of the Los Angeles Municipal Code is amended to read as follows:

E. Zoning Administrator Conditional Uses, Interpretations and Various Quasi-judicial Approvals.

1. The following fees shall be charged pursuant to Section 12.24 of this Code to applicants seeking certain permits, interpretations or approvals:

[FILING FEE]

Type of Application	Fee*
Zoning Administrator Interpretation of Yard or Use Regulations (Section 12.21 A.2)	\$5,831
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)	\$6,459
Conditional Use by Zoning Administrator - all other uses (Section 12.24 W)	\$5,358
Modification or Review by Zoning Administrator (Sections 12.24 J, 12.24 L and 12.24 M)	\$5,754
Relief from Fence Height Limitation (under 8 feet) or other Height Limitation for Similar Structures above 8 feet (Sections 12.24 X.7, 12.24 X.8 and 12.28)	\$4,525
Child Care Less than or Equal to 50 children in the R-3 Zone or Large Family Day Care (Section 12.24 X)	\$4,601
Certified Farmers' Market (Section 12.24 X.6)	\$2,641
Service of Alcohol in a Small Restaurant Less than or Equal to 50 Seats (Section 12.24 X.2)	\$6,040
Approval to Erect Amateur Radio Antenna (Section 12.24 X.3)	\$2,592
Zoning Administrator Determination under Section 12.24 X Unless Listed Separately	\$6,093

* See Section 19.01.V for Multiple Applications

2. The following fee shall be charged pursuant to Section 12.24.B.1 of this Code to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review:

[PRE-APPLICATION FEE]

Type of Application	Fee
Pre-Application Review and Research for Conditional Uses (Section 12.24 F)	\$293

3. The following fees shall be charged pursuant to Sections 12.24.F and 12.24.Z.2 of this Code for costs associated with permit clearance, condition compliance monitoring and inspections conducted by the City, and revocation proceedings:

[CLEARANCE/REVOCAION/ENFORCEMENT FEE]

Type of Application	Fee
Miscellaneous Clearance – Zoning Administrator	\$1960
Miscellaneous Clearance - Zoning Administrator Single Family Dwellings with no Exceptions	\$861
Monitoring of Conditional Use Permits (Sections 12.24 F, 12.24 M, 12.24 W, 12.24 X)	\$952
Field Verification prior to Operations (Sections 12.24 F, 12.24 M, 12.24 W ,12.24 X)	\$253
Inspection and Field Compliance Review of Operations (Sections 12.24 F, 12.24 M, 12.24 W, 12.24 X)	\$746
Revocation, Suspension or Restriction Proceedings for Non-Compliance of Conditions (Deposit) (Section 12.24 Z)	\$5000 ^H

^H The Planning Department shall calculate actual costs and the resultant fee in accordance with Chapter 6, Section 5.121.9.2 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.

Sec. 5. 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 MAY 19 2015.

HOLLY L. WOLCOTT, City Clerk

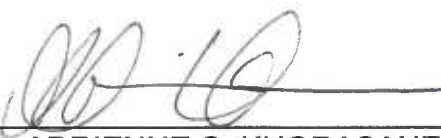
By 
Deputy

Approved 5/26/15


Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
ADRIENNE S. KHORASANEE
Deputy City Attorney

Date February 3, 2015

File No. ~~OF 13-0048, 14-0000-S143, 14-0122~~
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