

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The purpose of the proposed ordinance is to implement new fees to recover the costs incurred by the Fire Department in reviewing, evaluating and processing fuel modification plans which are required, pursuant to Title 32 of the Los Angeles County Code, for any proposed development to be located in a Very High Fire Hazard Severity Zone. The Auditor-Controller has reviewed the calculations used to determine the amount of these new fees and has determined that the proposed fees are reasonable.

Implementation of Strategic Plan Goals:

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the new fees, if adopted, will provide sufficient funds for full recovery of all costs incurred by the Fire Department in connection with the review, evaluation and processing of fuel modification plans.

FISCAL IMPACT/ FINANCING:

There will be an increase in the cost of plan check reviews. There will be an increase of revenue generated by these fees.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Section 1117.2.1 of Title 32 of the Los Angeles County Code provides that a fuel modification plan is required to be submitted with any proposed subdivision of land or prior to any new construction or substantial reconstruction of any structure located within an area designated as a Very High Fire Hazard Severity Zone in the Los Angeles County Building Code and that such plan must be reviewed and approved by the Fire Department.

Pursuant to Section 66017 of the Government Code, any action adopting a fee or charge, or increasing a fee or charge adopted, upon a development project which applies to the filing, accepting, reviewing, approving, or issuing of an application, permit, or entitlement to use shall be enacted in accordance with the notice and public hearing procedure specified in Section 66016 of the Government Code and shall be effective no sooner than 60 days following the final action on the adoption of the fee or charge or increase in the fee or charge.

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Section 66016 of the Government Code provides that prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, the County must hold a public meeting, at which oral or written presentations can be made as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that data indicating how the fees were calculated will be available to the public, shall be mailed at least 14 days prior to the meeting to any interested party who has filed a written request with the clerk of the Board of Supervisors for mailed notice of meetings regarding new or increased fees or charges.

Section 66016 also requires that, at least 10 days prior to the meeting, the County must make available to the public data indicating the basis for the fees, including the amount of cost, or estimated cost, required to provide the services for which the fees are levied and the revenue sources anticipated to provide the service. This data will be made available to the public, at County of Los Angeles Fire Department Headquarters, 1320 North Eastern Avenue, Los Angeles, CA 90063, in accordance with Section 66016.

Additionally, Section 66018 of the Government Code requires that notice of the time and place of the meeting, including a general explanation of the matter to be considered, be published in accordance with Section 6062a of the Government Code (i.e., for 10 days in a newspaper regularly published at least once a week; two publications, with at least five days intervening between the dates of first and last publication not counting such publication dates, being sufficient).

The proposed ordinance has been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION:

This proposed ordinance is being adopted for the purpose of meeting operational expenses of the Fire Department, and is therefore exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).

CONTRACTING PROCESS:

Not applicable.

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IMPACT ON CURRENT SERVICES:

The provisions of this ordinance will have a significant impact on current County services. This ordinance will allow the Fire Department to provide a higher level of customer service in the checking and processing of fuel modification plans.

CONCLUSION:

Upon approval of the enclosed ordinance, the Clerk of the Board of Supervisors is requested to return a conformed copy of the approved Board letter to this Department.

Respectfully submitted,

P. MICHAEL FREEMAN

PMF:kj

Attachment

c: Chief Administrative Officer
County Counsel

ORDINANCE NO. _____

An ordinance amending Title 32 - Fire Code of the Los Angeles County Code, to add Section 1117.2.1.2, relating to fees for the review and processing of landscape, fuel modification, and irrigation plans by the fire department.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1117.2.1.2 of Title 32 - Fire Code is hereby added to read as follows:

1117.2.1.2 Fuel Modification, Landscape and Irrigation Plan Check Fee

Schedule. A plan check fee shall be payable to the fire department, upon the submission of any fuel modification plan, landscape plan, or irrigation plan for review and approval by the fire department. The amount of the plan check fee, for each such plan, shall be calculated in accordance with the following table:

Barns, garages, accessory structures	\$330.00
New residential, commercial, or industrial structures less than 2,500 sq. ft. in total area, or additions/modifications to existing residential, commercial or industrial structures which increase the total square footage of the structure by 50 percent or more and which addition/modification does not exceed 2,500 sq. ft. in total area	\$550.00
Parcel maps	\$550.00
New residential, commercial, or industrial structures greater than 2,500 sq. ft. in total area, or additions/modifications to existing residential, commercial, or industrial structures which increase the total square footage of the structure by 50 percent or more and which addition/modification exceeds 2,500 sq. ft. in total area	\$1,100.00
Tract maps – preliminary plan approval	\$1,100.00
Tract maps containing five to 20 lots – final plan approval	\$2,200.00
Tract maps containing more than 20 lots – final plan approval	\$3,300.00

[1117212MYCC]

**NOTICE OF PUBLIC HEARING RE
PROPOSED NEW FEES FOR THE REVIEW OF FUEL MODIFICATION,
LANDSCAPE AND IRRIGATION PLANS FOR DEVELOPMENT PROJECTS**

Notice is hereby given that a public hearing will be held by the Board of Supervisors regarding an ordinance amending Title 32 of the Los Angeles County Code to add new fees to be charged by the County in connection with the review of fuel modification, landscape and irrigations plans for development projects.

Said hearing will be held on April 26, 2005, at 9:30 a.m., in the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

Data indicating the amount of cost, or estimated cost, required to provide the service for which the above fees are levied and the revenue sources anticipated to provide the service, including General Fund revenues, if any, shall be made available to the public at least ten (10) days prior to the hearing. The data will be available at the County of Los Angeles Fire Department Headquarters, 1320 North Eastern Avenue, Los Angeles, CA 90063.

The Board of Supervisors will consider and may adopt the ordinance. Further notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012.

This ordinance amends Title 32 – Fire Code, of the Los Angeles County Code, to add new fees relating to the review of landscape, fuel modification, and irrigation plans by the fire department.

RAYMOND J. FORTNER, JR.
County Counsel

By 
MARK YANAI
Principal Deputy County Counsel
Public Works Division

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(03/11/05) (Requested)

(03/21/05) (Revised)