

## **LEGISLATIVE DIGEST**

[Planning Code - Planning Fees]

**Ordinance amending the Planning Code to require certain Planning Department fees to be paid to the Department at the time the Development Application is submitted, modify the environmental review fees for large projects, and remove the separate fee schedule for “Class 32” categorical exemptions under the California Environmental Quality Act; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302**

### **Existing Law**

The Planning Department’s fees are set forth in Ordinance No. 149-16, which is uncodified. The fees are indexed and increase annually based on the Consumer Price Index.

For projects that do not require a discretionary approval from the Planning Commission or Zoning Administrator, the Planning Department charges a fee that is collected by the Central Permit Bureau at the time of the project applies its building permit application.

The Planning Department charges various fees to evaluate projects under the California Environmental Quality Act (CEQA). One of the CEQA fees is for projects that are considered exempt because they are located in urbanized areas. This is called an in-fill or Class 32 exemption. For large projects requiring an Environmental Impact Report, the Planning Department charges a fee based on the estimated cost of construction. These fees have two parts: an initial fee, and a variable fee. The initial fee is based on the whether the estimated cost of construction exceeds certain thresholds. The variable fee is based on the amount that the estimated cost of construction exceeds the specific threshold.

### **Amendments to Current Law**

This ordinance would require fees for projects that do not require a discretionary approval from the Planning Commission or Zoning Administrator to be paid at the time of the Development Application.

This ordinance would remove the separate fee for Class 32 categorical exemptions. As a result, projects being evaluated under a Class 32 categorial exemption would pay the standard fee for categorical exemptions.

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This ordinance would also remove the variable fee for the highest category of construction projects that require an Environmental Impact Report.

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