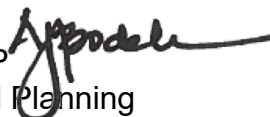


September 11, 2023

TO: Staff

FROM: Amy J. Bodek, AICP
Director of Regional Planning



**SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2023-08
APPLICATION FILING FEE REFUND POLICY**

PURPOSE

This memo establishes an application filing fee refund policy to ensure that LA County Planning recovers the costs it has incurred up to the time an application is withdrawn, in accordance with [County Code Section 22.222.080 \(Fees and Deposits\)](#).

BACKGROUND

The Title 22 Tune Up “Series 002” Ordinance, adopted by the Board of Supervisors on August 8, 2023, amended County Code Section 22.222.080.C.1 as follows (emphasis added):

Fee Refunds. If an application is withdrawn as provided in Section 22.222.070.D (Withdrawal of Application), the Director shall refund a portion of the filing fee **in accordance with the refund policy on file with the Department. The purpose of the refund policy is to ensure that the Department recovers the costs it has incurred up to the time the application is withdrawn.** There shall be no refund of any portion of the filing fee after the publication of notice per Section 22.222.180 (Publication).

APPLICABILITY

This policy applies to application filing fee refunds issued on or after September 7, 2023. This policy does not apply to deposit account refunds, which are regulated by County Code Section 22.222.080.C.2.

POLICY

Eligibility. An application filing fee is eligible for a refund if the original payee completes, signs, and submits a [Withdrawal and Refund Request Form](#) within the timeframes specified below. The application filing fee refund will be issued to the original payee.

Timeframe. An application filing fee will be refunded if the application is withdrawn within the following timeframes:

- **Ministerial Reviews and Permits.** Up to 90 days after the date of filing fee payment.
- **Discretionary Permits.** Up to six months after the date of filing fee payment. However, the application filing fee will not be refunded if the application was deemed inactive pursuant to [County Code Section 22.222.100 \(Denial of Inactive Application\)](#) and the applicant did not respond to staff's request for information, revisions, and/or other materials for more than three consecutive months.
- **Appeals.** Prior to staff's initiation of the notice of public hearing publication process pursuant to [County Code Section 22.222.180 \(Publication\)](#).

Refund Amount: Ministerial Reviews and Permits. In all instances, 20 percent of the application fee will be retained to recover clerical and other administrative costs and expenses associated with the Department's application acceptance and initial review.

- 80 percent of the application filing fee will be refunded if staff did not conduct any substantial application review and did not issue a request for corrections via a letter or email.
- 40 percent of the application filing fee will be refunded if staff conducted any substantial application review or issued a request for corrections via a letter or an email.
- The application filing fee will not be refunded if the original payee did not complete, sign, and submit a [Withdrawal and Refund Request Form](#) within the timeframe specified above.

Refund Amount: Discretionary Permits. In all instances, 20 percent of the application filing fee will be retained to cover clerical and other administrative costs and expenses associated with the Department's application acceptance and initial review.

- 80 percent of the application filing fee will be refunded if staff did not conduct any substantial application review, did not conduct a site visit, and did not initiate any consultations with other County Departments.
- 40 percent of the application filing fee will be refunded if staff conducted any substantial application review, conducted a site visit, or initiated at least one consultation with another County Department.
- The application filing fee will not be refunded if the original payee did not complete, sign, and submit a [Withdrawal and Refund and Request Form](#) within the timeframe specified above or if staff initiated the public hearing publication process pursuant to [County Code Section 22.222.180 \(Publication\)](#).

Refund Amount: Appeals.

- 100 percent of the application filing fee will be refunded if the original payee completed, signed, and submitted a [Withdrawal and Refund Request From](#) within the timeframe specified above unless staff initiated the notice of public hearing publication process pursuant to [County Code Section 22.222.180 \(Publication\)](#).

Exception. 100 percent of the application filing fee will be refunded if the Director determines that an application was erroneously required.

If you have any questions regarding this policy, please contact Mitch Glaser.

AJB:DD:MG:MM:lm