



**APPLICATIONS:**

# APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

**Related Code Section:** The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

**Purpose:** *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

### General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

**NOTE:**

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

### 1. Case Information

Environmental Case Number: ENV-2021-8125-CE

Related Entitlement Case Number(s): ZA-2021-8124-ZAD-1A

Project Address: 1431 N Avenue 57, Los Angeles, CA 90042

Date of Final Entitlement Determination: May 3, 2023

The CEQA Clearance being appealed is a(n):

- EIR       SCEA       MND       ND       CE       SE

### 2. Appellant Identity (check all that apply)

- Representative       Property Owner       Other Person
- Applicant       Operator of the Use/Site

### 3. Appellant Information

Appellant Name: Michael Dailey & Clayton Early

Company/Organization: n/a

Mailing Address: 1437 N Avenue 57

City: Los Angeles      State: CA      Zip: 90042

Telephone: 617-791-4831      E-mail: mike.dailey@mac.com

- a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?  
 Self       Other: \_\_\_\_\_
- b. Is the appeal being filed to support the original applicant's position?       Yes       No

**4. Representative/Agent Information**

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

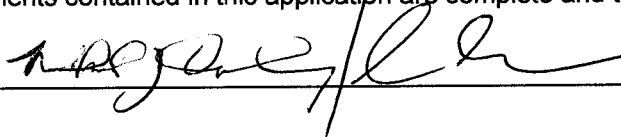
Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**5. Appeal Justification**

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

**6. Applicant's Affidavit**

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: 5/18/23

**ENVIRONMENTAL APPEAL FILING REQUIREMENTS**

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

**1. Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

**2. Electronic Copy**

- Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

**3. Appeal Fee**

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)