

APPLICATIONS

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



RELATED CODE SECTIONS

The Los Angeles Municipal Code (LAMC) [Section 13B.11.F. of Chapter 1A](#) establishes the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

PURPOSE

A CEQA determination 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. If a final decision on a project was made by the City Council, either as the initial decisionmaker or on appeal, the related CEQA determination is not appealable.

To initiate appeal of a CEQA appeal, this form must be completed with the required materials attached and filed within 15 calendar days from the final administrative decision of the entitlement application.

GENERAL INFORMATION

Appealable CEQA determinations:

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

Non-appealable CEQA determinations:

- Addenda to any of the above-listed CEQA determinations
- Findings made pursuant to [CEQA Guidelines Section 15162](#)
- 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 appeals related to determinations made by Los Angeles City Planning. All other CEQA appeals shall be filed with the City Clerk pursuant to [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.

CASE INFORMATION

Environmental Case Number: ENV-2023-8122-CE

Related Entitlement Case Number(s): AA-2023-8121-PMLA-1A

Project Address: 1400 North Vista Moraga

Date of Final Entitlement Determination: May 4, 2026

The CEQA Clearance being appealed is a(n):

- EIR SCEA MND ND CE SE SCPE

JUSTIFICATION / REASON FOR APPEAL

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

APPELLANT

Check all that apply.

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

APPELLANT INFORMATION

Appellant Name: Michael Talla

Company/Organization: _____

Mailing Address: 1396 Vista Moraga Los Angeles

City: Los Angeles State: CA Zip Code: 90049

Telephone: (310) 444-4222 Email: mt@cochisecap.com

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

- Self Other: _____

Is the appeal being filed to support the original applicant's position? YES NO

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable): Robert L. Glushon
Company: Luna & Glushon
Mailing Address: 16255 Ventura Boulevard, Suite 950
City: Encino State: CA Zip Code: 91436
Telephone: (818) 907-8755 Email: RGlushon@lunaglushon.com

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Michael Talla Date: 5/12/2026

GENERAL NOTES

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.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: \$229 Date: 5/12/26
Reviewed & Accepted by (DSC Planner): J. Chan
Receipt No.: 200612307764 Date: 5/12/26
Deemed Complete by (Project Planner): _____

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.



QR Code to Online Appeal Filing

IN PERSON APPEAL FILINGS

Drop off at DSC: Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- b. Alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

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

2. Electronic Copy

- Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a) (Appeal Fees) of Chapter 1, or LAMC Section 15.1.1F.1.a. (Appeal Fees) of Chapter 1A; or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) (Appeal Fees) of Chapter 1, or LAMC Section 15.1.1F.1.b. (Appeal Fees) of Chapter 1A.

Note: City Clerk prepares the mailing list for CEQA appeals per LAMC Section 13B.11.C. (Notice Rules for CEQA) of Chapter 1A.

ATTACHMENT TO APPEAL

ENV-2023-8122-CE / Related Case AA-2023-8121-PMLA

Appellant: Michael Talla and the Talla Family Trust, the owners/residents of the property located at 1396 Vista Moraga immediately adjacent to the Project site and who would be directly impacted by the Project.

Justification for Appeal

The adopted Categorical Exemption does not apply when “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” CEQA Guidelines § 15300.2(c). The “unusual circumstances” exception is established without evidence of an environmental effect upon a showing that the project has some feature that distinguishes it from others in the exempt class, **such as its size or location**. In such a case, to render the exception applicable, **the party need only show a reasonable possibility of a significant effect due to that unusual circumstance**.

In the within case, the Advisory Agency erroneously told the City Planning Commission that the unusually large size of the subject parcel - a **143,359 square-foot lot** – could not be used to establish “unusual circumstances”.

In addition, the “unusual circumstances” exception is established with evidence that the project will have a significant environmental effect. *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086. Here, the Santa Monica Mountains Conservancy and Mountains Recreation Conservation Authority have submitted evidence that the Project site is surrounded by habitat blocks subject to the Eastern Santa Monica Mountains Habitat Linkage Planning Map. The proposed subdivision would obstruct wildlife movement, resulting in significant adverse biological impacts. Therefore, a Categorical Exemption is legally deficient, and further environmental review is required.

The claims of Applicant and City staff that there are no wildlife by the Project site is completely inconsistent with photo evidence of deer and neighbors’ evidence of seeing mountain lions and other wildlife.

Further, the Categorical Exemption does not apply if the proposed project is not consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. Notably, under *United Neighborhoods for Los Angeles v. City of Los Angeles* (2023) 93 Cal.App.5th 1074, a Court ruled (against the City of Los Angeles) that for purposes of a Class 32 Categorical Exemption, a project cannot just be in “substantial conformance” with the General Plan and applicable general plan/zoning regulations and policies. For purposes of CEQA, the

map must be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

Here, the proposed Parcel Map and the *design* and improvement of the proposed subdivision are *not* consistent with the City's General Plan and Bel Air-Beverly Crest Community Plan.

Finally, a project under CEQA is the whole of an action which has a potential for resulting in a physical change in the environment, directly or ultimately, and includes the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. To that end, CEQA prohibits "piecemealing" of a project to avoid environmental review. Improper piecemealing occurs when the purpose of the reviewed project is to be the first step toward future development or when the reviewed project legally compels or practically presumes completion of another action. *East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, 293.

In this case, it is clear that the parcel map is just the first step towards the future development of a single family home on this lot. Indeed, that is the reason that the Subdivision Map Act findings specifically require the City to find that the design of the subdivision and proposed improvements are not likely to cause substantial environmental damage.

In order to avoid review of the environmental impacts of such action, however, the Applicant here has chosen to piecemeal the project by first proposing the division of land, and then, at some future time proposing a single family home. This is improper under CEQA.

The Bel Air – Beverly Crest Neighborhood Council unanimously voted to oppose the proposed subdivision for many of the same reasons set forth above.