

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-2025-2857-CE

Related Entitlement Case Number(s): ZA-2025-2856-CU1-SPPC-HCA-1A

Project Address: 1236 North Cliff Drive

Date of Final Entitlement Determination: 8/13/2026

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: Brianna MacGillivray

Company/Organization: _____

Mailing Address: 1228 Cliff Drive

City: Los Angeles State: CA Zip Code: 90065

Telephone: 3107102234 Email: briannamacg@gmail.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): Rob Glushon

Company: Luna & Glushon

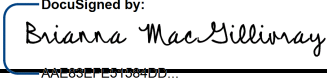
Mailing Address: 16255 Ventura Blvd, Ste 950

City: Encino State: CA Zip Code: 91436

Telephone: 8189078755 Email: rglushon@lunaglushon.com

APPLICANT'S AFFIDAVIT

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

Appellant Signature:  Date: 8/26/2026

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: _____ Date : _____

Reviewed & Accepted by (DSC Planner): _____

Receipt No.: _____ Date : _____

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.

- City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- 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-2025-2857-CE / Related Case ZA-2025-2856-CU1-SPPC-HCA-1A

Appellant: Brianna MacGillivray, owner and resident of 1228 North Cliff Drive, immediately adjacent and downslope from the Project site at 1236 North Cliff Drive. Appellant is directly impacted by the subject Project.

Justification for Appeal

The Class 3 Categorical Exemption does not apply here. This Project would place two new residences on a challenging, down-sloping hillside within a **Very High Fire Hazard Severity Zone**, immediately above property already experiencing flooding from stormwater draining through the Project site. It also sits at a blind curve on a substandard hillside roadway.

Under CEQA Guidelines § 15300.2(c), a categorical exemption does not apply where unusual circumstances create a reasonable possibility of significant environmental effects. *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086. Here, those unusual circumstances include:

- A. Substandard Hillside Street less than 20-foot width**
- B. High Fire Severity Zone**
- C. Blind Curve and No Sidewalks**
- D. Documented drainage issues**
- E. Elimination of Front Yard Setback**

In addition, the CEQA Exemption does not apply here because the Project is in violation of the State Fire Code which requires a minimum of two 10-foot traffic lanes totaling 20 feet of width.

Under the California Fire Minimum Fire Safe Regulations (*California Code of Regulations Title 14, Section 1273.01(a)*), two-way roads require a **minimum of two 10-foot traffic lanes** totaling 20 feet of width, excluding shoulders and striping:

"All roads shall have a minimum of **two 10-foot-wide traffic lanes** for **two-way traffic**." [Emphasis added; see attached Exhibit 1].

As a matter of law, there must be a total of 20 feet of width to allow emergency vehicles and escaping residents to pass at the same time.

California Fire Code Section 4908 mandates strict adherence to the Minimum Safe Regulations found in Title 14 of the California Code of Regulations). Again, these rules explicitly demand that all two-way fire access roads feature a **minimum of two 10-foot traffic lanes** providing an unobstructed 20-foot travel path for emergency vehicles.

Los Angeles Municipal Code (LAMC) Section 57.4908 adopts the *California Fire Code Section 4908* in its entirety, enforcing fire-safe development standards for projects in **Very High Fire Hazard Severity Zones**. Compliance with these rules or approved practical alternatives is mandatory.

In a similar case, Council File No. 26-0412 (Council District 3), the City Council GRANTED the CEQA Appeal on the grounds that the Categorical Exemption did not apply because of the above-referenced Fire Code/LAMC provisions that require a minimum of two 10-foot-wide traffic lanes for two-way traffic in **Very High Fire Severity Zones**.