

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

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1.	APPELLATE BODY						
	☐ Area Planning Commission☐ Zoning Administrator	☐ City Planning Commission	☐ City Council	☐ Director of Planning			
	Regarding Case Number: ZA-2018-2236-CU-CLQ-CDO CONDITIONAL USE, Q CLARIFICATION CDO PLAN APPROVAL						
	Project Address:						
	Final Date to Appeal:						
2.	APPELLANT						
	Appellant Identity: (check all that apply)	☐ Representative☐ Applicant	Property OwnerOperator of the Use/Site				
	☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved						
	☐ Person affected by the determination made by the Department of Building and Safety						
	☐ Representative ☐ Applicant	OwnerOperator	☐ Aggrieved Pa	arty			
3.	APPELLANT INFORMATION						
	Appellant's Name:						
	Company/Organization:						
	Mailing Address:						
	City:	State:		Zip:			
	Telephone:	E-mail:					
		n your behalf or on behalf of anothe		n or company?			
	b. Is the appeal being filed to	support the original applicant's po	sition? Yes	□ No			

4.	REPRESENTATIVE/AGENT IN	IFORMATION					
	Representative/Agent name	(if applicable):					
	Company:						
	Mailing Address:						
	City:	State:	Zip:				
	Telephone:	E-mail:					
5.	JUSTIFICATION/REASON FO	R APPEAL					
	a. Is the entire decision, or	only parts of it being appealed?	☐ Entire	☐ Part			
	b. Are specific conditions of	approval being appealed?	☐ Yes	□ No			
	If Yes, list the condition numl	per(s) here:					
	Attach a separate sheet prov	iding your reasons for the appeal. You	ur reason must state:				
	☐ The reason for the app	eal How you are aggrieved	by the decision				
	☐ Specifically the points	at issue Why you believe the de	ecision-maker erred c	r abused their discret	ion		
6.	APPLICANT'S AFFIDAVIT I certify that the statements of Appellant Signature:		. 2/24/2021				
		GENERAL APPEAL FILING REG	QUIREMENTS				
В.	ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES						
	1. Appeal Documents						
	a. Three (3) sets - The following documents are required for <u>each</u> appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.						
	□ Appeal Application (f□ Justification/Reason□ Copies of Original Def	for Appeal					
	during filing and retu be saved as <u>indivi</u>	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. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.					
	receipt(s) to calculate	fee equal to 85% of the original applica the fee per LAMC Section 19.01B 1. fee fee charged shall be in accordance w	·		lication		
	noticing per the LAM		. , ,				
		opeal notice mailing fee is paid by the ontractor (BTC), a copy of the receipt m			ne City		

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the on menu or additional incentives items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always <u>only</u> appealable to the Citywide Planning Commission.
 - ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

□ 1. Appeal of the <u>Department of Building and Safety</u> determination, per LAMC 12.26 K 1, an appellant is considered the Original Applicant and must provide noticing and pay mailing fees.

a. Appeal Fee

☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.
- □ 2. Appeal of the <u>Director of City Planning</u> determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- ☐ Mailing List The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

NOTE: - Nuisance Abatement is only appea	alable to the City Council.							
a. Appeal FeeAggrieved Party the fee ch	 a. Appeal Fee ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1. 							
	 Plan Approval/Compliance Review Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4. 							
·	efee charged shall be in accordance with the LA all be in accordance with the LAMC Section 19.0							
NOTES								
A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may <u>not</u> file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an <u>individual on behalf of self.</u>								
Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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: Reviewed & Accepted by (DSC Planner): Date:								
Dase Fee.	Reviewed & Accepted by (DSC Planner):	Dale.						

Deemed Complete by (Project Planner):

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

☐ Determination authority notified

Receipt No:

Date:

☐ Original receipt and BTC receipt (if original applicant)