
CEQA - CALIFORNIA

Highland Park Heritage Trust v. City of Los Angeles

Court of Appeal, Second District, Division 2, California - February 18, 2014 - Not Reported in Cal.Rptr.3d - 2014 WL 618258

In April 2011, the State of California awarded Autry a grant of $6.6 million to fund the redesign of the interior of the Gene Autry Western Heritage Museum and for installation of new exhibits.

The City of Los Angeles Board of Recreation and Parks Commissioners Board approved the remodeling project; granted its consent thereto to Autry under the City's ground lease with Autry; and found its consent was exempt from CEQA because the project included only interior remodeling of the Autry Museum, an existing facility. The City Council rejected Petitioners' CEQA appeal and consented to the project.

Petitioners contended that approval of this project improperly furthered Autry's ultimate goal of obtaining piecemeal approval in violation of CEQA of a much more expansive project Autry appeared to have abandoned earlier. They also contend the project was not exempt from CEQA and that the project violated the Northeast Los Angeles Community Plan (NELA Community Plan) by usurping the artifacts in the Southwest Museum collection for the Autry Museum.

The Court of Appeal concluded that the City did not abuse its discretion in approving the R&P Board decision that the project did not have to comply with CEQA. The record did not support Petitioners' claim that the project is merely a component piece of a much larger project which is subject to CEQA. The Project was categorically exempt from CEQA without exception. The City did not act in a manner contrary to law in consenting to the project, which was not inconsistent with the NELA Community Plan.

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