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West Adams Heritage Association v. City of Los Angeles

Court of Appeal, Second District, Division 1, California - October 31, 2024 - Cal.Rptr.3d - 2024 WL 4633434 - 2024 Daily Journal D.A.R. 10,415

Objectors petitioned for writ of administrative mandamus, seeking to set aside city's determination that a proposed residential housing development project near state university was exempt, as an urban in-fill development, from environmental review under California Environmental Quality Act (CEQA).

The Superior Court, Los Angeles County reversed and remanded. Objectors petitioned for review, which was granted. The Supreme Court transferred with instructions for vacatur and reconsideration.

The Court of Appeal held that:

- Court would take judicial notice of judgment in parties' other mandamus case;
- Appeal was not rendered moot by city's assertions in other mandamus case;
- Concern about noise and music from rooftop decks was not a significant environmental effect impeding application of urban in-fill exemption;
- Unusual-circumstance exception to urban in-fill exemption did not apply;
- City needed to determine under current law whether project was consistent with redevelopment plan before granting urban in-fill exemption;
- Zoning ordinance, not redevelopment plan, set maximum allowable density for project; and
- State density bonus law preempted any additional requirements in redevelopment plan for granting a density bonus.

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