

Notice of Exemption

Environmental Determination

To:

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

County Clerk
County of: Los Angeles, Business Filings
12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From:

Public Agency: LA County Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Project Title:

Project Applicant:

Project Location - Specific:

Project Location - City: Project Location - County:

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: Los Angeles County Department of Regional Planning

Name of Person or Agency Carrying Out Project:

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemption. State code number:
Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects. State type and section number:

Reasons why project is exempt:

Lead Agency
Contact Person: Area Code/Telephone/Extension:

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: Title:

- Signed by Lead Agency
Signed by Applicant

Date Received for filing at OPR:

ATTACHMENT TO NOTICE OF EXEMPTION  
LOS ANGELES COUNTY  
ACTON COMMUNITY STANDARDS DISTRICT UPDATE

### **1. Project Description**

The Los Angeles County (“County”) Department of Regional Planning is updating the regulations for the Acton Community Standards District (“CSD”). This community, along with others in the Antelope Valley, approached the Regional Planning Department requesting a number of changes to their CSD.

After meeting with members of the community, there was an expressed interest to add standards limiting the size of road widths; restricting the use of curbs, gutters, and sidewalks; re-emphasizing the Rural Outdoor Lighting District standards that are already adopted for this area; adding standards for new subdivisions; creating additional development standards for commercial and industrial businesses and signage; continuing to prohibit billboard signs; regulating removal of vegetation; and protecting certain plant species. The proposed Acton Community Standards District will include standards which will be more environmentally protective or generally more restrictive than, or equivalent to, what is currently allowed within the Zoning Code (Title 22).

No construction activities or specific developments are proposed as part of this project.

### **2. Description of Project Site**

The Acton community is located south of Palmdale, north of and partially within the Angeles National Forest, east of Santa Clarita, and west generally of the unincorporated areas of Littlerock and Pearblossom. The boundary of the CSD has been established since 1995, a map of which can be found here: [https://planning.lacounty.gov/assets/upl/data/map\\_csd\\_01\\_Acton.pdf](https://planning.lacounty.gov/assets/upl/data/map_csd_01_Acton.pdf)

The community is generally zoned agricultural, with a rural town center comprised of C-RU zoning along Crown Valley road between Syracuse Ave and Soledad Canyon Rd., ringed by R-A zoned properties in what is considered the center of town. There are also commercial areas along Sierra Highway in the northern parts of the community, focused near Crown Valley Rd and Santiago Rd. Industrially zoned property lines Soledad Canyon Road, near an existing rail line and along Santa Clara River and the Acton Wash.

### **3. Reasons Why This Project is Exempt**

The project qualifies for Class 1, Existing Facilities; Class 2, Replacement or Reconstruction; Class 3 New Construction or Conversion of Small Structures; Class 4, Minor Alterations to Land; Class 7, Actions by Regulatory Agencies for Protection

of Natural Resources; Class 8, Actions by Regulatory Agencies for Protection of the Environment; Class 11, Accessory Structures; and Class 21 Enforcement Actions by Regulatory Agencies under the California Environmental Quality Act (“CEQA”) Guidelines Sections 15301, 15302, 15303, 15304, 15307, 15308, 15311, and 15321 as classes of projects that do not have a significant effect on the environment.

***Class 1: Section 15301, Existing Facilities***

*Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use...Examples include, but are not limited to:*

*(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities...*

*(h) Maintenance of existing landscaping, native growth, and water supply reservoirs...*

The project will not alter or cause for removal any existing, permitted structures on property. The development standards will only impact new changes that are proposed to a site. For example, one development standard will continue to exclude the addition of new outdoor advertising signs (billboards) within the community. There is an adopted Rural Outdoor Lighting Ordinance that is already in effect and applies to properties within this community. The project will refer to this ordinance for outdoor lighting requirements.

The Acton Community Standards District Update will include development standards that restrict the widening of existing roads and limit the use of curbs, gutters, and sidewalks, unless deemed necessary by the County, by referring to alternate rural highway standards. Therefore, the project will allow for the continued operation and maintenance of existing roads.

The project also proposes the inclusion of development standards to protect local vegetation. The draft ordinance includes protections and a review process for the removal of over 10 percent of the vegetation on a lot that is larger than one acre. This is in addition to the current vegetation protections in the adopted Significant Ecological Area Ordinance, Hillside Management Ordinance, Oak Tree Ordinance, and the Oak Woodlands Management Plan. The inclusion of these additional standards would provide an additional layer of vegetation protection and allow for the maintenance of existing landscaping and natural growth on private property.

***Class 2: Section 15302, Replacement or Reconstruction***

*Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:*

*(b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.*

*(d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead utility distribution lines where the surface is restored to the condition existing prior to undergrounding.*

The project will not alter the current Zoning Code (Title 22) as it applies to replacement or reconstruction of structures as identified in Chapter 22.172 of the Los Angeles County Code. Development standards will be added for commercial projects and signage. However, these standards would only be applied when new construction or replacement is proposed and will be more stringent than the existing Zoning Code allowances. Therefore, they will fit into this categorical exemption class.

The community is interested in allowing cargo containers as storage space. Storage is allowed as an accessory use, and allowing cargo containers to be used on A-1 and A-2 zoned property is in line with existing procedures, and a change in the type of structure that has the same purpose or capacity as accessory structures that are currently allowed.

***Class 3: Section 15303, New Construction or Conversion of Small Structures***

*Class 3 consists of construction and location of limited numbers of new, small facilities and structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure...Examples of this exemption include, but are not limited to:*

*(a) One single-family residence, or a second dwelling unit in a residential zone...*

*(b) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area...*

The project will include development standards for ministerial projects such as commercial or industrial development standards and standards to specify the location of parking lots. Changes to standards for home-based occupations would fall under this category. Additional uses are permitted as home-based occupations while keeping the same standards that limit external impacts from such activity. There will also be residential projects that fit within this class of categorical exemptions that will be impacted by additional regulations limiting vegetation removal imposed by the Community Standards District Update.

***Class 4: Section 15304, Minor Alterations to Land***

*Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:*

*(b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistance landscaping.*

This project proposes development standards limiting the removal of vegetation. Although there are adopted ordinances that protect vegetation, this Community Standards District Update would add a new layer of protection for plants and areas that may not otherwise be protected. These standards will be more environmentally protective than the current Zoning Code.

The CSD standard to prohibit the planting of Oleander shrubs as required landscaping would be included in this exemption.

***Class 7: Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources***

*Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment...Construction activities are not included in this exemption.*

This project will include a set of development standards that will be more stringent than the existing County Code and therefore, will be more protective of the environment. The development standards will include limitations on vegetation removal as well as restrictions on lot sizes in areas that were not regulated earlier.

***Class 8: Section 15308, Actions by Regulatory Agencies for Protection of the Environment***

*Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.*

The proposed project will further protect the environment and prevent environmental degradation with the addition of standards limiting expansion of existing roads, limiting vegetation removal, and restricting subdivisions. None of the proposed development standards will relax the existing code requirements or allow additional environmental degradation.

***Class 11: Section 15311, Accessory Structures***

*Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:*

*(a) On-premise signs;*

Development standards related to storage containers are proposed as part of this project. Storage Containers are proposed to be used as accessory structures in some Agricultural Zones, which is in keeping with a current implementation memo and requires an existing primary use. Home-based occupations standards are allowing the use of accessory structures for home-based occupations, while still restricting outdoor storage. Accessory structures

### ***Class 21: Section 15321, Enforcement Actions by Regulatory Agencies***

*Class 21 consists of:*

*(a) Actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. Such actions include, but are not limited to, the following:*

- (1) The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard or objective to the Attorney General, District Attorney, or City Attorney as appropriate, for judicial enforcement;*
- (2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.*

This project proposes to add additional development standards to the Acton community with the objective of preserving its existing character. These standards will result in more environmental protections to the area. Any violation to these rules will be enforced pursuant to Chapter 22.242 of the County Code.

The project also proposes to revise a prohibition on new outdoor advertising signs (billboards), to keep the same prohibitions in place within a different part of the CSD. This project additionally proposes to remove a permit requirement to determine if a development complies with standards set in the CSD. The standards have not been adjusted, but the permitting requirement was changed.

## **4. Review of Possible Exceptions to the Categorical Exemptions**

Section 15300.2 of the CEQA Guidelines identifies circumstances when a categorical exemption cannot be used. This project has been reviewed to determine if any of the conditions listed in this section might invalidate findings that the project is exempt under CEQA. None of these exceptions to the categorical exemptions are applicable:

- (a) Location:** This project qualifies for Classes 3, 4, and 11 which each require analysis by location in order ensure that a project is not located in a particularly sensitive environment where its impacts would ordinarily be insignificant, but circumstantially would be significant. This project includes the addition of development standards for commercial sites to limit the size of the buildings and location of parking, limit the size and types of signage, and add vegetation protections. Although there are properties located within the boundaries of the project that are mapped as being located within a Very High Fire Hazard Severity Zone, Flood Zone, Landslide Zone, Liquefaction Zone, and Significant Ecological Area, none of the proposed standards will create a significant impact on the environment due to the project's location being in one of these mapped areas. The allowance of cargo containers changes the type of structure allowed on an A-1 or A-2 zoned property, but does not allow more structures than was previously permitted. The project also proposes additional restrictions on proposed subdivisions, which would be superseded by standards that are more environmentally protective if located in an SEA. Additionally, all future development projects proposed within the area of the Acton CSD will continue to be reviewed by the County Fire Department and Public Works to ensure compliance with County Code requirements.
- (b) Cumulative Impact:** The project will not have any adverse impact on the environment either individually or cumulatively since all development standards applied to this community will be either equivalent to current standards, or more restrictive and environmentally protective than the current standards in the Zoning Code.
- (c) Significant Effect:** No unusual circumstances will cause this project to have a significant effect on the environment because the development standards are related to the addition of vegetation protections, limitations on signage, stricter standards for commercial building and site design, limitations on subdivisions or lot design, preserving existing street conditions, and continuing a prohibition on new billboards. None of these standards will impact existing approved uses and will only guide future development with more environmentally protective standards.
- (d) Scenic Highways:** None of the highways located within the community of Acton are officially designated as state scenic highways<sup>1</sup>.
- (e) Hazardous Waste Sites:** The project is not located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. No active or open hazardous sites were identified at or adjacent to the project site.<sup>2</sup>
- (f) Historical Resources:** There is one historic resource located within the community of Acton, however as it is located in the National Forest, the standards

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<sup>1</sup> Caltrans list of officially designated State Scenic Highways (from Caltrans website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed November 26, 2019).

<sup>2</sup> EnviroStor Database <https://www.envirostor.dtsc.ca.gov/public/> and GeoTracker Database <https://geotracker.waterboards.ca.gov/>, both accessed November 26, 2019

included in the CSD would not apply to those properties. (Los Angeles County Historical Landmark Database: <http://file.lacounty.gov/SDSInter/bos/supdocs/HLRCRegistry.pdf> California Historical Landmarks Database: [http://ohp.parks.ca.gov/?page\\_id=21427](http://ohp.parks.ca.gov/?page_id=21427), and the National Register of Historic Places: <https://www.nps.gov/subjects/nationalregister/database-research.htm>, all accessed November 26, 2019).