

ATTACHMENT TO NOTICE OF EXEMPTION
LOS ANGELES COUNTY
COMMUNITY WILDFIRE PROTECTION ORDINANCE

Protect Title: Community Wildfire Protection Ordinance

Project Applicant: Los Angeles County Department of Regional Planning

Project Location: Unincorporated Los Angeles County.

Description: The Community Wildfire Protection (“CWP”) Ordinance amends Los Angeles County Code Title 21 (Subdivisions) and Title 22 (Planning and Zoning) to codify development standards and measures that reduce wildfire risks and impacts to communities and environmental resources located within the Very High Fire Hazard Severity Zone (“VHFHSZ”) and Hillside Management Area (“HMA”).

The CWP Ordinance amends existing development standards and introduces new standards in Title 21 (Subdivisions) to reduce risk to communities from wildfire, including provisions to strengthen road access requirements for emergency ingress and egress, reduce the number of parcels that can be created through subdivision with only a single means of access, and require the analysis of evacuation routes as part of the tentative map application.

The CWP Ordinance also amends the existing Hillside Management Ordinance under Title 22 (Planning and Zoning) to modify and introduce new design measures for development located in Hillside Management Areas where slopes are 25 percent or steeper, and to require a Hillside Management Area Conditional Use Permit where new primary structures are proposed on slopes 50 percent or steeper. These provisions serve to improve structure protection and survivability during wildfire, reduce risks to development due to wildfire-induced landslides and slope instability, and increase design requirements for hillside protection where development is proposed in hazardous locations.

Exemption:

Class 7: 15307, Actions by Regulatory Agencies to Protect Natural Resources

Class 8: 15308, Actions by Regulatory Agencies to Protect the Environment

Reasons why the project is exempt:

The project qualifies for the following Categorical Exemptions: Class 7, Actions by Regulatory Agencies to Protect Natural Resources; and Class 8, Actions by Regulatory Agencies to Protect the Environment under the California Environmental Quality Act (“CEQA”) Guidelines Sections 15307 and 15308. The proposed amendments to Title 21 and Title 22 of the Los Angeles County Code are intended to reduce risks to communities and to reduce impacts to environmental and natural resources resulting from wildfire, such as loss of vegetation and biodiversity, erosion, landslides, and debris flows, water quality impacts, and contaminated and hazardous material disposal challenges. The project modifies existing regulations and introduces additional

regulations for new development located in the VHFHSZ and in HMA, which are characterized by elevated wildfire risk.

The project does not relax development standards or make development standards more permissive for environmental impacts, and introduces development standards to increase the level of protection of the environment. No construction activities are proposed or authorized by this project. Projects subject to the ordinance are subject to discretionary permit process, and thus require separate project-specific CEQA analysis, where appropriate.

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 consists of development standards that serve to protect natural resources and existing communities from additional wildfire risks due to development and reduce the amount of development permitted in hazardous and inaccessible areas typically located in the wildland-urban interface (WUI). The project includes a discretionary permit requirement for development located on exceptionally steep hillsides with slopes 50 percent or steeper; design measures that serve to protect scenic and environmental resources within the County's designated HMAs; design standards that reduce the amount of development allowed in the VHFHSZ with restricted vehicular access; and requirements for new development to provide adequate infrastructure for emergency response to protect natural resources from wildfire as well as public health and safety.

The project is more protective of natural resources than the existing County Code and no construction activities are proposed or authorized by this project.

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.

As noted, this project consists of development standards that serve to protect the environment and existing communities from additional wildfire risks due to development and reduce the amount of development permitted in hazardous and inaccessible areas typically located in the WUI. The development standards proposed by this project are intended to help reduce the occurrence of wildfire and vegetation type conversion by reducing the amount of development within the WUI; reduce erosion, landslides, and debris flows as a result of wildfire and development located on steep slopes in HMAs; and limit new development that can be built in areas with high fire risk that may result in contaminated and hazardous material disposal challenges as a result of wildfire.

The project is more protective of natural resources than the existing County Code and no construction activities are proposed or authorized by this project.

Review of Possible Exceptions to the Categorical Exemptions: CEQA Guidelines Section 15300.2 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 the following exceptions to the categorical exemptions are applicable to the project, therefore, the project qualifies for Class 7 and Class 8 exemptions under CEQA Guidelines section 15061(b)(2).

- **CEQA Guidelines Section 15300.2 (a) - Location.** The project area comprises unincorporated Los Angeles County that is designated as State Responsibility Area VHFHSZ, Local Responsibility Area VHFHSZs, and HMAs. These areas are characterized as developed areas in close proximity to undeveloped open spaces and WUI, and have a high exposure to wildfire risk. The project proposes development standards that are more protective of the environment in these areas and will not have adverse impacts on the environment.
- **CEQA Guidelines Section 15300.2 (b) - Cumulative Impact.** The project will not have any adverse impact on the environment either individually or cumulatively since all development standards will be more restrictive and environmentally protective than the current standards in the County Code.
- **CEQA Guidelines Section 15300.2 (c) - Significant Effect.** No unusual circumstances will cause this project to have a significant effect on the environment because the development standards protect scenic and natural resources and apply to development in high fire risk areas and exceptionally steep terrain. None of the proposed development standards will impact existing approved uses and will guide future development with more environmentally protective standards.
- **CEQA Guidelines Section 15300.2 (d) - Scenic Highways.** The project will not have any adverse impact on the Scenic Highways since all development standards will be more restrictive and protective of scenic and environmental resources than the current standards in the County Code, particularly within the HMAs, which serve to protect scenic resources.
- **CEQA Guidelines Section 15300.2 (e) - Hazardous Waste Sites.** This project does not propose standards pertaining to Hazardous Waste Sites and will not have any adverse impact on existing sites located within the planning area.
- **CEQA Guidelines Section 15300.2 (f) - Historical Resources.** The project will not have any adverse impact on the Historical Resources since all development standards will be more restrictive and protective of existing resources than the current standards in the County Code.