

# Notice of Exemption

**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, 13<sup>th</sup> 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:**

The Los Angeles County Department of Regional Planning proposes a new community standards district for the unincorporated area of Three Points-Liebre Mountain to preserve the existing character and nature in this area. Development standards applicable to this community will be more environmentally protective and will further limit changes to road design, preserve native vegetation, and specify development standards for housing and commercial projects. See attachment for additional information.

Name of Public Agency Approving Project: Los Angeles County

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  
THREE POINTS-LIEBRE MOUNTAIN COMMUNITY STANDARDS DISTRICT

## **1. Project Description**

The Los Angeles County (“County”) Department of Regional Planning is undertaking the process of creating a set of standards specific to the community of Three Points-Liebre Mountain. This community, along with others in the Antelope Valley, approached the Regional Planning Department requesting preservation of their rural lifestyle and the surrounding nature. After meeting with members of the community, there was an expressed interest to add requirements to protect Significant Ecological Areas; prohibit drive-through facilities; limit grading in designated Hillside Management Areas; specify accessory structure design standards for fences, signs, and cargo storage containers; preserve existing rural road standards; conserve the natural environmental setting by adding vegetation protections; standardize new subdivisions in rural areas; create additional development standards for commercial businesses; and incorporate setbacks and design standards in residential and agricultural zones. Trail standards were also added to the CSD to ensure consistent trail designs for new discretionary projects.

The proposed Three Points-Liebre Mountain Community Standards District will include the abovementioned standards which will be more environmentally protective and restrictive than 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 Three Points-Liebre Mountain community is in the far western portion of the Antelope Valley, south of Neenach and northwest of Lake Hughes. It is partially within the Angeles National Forest<sup>1</sup> south of Pine Canyon Road and extends northward where Pine Canyon Road intersects with Three Points Road. The northernmost boundary of the community is adjacent to Avenue D. An attached map depicts the boundaries of the proposed Three Points-Liebre Mountain Community Standards District. The community spans several United States Geological Survey (“USGS”) map pages, but most of the community is located within the Liebre Mountain and Burnt Peak Quadrants, which are attached for reference as well.

The community is largely undeveloped and generally not served by existing infrastructure and public facilities, but it does contain some single-family homes on large lots and some agricultural uses. The southern portion of the community is

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<sup>1</sup> Los Angeles County GIS interactive mapping:  
<http://rpags.hosted.lac.com/Html5Viewer/index.html?viewer=GISNET.GIS-NET>, Accessed September 24, 2020  
Layer: **National Forest** – (Angeles National Forest) information from the U.S. National Forest Service

located within the National Forest, includes environmental resources, such as scenic hillsides and significant ecological areas, and is subject to several safety hazards, including the San Andreas Fault and Very High Fire Hazard Severity Zones. The Pacific Crest Trail <sup>2</sup> runs through the community south of Pine Crest Road and then heads north parallel to Three Points Road. Properties along Three Points Road are located within the Flood Plain (100-year Flood Plain)<sup>3</sup>. Most of the community is located in the San Andreas Significant Ecological Area (“SEA”)<sup>4</sup> and the entirety of the community is located within a Very High Fire Hazard Severity Zone (“VHFHSZ”)<sup>5</sup> and the Rural Outdoor Lighting District<sup>6</sup>. The San Andreas Fault bisects the community near Pine Canyon Road and subsequently, the community contains properties within the San Andrea Fault Zone as well<sup>7</sup>.

### **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; Class 20, Changes in Organization of Local Agencies; and Class 21 Enforcement Actions by Regulatory Agencies under the California Environmental Quality Act (“CEQA”) Guidelines Sections 15301, 15302, 15303, 15304, 15307, 15308, 15311, 15320, and 15321 as classes of projects which 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:*

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<sup>2</sup> Los Angeles County GIS interactive mapping (as previously cited); Layer: **Trail** – (Pacific Crest Trail) Identified on the adopted 2007 Trails Map in reference to the National Scenic and National Historic Trail Webmap)

<sup>3</sup> Los Angeles County GIS interactive mapping (as previously cited); Layer: **100-Year Flood Plain** – information from the Federal Emergency Management Agency

<sup>4</sup> Los Angeles County GIS interactive mapping (as previously cited); Layer: **Significant Ecological Area** – Department of Regional Planning General Plan 2035

<sup>5</sup> Los Angeles County GIS interactive mapping (as previously cited); Layer: **Fire Hazard – Very High Fire Hazard Severity Zone Only** – information from the California Department of Forestry and Fire Protection – Fire and Resource Assessment Program (FRAP), CALFIRE, and the County of Los Angeles Fire Department

<sup>6</sup> Los Angeles County GIS interactive mapping (as previously cited); Layer: **Rural Outdoor Lighting District** – Department of Regional Planning Ordinance adopted by the Board of Supervisors in November of 2012

<sup>7</sup> Los Angeles County GIS interactive mapping; Layer: **Fault Trace** – USGS Quad Maps and California Department of Conservation’s “California Earthquake Hazard Zones Application”

(<https://maps.conservation.ca.gov/cgs/EQZApp/app/>, accessed September 28, 2020)

*(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 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 lighting requirements as they relate to signage.

The Three Points-Liebre Mountain Community Standards District will include development standards that restrict the road widths and prohibit the use of curbs, gutters, and sidewalks, unless deemed necessary by the County. These standards will not impact existing roads and therefore, the project will allow for the continued operation and maintenance of existing roads.

The project proposes consideration of trail easements and alignments for all new development or subdivisions requiring a discretionary land-use permit to be consistent with the County Trails Manual and Trails Plan of the Antelope Valley Area Plan.

The project also proposes the inclusion of development standards to protect vegetation both in and out of the SEAs. Currently, there are vegetation protections in the adopted Hillside Management Ordinance, Oak Tree Ordinance, and the Oak Woodlands Management Plan. There are also vegetation protections in the SEA Ordinance; however, there are exemptions from the SEA Ordinance for some of the main uses in the Antelope Valley including single-family residences and agricultural uses. This ordinance would require those construction activities to also be reviewed similarly to all other unincorporated areas of Los Angeles County. 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. If existing roads are proposed for repair or reconstruction, they would be limited to their existing rural design and subject to the restrictive standards specified in the CSD. Therefore, the CSD standards will fit into this categorical exemption class.

The community is interested in requiring the undergrounding of utilities. This development standard may be applicable to new subdivision projects of a minimum size.

***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 accessory structures cargo storage containers, signage, and fencing; height limits, setbacks, and building materials. The standards will also prohibit new drive-through facilities and limit hours of operation for commercial businesses. These standards will be more restrictive than the general code and will help to maintain lower profile buildings that use colors and materials that match the environment. These new standards will maintain the existing aesthetic and character of the community.

***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 to evaluate proposed removal of vegetation and encourage planting of native vegetation when the proposed vegetation removal exceeds a specific threshold. Furthermore, this ordinance removes exemptions from the SEA ordinance which will in turn allow for more environmental protections within the community. Although there are adopted ordinances (mentioned above) that protect vegetation, this community standards district would add a new layer of protection for plants in areas that may not otherwise be protected. These standards will be more environmentally protective than the current Zoning Code.

***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 the removal of previous exemptions from the SEA Ordinance as well as establishing additional protections on the areas that are not located within SEAs.

***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 by requiring that new development which was previously exempt from the SEA ordinance will now be required to comply within the boundaries of this community. Additionally, standards are being added to provide thresholds for protection of vegetation outside of the SEAs. Standards will be more restrictive for commercial and residential developments, drive-through facilities, rural road design, subdivisions, and accessory uses such as signs, cargo storage containers, and fences or walls. The CSD does include guidance for trail development; however, these trails are already mapped on the adopted Antelope Valley Trails Map and the Regional Trails System, adopted as part of the General Plan. The project will also add standards restricting development along Scenic Drives. 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 commercial signage are proposed as part of this project. The project also proposes to include a prohibition on new outdoor advertising signs (billboards). Standards will also prohibit the addition of new drive-through facilities.

### **Class 20: Section 15320, Changes in Organization of Local Agencies**

*Class 20 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include, but are not limited to:*

*(a) Establishment of a subsidiary district;*

This project will establish a new district with an additional layer of standards for a specific community. This community will remain within the unincorporated area of Los Angeles and will still be governed by the Board of Supervisors. This additional district will only apply specific development standards to this specified area with the intention of preserving its existing rural character and natural vegetation.

### **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 Three Points-Liebre Mountain 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.

#### **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 to 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 and height of buildings, limit the size and types of signage, and add native vegetation protections. Although there are properties located within the boundaries of the project that are mapped as being located within a VHFHSZ, Fault Zone, and SEA, 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 intent of the CSD is to preserve the existing low-density character of the area and apply additional restrictions to further retain the existing natural vegetation. Moreover, all future development projects proposed within the area of the Three Points-Liebre Mountain Community Standards District will continue to be reviewed by County departments such as Fire, Public Health, Public Works, and Parks and Recreation. County Fire Department, Public Health, 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 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 native vegetation protections, limitations on signage, stricter standards for building and site design, standards guiding new subdivisions, and the prohibition of 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 Three Points-Liebre Mountain are officially designated as state scenic highways.<sup>8</sup>

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<sup>8</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 September 28, 2020).



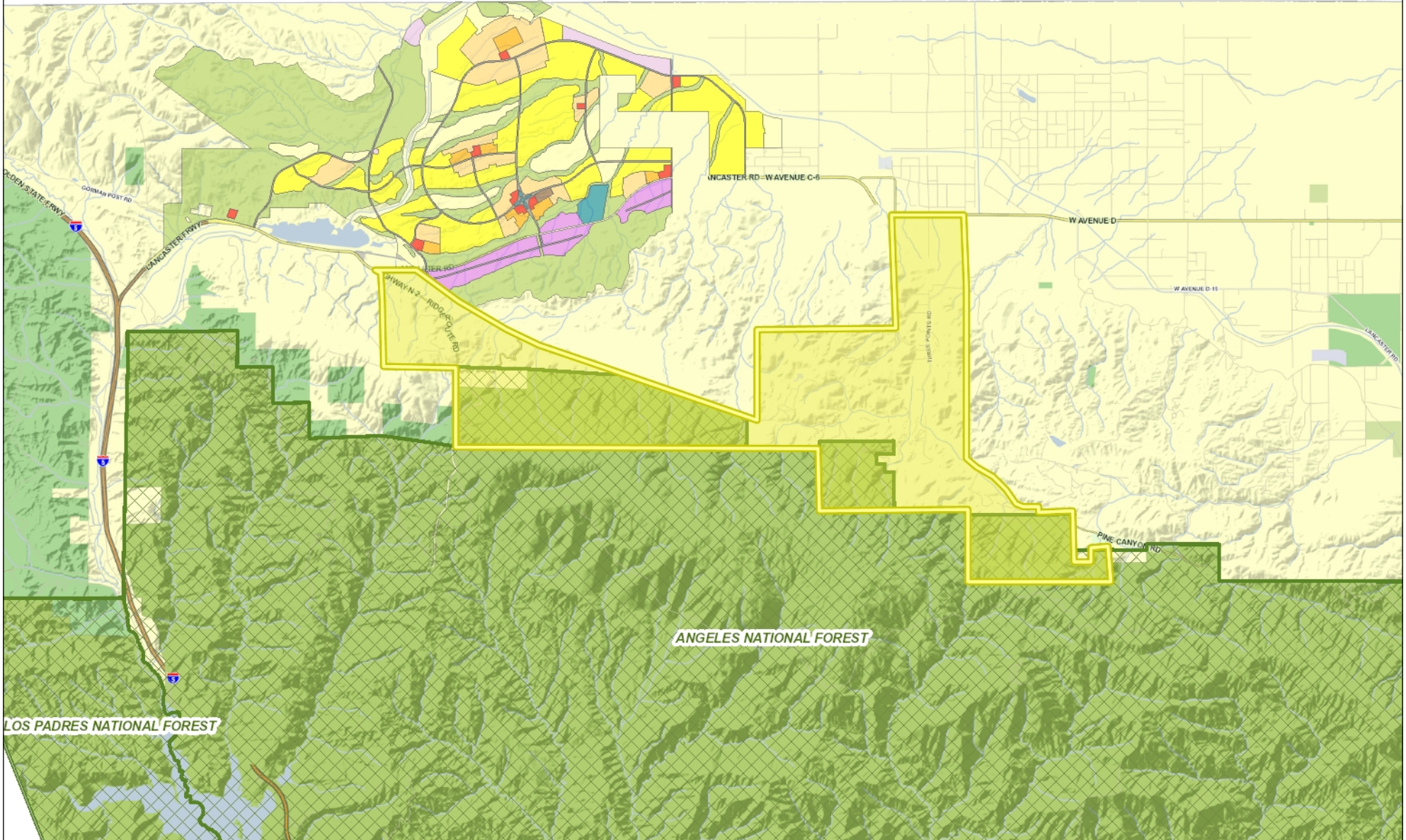
- (e) Hazardous Waste Sites:** The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. No active or open hazardous sites were identified at or adjacent to the project site.<sup>9</sup>
- (f) Historical Resources:** California Historical Landmark No. 717 is the Angeles National Forest. The project is located within the Angeles National Forest, but the development standards that are proposed will not cause a significant impact to this resource as they will be more restrictive and will include protections for vegetation, which positively contribute to the aesthetic of the Angeles National Forest.<sup>10</sup>

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<sup>9</sup> EnviroStor Database <https://www.envirostor.dtsc.ca.gov/public/> and GeoTracker Database <https://geotracker.waterboards.ca.gov/>, both accessed September 28, 2020).

<sup>10</sup> 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 September 28, 2020).

KERN COUNTY



0 6,019 12,037 Feet

**Three Points-Liebre Mountain**

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