

**SANTA MONICA MOUNTAINS CONSERVANCY**

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September 22, 2008

Michelle Glueckert, Case Planner  
Planning Division  
Resource Management Agency  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

**Comments on Project Number LU08-0088, Principal Dwelling Unit and Associated  
Development, Cotharin Road, Little Sycamore Canyon  
and Deer Canyon Watersheds**

Dear Ms. Glueckert:

The Santa Monica Mountains Conservancy thanks you for notifying our agency of this proposed project, Project Number LU08-0088, principal dwelling unit and associated development on a 10.31-acre parcel on Cotharin Road (Assessor's Parcel Number 700-0-150-180). We would like to take this opportunity to proactively provide comments on this project, even though this may not be during the official California Environmental Quality Act (CEQA) public review period. The subject parcel contains high quality habitat, provides habitat connectivity, and is approximately one quarter mile from National Park Service parkland in Deer Canyon and approximately 0.2 mile from Mountains Recreation and Conservation Authority-owned conservation easements along Houston Road. To answer your question in the notice, the property is suitable for recreational use. The property encompasses a ridgeline and is in the vicinity of public parkland. It contributes to the viewshed from public roads and from existing trails and the planned Coastal Slope Trail. However, we currently do not anticipate having funding to purchase the property in the next calendar year.

According to the project description provided with the notice, the project consists of a 21,199-square-foot house (35 feet in height), second dwelling unit, four accessory use buildings (art studio [2,259 square feet], storage [2,288 square feet], art storage, and pool house), tennis court, pool, and four septic tank areas. The site plan also shows an entrance driveway and fire department turn-around. Grading would be balanced onsite and would

consist of 9,600 cubic yards of cut and 2,100 cubic yards of fill. Total development would consist of 33,065 square feet. The proposal is for a Planning Development Permit.

The Conservancy is concerned with the large scale of the development proposed in an aesthetically and biologically sensitive area, in the vicinity of public parkland. Of note, there was a recent court case in the City of Los Angeles in which the judge found that there was substantial evidence that construction of a single family residence may have significant impacts on habitat and aesthetics and could have significant geotechnical impacts (3599 Lankershim Boulevard). Therefore, an Environmental Impact Report would be required. We strongly recommend that the County of Ventura thoroughly analyze potentially significant environmental impacts, even if this is just a single family home. Due to the large scale of the proposed development and the biological and aesthetic values of this area, a thorough analysis of potentially significant environmental impacts is warranted.

### **Impacts to aesthetic resources**

The project site is situated on a ridge connected to Clark's Peak. There is potential for significant adverse, visual impacts to public viewing areas associated with the large footprint of the development comprised of several new large structures, grading, and fuel modification areas, as well as the height (proposed to be 35 feet). The CEQA document should include the results of a visual impact analysis showing before and after views from public roads, existing trails, and the proposed Coastal Slope Trail. We also recommend that this visual impact analysis address the project's contribution to cumulative visual impacts in the area, in light of past, present, and reasonably foreseeable single family homes and similar development proposed in the area.

### **Impacts to biological resources**

The project will substantially degrade a broad area of Santa Monica Mountains National Recreation Area habitat from fuel modification and habitat fragmentation. This project, in concert with other similar projects in the area, could adversely impact wildlife movement on and near the site due to loss of habitat; habitat fragmentation; and increased lighting, fencing, and disturbance. The CEQA document should include a figure showing the mapped vegetation types and the anticipated impact area, including California Fair Plan-required fuel modification area. A table should show the acres of each vegetation communities to be impacted. Although the project description states that total development consists of 33,065 square feet, it is important to accurately quantify the actual acres of plant community impacts so the public and decision-makers can clearly understand the true environmental impacts.

### **Cumulative impacts**

There have been numerous single-family homes and similar type of development proposed in the vicinity of the proposed project in recent years and prior. These include developments along Cotharin Road, Pacific View Road, and Yerba Buena Road. Adverse cumulative impacts result from habitat fragmentation, loss of native plant communities, and alteration of natural, scenic views due to loss of native vegetation, grading, and new structures.

We recommend that the City assess the cumulative impacts associated with the subject project and other proposed or recently approved/constructed single-family homes, with an emphasis on impacts to biological and visual resources. For example, we recommend the City calculate the acres of native vegetation (by vegetation type) that are anticipated to result from these developments, including from fuel modification. In addition, cumulative impacts to views from public roads, existing parkland, and the proposed Coastal Slope Trail should be assessed. This way, when future development is proposed to the County, County staff could assess where are the areas which are being impacted to a greater extent. Even if other large single family homes or other large developments were inappropriately situated on and near ridgelines in this area, the County should not allow another inappropriately designed project in this ecologically and aesthetically valuable area.

### **Need to address project modifications**

Because of the potentially significant adverse impacts to aesthetic and biological resources, the Conservancy recommends that the City staff and applicant seriously consider modifying the project. Modifications could include reducing the footprint by clustering the proposed improvements (e.g., moving the shed to cluster with the other improvements and within other fuel modification areas, and reducing the size of the home, art studio and garage to reduce the footprint of these improvements). Reducing the height of the home should also be considered to minimize viewshed impacts.

### **Need for permanent deed restriction or conservation easement**

Conservation easements or permanent deed restrictions are absolutely critical to adequately mitigate the project-specific and cumulative impacts. It is critical that any deed restrictions be permanent; otherwise the owner can later apply for additional development on the subject property, resulting in piece-mealing of the environmental impacts. The additional environmental impacts would in effect just be “delayed,” rather than truly avoided. We are aware of two projects in the County in which conservation easements (11300 Yerba Buena

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Road, LU06-0088) or deed restrictions (12641 Yerba Buena Road, LU04-0058) were required or offered to prevent future impacts; however, one of these was not permanent. (The project plan for the project located at 12641 Yerba Buena Road identifies a “proposed area of deed restriction against further development without further analysis...” This means in effect that there could be additional development proposed on the property a later date resulting in additional environmental impacts.) Permanent deed restrictions or conservation easements are the only way to guarantee that there will be no more additional environmental impacts on a subject property and piece-mealing of the environmental analysis under CEQA.

Given the subject parcel’s proximity to existing parkland, the sensitive biological and visual resources on and near the parcel, and the scale of the proposed development, we recommend that a permanent deed restriction (or preferably, a conservation easement) be recorded over all portions of the parcel outside of the final approved project disturbance footprints. This action is vital to permanently preserve the remaining onsite resources. This is necessary to prevent future impacts and to adequately protect coastal resources. All development and other uses (e.g., vineyards, stables, equestrian facilities, fencing, etc.) should be prohibited in that protected area. Native plant restoration and non-driveable trails should be allowed. The County should require that this permanent deed restriction or conservation easement be recorded prior to permit issuance. The Mountains Recreation and Conservation Authority is available to accept such conservation easement. The specific location of any permanently protected open space must be shown in the CEQA document and therefore must be included as a mitigation measure.

To reiterate, we recommend that the County and applicant consider project modifications to reduce biological and visual impacts, that potentially significant adverse environmental impacts be thoroughly analyzed, and that a permanent deed restriction or conservation easement be recorded over the entire undeveloped portion of the property in order to adequately protect coastal resources. Thank you for your consideration. Please provide to us a copy of the CEQA document to review once it becomes available. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address, by phone at (310) 589-3200, ext. 121, and by email at [judi.tamasi@mrca.ca.gov](mailto:judi.tamasi@mrca.ca.gov).

Sincerely,

RONALD P. SCHAFER

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Chairperson