

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Staff Report: 03/21/01
Hearing Date: 04/10-13/01
Commission Action:



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STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-00-252
APPLICANT: Rob & Linda Arrand
PROJECT LOCATION: 544 Glen Trail, Topanga (Los Angeles County)

PROJECT DESCRIPTION: Proposal of a new 1,105 sq. ft, single-story, 19 ft. above grade single family residence with detached 2 car, 8 ft. high carport, new septic system, two 4 ft. high retaining walls, 468 cubic yards of grading (233 cu. yds. cut and 235 cu. yds. fill), concrete diversion swale with boulders, and gravel driveway. The applicant is also requesting approval for after-the-fact grading and temporary wood shed.

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|------------------------------------|----------------|
| Lot area | 11,490 sq. ft. |
| Building coverage | 1,105 sq. ft. |
| Landscape coverage | 3,935 sq. ft. |
| Height Above Finished Grade | 19 ft. |
| Parking spaces | 2 |

LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, October 11, 2000; County of Los Angeles Environmental Health Services, Sewage Disposal System Design Approval, October 19, 2000; County of Los Angeles Fire Department, Preliminary Fuel Modification Plan Approval, September 7, 2000.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan, "Limited Engineering Geologic Report," Mountain Geology, Inc., August 10, 2000; "Update Engineering Geologic Report," Mountain Geology, Inc., August 22, 2000; "Geotechnical Engineering Investigation and Update Report," Coastline Geotechnical Consultants, Inc., August 29, 2000; CDP No. 4-00-092 (Worrel).

Summary of Staff Recommendation

Staff recommends **approval** of the proposed project with **eight (8) special conditions** regarding (1) geologic recommendations, (2) drainage and polluted runoff control, (3) landscaping and erosion control, (4) assumption of risk, (5) future improvements, (6) lot combination, (7) temporary shed removal, and (8) condition compliance.

I. Staff Recommendation

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-00-252 pursuant to the staff recommendation.*

Staff Recommendation of Approval:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Plans Conforming to Geologic Recommendations

All recommendations contained in the Limited Engineering Geologic Report dated August 10, 2000 and Update Engineering Geologic Report dated August 22, 2000 prepared by Mountain Geology, Inc. and the Geotechnical Engineering Investigation and Update Report dated August 29, 2000 prepared by Coastline Geotechnical Consultants, Inc. shall be incorporated into all final design and construction including *foundations, grading, sewage disposal and drainage*. Final plans must be reviewed and approved by the project's consulting geotechnical engineer and geologist. Prior to issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, sewage disposal and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultants shall require an amendment to the permit or a new coastal permit.

2. Drainage and Polluted Runoff Control Plans

Prior to the Issuance of the Coastal Development Permit, the applicants shall submit to the Executive Director for review and written approval, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting geotechnical engineer and geologist to ensure the plan is in conformance with consultant's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.

- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicants shall submit landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the geotechnical engineering and geologic consultant to ensure that the plans are in conformance with the consultant's recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

a. Landscaping Plan

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled *Recommended List of Plants for Landscaping in the Santa Monica Mountains*, dated February 5, 1996. Invasive, non-indigenous plant species which tend to supplant native species shall not be used. All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence.
- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.

- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (5) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

b. Interim Erosion Control Plan

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.
- (4) In addition to other fencing/flagging requirements, as set forth in subparagraph 1) above, the plan shall require the placement of temporary protective fencing around the protected zones of the oak canopies within or adjacent to the construction area that may be disturbed during construction or grading activities (Exhibit 4). No construction, grading,

staging, or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any on site oak trees.

c. Monitoring

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

4. Assumption of Risk, Waiver of Liability and Indemnity

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from fire, landsliding, earth movement, and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- B. *Prior to issuance of a coastal development permit*, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

5. Future Improvements

This permit is only for the development described in coastal development permit No. 4-00-252. Pursuant to Title 14 California Code of Regulations §13250 (b)(6), the exemptions otherwise provided in Public Resources Code §30610 (a) shall not apply to the entire parcel. Accordingly, any future structures, future improvements, or change of use to the permitted structures approved under Coastal Development Permit No. 4-00-252, and any grading, clearing or other disturbance of vegetation, other than as provided for in the approved fuel

modification/landscape plan prepared pursuant to **Special Condition No. Three (3)**, shall require an amendment to Permit No. 4-00-252 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition. The deed restriction shall include legal descriptions of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

6. Lot Combination

- A. (1) All portions of the two parcels, APN 4444-017-022 and APN 4444-017-023, shall be recombined and unified, and shall henceforth be considered and treated as a single parcel of land for all purposes with respect to the lands included therein, including but not limited to sale, conveyance, development, taxation or encumbrance and (2) the single parcel created herein shall not be divided or otherwise alienated from the combined and unified parcel.
- B. *Prior to issuance of a coastal development permit*, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

7. Temporary Shed Removal

With the acceptance of this coastal permit, the applicant agrees that the temporary wood shed on the site shall be removed within two years of the issuance of this Coastal Development Permit or within thirty (30) days of the applicant's receipt of the Certificate of Occupancy for the proposed residence from the County of Los Angeles, whichever is less, to a site located outside the Coastal Zone or a site with a valid coastal development permit for the installation of a temporary wood shed.

8. Condition Compliance

Within 120 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant is proposing to construct a 1,105 sq. ft. single-story, 19 ft. above grade single family residence with a detached 2 car, 8 ft. high carport, new septic system, two 4 ft. high retaining walls, 468 cubic yards of grading (233 cu. yds. cut and 235 cu. yds. fill), concrete diversion swale with boulders, and gravel driveway (Exhibit 4-7). The applicant is also requesting approval for after-the-fact 50 cu. yds. of grading and a 112 sq. ft., 8 ft. high temporary wood shed.

The project site is two adjacent parcels located on a densely populated hillside just east and upslope of Topanga Canyon in Topanga Woods, a small lot subdivision (Exhibit 1). The parcels are bounded on the west by Glen Trail, on the north and south by residences, and on the east by Plain Trail (Exhibit 2). According to neighboring residents, the subject lots were historically used as a date palm orchard. Existing development at the site includes rubble retaining walls along portions of the western, northern and southern boundaries of the property; unpermitted grading performed to create the existing fill slope which was intended to remedy an erosion problem caused by runoff from upslope development onto the site when the retaining wall along the eastern boundary of the property failed; and a 112 sq. ft., 8 ft. high temporary wood shed erected on the northeast portion of the site, also unpermitted. The retaining walls shall remain to support the proposed project, however, the temporary wood shed is proposed to be removed after the residence is constructed. The proposed project involves minimal grading (468 cu. yds.) to create the building pad and restore positive drainage on the site. The property shall be accessed from Glen Trail by a gravel driveway at the northwest corner of the site. The construction of the residence is proposed in the center of the subject site extending over both parcels with the detached carport to the north of the residence, and the concrete diversion swale landscaped with boulders shall run downslope between the residence and carport, from a 4 ft. high garden wall erected along the eastern portion of the site to Glen Trail (Exhibit 4).

The subject parcels are situated on a northwest-facing slope that is part of the east wall of Topanga Canyon. Slope gradients within the subject parcels range from relatively flat to 2:1 on the graded fill slope, with a physical relief of approximately 20 ft. However, staff notes that the relief from the ridgetop located offsite to the east to Topanga Canyon to the northwest is on the order of 160 ft. The subject lots are underlain by prehistoric landslide debris (Exhibit 8). The applicant's geologic consultant notes that the mapped prehistoric landslide mass is the result of a very large bedding plane failure which originated to the east and southeast of the subject site. The subject property is located within an area that is susceptible to seismically induced landsliding.

Existing vegetation on site consists of domestic shrubs and trees with natural grasses and two oak trees located in the northeast and southeast corners of the site (Exhibit 4). The subject parcels are located within a disturbed Oak Woodlands and Savannahs area (see Exhibit 3) designated on the Sensitive Environmental Resource Map in the certified Malibu/Santa Monica Mountains Land Use Plan, however, the woodland in this area has been disturbed by intense residential development and only two oaks remain on the subject parcels. The proposed project has been designed to avoid any adverse impacts to the oaks or their protected zones.

B. Geology and Wildfire Hazard

The proposed development is located in the Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

Section 30253 of the Coastal Act states in pertinent part that new development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***

Geology

Section 30253 of the Coastal Act mandates that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The project site comprised of two parcels within a steeply sloped small lot subdivision. As previously described, the proposed project includes a 1,105 sq. ft. single-story, 19 ft. above grade single family residence with a detached 2 car, 8 ft. high carport, new septic system, two 4 ft. high retaining walls, 468 cubic yards of grading (233 cu. yds. cut and 235 cu. yds. fill), concrete swale with boulders, and gravel driveway. According to the consulting geologists, prehistoric landslide debris underlies the entire project site (Exhibit 8). In addition, the project site is located in an area susceptible to seismically induced landsliding.

The applicant has submitted a Limited Engineering Geologic Report dated August 10, 2000 and Update Engineering Geologic Report dated August 22, 2000 prepared by Mountain Geology, Inc. and a Geotechnical Engineering Investigation and Update Report dated August 29, 2000 prepared by Coastline Geotechnical Consultants, Inc. which evaluate the geologic stability of the subject site in relation to the proposed development. Based on their evaluation of the site's geology and the proposed development the consultants have found that the project site is suitable for the proposed project. The project's consulting geotechnical engineer states in the Limited Engineering Geologic Report dated August 10, 2000 prepared by Mountain Geology, Inc.:

Based upon our limited investigation, the installation and use of the proposed private sewage disposal system will have no adverse effect upon the stability of the site or adjacent properties provided the recommendations of the Engineering Geologist and the Sanitation Engineer are complied with during construction/installation.

Furthermore, the Update Engineering Geologic Report dated August 22, 2000 prepared by Mountain Geology, Inc. states:

Based upon our investigation, the proposed development will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed development and installation of the private sewage disposal system will have no adverse effect upon the stability of the site or adjacent properties provided the recommendations of the Engineering Geologist and the Geotechnical Engineer are complied with during construction.

Finally, the Geotechnical Engineering Investigation and Update Report dated August 29, 2000 prepared by Coastline Geotechnical Consultants, Inc. states:

Based upon the findings summarized in this and prior reports, and provided the recommendations of this report are followed, and the designs, grading, and construction are properly and adequately executed, it is our finding that construction within the building site, including grading, will not be subject to geotechnical hazards from landslides, slippage, or excessive settlement. Further, it is our finding that the proposed building and anticipated site grading will not adversely affect the stability of the site, or adjacent properties, with the same provisos listed above.

The geotechnical engineering consultants conclude that the proposed development is feasible and will be free from geologic hazard provided their recommendations are incorporated into the proposed development. The Limited Engineering Geologic Report dated August 10, 2000 and Update Engineering Geologic Report dated August 22, 2000 prepared by Mountain Geology, Inc. and the Geotechnical Engineering Investigation and Update Report dated August 29, 2000 prepared by Coastline Geotechnical Consultants, Inc. contain several recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the proposed project site and adjacent properties. To ensure that the recommendations of the consultants have been incorporated into all proposed development the Commission, as specified in **Special Condition No. One (1)**, requires the applicant to submit project plans certified by the consulting geotechnical engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultant shall require an amendment to the permit or a new coastal development permit.

Despite the consulting geologist's assurance that the project is optimally designed for long term stability, the steepness of the site and the presence of a historic slide area underlying the site raise concern. The Commission must address those factors as they pose a risk that cannot be completely eliminated and may unavoidably endanger the proposed development. The Commission notes that because there remains some inherent risk in building on sites overlying active and/or historic landslides, such as the subject site, and due to the fact that the proposed project is located in an area susceptible to seismically induced landsliding, the Commission can only approve the project if the applicant assumes the liability from the associated risks as required by **Special Condition No. Four (4)**. This responsibility is carried out through the recordation of a deed restriction. The assumption of risk deed restriction, when recorded against the property, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development and agrees to assume any liability for the same.

Controlling and diverting run-off in a non-erosive manner from the proposed structures, impervious surfaces, and building pad will also add to the geologic stability of the project site. Therefore, in order to minimize erosion and ensure stability of the project site, and to ensure that adequate drainage and erosion control is included in the proposed development, the Commission requires the applicants to submit drainage and erosion control plans certified by the geotechnical engineer, as specified in **Special Conditions No. Two and Three (2 & 3)**.

The Commission also finds that landscaping of graded and disturbed areas on the subject site will serve to stabilize disturbed soils, reduce erosion and thus enhance and maintain the geologic stability of the site. Therefore, **Special Condition No. Three (3)** requires the applicant to submit landscaping plans certified by the consulting geotechnical engineer as in conformance with their recommendations for landscaping of the project site. Special Condition No. Three also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Finally, Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foilage weight. The Commission notes that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion. Therefore, the Commission finds that in order to ensure site stability, all slopes and disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition No. Three (3)**.

The Commission finds that the proposed project, as conditioned, will serve to minimize potential geologic hazards of the project site and adjacent properties.

Wildfire

The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. Typical vegetation in the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, *Terrestrial Vegetation of California*, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition No. Four (4)**, the assumption of risk, waiver of liability and indemnity, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of Special Condition No. Four, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

For the reasons set forth above, the Commission finds that, as conditioned, the proposed project is consistent with §30253 of the Coastal Act.

C. Sensitive Resources

Section 30230 of the Coastal Act states that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through means such as minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, §30240 of the Coastal Act states that Environmentally Sensitive Habitat Areas must be protected against disruption of habitat values.

To assist in the determination of a proposed project's consistency with §30230, §30231 and §30240 of the Coastal Act, the Commission has looked to the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Land Use Plan has been found to be consistent with Coastal Act Policies and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance placed by the Coastal Act on protection of sensitive environmental resources and found that:

Coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.

As previously mentioned, the proposed project site is located on a northwest-facing hillside east of Topanga Canyon within an area that is designated as disturbed oak woodland habitat by the Malibu/Santa Monica Mountains LUP (Exhibit 3). The proposed project site is located in a densely populated hillside neighborhood. As such, development of the proposed single family residence will occur within an area previously disturbed by past residential development, including grading and vegetation removal, and therefore will not result in removal of sensitive riparian habitat, individual oak trees, or significant oak woodland habitat.

The Commission notes that the proposed development will be located and designed so as not to encroach on the protected zones of the two oak trees on site. All proposed development on site has been set back outside of the protected zones of on site oak trees (Exhibit 4 & 5). To ensure that the protected zones will not be violated due to development activities, **Special Condition No. Three (3)**, requires the placement of temporary protective fencing around the protected zones of the oak canopies within or adjacent to the construction area that may be disturbed during construction or grading activities. No construction, grading, staging, or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any on site oak trees.

In addition to the above mentioned setback/buffer areas, the applicant has submitted a Fuel Modification Plan approved by the Los Angeles County Fire Department. Staff noted that on the fuel modification plan, the two oak trees on site are located in zone B, defined as an irrigated zone for fuel modification purposes which could cause harm to the oak trees. In response to staff's concern, the applicant consulted the LA County Fire Department who stated in a telephone conversation with staff on March 21, 2001 that no cutting or clearing of vegetation or irrigation requirements will be applied for fuel modification purposes in the oak woodland habitat on site or on adjacent properties. Ron Durbin from the LA County Fire Department's Fuel Modification Unit assured staff that the current fuel modification requirements that govern this area clearly exempt oak trees from any disturbance and that oak woodland habitat enhances fire protection within the Santa Monica Mountains area due to the lessened flame length that occurs among oak trees relative to other habitat types during a wildfire event. The Commission notes that no removal, thinning, or other disturbance of vegetation will occur in the oak woodland habitat as a result of constructing the proposed residence and subsequent fuel modification requirements for fire safety standards. Therefore, the Commission finds that the proposed project is adequately located and designed to minimize adverse impacts on sensitive resources at the project site.

The Commission further finds that the use of non-native and/or invasive plant species for residential landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Adverse effects from such landscaping result from the direct occupation or displacement of native plant communities by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for residential landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of

the Malibu/Santa Monica Mountains area, **Special Condition No. Three (3)** requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used.

Finally, the Commission finds that the amount and location of any new development that may be proposed in the future on the subject site is significantly limited by the unique nature of the site and the above mentioned environmental constraints. Therefore, in order to ensure that any future structures, additions, change in landscaping or intensity of use at the project site, that may otherwise be exempt from coastal permit requirements, are reviewed by the Commission for consistency with the resource protection policies of the Coastal Act, **Special Condition No. Five (5)**, the future development deed restriction, has been required.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with §30230, §30231 and §30240 of the Coastal Act.

D. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

As described, the proposed project includes construction of a single story, 19 ft. high, 1,105 sq. ft. single family residence with an detached 2 car carport, new septic system, two 4 ft. high retaining walls, 468 cubic yards of grading (233 cu. yds. cut and 235 cu. yds. fill), concrete swale with boulders, and gravel driveway. The site is considered a "hillside" development, as it involves moderate to steeply sloping terrain with soils that are susceptible to erosion.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species;

disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition No. Two (2)**, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that **Special Condition No. Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes the installation of an on-site private sewage disposal system to serve the residence. The applicant's environmental health specialist performed infiltration tests. The County of Los Angeles Environmental Health Department has given in-concept approval of the proposed septic system, determining that the system meets the requirements of the plumbing code. The Commission has found that conformance with the provisions of the plumbing code is protective of resources. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

E. Cumulative Impacts

The proposed project involves the construction of a new single family residence which is defined under the Coastal Act as new development. New development raises issues with respect to cumulative impacts on coastal resources. Sections 30250 and 30252 of the Coastal Act address the cumulative impacts of new development.

Section 30250(a) of the Coastal Act states:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of the surrounding parcels.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30105.5 of the Coastal Act defines the term "cumulatively," as it is used in Section 30250(a), to mean that:

the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Throughout the Malibu/Santa Monica Mountains coastal zone there are a number of areas, which were subdivided in the 1920's and 30's into very small "urban" scale lots. These subdivisions, known as "small lot subdivisions" are comprised of parcels of less than one acre but more typically range in size from 4,000 to 5,000 square feet. The total buildout of these dense subdivisions would result in a number of adverse cumulative impacts to coastal resources. Cumulative development constraints common to small lot subdivisions were documented by the Coastal Commission and the Santa Monica Mountains Comprehensive Planning Commission in the January 1979 study entitled: "Cumulative Impacts of Small Lot Subdivision Development In the Santa Monica Mountains Coastal Zone".

The study acknowledged that the existing small lot subdivisions can only accommodate a limited amount of additional new development due to major constraints to buildout of these areas that include: Geologic, road access, water quality, disruption of rural community character, creation of unreasonable fire hazards and others. Following an intensive one year planning effort by impacts on coastal Commission staff, including five months of public review and input, new development standards relating to residential development on small lots in hillsides, including the Slope-Intensity/Gross Structural Area Formula (GSA) were incorporated into the Malibu District Interpretive Guidelines in June 1979. A nearly identical Slope Intensity

Formula was incorporated into the 1986 certified Malibu/Santa Monica Mountains Land Use Plan under policy 271(b)(2) to reduce the potential effects of buildout as discussed below.

The Commission has found that minimizing the cumulative impacts of new development is especially critical in the Malibu/Santa Monica Mountains area because of the large number of lots which already exist, many in remote, rugged mountain and canyon areas. From a comprehensive planning perspective, the potential development of thousands of existing undeveloped and poorly sited parcels in these mountains creates cumulative impacts on coastal resources and public access over time. Because of this, the demands on road capacity, public services, recreational facilities, and beaches could be expected to grow tremendously.

Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP, which has been used as guidance by the Coastal Commission, requires that new development in small lot subdivisions comply with the Slope Intensity Formula for calculating the allowable Gross Structural Area (GSA) of a residential unit. Past Commission action certifying the LUP indicates that the Commission considers the use of the Slope Intensity Formula appropriate for determining the maximum level of development which may be permitted in small lot subdivision areas consistent with the policies of the Coastal Act. The basic concept of the formula assumes the suitability of development of small hillside lots should be determined by the physical characteristics of the building site, recognizing that development on steep slopes has a high potential for adverse impacts on resources.

Slope Intensity Formula:

$$\text{GSA} = (A/5) \times ((50-S)/35) + 500$$

GSA = the allowable gross structural area of the permitted development in square feet. The GSA includes all substantially enclosed residential and storage areas, but does not include garages or carports designed for storage of autos.

A = the area of the building site in square feet. The building site is defined by the applicant and may consist of all or a designated portion of the one or more lots comprising the project location. All permitted structures must be located within the designated building site.

S = the average slope of the building site in percent as calculated by the formula:

$$S = I \times L/A \times 100$$

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least 5 contour lines

L = total accumulated length of all contours of interval "I" in feet

A = the area being considered in square feet

The proposed project is located in the small lot subdivision of Topanga Woods and involves the construction of a 1,105 sq. ft. habitable space for a single family residence over the lot line of

two contiguous lots. The applicant has submitted a GSA calculation in conformance to Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP. This calculation arrived at a maximum GSA of 2,442 sq. ft. of habitable space, considering the total area of both lots as one. Therefore, the proposed 1,105 sq. ft. of habitable space is consistent with the maximum allowable GSA.

Some additions and improvements to residences on small steep lots within these small lot subdivisions have been found to adversely impact the area. Many of the lots in these areas are so steep or narrow that they cannot support a large residence without increasing or exacerbating the geologic hazards on and/or off site. Additional buildout of small lot subdivisions affects water usage and has the potential to impact water quality of coastal streams in the area. Other impacts to these areas from the buildout of small lot subdivisions include increases in traffic along mountain road corridors and greater fire hazards.

For all these reasons, and as this lot is within a small lot subdivision, further structures, additions or improvements to the subject property could cause adverse cumulative impacts on the limited resources of the subdivision. The Commission, therefore, finds it necessary for the applicant to record a future improvements deed restriction on this lot, as noted in **Special Condition No. Five (5)**, which would require that any future structures, additions or improvements to the property, beyond those now proposed, would require review by the Commission to ensure compliance with the policies of the Coastal Act regarding cumulative impacts and geologic hazards. At that time, the Commission can ensure the new project complies with the guidance of the GSA formula and is consistent with the Coastal Act.

In addition, the Commission notes that the proposed residence is proposed to be built across the lot line between two parcels (APN Nos. 4444-017-022 & 4444-017-023). The Commission has long required that lots in small lot subdivisions using the GSA formula, as noted above, be required to be combined. Such a combination was required in an earlier permit decision for development of a residence on two-lots in a small lot subdivision [CDP No. 4-00-092 (Worrel)]. For these reasons, **Special Condition No. Six (6)**, is necessary to ensure that the lots are combined and held as such in the future.

The Commission therefore finds that the proposed project, only as conditioned, consistent with Section 30250(a) of the Coastal Act.

F. Violations

As previously described, grading occurred to create the existing fill slope on the subject property without the benefit of the required coastal development permit. The applicant's consulting engineer has estimated the grading amount to be approximately 50 cu. yds. Staff notes that the applicant did not perform said grading, however the applicant is including this grading as part of their project description to address the violation and attain after-the-fact approval. A 112 sq. ft., 8 ft. above grade temporary wood shed was also constructed without the required coastal development permit. The applicant has included the shed as part of the project description to attain after-the-fact approval. The shed is proposed as a temporary structure to be removed as soon as construction activities are complete. To ensure that the shed is removed from the property in a timely manner, the Commission has imposed **Special Condition No. Seven (7)**, which states that the applicant agrees that the temporary wood shed on the site shall be removed within two years of the issuance of this Coastal Development Permit or within thirty (30) days of the applicant's receipt of the Certificate of Occupancy for the

proposed residence from the County of Los Angeles, whichever is less, to a site located outside the Coastal Zone. Further, in order to ensure that the impacts from the construction of the shed and performance of the grading are mitigated, as proposed by the applicant, in a timely manner, **Special Condition No. Eight (8)** requires that the applicant satisfy all conditions of this permit, which are prerequisites to the issuance of this permit, within 120 days of Commission action.

Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

G. Local Coastal Program

Section 30604(a) of the Coastal Act states:

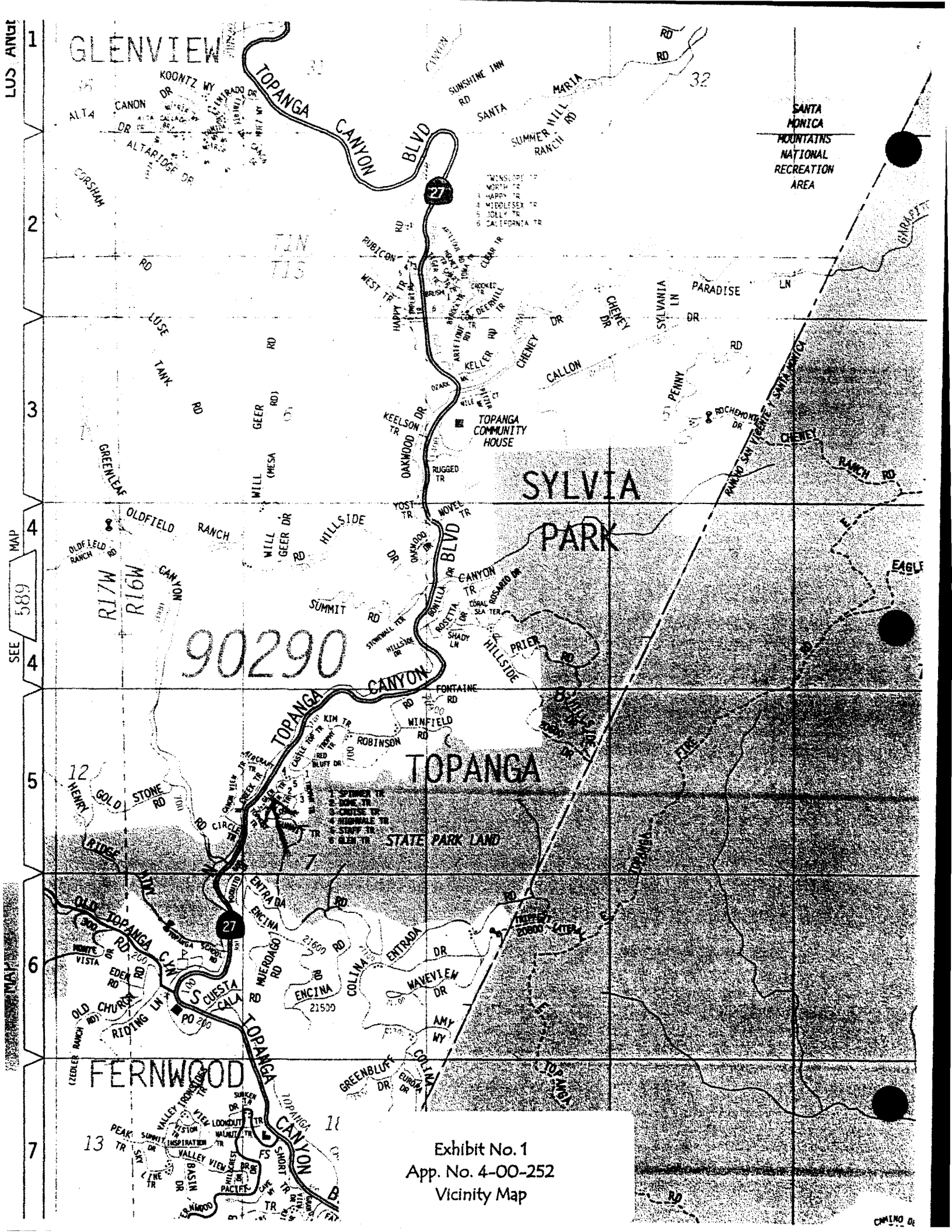
Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed project will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program for the Malibu/Santa Monica Mountains area which is consistent with the policies of Chapter 3 of the Coastal Act as required by §30604(a).

H. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

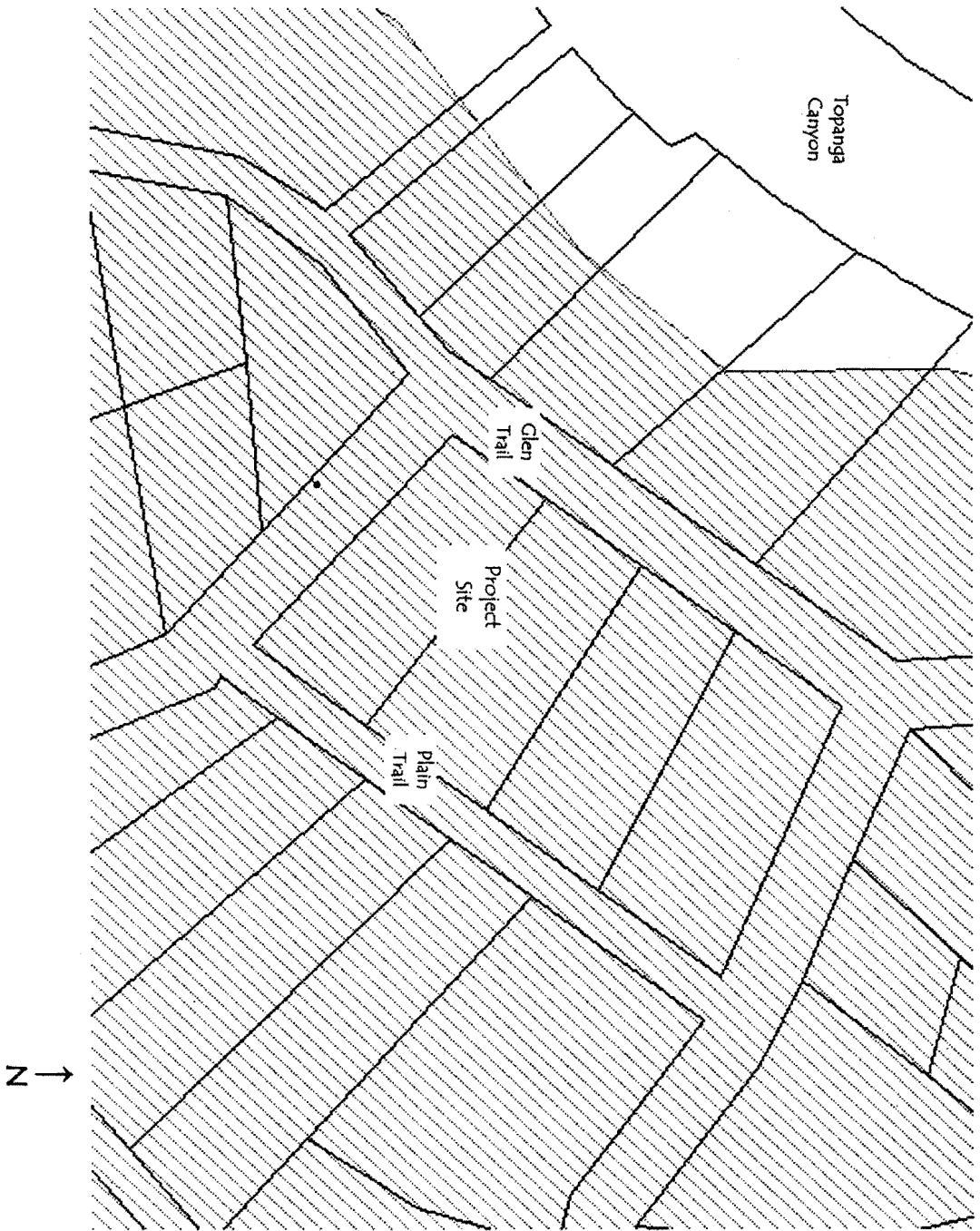
The Commission finds that, the proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



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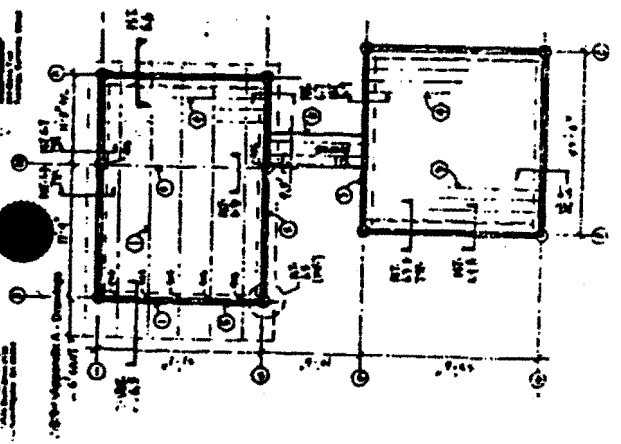
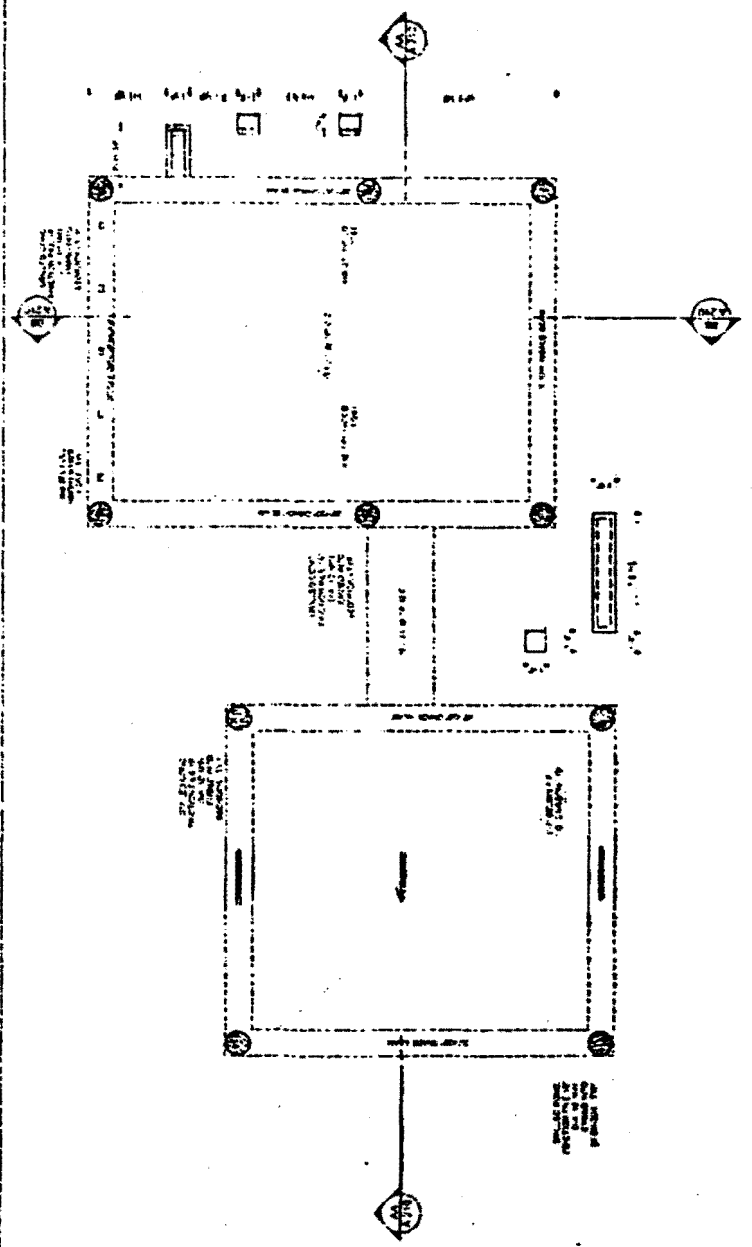
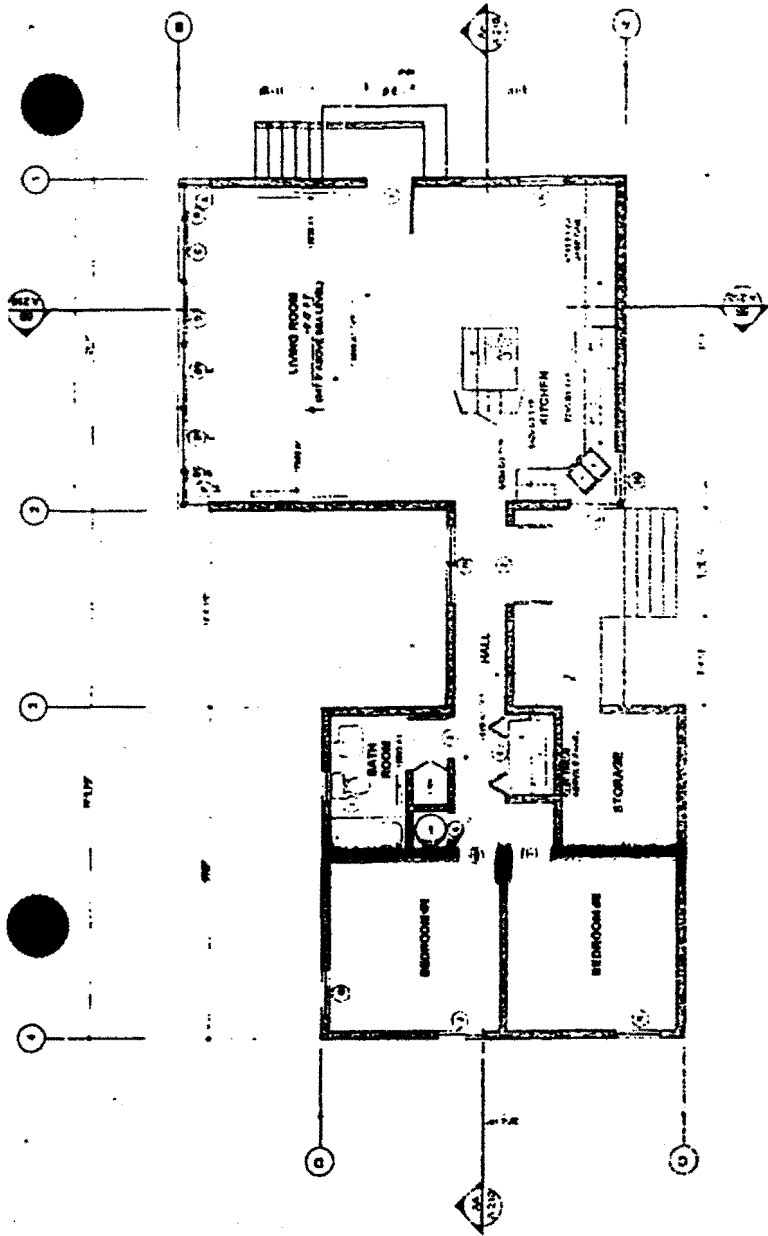
Exhibit No. 1
 App. No. 4-00-252
 Vicinity Map

Arrand: 544 Glen Trail



Oak Woodlands and Savannahs

Exhibit No. 3
App. No. 2-00-252
Resource Map



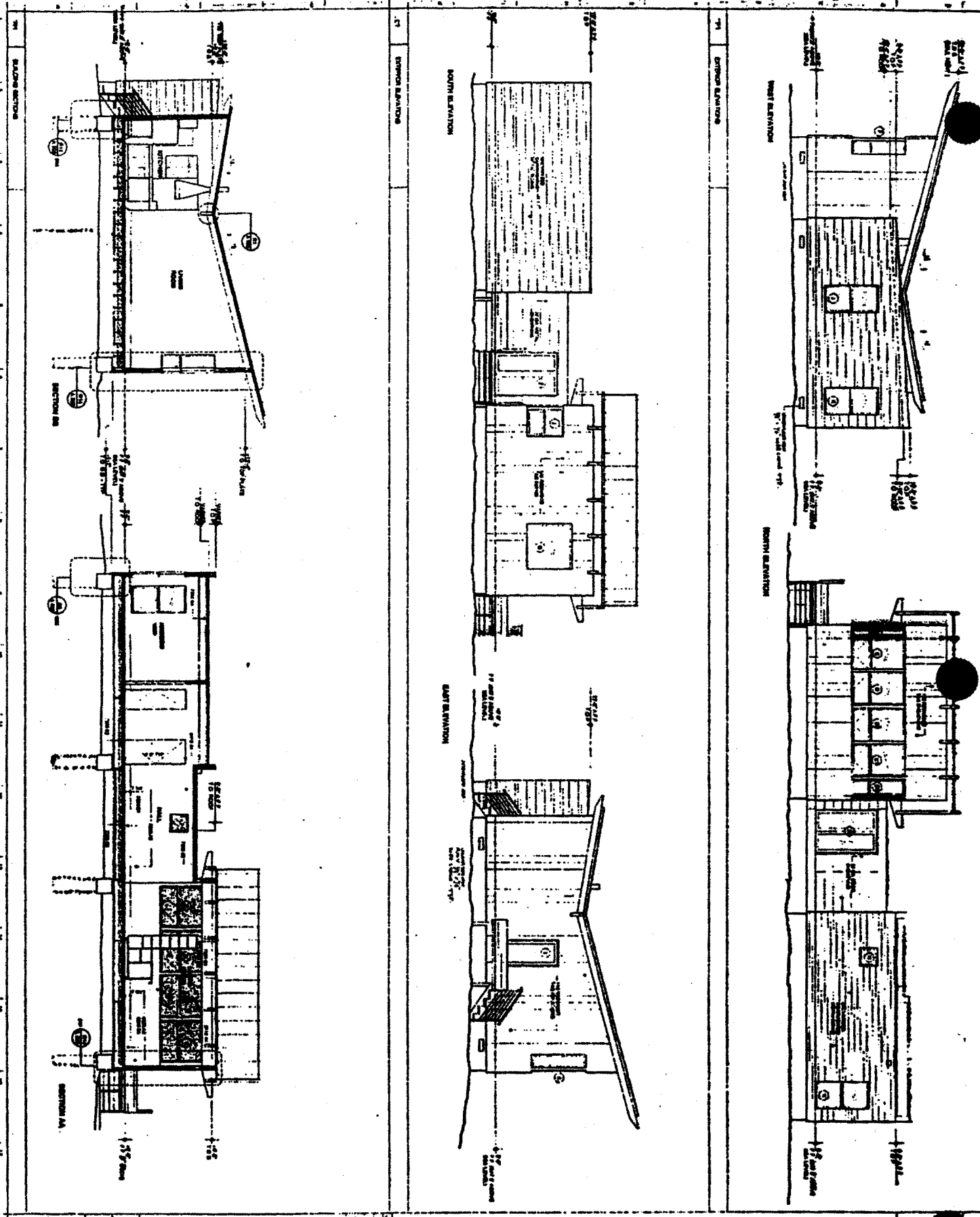
LE

| FRAME | DETAILS & PARTS | SHADING | NOTES |
|-------|-----------------|---------|----------|
| 1 | WALL | | CONCRETE |
| 2 | DOOR | | WOOD |
| 3 | WINDOW | | WOOD |
| 4 | STAIRS | | WOOD |
| 5 | HALL | | WOOD |
| 6 | KITCHEN | | WOOD |
| 7 | BATH ROOM | | WOOD |
| 8 | BEDROOM | | WOOD |
| 9 | LIVING ROOM | | WOOD |
| 10 | STORAGE | | WOOD |

WINDOW SCHEDULE

| NO. | TYPE | SIZE | LOCATION | DETAILS & PARTS | SHADING | NOTES |
|-----|-------------|-------------|-------------|-----------------|---------|-----------------------|
| 1 | DOUBLE HUNG | 4'0" x 6'0" | LIVING ROOM | WOOD | | SEE PLAN FOR LOCATION |
| 2 | DOUBLE HUNG | 4'0" x 6'0" | KITCHEN | WOOD | | SEE PLAN FOR LOCATION |
| 3 | DOUBLE HUNG | 4'0" x 6'0" | BEDROOM | WOOD | | SEE PLAN FOR LOCATION |
| 4 | DOUBLE HUNG | 4'0" x 6'0" | BEDROOM | WOOD | | SEE PLAN FOR LOCATION |
| 5 | DOUBLE HUNG | 4'0" x 6'0" | LIVING ROOM | WOOD | | SEE PLAN FOR LOCATION |

Exhibit No. 6
App. No. 4-00-252
Floor Plans



| | |
|-----------------------------|------------------|
| | |
| 644 ELEV FINAL | |
| ELEVATION DRAWINGS AND DATA | |
| DATE: 12/15/50 | DRAWN BY: [Name] |
| CHECKED BY: [Name] | SCALE: AS SHOWN |

Exhibit No. 7
 App. No. 4-00-252
 Elevations

NOTES:
 1. SEE P. 107 FOR DETAILS OF ELEVATOR CAR AND SHAFT.
 2. SEE P. 108 FOR DETAILS OF ELEVATOR CAR AND SHAFT.
 3. SEE P. 109 FOR DETAILS OF ELEVATOR CAR AND SHAFT.

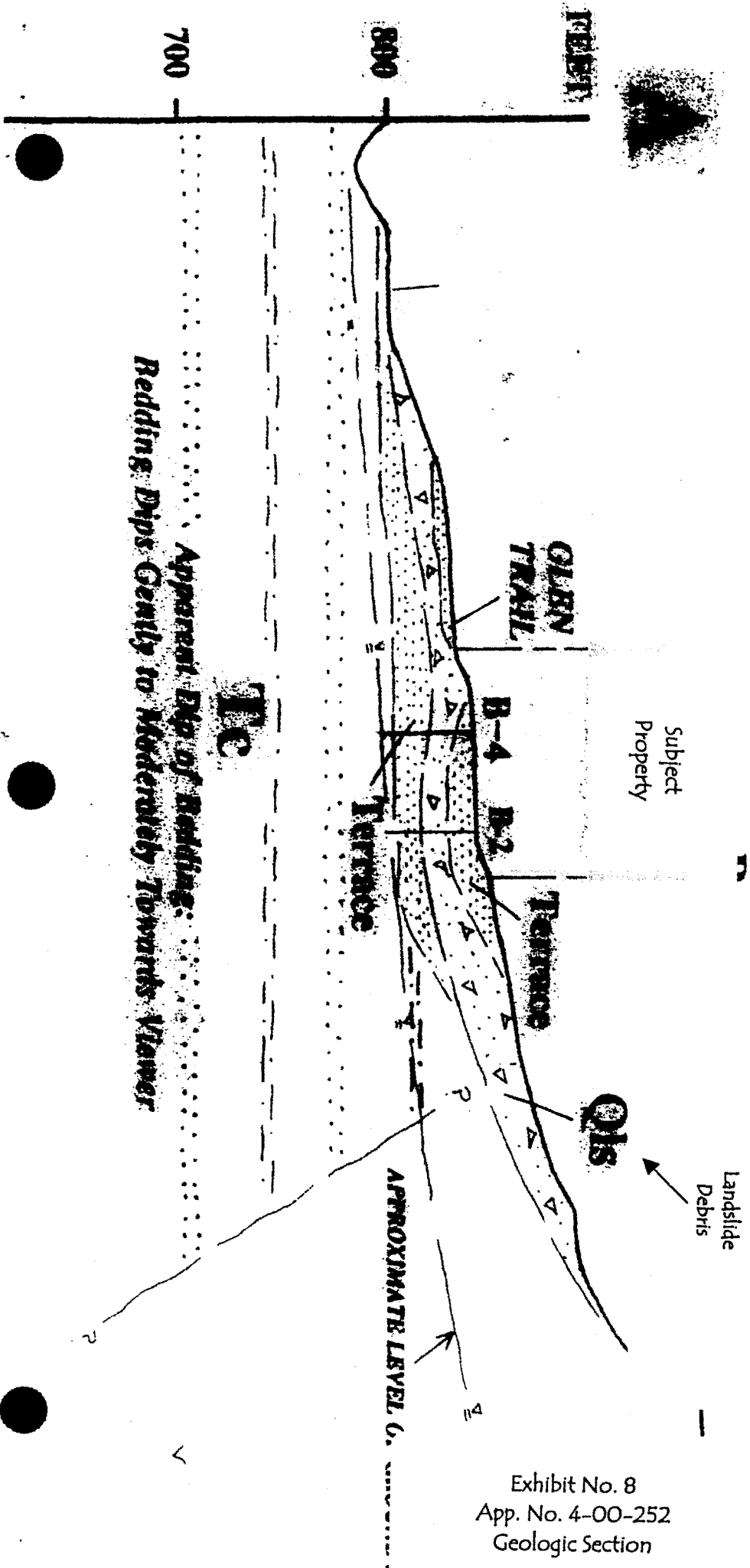


Exhibit No. 8
 App. No. 4-00-252
 Geologic Section

