

CALIFORNIA COASTAL COMMISSION
South Central Coast
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Staff Report: 11-22-96
Hearing Date: 12-10 through 13-96
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-96-130

APPLICANT: David Levy and Paula Gershoy

PROJECT LOCATION: 2910 Sequit Drive, Malibu, Los Angeles County

DESCRIPTION OF AMENDMENT: Remodel and addition of 491 sq. ft. of interior floor area to existing 1443 sq. ft. two and one-half story dome single family residence. No grading.

Lot Area	19,500 sq. ft.
Building Coverage	1,099 sq. ft.
Pavement Coverage	1,500 sq. ft.
Landscape Coverage	500 sq. ft.
Parking Spaces	2 covered
Project Density	.45 dua
Ht abv fin grade	37 feet

LOCAL APPROVALS RECEIVED: Los Angeles County Department of Regional Planning, Approval in Concept, 4-16-96; Department of Health Services, approval of method of sewage disposal, 2-5-96.

SUBSTANTIVE FILE DOCUMENTS: Coastline Geotechnical Consultants, Inc., Geotechnical Engineering Investigation Report, January 12, 1996, Engineering Geologic Memorandum, April 15, 1996, and Addendum Engineering Geologic Report, September 19, 1995; Malibu/Santa Monica Mountains Land Use Plan; Coastal Development permits # 5020 (Levy), 5-86-544 A2 (Grady), 5-86-349 A (Johnson), and 4-95-136 (Kaplan).

SUMMARY OF STAFF RECOMMENDATION:

The proposed development is an addition of floor area inside the shell of a dome residence with no change in external dimensions. The dome house was approved in 1979 (permit # 5020, Levy) which raises the issue of allowable gross structural area and the calculation method used. The project location and circumstances raise issues similar to those raised nearby by a proposed residence at 3044 Sequit Dr. (Application 4-95-136, Kaplan). Staff recommends

that no change in the allowable gross structural area be permitted without compliance with a special condition relative to revised project plans using the Slope Intensity Formula, in accord with past Commission actions and the certified Land Use Plan. Special conditions are also recommended relative to cumulative impact mitigation, future improvements, and plans conforming to geologic recommendation.

I. STAFF RECOMMENDATION

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

II. Special Conditions.

1. Cumulative Impact Mitigation.

Prior to the issuance of the Coastal Development Permit, the applicants shall submit, for the review and approval of the Executive Director, revised project plans which indicate that the proposed dwelling does not exceed the maximum allowable gross structural area (GSA) of 1,505 sq. ft. permitted under development permit SF-79-5020. The total GSA may be increased by an additional 500 sq. ft. granted in conjunction with extinguishing development rights on lots contiguous to the building site or by 300 sq. ft. for each lot not contiguous to the building site but within the El Nido Small-lot Subdivision. Prior to issuance of this permit, the applicant may submit, for the review and approval of the Executive Director, evidence that the development rights have been extinguished on any combination of contiguous and non-contiguous lots which would bring the development into conformance with Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP.

2. Future Improvements (Small Lot Subdivisions)

Prior to 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, which shall provide that Coastal Development permit 4-96-130 is only for the proposed development and that any future additions or improvements to the property, including clearing of vegetation and grading, will require a permit from the Coastal Commission or its successor agency. Any future improvements shall conform to the allowable Gross Structural Area (GSA) as defined by policy 271 in the Certified Malibu/Santa Monica Mountains Land Use Plan. Clearing of vegetation consistent with County Fire Department requirements is permitted. The document shall run with the land binding all successors and assigns, and shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed.

3. Plans Conforming to Geologic Recommendation

Prior to the issuance of the permit the applicant shall submit, for the review and approval by the Executive Director, evidence of the geology consultant's review and approval of all project plans. All recommendations contained in the Coastline Geotechnical Consultants, Inc., Geotechnical Engineering Investigation Report, January 12, 1996, Engineering Geologic Memorandum, April 15, 1996, and Addendum Engineering Geologic Report, September 19, 1995 including issues related to site preparation, foundations, and drainage, shall be incorporated in the final project plans. All plans must be reviewed and approved by the geologic consultants.

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

III. Findings and Declarations

The Commission finds and declares as follows:

A. Project Description and Background

1. Proposed Development and Location

The project location is a steep hillside lot in a small lot subdivision overlooking a State Park. (Exhibits I and II) The application request includes filling in an undeveloped basement area on the ground floor of the existing single family residence including revised floor plans for the remodel of existing living area. The amendment proposes, in summary, an increase in floors from two to three.

The submittal indicates that the existing square footage is 1443 consisting of a 1099.1 sq. ft. first floor and a 343.55 sq. ft. loft. The proposed addition is for an addition of 490.79 sq. ft. giving a total square footage of 1933. 44 sq. ft.

A minor amount of the existing floor area will diminish due to the middle level being opened to other floors by way of an open stairway. The floor area of the third level loft will expand slightly as well into the area designated as "open to below". The proposed residence will now be on three levels.

2. Previously Approved Development

The original application was by the same owners as present. The original application was received in March, 1979 and was acted upon by the Commission shortly after completion of the January, 1979 study entitled "Cumulative Impacts of Small Lot Subdivision Development in the Santa Monica Mountains Coastal Zone". The Study lead to the adoption of a Slope Intensity/Gross Structural Area (GSA) formula incorporated into the Malibu District Interpretive Guidelines in June 1979. Thereafter, in July, 1979 the Commission approved permit SF-79-5020 (Levy) for the existing dome single family residence of 1443 sq. ft. with a carport. The proposal was for a single family residence of 2480 sq. ft., with two detached carports. Approval was subject to two conditions which required that:

Prior to issuance of permit, applicants shall submit:

1. revised plans limiting the size of the structure not to exceed 1505 square feet in keeping with the adopted guidelines; and
2. a deed restriction for recording agreeing that Coastal Commission permit number SF-79-5020 is only for the proposed development and that any future addition, or improvements to the property, including clearing of vegetation and grading, will require a Coastal Commission permit, or its successor agency. Clearing of vegetation up to 100 feet around the residence to mitigate fire hazard is permitted.

The conditions were met, including recordation of a deed restriction, the permit was activated and the project was completed. The present residence was constructed including the single detached carport.

B. Cumulative Impacts

Section 30250(a) of the Coastal Act states:

(a) 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 only 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 surrounding parcels.

A number of areas in the coastal zone in the Malibu/Santa Monica Mountains area were divided into small "urban" scale lots in the 1920s and 1930s, typically with lots of 4,000 to 5,000 sq. ft. in area. The Commission has found, as noted above relative to adoption of Guidelines, that these subdivisions would result in a number of adverse cumulative impacts on Coastal resources. These impacts were further recognized in Commission permit decisions and the 1986 certified 1986 Malibu/Santa Monica Mountains land use plan, which is used as guidance in small lot subdivisions in the City of Malibu.

The Coastal Act requires that new development, including subdivisions and multi-family projects, be permitted only where public services are adequate and only where public access and coastal resources will not be cumulatively affected by such development. The Commission has repeatedly emphasized the need to address the cumulative impacts of new development in the Malibu/Santa Monica Mountains area in past permit actions. The cumulative impact problem stems from the existence of thousands of undeveloped and poorly sited parcels in the mountains along with the potential for creating additional parcels and/or residential units through subdivisions and multi-unit projects. Because of the large number of existing undeveloped lots and potential future development, the demands on road capacity, services, recreational facilities, and beaches could be expected to grow tremendously. In addition, future build-out of many lots located in environmentally sensitive areas would create adverse cumulative impacts on coastal resources.

The Commission, in past permit action, has recognized certain development constraints common to small lot subdivisions including geologic and fire hazards, limited road access, septic and water quality problems and disturbance of the rural community character. As a means of controlling the amount and size of development in small lot subdivisions, the Commission has developed the Slope Intensity-Gross Structural Area Formula.

A number of residences in the area of the proposed addition have conformed to the GSA formula through the coastal development permit process. This is shown by the two tables in Exhibit V representing Commission actions for other sites in the immediate area of the project site (A) and nearby in the El Nido small lot subdivision (B). The information was originally compiled as part of the findings for permit 4-95-136 (Kaplan) which is located approximately 400 feet

east of the site proposed for development in the subject application. Kaplan was similar by virtue of being an upslope lot facing onto Sequit Dr. with a similar size slope (35 %), lot area (12,607 sq. ft.) and location facing onto a State Park site.

Policy 271(b)(2) of the Malibu/Santa Monica Mountains Land Use Plan 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. The basic concept of the formula assumes that the suitability of development of small hillside lots should be determined by the physical characteristics of the building site, recognizing that development of steep slopes has a high potential for adverse impacts on coastal resources.

The proposed development is an addition inside the shell of a dome residence approved in 1979 (permit # 5020, Levy) which raises the issue of allowable gross structural area. The Coastal Commission in past decisions, most recently in for a nearby residence at 3044 Sequit Dr. (Application 4-95-136, Kaplan) has applied this formula in a consistent manner to lessen the cumulative impact of development.

The subject lot is located within the El Nido subdivision. Residences in this area are limited in size by the GSA formula. With this application, the applicant submitted GSA calculations, as described in the preceding section, which increases the maximum allowable square footage to 2134 square feet, which exceeds the allowable GSA under the existing permit by 629 square feet. Thus, the project, as proposed, is inconsistent with the slope intensity formula for gross structural area.

The GSA calculation by the applicant used a slope of 27.53% and an area of 19,500 sq. ft.. Based on these parameters, the applicant arrived at the maximum GSA of 2197.3 sq. ft. Staff calculations were done according to normal practice used for other parcels subject to the GSA program. Staff's calculations indicate that the parcel cannot support a house of larger than 1505 sq. ft.. In no permutation using the correct method to calculate the GSA was staff able to achieve the square footage that applicant asserts he is entitled to.

The applicants' methodology of calculation is based on a building site definition to include various segments of discontinuous land across the property which enclose a number of contours. This is acceptable under the GSA formula. However, the method used by the applicant to calculate the slope of the parcel does not accurately reflect the slope of this parcel. Staff has requested a recalculation using other contours which more accurately reflect the landform and slope on the parcel. The applicant has not submitted detailed evidence further supporting his calculation, despite repeated invitations to do so. The applicant submitted floor area plans redesignating the floor area on the project plans (received November 15, 1996), but did not calculate these revised dimensions or alternative contours at prescribed intervals as suggested by staff.

Staff has attempted to calculate the allowable GSA based on the strike of the slope along the length of the parcel. A slope calculation of 52% was found when measured along the interior parcel boundary between the two underlying lots. This line represents a valid slope because it is near the middle of the lot, reflects the length of the two adjoining parcels which encompass the lot.

and generally crosses contours at a right angle. This slope, however, goes beyond what is allowed by the GSA formula because the formula only allows up to a slope factor of 50%. Subtracting 52% from this would result in a negative number, to which the 500 sq. ft. allowance is added.

For these reasons, the Commission cannot grant the applicant a house larger than that currently permitted of 1505 sq. ft.. This does allow expansion of the existing residence by about 50 sq. ft. in floor area. The Commission finds that no change in the allowable gross structural area can be permitted without compliance with a special condition relative to revised project plans using the Slope Intensity Formula in accord with past Commission actions and the certified Land Use Plan. There have been no changes in lot area or slope since the earlier permit which would change the slope and GSA calculations.

Pursuant to policy 271 of the Malibu/Santa Monica Mountains Land Use Plan, the maximum allowable gross structural area (GSA) as calculated, may be increased as follows:

- (1) Add 500 square feet for each lot which is contiguous to the designated building site provided that such lot(s) is (are) combined with the building site and all potential for residential development on such lot(s) is permanently extinguished.
- (2) Add 300 square feet for each lot in the vicinity of (e.g. in the same small lot subdivision) but not contiguous with the designated building site provided that such lot(s) is (are) combined with other developed or developable building sites and all potential for residential development on such lot(s) is permanently extinguished.

If the applicant either extinguishes the development rights of two or three lots located either adjacent to the subject property or not adjacent to the subject site and within the El Nido small lot subdivision, the applicant's GSA would increase by either 1000 or 900 square feet, respectively. This would bring the proposed project into conformance with the GSA. The other option available to the applicant is to remove a portion of the proposed internal floor area of the structure to reduce the size of the residence to 1,505 square feet. In addition, it should be noted that the applicant can expand his floor by roughly sixty feet and still be within the limitation of the original permit.

The applicants' agent has indicated that they do not desire to obtain the development rights. As such, their only option appears to be to revise the plans of the existing residence and remove the extra square footage. Nonetheless, to ensure that the proposed project is consistent with policy 271 of the LUP and with Section 30250 of the Coastal Act, the Commission finds it necessary to require the applicant to permanently extinguish the residential development rights of either one adjacent vacant lot or one non-adjacent lot within the El Nido Small-lot Subdivision or submit revised plans reducing the sq. ft. of the residence to 1505 sq. ft..

The Commission further notes that the purchase of the additional lots does not give the applicant permission to add any additional square footage over or above the proposed square footage.

Only as conditioned to increase the GSA through the lot retirement program or

reduce the size of the residence, can the Commission find that this project is consistent with Section 30250 of the Coastal Act and policy 271 of the Malibu/Santa Monica Mountains LUP.

Furthermore, in order to ensure that future development does not occur which would be inconsistent with Policy 271 of the certified LUP relative to the maximum size of residential structures in small-lot subdivisions and Section 30250(a) of the Coastal Act, a special condition requiring Commission review and approval of proposals for future improvements on the site is necessary. The Commission finds that, only as conditioned, is the proposed development consistent with Section 30250 of the Coastal Act.

C. Geologic Hazards

Section 30253 of the Coastal Act states, in 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, geologic 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.

In addition, the certified Los Angeles County Land Use Plan includes the following policies regarding hazards, which are applicable to the proposed development. These policies have been applied by the Commission as guidance, in the review of development proposals in the Santa Monica Mountains.

P147 Continue to evaluate all new development for impact on, and from, geologic hazard.

P149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within potentially geologically unstable areas including landslide or rock-fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.

P154 Continue to review development proposals to ensure that new development does not generate excessive runoff, debris, and/or chemical pollution that would have a significantly negative impact on the natural hydrologic system.

P156 Continue to evaluate all new development for impact on, and from, fire hazard.

The proposed development is located in the Santa Monica Mountains area which is generally considered to be subject to an unusually high number of natural hazards. Geologic hazards common to the 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.

The Commission reviews the proposed project's risks to life and property for development such as proposed in this application in areas where there are geologic, flood and fire hazards. Regarding the geologic and flood hazards, the applicant submitted: Coastline Geotechnical Consultants, Inc. — Geotechnical Engineering Investigation Report, January 12, 1996; Engineering Geologic Memorandum, April 15, 1996; Addendum Engineering Geologic Report, September 19, 1995; and Revised Engineer Geologic Memorandum and Update (July 26, 1996) by Geoplan Inc.

Although the proposed development is infill within a previously approved dome house, it deserves further examination relative to Coastal Act geologic hazards policies because project includes ground level slabs and retaining walls. These are part of the structural support of the building and are designed to protect the building from steep slope conditions such as water, mudflow, loose soil debris, and shallow slope failure. Steep slope conditions defined by Los Angeles County as greater than 3:1 as referred to in the January 12, 1996 geotechnical study. (See substantive file documents)

The January 12, 1996 Geotechnical report recommends further geotechnical review of grading, cuts, backfill, as well as foundation inspections. A brief addendum, dated April 15, 1996, provides the finding that:

Based upon our investigation, the proposed site improvements will be free of geologic hazards such as landslides, mudflows, slippage, active faults, or undue settlement.

Based on the findings and recommendations of the consulting geologist, the Commission finds that the development is consistent with PRC Section 30253 so long as all recommendations regarding the proposed development are incorporated into project plans. Therefore, the Commission finds it necessary to require the applicants to submit the final project plans that have been certified in writing by the geology consultant as conforming to their recommendations, as noted in special condition one (3).

Thus, the Commission finds that only as conditioned to incorporate all recommendations by the applicant's consulting geologist will the proposed project be consistent with Section 30253 of the Coastal Act.

D. Local Coastal Program

Section 30604 of the Coastal Act states that:

(a) 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 Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with 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 development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. 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 this area of Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. California Environmental Quality Act

The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of CEQA. Section 21080.5 (d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impacts that the activity may have on the environment.

As discussed above, the proposed project has been mitigated to incorporate conformance with cumulative impact mitigation, future improvements (small lot subdivisions), geologic recommendations, and a wild fire waiver of liability. As conditioned, there are no feasible alternatives or mitigation measures available, beyond those required, which would lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is found consistent with the requirements of CEQA and the policies of the Coastal Act.

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LOCATION MAP

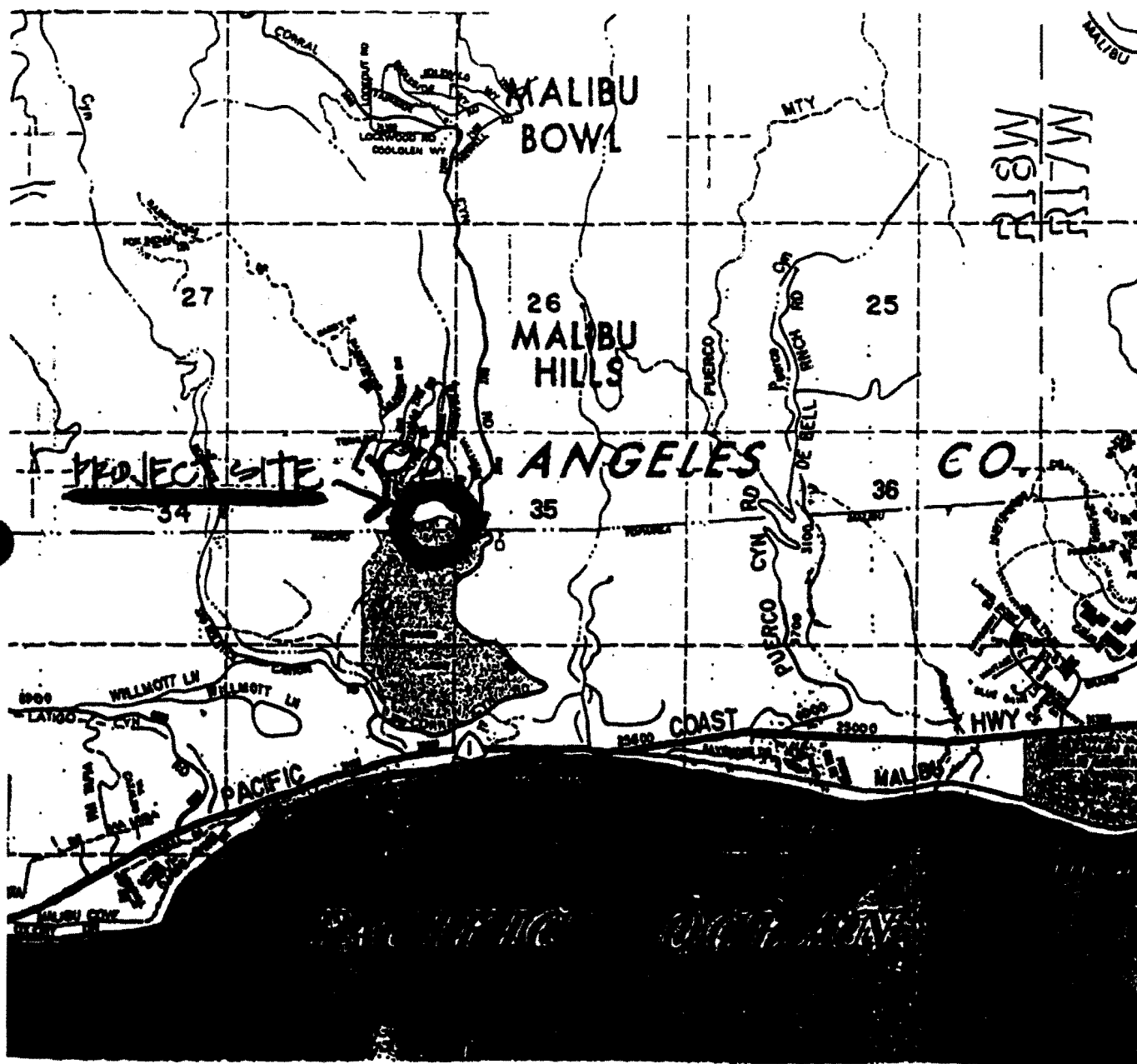


EXHIBIT NO. I
APPLICATION NO.
4-96-130 (Levy/Gershon)
Project Location

- P. 1. 51. 1901
 - F. 1. 51. 1901
 - S. 1. 51. 1901
 - 4c.

CORRAL
 7

315
 Sec. 35

18 Ac. (3)

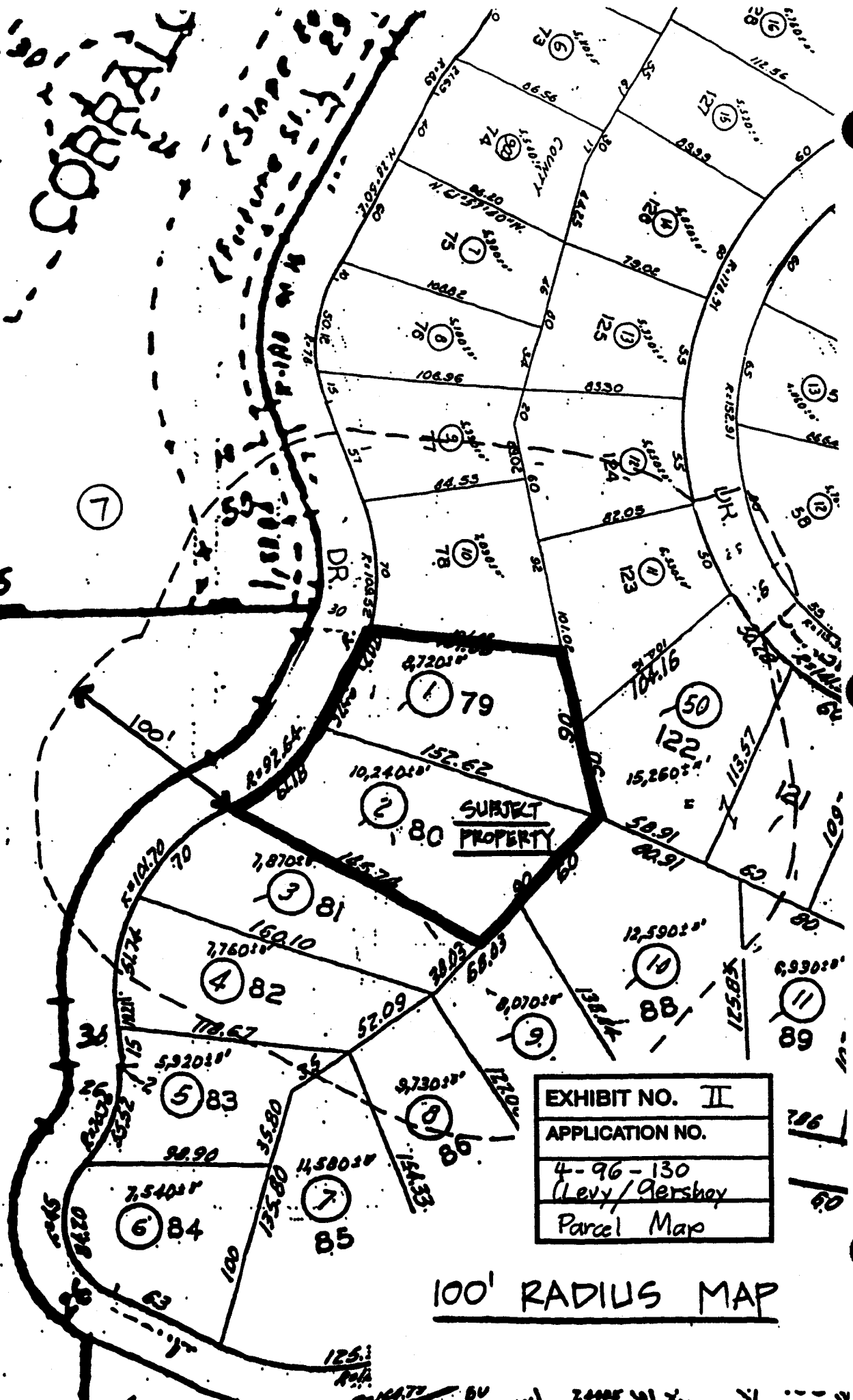


EXHIBIT NO. II
APPLICATION NO.
4-96-130
Levy/Gershoy
Parcel Map

100' RADIUS MAP

Slope-Intensity Formula:

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

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:

$$S = \frac{L \times I}{A} \times 100$$

I = contour interval in feet. it 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

EXHIBIT NO. <u>IV</u>
APPLICATION NO.
<u>4-96-130</u>
<u>(Levy / Gershey)</u>
<u>Slope Intensity Formula</u>

EXHIBIT NO. **V**

APPLICATION NO.

4-96-130
Levy Gendrop**4-95-136 (Kaplan)**
Shattuck

1,990 sq. ft. for the proposed residence. The applicant never activated expired.

2. Other Sites in the Immediate Area.

p. 1 of 2

The Commission has considered many permit applications for properties in the immediate area. Following in Table 1 is a list of those actions. These noted permit applications are for development on Sequit Road within the El Nido small lot subdivision.

Application Number	Name	Proposed Sq. Ft.	Max. GSA Allowable	Lot Square Footage	Bonus Sq. Ft.	Total GSA Permitted
5-84-163	Embleton	1,026 sq. ft.	526 sq. ft. (45% Slope)	5,200 sq. ft.	500 sq. ft. (1 contiguous parcel)	1,026 sq. ft.
5-88-416	Haines	2,800 sq. ft.	3,176 sq. ft. (23% Slope)	17,921 sq. ft. (2 lots)	None	3,176 sq. ft.
5-88-939	Mellein	1,832 sq. ft.	1,323 sq. ft. (45% Slope)	9,296 sq. ft. (2 lots)	500 sq. ft. (1 contiguous lot)	1,823 sq. ft.
5-89-235	Chan	2,172 sq. ft.	1,252 sq. ft. (38% slope)	10,986 sq. ft.	900 sq. ft. (3 non-contiguous lots)	2,152 sq. ft.
5-90-771	Skeisvoll	500 sq. ft.	500 sq. ft. (40% Slope)	8,420 sq. ft.	None	500 sq. ft.
5-90-772	Embleton	500 sq. ft.	500 sq. ft. (40% Slope)	9,488 sq. ft.	None	500 sq. ft.
5-91-616	Landsman	1,399 sq. ft.	1,399 sq. ft. (30% Slope)	7,870 sq. ft.	None	1,399 sq. ft.

Table 1

Additionally, the Commission has approved many permit applications for development which is within the El Nido small lot subdivision, on Seabreeze Drive, Searidge Drive, and Valmore Drive. Following is Table 2 which shows the permit applications approved by the Commission for single family residences on these three streets.

Application Number	Name	Proposed Sq. Ft.	Max. GSA Allowable	Lot Square Footage	Bonus Sq. Ft.	Total GSA Permitted
5-88-418	Wilstein	1,113 sq. ft.	1,782 sq. ft.		None	1,113 sq. ft.
5-88-418A	Wilstein	1,713 sq. ft. (600 sq. ft. addition)	1,782 sq. ft.		None	1,713 sq. ft.
5-88-445	Tobin	1,463 sq. ft.	1,415 sq. ft. (17% Slope)	5,515 sq. ft.	None	1,463 sq. ft. (48 sq. ft. over Max. GSA allowed)
5-88-445A	Tobin	1,230 sq. ft. (Reduction of sq. ft.)	1,415 sq. ft.	5,515 sq. ft.	None	1,230 sq. ft.

5-88-591	Goldberg	2,362 sq. ft.	2,325 sq. ft. (15% Slope)	10,073 sq. ft. (2 lots)	None	2,325 sq. ft. (Revised Plans)
5-88-908	Jensen	1,707 sq. ft.	1,592 sq. ft. (31% Slope)	9,930 sq. ft.	None	1,592 sq. ft. (Revised Plans)
5-89-082	Crommie & Hinerfeld	1,812 sq. ft.	1,765 sq. ft. (29% Slope)	9,153 sq. ft.	None	1,765 sq. ft. (Revised Plans)
5-89-148	Schrader	1,546 sq. ft.	1,450 sq. ft. (24% Slope)	6,329 sq. ft.	None	1,450 sq. ft. (Revised Plans)
5-89-434	Skeisvoll	1,376 sq. ft.	1,085 sq. ft. (34% Slope)	7,324 sq. ft.	300 sq. ft. (1 non-contiguous lot)	1,376 sq. ft.
5-90-233	Crommie	1,009 sq. ft.	1,009 sq. ft. (34% Slope)	5,730 sq. ft.	None	1,009 sq. ft.
5-90-233A	Hinerfeld	1,309 sq. ft. (300 sq. ft. addition)	1,009 sq. ft. (34% Slope)	5,730 sq. ft.	300 sq. ft. (Retired 1 non-contiguous lot)	1,309 sq. ft.
5-92-189	Dore	1,525 sq. ft.	1,025 sq. ft. (31% Slope)	4,815 sq. ft.	500 sq. ft. (1 contiguous lot)	1,525 sq. ft.

As can be noted from the table, the maximum allowable Gross Struck of the size and slope of the project site. Larger, less steep parcels have area, while lots which are smaller or steeper are granted a smaller Gross

D. Cumulative Impacts.

Section 30250 (a) of the Coastal Act states, in part, that:

(a) 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 a significant adverse effect, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only 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 surrounding parcels.

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

EXHIBIT NO. <u>V</u>
APPLICATION NO.
4-96-130 (Levy/Gershman)
4-95-136 (Kaplan) Statistics p. 2 of 2