

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 06026

A. P. # 241-201-022-000

**FINDINGS AND DECISION**

In the matter of the application of  
**Peter Pan Investors (PLN990376)**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, consisting of a Coastal Administrative Permit and Design Approval to allow the construction of a new 3851 square foot three-story single family residence, 504 square foot detached garage, retaining walls, septic system, grading (approximately 610 cubic yards cut/295 cubic yards fill), and a drainage pipe and outlet located on an adjacent parcel; a Coastal Development Permit to allow the removal of four (4) protected trees (36" and 28" landmark Monterey pines and 13" & 6" oak trees); and a Coastal Development Permit to allow development on 30% slope, located at 226 Peter Pan Road, Carmel, Carmel Highlands Area, Coastal Zone, came on regularly for hearing before the Planning Commission on April 26, 2006.

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

**FINDINGS OF FACT**

1. **FINDING - CONSISTENCY:** The Project, as conditioned is consistent with applicable plans and policies, the Carmel Area Land Use Plan, Coastal Implementation Plan (Part 4), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20).

**EVIDENCE:**

- (a) **Plan Conformance.** PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Carmel Area Land Use Plan, Coastal Implementation Plan (Part 4), and the Monterey County Zoning Ordinance (Title 20). County staff determined that the project is consistent with these policies and standards as they apply to residential development. Staff notes are provided in Project File PLN990376.
- (b) **Site Visit.** Project planner conducted an on-site inspection in January and March, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (c) **Land Use.** The project for a single family residence, accessory structures and associated grading is an allowed use, in accordance with Section 20.14.040.
- (d) **Zoning Consistency.** The parcel is zoned Low Density Residential, 1 unit/acre, Design District, Coastal Zone ("LDR/1-D (CZ))." The project is in compliance with Site Development Standards for a Low Density Residential District in accordance with Section 20.14.060.

(e) Tree Removal. The project proposes to remove two landmark Monterey pine trees and two coast live oaks. See Finding #6.

(f) 30% Slope. The project proposes grading and development on areas of the property in excess of 30% slope. See Finding #7.

(g) Visibility. The proposed project is located in the viewshed as seen from Public Lands (Pt. Lobos) of Map A in the Carmel Area Land Use Plan. See Finding #8.

(h) Land Use Advisory Committee. The Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) reviewed the project on February 21, 2006, and recommended denial by a vote of 6 to 0. The Committee cited a number of questions and concerns with the proposed project which are addressed below.

- Drainage: The LUAC stated that they had concerns that the drainage pipe which leads to Peter Pan Drive would be above ground.

Staff Response: The owner told the committee that he would have the engineer reexamine the plans and see about making the drainage pipe below ground. This change would be made prior to the Planning Commission hearing.

- Lighting: The LUAC cited concerns about lighting and wanted to make sure that the lighting on the patio/deck was down lit and low wattage.

Staff Response: A condition has been incorporated requiring an exterior lighting plan using low wattage, down-lit fixtures to minimize off-site glare and harmonize with the setting consistent with County standards. The owner/applicant offered to give them a copy of the lighting plan when it was submitted to our office.

- Location of Garage: The LUAC would like the garage moved closer to Peter Pan Drive in order to avoid taking out the 28" Pine tree. And also quoted a setback exception to Title 20, Section 20.62.040.N, "Where the elevation of the front half of the lot at a point 50 feet from the center line of the traveled roadway is 7 feet above or below the grade of said centerline, a parking space, private garage, or carport, attached or detached, may encroach into the front yard setback requirement up to 5 feet from the front line of the lot."

Staff Response: The Zoning Regulations for LDR requires a minimum 50 foot front yard setback for detached accessory structures. The proposed garage is in a relatively flat area and does not meet the setback exception quoted from the LUAC.

- House Size. The LUAC concluded that the size of the house was not substantially reduced as required by the July 13<sup>th</sup> Planning Commission meeting.

Staff Response: Proposed lot coverage of 6% is within the 15% coverage allowed for a low density residential district. The project meets all necessary development standards. There was confusion at the Planning Commission meeting regarding the square footage of the original house. It was a two story 3,998 square foot house with a 1,895 square foot building footprint. The proposed is a 3,851 square foot house with 504 square foot garage with a building footprint of 1,680 square

feet and fits right into the existing building pad. In addition, the proposed structure is not unlike other dwellings that have been approved in the Carmel Highlands area, including the 6,554 square foot two-story Lehrberg residence (PLN990577) and the 4,600 square foot two-story Twohig residence (PLN030134). Exterior colors and materials were changed to a more subordinate board and batten with earth tone colors and a stone veneer. Mitigation and conditions include landscaping, screening to soften visibility of the structure, restoration of disturbed areas, and minimization of exterior lighting.

- (i) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN990376.

2. **FINDING - SITE SUITABILITY:** The site is suitable for the use proposed.

**EVIDENCE:**

(a) The project has been reviewed for suitability by Planning and Building Inspection Department, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and Carmel Highlands Fire Protection District. All applicable conditions recommended have been incorporated.

(b) The Planning Commission finds that technical reports by outside biological, archaeological, geological and geotechnical consultants remain timely with regards to the date of the subject application and indicate that there are no physical or environmental constraints such as environmentally sensitive habitats or similar areas that would indicate the site is not suitable for the use proposed. In addition, the revised proposal (2006) has been reduced in size and additional aesthetic treatments have been proposed although the footprint location has not changed. Therefore, aesthetic impacts if any have been reduced and the proposed project does not have the potential for any additional impacts over those originally assessed when the initial study was originally circulated in 2005. Agency staff concurs. Reports in Project File PLN990376 include:

- "Landslide Investigation for 226 Peter Pan Road," prepared by Steven Raas & Associates, Inc., Consulting Geotechnical Engineers, Watsonville, CA, dated July 1998.
- "Geotechnical Soils-Foundation Report," prepared by Grice Engineering and Geology, Inc., Salinas, CA, dated October 1999.
- "Geological and Geotechnical Investigation Slope Stabilization and Drainage Measures," prepared by Stevens, Ferrone & Bailey Engineering Company, Inc., Salinas, CA, dated April 9, 2003.
- "Geologic Reconnaissance," prepared by Geoconsultants, Inc., San Jose, CA, dated June 2003.
- "Supplemental Geological and Geotechnical Investigation," prepared by Stevens, Ferrone, & Bailey Engineering Company, Inc., Salinas, CA, dated May 16, 2003.
- "Geotechnical Investigation for Retaining Wall within Eastern Swale," prepared by Stevens, Ferrone, & Bailey Engineering Company, Inc., Salinas, CA, dated May 4, 2004.

- "Preliminary Archaeological Reconnaissance," prepared by Mary A. Doane, B.A., and Trudy Haversat, RPA, of Archaeological Consulting, Salinas, CA, dated November 17, 2000.
  - "Biological Report," prepared by Vern L. Yadon, Pacific Grove, CA, dated September 30, 1999.
  - Biological Letter for proposed the retaining wall, prepared by Jud Vandever, Monterey, CA, dated October 23, 2004.
  - "Forest Management Plan," prepared by Stephen R. Staub, Felton, CA, dated April 2003.
  - Letter Addendum to Forest Management Plan, prepared by Stephen R. Staub, Felton, CA, dated June 6, 2003.
  - Letter prepared by Glenn C. Flamik, Forest City Consulting, Carmel, CA, dated September 29, 2003.
- (c) Staff conducted an on-site visit in January and March of 2006, to verify that the site is suitable for this use and that the reports are relevant and timely and that site conditions have not changed since the reports have been prepared.
- (d) Necessary public facilities are available for the project.

3. **FINDING - CEQA (Mitigated Negative Declaration):** On the basis of the whole record before the Planning Commission there is no substantial evidence that the proposed project as designed and mitigated will have a significant effect on the environment. The original draft Negative Declaration circulated March 10, 2005 addresses project components including a creek debris wall and related construction road that are no longer contained in the current project description. All other project components did not change as analyzed in the Initial Study. As stated in the revised Initial Study these changes did not result in the potential for additional environmental impacts and they are not a substantial revision to the Negative Declaration. The mitigated negative declaration reflects the independent judgment and analysis of the County.

**EVIDENCE:**

- (a) The Monterey County Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a mitigated negative declaration. The Initial Study is on file in the offices of the Planning and Building Inspection Department and is hereby incorporated by reference. (PLN990376).
- (b) Evidence that has been received and considered includes:
- The application and materials in project file number PLN990376, PLN040587 and PLN030397.
  - "Historical Report," prepared by David S. Byrd of Jones & Stokes, Sacramento, CA, dated March 2003.
  - "Landslide Investigation for 226 Peter Pan Road," prepared by Steven Raas & Associates, Inc, Consulting Geotechnical Engineers, Watsonville, CA, dated July 1998.
  - "Geotechnical Soils-Foundation Report," prepared by Grice Engineering and Geology, Inc., Salinas, CA, dated October 1999.

- "Geological and Geotechnical Investigation Slope Stabilization and Drainage Measures," prepared by Stevens, Ferrone & Bailey Engineering Company, Inc., Salinas, CA, dated April 9, 2003.
  - "Geologic Reconnaissance," prepared by Geoconsultants, Inc., San Jose, CA, dated June 2003.
  - "Supplemental Geological and Geotechnical Investigation," prepared by Stevens, Ferrone, & Bailey Engineering Company, Inc., Salinas, CA, dated May 16, 2003.
  - "Geotechnical Investigation for Retaining Wall within Eastern Swale," prepared by Stevens, Ferrone, & Bailey Engineering Company, Inc., Salinas, CA, dated May 4, 2004.
  - "Preliminary Archaeological Reconnaissance," prepared by Mary A. Doane, B.A., and Trudy Haversat, RPA, of Archaeological Consulting, Salinas, CA, dated November 17, 2000.
  - "Biological Report," prepared by Vern L. Yadon, Pacific Grove, CA, dated September 30, 1999.
  - Biological Letter for proposed the retaining wall, prepared by Jud Vandever, Monterey, CA, dated October 23, 2004.
  - "Forest Management Plan," prepared by Stephen R. Staub, Felton, CA, dated April 2003.
  - Letter Addendum to Forest Management Plan, prepared by Stephen R. Staub, Felton, CA, dated June 6, 2003.
  - Letter prepared by Glenn C. Flamik, Forest City Consulting, Carmel, CA, dated September 29, 2003.
  - Geotechnical Letter for Stability of Building Site, prepared by Stevens, Ferrone & Bailey Engineering Company, Inc., dated April 18, 2006.
  - Staff site visits on February 25, 2003, April 11, 2003, November 25, 2003, February 17, 2004, December 6, 2004, January 2006, and March 2006.
  - Staff report that reflects the County's independent judgment.
- (c) These reports are on file in the offices of PBI (File Reference No. PLN990376 and PLN040587) and are incorporated by reference herein.
- (d) Those impacts or potential impacts relating to the debris wall and construction road that are now being removed from the project and as assessed in the Initial Study were mutually exclusive and not connected to the construction of the single family dwelling. There are no new potential environmental impacts associated with removal of these components because the house project does not require a construction road to the creek or the debris wall, and the creek is to the north of the proposed house. There is an actual major reduction in the physical changes caused by removing these two components from the project description. The drainage benefits from the creek debris wall would only be realized to the neighbor below and those benefits were not required to mitigate impacts caused directly or indirectly from the house development. Therefore, staff concludes that the removal of the two components has no potential for direct or indirect environmental impacts and that these revisions are not a substantial revision to the Negative Declaration and that the Initial Study does not require recirculation.
- (e) Impacts and mitigation measures related to the proposed residence are summarized below:

- Aesthetic. Visual and aesthetic issues concern the size of the proposed structure, tree removal, soil disturbance, and visibility of the structures. Mitigation measures include replacing the pine trees at a 4:1 ratio, planting trees to partially screen the residence, and revegetating any bare or exposed areas. These measures reduce the impact to a less than significant level.
- Geology/Soils. The subject property contains steep slopes, loose fill and material and a debris flow hazard to the down slope neighbor. Although this project includes measures that will reduce the potential hazard, construction activities create the potential for erosion. To minimize this potential, mitigation measures require restoration of all bare and exposed areas, implementation of an erosion/sediment control plan and landscaping plan consistent with geotechnical recommendations, and a deed restriction about maintaining the facilities and the site.
- Hydrology. In order to minimize the potential for soil saturation and reduce uncontrolled runoff, the project proposes to collect runoff from structures. Drainage will be dispersed to a facility at the bottom of the property onto Peter Pan Road. Although it was determined that the road facility could accommodate any expected increase, mitigation includes a drainage improvement plan and drainage study to verify that drainage facilities are appropriately sized and potential impacts are minimized.

(f) The mitigated negative declaration was circulated for public review from March 10, 2005 to April 10, 2005. The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study. Comments are summarized and addressed below except for comments pertaining to the retaining wall which is not under current consideration:

- Septic System. Comments question the location of the septic fields and potential problems with saturation and seepage. The location and system have been reviewed and conceptually approved by the Regional Water Quality Control Board and Division of Environmental Health to ensure the protection of public health and safety.
- Drainage. Comments cite potential problems with runoff from the 12" drainage pipe saturating and further eroding Peter Pan Road. Water Resources Agency and the Public Works Department have reviewed the project and recommended mitigation measures or conditions for a drainage plan and a drainage improvement plan which have been incorporated and address any potential problems.
- Size of Structures. Comments are concerned that the proposed structures are "too large and imposing." The retaining wall structure has been withdrawn from current consideration pending modifications or withdrawal. The proposed garage (504 square feet) is 155 square feet smaller than the previous garage. The revised proposed residence (3,851 square feet) is minimally larger than the previously existing, however the project meets necessary development standards and is not unlike the size of other dwellings approved in the area.
- Upper Floor Issues. Comments address the extra height and visibility of the upper floor, private views, increased noise and lights on patio, the outdoor

fireplace, and future expansion. The upper floor of the residence does substantially increase visibility of the structure. The structure's size is discussed above. In addition the upper floor is limited to the foyer, elevator and stairs which are necessary to access the other floors because of the elevation difference between the driveway pad and building pad. The Carmel Area Land Use Plan does not protect private views or address noise from basic residential uses. Lighting is required to minimize off-site glare and will be addressed in the exterior lighting plan. The outdoor fireplace requires a spark arrestor per the Building Code and additional safeguards could be required by the Fire District if warranted. Existing Fire conditions include trimming and maintaining vegetation in a fire-safe manner. The commenter is also concerned about future expansion of the upper floor on the proposed patio area. Although there is no County policy or regulation that would prevent a future addition provided it meets development standards, any future enlargement is subject to additional permits and review. Currently, the proposed residence is limited to three (3) bedrooms because of the capacity of the septic system and expansion of the upper floor for other uses is not proposed.

- Tree Removal. Comments express concerns about the tree removal, particularly the landmark trees. The Carmel Area Land Use Plan prohibits the removal of landmark trees except when it is determined that no alternatives exist. According to the consulting foresters, the two landmark pine trees will be impacted because of their proximity to the development, site characteristics, poor health and potential hazard they pose. Based on these reasons, it was determined that no alternatives exist that would avoid impacting them. The comments also claim that the removal of any tree in the forest will affect the health of the whole forest. Reports by consulting biologists and foresters did not note any adverse effect by the project on the forest as a whole. The removed landmark trees will be replaced at a 4:1 ratio to offset any potential temporary impact.
- Red Legged Frog. Comments from a neighbor across the canyon claim to have sited a red legged frog, a federally listed species, on their property in the Wildcat Canyon area. Biological reports prepared by Vern Yadon dated September 1999 and Jud Vandevere dated October 23, 2004 did not note any evidence of red legged frogs or their habitat on the property. No documented sightings have been recorded in the vicinity. In addition, a standard condition of approval prohibiting grading operations during the wet season unless approved by the Director of Planning and Building Inspection affords additional protection in the event that red-legged frogs are in the area.
- EIR Requirement. Comments state that an EIR is necessary. The Mitigated Negative Declaration determined that all potential project impacts could be reduced to a less than significant level and that therefore an EIR was not required.

4. **FINDING – NO VIOLATIONS:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the

County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

**EVIDENCE:**

- (a) Staff reviewed Monterey County Planning and Building Inspection Department records and no open violations exist on subject property.

5. **FINDING - PUBLIC ACCESS:** The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see §20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

**EVIDENCE:**

- (a) The subject property is not described as an area where the Local Coastal Program requires access.
- (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figures 3, the Public Access Map, of the Carmel Area Land Use Plan.
- (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- (d) Staff site visit in January, 2006.

6. **FINDING – TREE REMOVAL:** The proposed tree removal is consistent with tree the applicable goals and policies of the Carmel Area Land Use Plan and Coastal Implementation Plan (Part 4).

**EVIDENCE:**

- (a) Proposed tree removal consists of two landmark Monterey pines (36 inches and 28 inches) and two coast live oaks (13 inches and 6 inches). The Carmel Area Land Use Plan prohibits the removal of landmark trees except where it is determined that no alternatives exist (§20.146.060.D.1).
- (b) The forestry report noted that the trees have grown and adapted to the site with the man-made terraces and the previous structures in place, but that they will be severely impacted by the proposed development and the necessary grading and drainage improvements. The 36-inch pine is located adjacent to and above the proposed residence. The forestry report identified high risk features related to the tree which will pose a hazard and includes a heavy lean over the project site, *"a forked trunk, basal cavity, beetle attack, raised root system, and position on artificial slope/terrace."* It is located on loose soils where geotechnical engineers have recommended reengineering the soils to ensure soil stability. Impacts to the 28-inch pine relate to its location immediately adjacent to the previous garage, its raised root system and overall poor health of the tree, according to the forester. This pine is located within the proposed garage footprint because of setback requirements for the new garage and is rated in fair to poor health. Given the limited potential to relocate the project due to steepness of the lot and the related need to site the garage near the road, removal of these trees is unavoidable. The two oak trees to be removed are also located in the development area and will be impacted. They are located on the terraced portion where the wooden retaining walls will be removed and the soil reengineered and recontoured to simulate natural grade. For the



same reasons, the oaks will be relocated or replaced if they fail to establish. The forestry report concluded that the proposed tree removal would not adversely impact the overall forest habitat. Given the site constraints with the proposed project and site improvements, tree removal is minimized and that there are no alternatives that would avoid impacting the landmark trees.

(c) Conditions and mitigation measures include protection of retained trees pursuant to the forester's recommendation, replacement of the landmark trees at a 4:1 ratio.

(d) Forest Management Plan prepared by Stephen R. Staub, dated April 2003; Letter Addendum by Stephen R. Staub, dated June 6, 2003; Letter by Glenn C. Flamik, Forest City Consulting, dated September 29, 2003. Report is in Project File PLN990376.

(e) Staff site visit in January and March of 2006.

7. **FINDING – 30% SLOPE:** The subject project includes development on slopes over 30% for which no alternative to avoid the slope exists and which also better meets the goals and policies of the Carmel Area Land Use Plan.

**EVIDENCE:**

(a) The property is located in Wildcat Creek Canyon and contains steep slopes in excess of 30%. Existing building pads are cut out of the slope where the proposed structures will be located. However, an elevation difference of approximately 22 feet occurs between the existing driveway/garage pad and the building pad with the areas separated by retaining walls and a terraced slope. Development and grading is proposed over the artificial terraces which have a cross slope in excess of 30%. This development is necessary in order to address the drainage and potential slide issues and to meet required setbacks for the structure. No alternatives exist that would avoid the development on 30% slope which also better meets the goals and policies of the Land Use Plan by reducing potential hazards.

(b) Staff site visit in January and March of 2006.

8. **FINDING – VISUAL RESOURCES:** The subject project is located on the General Viewshed Map (Map A) of the Carmel Area Land Use Plan and is consistent with Policy 2.2.2 (CLUP) that require all future development within the viewshed to harmonize and be clearly subordinate to the natural scenic character of the area.

**EVIDENCE:**

(a) The proposed residence is briefly visible to southbound traffic on Highway One as well as from portions of Point Lobos. However, the residence is located in the same building pad as the previously existing dwelling and avoids additional visible cuts or grading. Visibility is not substantial because it is located on a forested hillside which contains other residences of similar or greater visibility from public viewing areas. In addition, the colors and materials are consistent with Carmel Area Land Use Plan policies which require the use of natural-appearing materials and that structures blend into the surrounding natural environment. In order to meet this requirement the applicant is proposing a shake, green-colored roof, wood-colored board and batten siding, and Carmel stone veneer/retaining walls. Staff concludes that this combination should provide for a negligible visual impact from Highway One and Point Lobos.

9. **FINDING - HEALTH AND SAFETY:** The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:**

(f) The project was reviewed by Planning and Building Inspection Department, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and Carmel Highlands Fire Protection District. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.

10. **FINDING - APPEALABILITY:** The project can be appealed to the Board of Supervisors and California Coastal Commission.

**EVIDENCE:**

(a) Section 20.86.030.A of the Monterey County Coastal Implementation Plan, Part 1 (Board of Supervisors).

(b) Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan, Part 1 (Coastal Commission). Development that is permitted as a conditional use is appealable to the Coastal Commission. The tree removal which requires a coastal development permit is a conditional use.

**DECISION**

**THEREFORE**, it is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

**PASSED AND ADOPTED** this 26th day of April, by the following vote:

AYES: Errea, Brown, Isakson, Salazar, Vandever, Padilla, Diehl, Rochester  
NOES: None  
ABSENT: Sanchez  
ABSTAIN: Wilmot

  
DALE ELLIS, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON MAY 10 2006

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

MAY 20 2006

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.

#### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Salinas.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.

**Monterey County Planning and Building Inspection**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name:** Peter Pan Investors, LLC

**File No:** PLN990376      **APNs:** 241-201-022-000 & 241-201-023-000

**Approval by:** Planning Commission      **Date:** April 26, 2006

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. No.</i>	<i>Mitig. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verifica tion of Compli ance (name/d ate)</i>
1		<p><b>SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit (PLN990376/Peter Pan Investors, LLC) consists of a Coastal Administrative Permit and Design Approval to allow the construction of a new 3,851 sq. ft. three-story single family residence, 504 sq. ft. detached garage, retaining walls, septic system, grading (approximately 610 cu. yds. cut/295 cu. yds. fill, and a drainage pipe and outlet located on an adjacent parcel (Assessor's Parcel Number: 241-201-023-000); a Coastal Development Permit to allow tree removal (two 36" and 28" landmark Monterey pines and two 13" &amp; 6" oak trees). The property is located at 226 Peter Pan Road, Carmel (Assessor's Parcel Number 241-201-022-000), east of Highway One, Carmel Highlands Area, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

<i>Permit Cond. No.</i>	<i>Mitig. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verifica tion of Compli ance (name/d ate)</i>
2		<b>NOTICE-Permit Approval</b> The applicant shall record a notice which states: "A permit (Resolution 06026) was approved by the Planning Commission for Assessor's Parcel Number 241-201-022-000 on March 29, 2006. The permit was granted subject to 27 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. <b>(Planning and Building Inspection)</b>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3		<b>NOTICE OF REPORT – Forest Management Plan</b> Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Forest Management Plan has been prepared for this parcel by Stephen R. Staub, dated April 2003 and is on record in the Monterey County Planning and Building Inspection Department File No. PLN990376. All development shall be in accordance with this report." <b>(Planning and Building Inspection)</b>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits	
4		<b>PBD005 - DEED RESTRICTION - Fire Hazard</b> Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "The parcel is located in a high fire hazard area and development may be subject to certain restrictions required as per Section 20.146.080.D.3 of the Coastal Implementation Plan and per the standards for development of residential property." <b>(Planning and Building Inspection)</b>	Submittal of approved and Recorded Deed Restriction to PBI.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verifica tion of Compli ance (name/d ate)</i>
5		<b>PBD010 – EASEMENT - Scenic Slope</b> A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 30 percent. A scenic easement deed shall be submitted to, and approved by, the Director of Planning and Building Inspection prior to issuance of grading or building permits. <b>(Planning and Building Inspection)</b>	Submit scenic easement to PBI for approval.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
6		<b>PBD016 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(Planning and Building Inspection)</b>	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable	

<i>Permit Cond. No.</i>	<i>Mitig. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verifica tion of Compli ance (name/d ate)</i>
7		<b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. <b>(Planning and Building Inspection)</b>	Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first.	Owner/ Applicant	Prior to the issuance of build-ing and grading permits.	
8		<b>PBD022 - MITIGATION MONITORING PROGRAM</b> The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(Planning and Building Inspection)</b>	1) Enter into agreement with the County to implement a Mitigation Monitoring Program.  2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days of project approval or prior to issu-ance of grading and building permits, which-ever occurs first.	

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9		<b>GEOTECHNICAL RECOMMENDATIONS</b> The applicant shall follow the recommendations of the Geotechnical Investigation done by Stevens, Ferrone, and Bailey dated May 16, 2003 and April 9, 2003 <b>(Planning and Building Inspection)</b>	Noted on building and grading plans	Owner/ Applicant	Prior to Issuance of Building/ Grading Permits	
10		<b>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
			Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.	Owner/ Applicant	Prior to Final Inspect-ion	
11		<b>PBD021 – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting requirements shall be <b>ongoing</b> and subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. <b>(Planning and Building Inspection)</b>	Submit three copies of the lighting plans to PBI for review and approval.  <b>Install only that exterior lighting pursuant to the approved plans.</b>	Owner/ Applicant	Prior to issuance of building or grading permits.  And Ongoing.	



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12		<b>LANDSCAPE PLAN AND MAINTENANCE</b> The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval, <u>consistent with mitigation measures for screening, site restoration and tree replacement</u> . A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. <b>(Planning and Building Inspection)</b>	Submit landscape plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
13		<b>PBD014 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	None	Owner/ Applicant	Ongoing	

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14		<b>PBD030 - STOP WORK - RESOURCES FOUND</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(Planning and Building Inspection)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeo- logist	Ongoing	
15		<b>W43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	

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16		<b>W40 - WATER CONSERVATION MEASURES</b> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: <ul style="list-style-type: none"> <li>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</li> <li>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. <b>(Water Resources Agency)</b></li> </ul>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
17		All existing septic systems on the property shall be properly abandoned as per Monterey County Code, Chapter 15.20. A permit for the septic system abandonment shall be obtained from the Monterey County Health Department, Division of Environmental Health. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans and perform inspection as part of the septic permit.	Engineer/ Applicant	Prior to Final Occupancy	
18		An approved septic system design, sized for a maximum of a 3-bedroom single family dwelling, is on file at the Division of Environmental Health, File Number PLN990376, and any future development or expansions on this property shall be in compliance with this design and Chapter 15.20 of the Monterey County Code unless otherwise approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	Owner/ Applicant	Continuous	

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19		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Highlands Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
20		<b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b> Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Highlands Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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21		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Carmel Highland Fire District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

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22	1	<p><b>Mitigation Measure #1 (Tree Protection):</b> In order to minimize impacts to trees, the applicant shall implement the following tree protection measures to be included on building and grading plans:</p> <ul style="list-style-type: none"> <li>Protection of tree root systems and trunks is critical to maintaining reasonable health and stability of retained trees. Protective orange fencing shall be erected along the proposed building perimeters and construction area to protect adjacent trees from demolition and construction activity. Demolition, excavation and construction activities and materials shall be kept within the development area. The contractor shall provide certification that all measures herein are implemented. Work shall stop whenever any potential damage may occur to trees with a follow-up report by the forester that develops alternatives to avoid damage.</li> <li>Individual trees within the development area, specifically the 30" and 18" pines that are to be retained adjacent to the garage, shall be wrapped with protective boards and orange netting to avoid bark injury from equipment and materials.</li> <li>No storage of equipment or construction materials, or parking of vehicles is permitted within the driplines of trees,</li> </ul>	<p><b>Monitoring Action #1A:</b> Prior to issuance of building and grading permits, the applicant shall include the tree protection measures as notes on building and grading plans to the Director of Planning and Building Inspection for review and approval.</p>			

		<p>except on already developed driveway and parking areas or where specifically approved by Monterey County.</p> <ul style="list-style-type: none"> <li>▪ Demolition and excavation in the vicinity of the retained trees shall be done extremely cautiously. Hand excavation shall be used wherever necessary to define the soil/structure contact boundary and restrict excavation to previously disturbed areas without roots.</li> <li>▪ Structure design and construction methods shall avoid subsurface structures as much as possible, using designs and techniques such as piers, columns and grade beams to keep the structure at and above the ground surface and tunneling under or bridging over roots to the maximum feasible extent. Probes may be used during excavation to locate significant roots that might be affected. The object is to restrict excavation loss or addition of fill in root bearing areas to a maximum of two inches in depth.</li> <li>▪ Impacts to roots and cutting of roots shall be kept to a minimum. Roots exposed by excavation must be cut cleanly, pruned to promote callusing, closure and regrowth, and shall be covered with soil as soon as possible in order to maintain tree health. All tree work shall be reviewed by a qualified forester or certified arborist and work completed by qualified tree service personnel.</li> </ul>	<p><u>Monitoring Action #1B:</u> Prior to start of construction or grading, the applicant shall provide documentation (to include photographs) from a qualified forester or certified arborist to the Director of Planning and Building Inspection that the tree protection measures are in place and have been inspected by a qualified forester or arborist and that the tree measures have been reviewed with the contractor.</p>			
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23	2	<b>Mitigation Measure #2 (Tree Replacement):</b> In order minimize impacts to the visual character and to scenic areas, the applicant shall replace removed trees with suitable local native oak or Monterey pine saplings at a minimum 4:1 ratio and relocate the two coast live oaks, consistent with the Forest Management Plan prepared by Stephen Staub dated April 2003. If the oaks cannot be relocated, replacement with two large boxed oaks or 6 seedling to sapling size oaks shall occur. Replacement and replanted trees shall be sited to help screen the residence from the north and northwest. The site shall be landscaped consistent with Monterey County requirements. Watering if necessary to establish the planted trees or vegetation shall be handwatered or use low-flow irrigation, with irrigation removed after the trees are established. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	<b>Monitoring Action #2A:</b> At least three weeks prior to final or occupancy, the applicant shall submit three (3) copies of a landscaping plan to the Director of Planning and Building Inspection for review and approval. The landscaping plan shall be prepared by a qualified landscape designer/architect and shall include verification by a qualified landscape designer/architect that the landscaping plan meets County requirements for the use of native, drought-tolerant species. The landscaping plan shall show the location of the replacement and replanted trees. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials, irrigation schedule, and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan.			



			<p><u>Monitoring Action #2B:</u> Prior to occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. The applicant shall submit documentation from a qualified landscape designer/architect or arborist/forester that landscaping was installed as approved and tree planting was consistent with the recommendations of the Forest Management Plan prepared by Stephen Staub dated April 2003.</p>			
			<p><u>Monitoring Action #2C:</u> One year and five years after planting, the applicant shall submit evidence of the successful establishment of the replacement and relocated trees and removal of any irrigation to the Director of Planning and Building Inspection for review and approval. Any failed trees shall be appropriately replaced and further monitored until successfully established.</p>			
	3	Mitigation Measure #3 (Retaining Wall Design) applicable only to PLN040587.				

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24	4	<b>Mitigation Measure #4 (Site Restoration):</b> In order to minimize impacts to 30% slope and visual character of the area from the temporary access road and all exposed areas or cut slopes, the applicant shall control all potential erosion and sediment and restore the site to natural conditions. The access road and exposed areas outside the building pad shall be restored back to the natural grade and be revegetated with native, drought-tolerant, deep-rooted vegetation.	<b>Monitoring Action #4A:</b> Prior to issuance of building or grading permits, the applicant shall submit an erosion and sediment control plan prepared by a qualified engineer to be implemented as part of the grading plan to the Director of Planning and Building Inspection for review and approval.			
			<b>Monitoring Action #4B:</b> Prior to issuance of building or grading permits, the applicant shall submit a restoration plan for the temporary access road and all exposed areas or cut slopes prepared by a qualified engineer to the Director of Planning and Building Inspection for review and approval. The restoration plan shall include documentation from a qualified biologist that seeding or planting consists of appropriate native, drought-tolerant, deep-rooted species and that watering or irrigation has been minimized.			

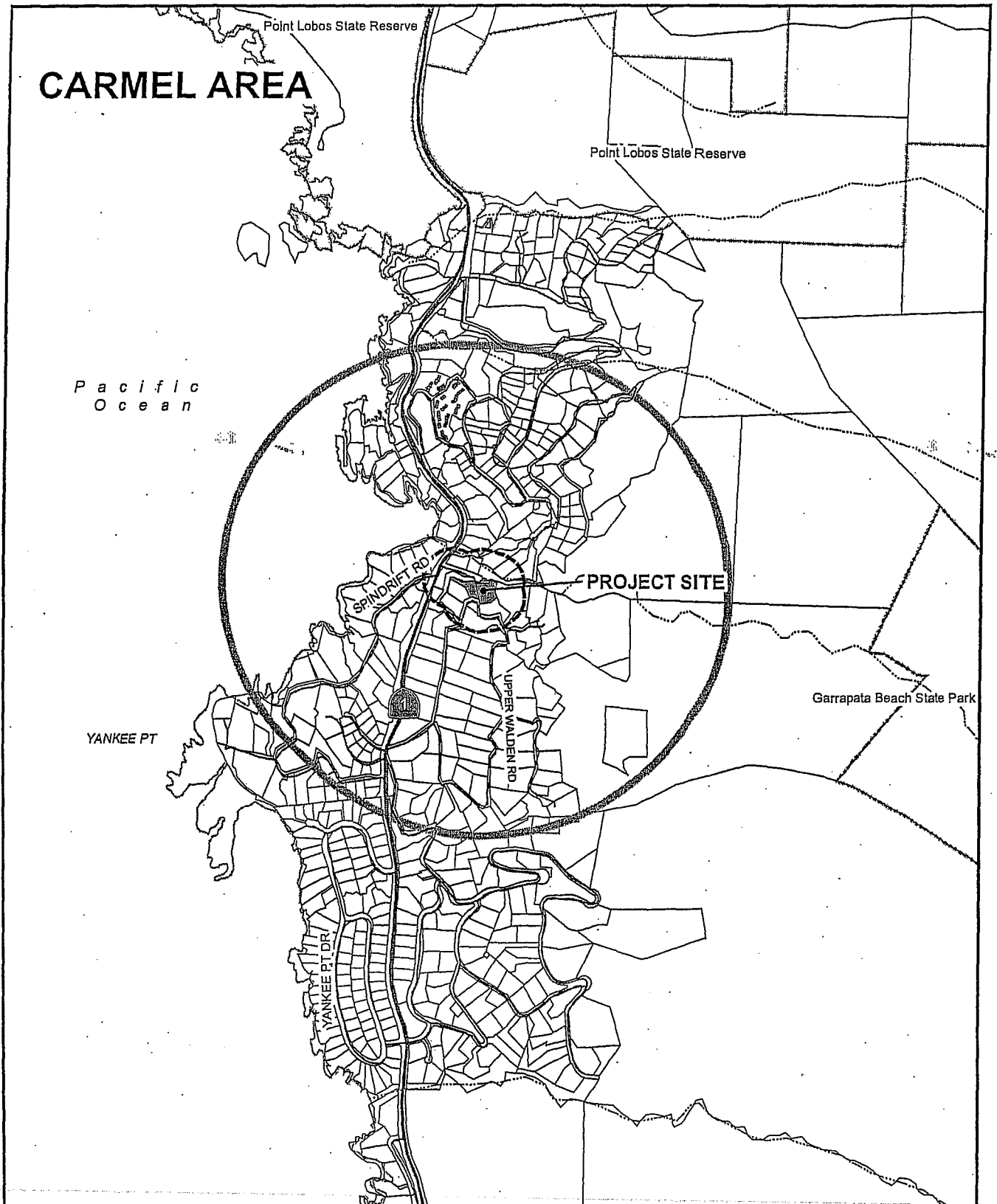
			<p><u>Monitoring Action #4C:</u> Prior to final of the retaining wall, the applicant shall complete restoration of the access road and all exposed areas or cut slopes consistent with the approved plan and submit verification to the Director of Planning and Building Inspection.</p>			
			<p><u>Monitoring Action #4D:</u> One year after final of the retaining wall, the applicant shall submit evidence of successful revegetation of the restored access road to the satisfaction of the Director of Planning and Building Inspection for review and approval. In the event the vegetation fails to establish, further revegetation and monitoring is required.</p>			

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25	5	<b><u>Mitigation Measure #5 (Geotechnical Consistency):</u></b> In order to minimize erosion and the debris flow risk, all building and grading plans shall be consistent with the recommendations of the Stevens, Ferrone and Bailey geotechnical reports dated May 4, 2004 and May 16, 2003.	<b><u>Monitoring Action #5A:</u></b> Prior to issuance of building or grading permits, the applicant shall provide documentation from a qualified engineer to the Director of Planning and Building Inspection for review and approval that the building and grading plans are consistent with the recommendations of the Stevens, Ferrone and Bailey geotechnical reports, dated May 4, 2004 and May 16, 2003.			
			<b><u>Monitoring Action #5B:</u></b> Prior to final or occupancy, the applicant shall provide documentation to the Director of Planning and Building Inspection for review and approval that a qualified engineer has inspected all structures and the project site and verified that site conditions and maintenance are consistent with the recommendations of the Stevens, Ferrone and Bailey geotechnical reports, dated May 4, 2004 and May 16, 2003.			

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26	6	<p><b>Mitigation Measure #6 (Maintenance):</b> In order to minimize the potential for debris flow, the owner shall perform regular inspections and maintenance of the property and facilities, pursuant to the Stevens, Ferrone and Bailey reports, dated May 16, 2003 and May 4, 2004 and record a deed restriction which states:</p> <p>"A potential debris flow hazard exists on this property (Assessor's Parcel Number: 241-201-022-000). Geological and geotechnical reports prepared for the property include: Steven Raas &amp; Associates, Inc. (July 24, 1998); Grice Engineering and Geology, Inc. (October 1999); Gasch &amp; Associates, Inc. (October 2001); and Stevens, Ferrone &amp; Bailey Engineering Company (April 9, 2003; May 16, 2003; May 4, 2004). The reports are on file with the Planning and Building Inspection Department and located in PBI File No. PLN990376 and PLN040587. Pursuant to the recommendations of the reports, the owner shall perform regular inspections and maintenance of the property and facilities to include but not limited to:</p> <ul style="list-style-type: none"> <li>▪ Re-compaction of loosened soils;</li> <li>▪ Collapsing and infilling holes and burrows with compacted soils or low strength sand/cement grout;</li> <li>▪ Removal and control of burrowing animals;</li> <li>▪ Maintenance of storm water drainage patterns to allow for sheet flow into drainage inlets or ditches rather than concentrated flow;</li> <li>▪ Removal of debris within swales, drainage ditches and inlets;</li> <li>▪ Immediately repairing any erosion or soil flow;</li> <li>▪ Maintenance of drainage systems that are functional and not clogged; and</li> <li>▪ Adequate erosion control measures for anticipated storm events."</li> </ul>	<p><b>Monitoring Action #6:</b> Prior to issuance of building or grading permits, the applicant shall record a deed restriction on the property.</p>			

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27	7	<b>Mitigation Measure #7 (Drainage Improvement Plan):</b> In order to reduce potential impacts from runoff to a less than significant level, the applicant shall submit a drainage improvement plan prepared by a qualified engineer to the Department of Public Works and Water Resources Agency for review and approval. The plan shall include a drainage study to verify the size of proposed drainage facilities.	<b>Monitoring Action #7:</b> Prior to issuance of grading or building permits, the applicant shall submit a drainage improvement plan prepared by a qualified engineer to the Department of Public Works and Water Resources Agency for review and approval. The plan shall include a drainage study to verify the size of proposed drainage facilities.			

# Exhibit G



APPLICANT: PETER PAN INVESTORS (II)

APN: 241-201-022-000 & 241-201-023-000

FILE # PLN990376



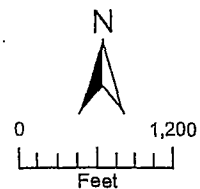
300' Limit



2500' Limit



City Limits



PLANNER: GONZALES

# PETER PAN TWO

KEY MAP



## PROJECT INFORMATION

APN: 241-201-022  
 SITE AREA: 44,471 S.F. CLOS. AGO  
 ZONING: LDR1-CZ  
 ADDRESS: PETER PAN ROAD,  
 CARMEL HIGHLANDS, CALIFORNIA

## BUILDING COVERAGE

BUILDING FOOTPRINT ALLOWED 15% 6,671 S.F.  
 EXISTING FOOTPRINT 2,554 S.F.  
 PROPOSED FOOTPRINT 2,625 S.F.

## EXISTING FLOOR AREA

MAN FLOOR 1,434 S.F.  
 LOWER FLOOR 1,076 S.F.  
 GARAGE/GUEST HOUSE 624 S.F.  
 TOTAL FLOOR AREA 3,986 S.F.

## PROPOSED FLOOR AREA

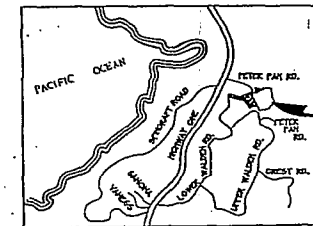
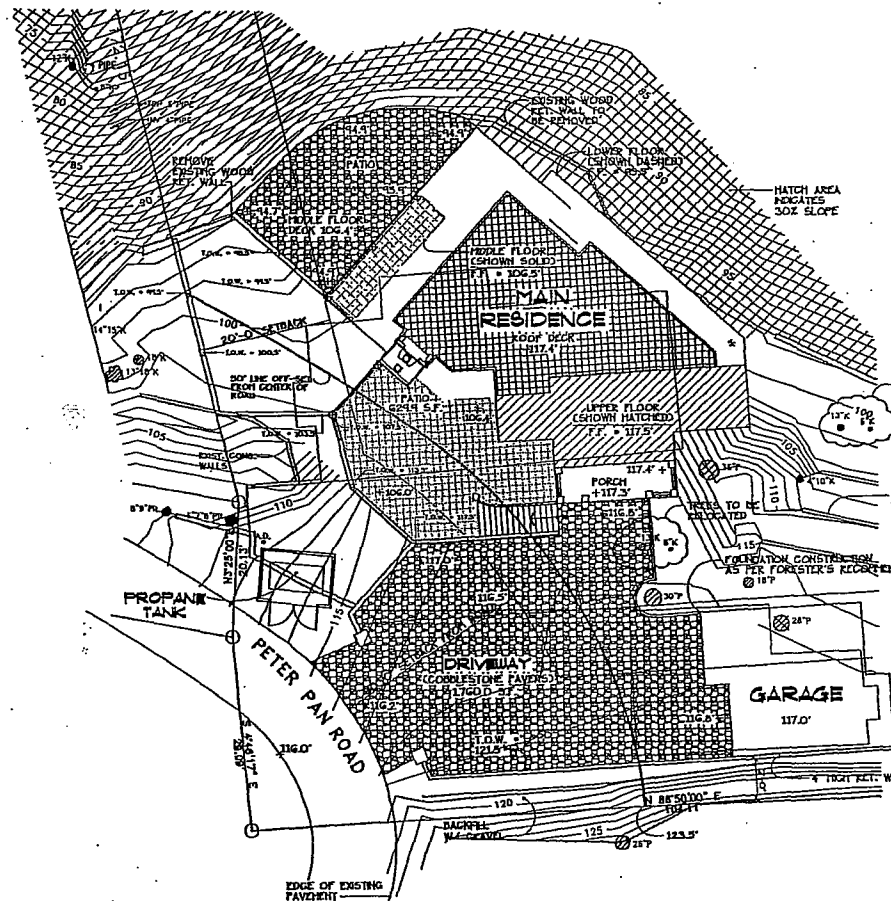
UPPER FLOOR 382 S.F.  
 TRIPLE FLOOR 1,191 S.F.  
 LOWER FLOOR 1,680 S.F.  
 LOWER FLOOR GARAGE 304 S.F.  
 TOTAL FLOOR AREA 4,065 S.F.

## AVERAGE NATURAL GRADE

AVERAGE NATURAL GRADE 96.5 TO 118.5 = 107.5 FT  
 HEIGHT ALLOWED 30.0 FT 137.5 FT  
 HEIGHT PROPOSED 25.2 FT 132.4 FT

## CUT & FILL

CUT 610.0 CU YD.  
 FILL 290.0 CU YD.  
 SURPLUS 315.0 CU YD.



VICINITY MAP

## SHEET INDEX

1. SITE PLAN
  - 1.1 DRAINAGE PLAN
  - 1.2 DRAINAGE PLAN
2. MAIN FLOOR PLAN
3. UPPER FLOOR PLAN
4. LOWER FLOOR PLAN
- 4.1 GARAGE PLAN
5. ELEVATIONS
6. ELEVATIONS
7. ROOF PLAN
8. SURVEY



## Proposed SITE PLAN

SCALE 1" = 8'-0"

7-8-05

0216

1

MANDURRAGO  
MANDURRAGO &  
SULLIVAN

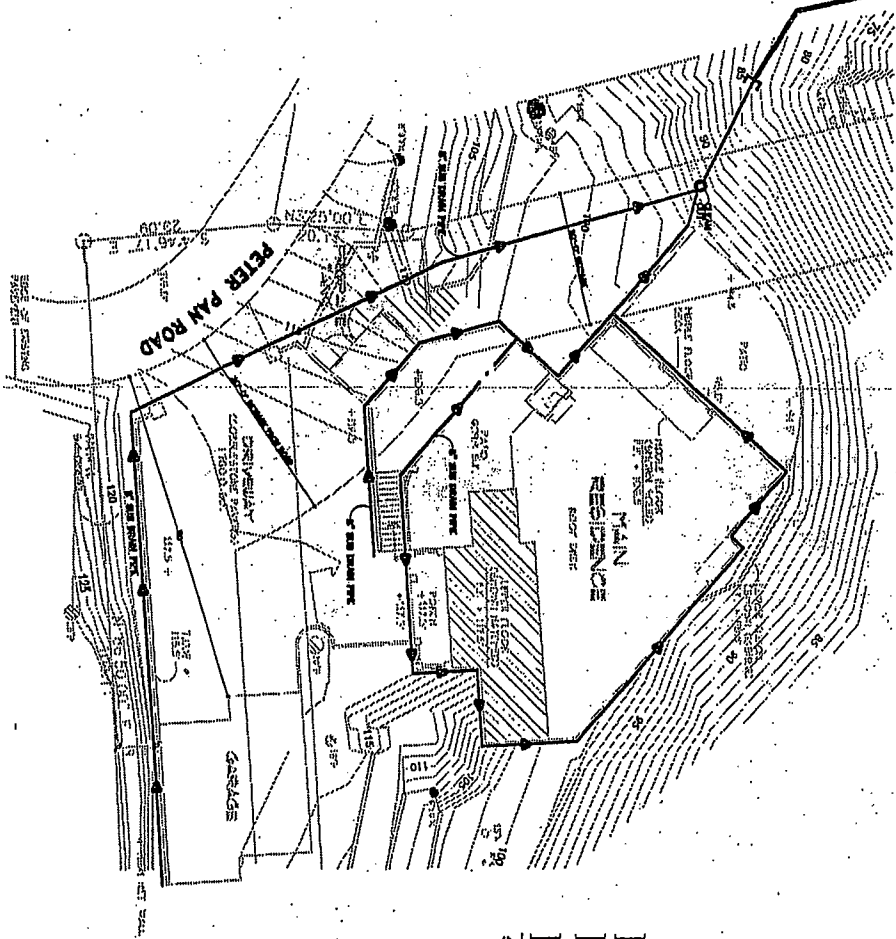
2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



BRIDGE WITH PROPOSED  
ROCK RETAINMENT / EROSION CONTROL  
AND ENERGY DISSIPATOR

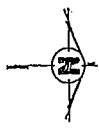
11' HIGH  
EARTHMENT

# PETER PAN TWO

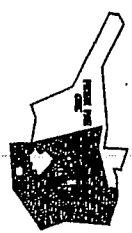


## Proposed Footings DRAINAGE PLAN

SCALE 1" = 5'-0"



KEY MAP



**PETER PAN TWO**  
PETER PAN ROAD  
CARMEL HIGHLANDS, CALIFORNIA

1.1

0216

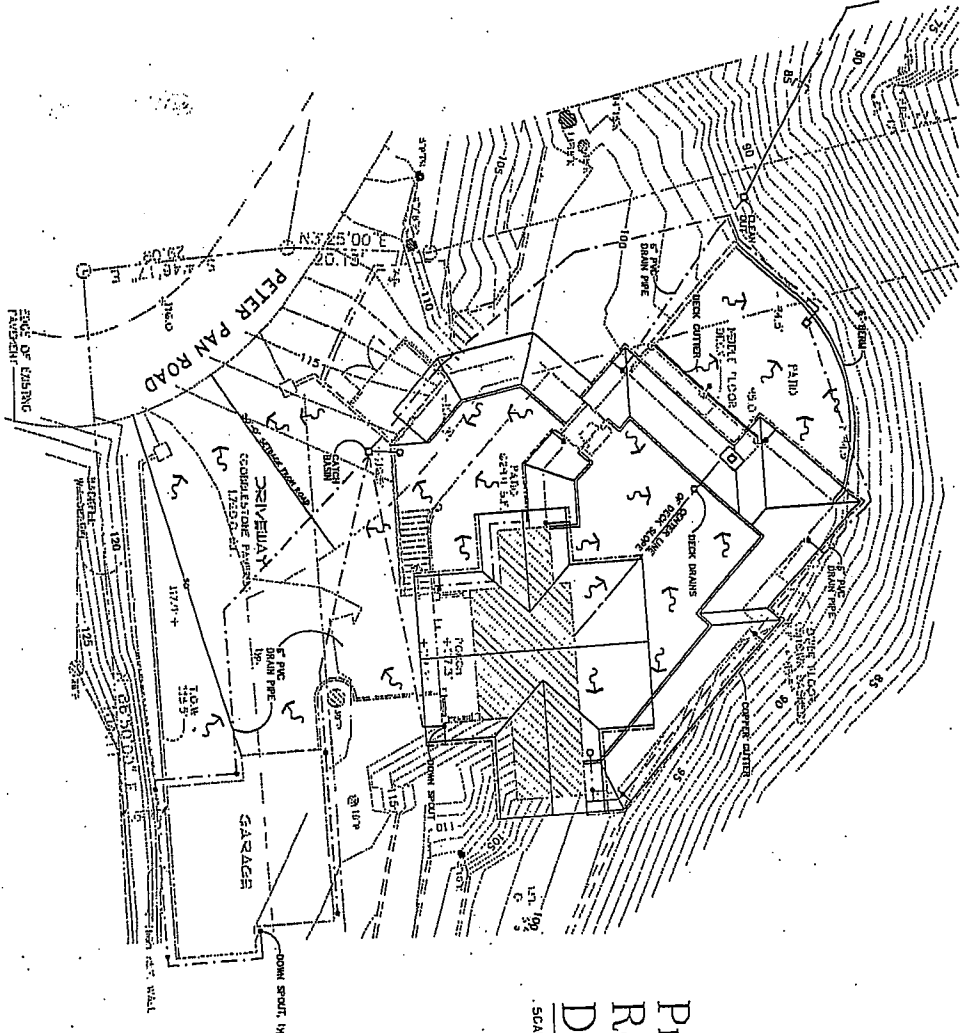
5-20-00

LANDSCAPED & ILLUMINATED

PROVIDE OUTLET PROTECTION,  
ROCK RIP-RAP W/ EROSION CONTROL,  
AND ENERGY DISSIPATOR

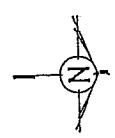
TO ROAD  
EASEMENT

# PETER PAN TWO

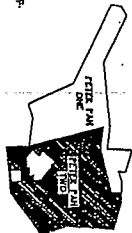


## Proposed Roof & Patio DRAINAGE PLAN

SCALE: 1" = 8'-0"



KEY MAP



**HANDREKASO  
HANDREKASO &  
SULLIVAN**

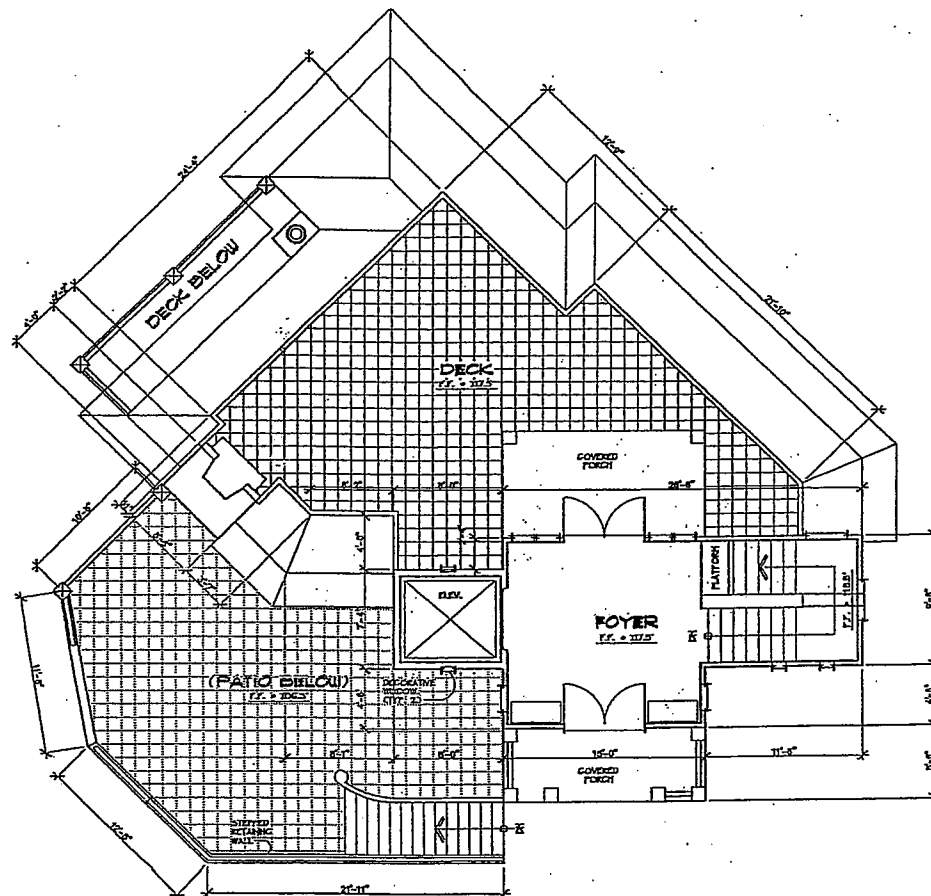
PLANS, SPECIFICATIONS, CONTRACT ADMINISTRATION

5-28-05

0216

1.2

PETER PAN TWO  
PETER PAN ROAD  
CARMEL HIGHLANDS, CALIFORNIA

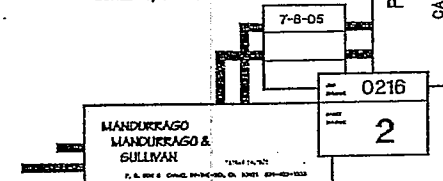


Upper Floor  
382 sq. ft.

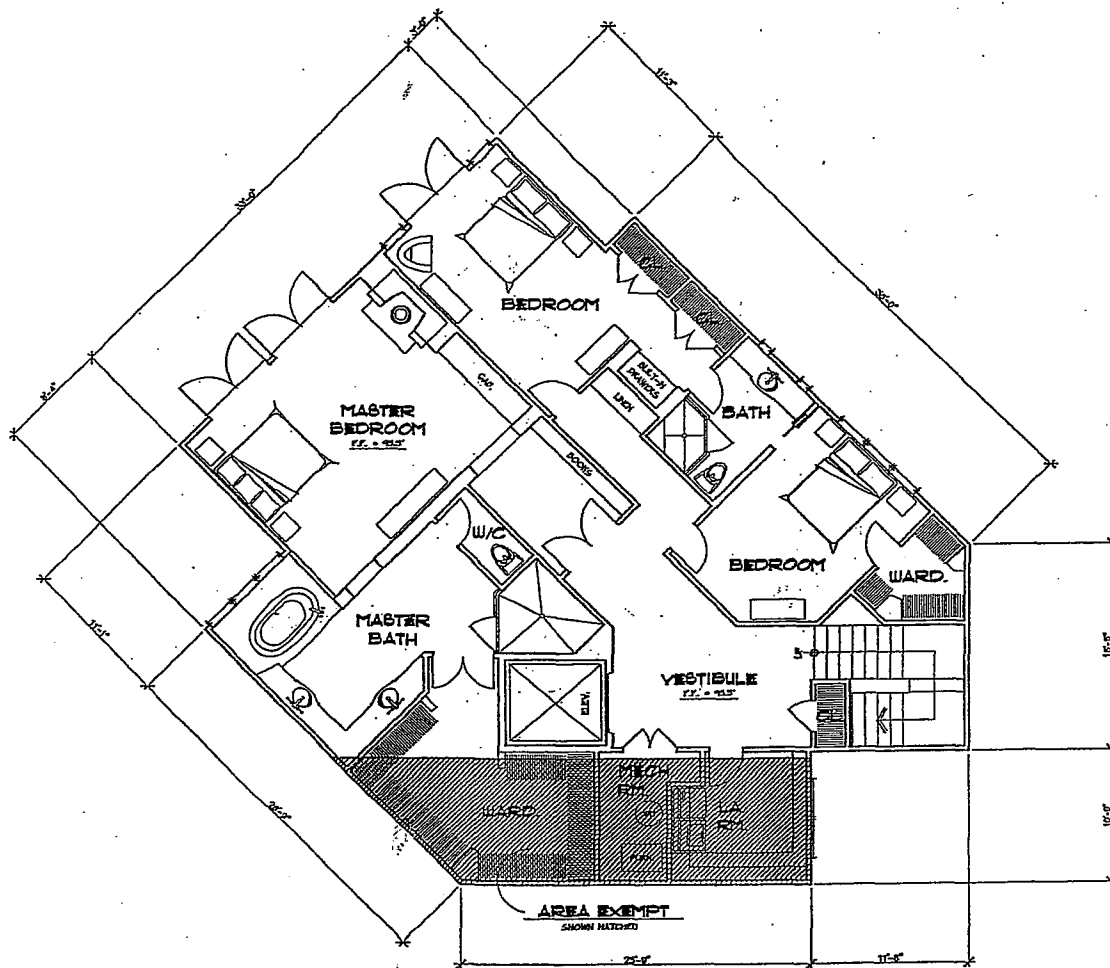


# Proposed FLOOR PLAN

SCALE: 1/4" = 1'-0"





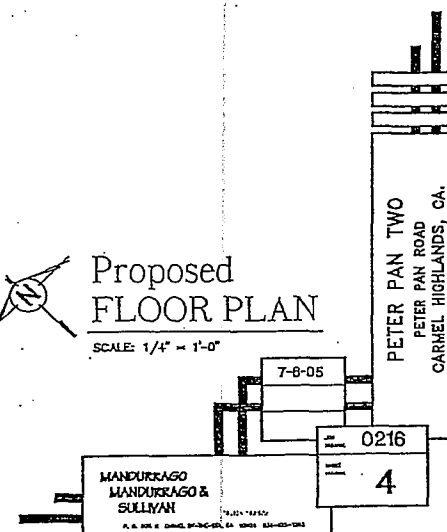


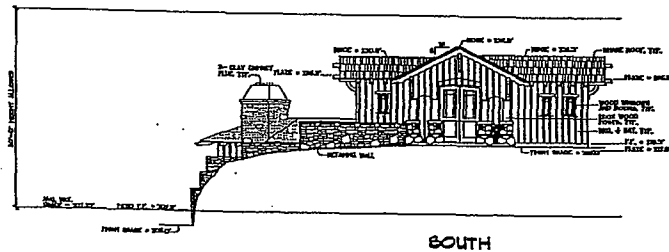
Lower Floor  
1,970 sq. ft.



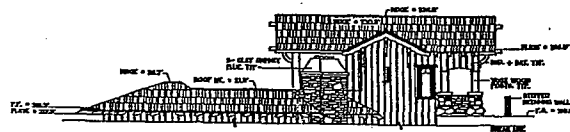
## Proposed FLOOR PLAN

SCALE: 1/4" = 1'-0"

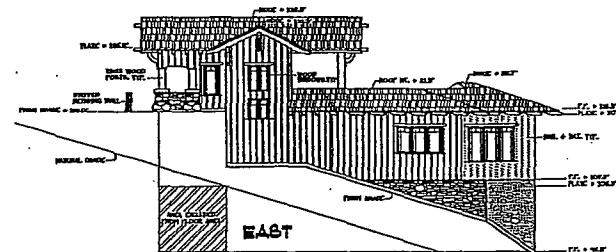




SOUTH



WEST



EAST



NORTH

# Proposed ELEVATIONS

SCALE: 1/8" = 1'-0"

MANDURRAGO  
MANDURRAGO &  
BULLYAN

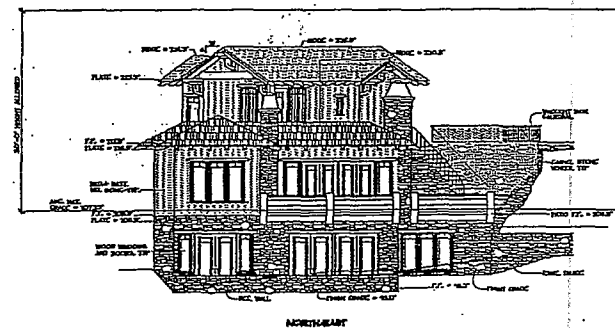
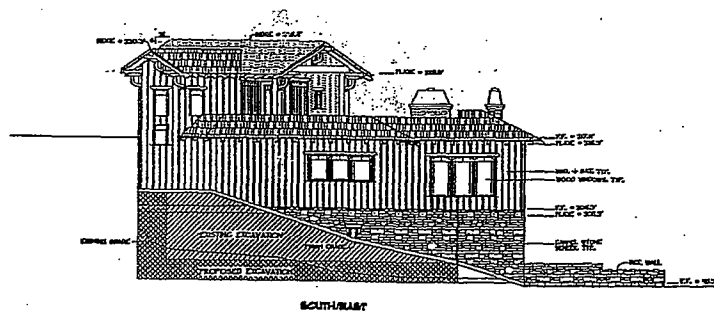
7100 111071  
P.O. BOX 8, DUNEL, WA-98004, CA 94001 415-433-1161

7-B-05

0216

5

PETER PAN TWO  
PETER PAN ROAD  
CARMEL HIGHLANDS, CA.



# Proposed ELEVATIONS

SCALE 1/8" = 1'-0"

MANDURKAGO  
MANDURKAGO &  
SULLIVAN

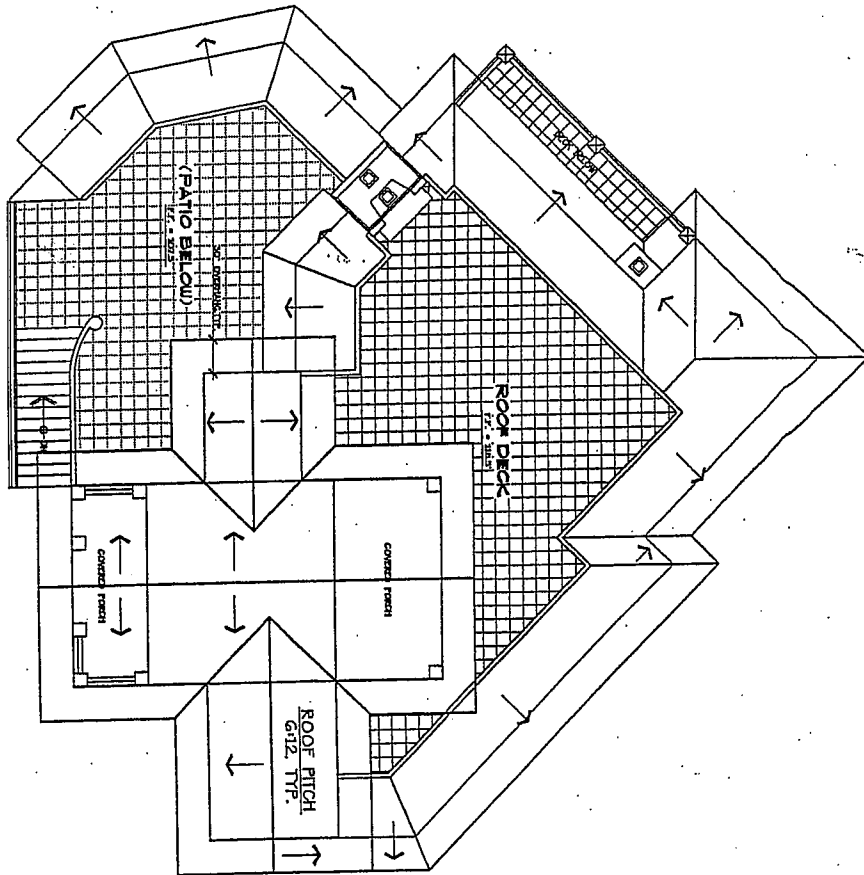
P. O. BOX 8 - DAVENPORT, IOWA 52002-0008

7-8-05

0216

6

PETER PAN TWO  
PETER PAN ROAD  
CARMEL HIGHLANDS, CA.



Proposed  
ROOF PLAN

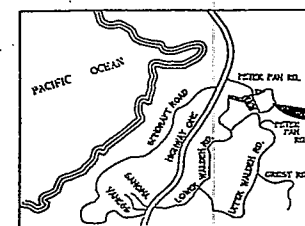
SCALE: 1/4" = 1'-0"

MANDEKASO  
MANDEKASO &  
BULLMAN  
ARCHITECTS  
1000 10th St., Suite 100, San Francisco, CA 94103

7-8-05  
0216  
7

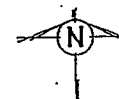
PETER PAN TWO  
PETER PAN ROAD  
CARMEL HIGHLANDS, CA.





VICINITY MAP

### PROJECT LOCATION



# Footprint Comparison SITE PLAN

SCALE 1" = 8'-0"

PETER PAN TWO  
PETER PAN ROAD  
CARMEL HIGHLANDS, CALIFORNIA

7-12-05

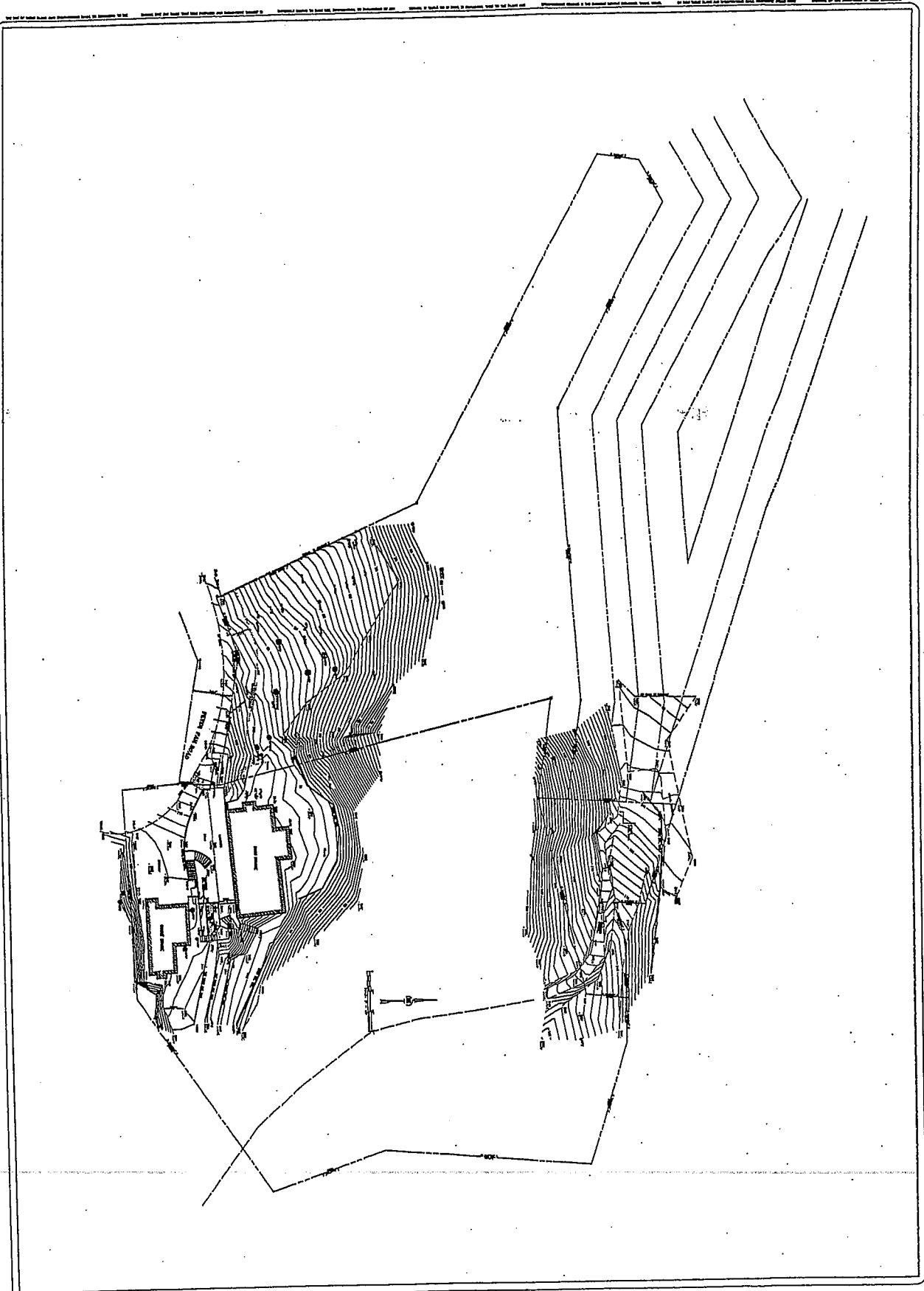
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MANDURRAGO  
MANDURRAGO &  
SULLIVAN

713-1-10

U.S. DEPT. OF COMMERCE



SHEET NO.  
 1 OF 1  
 DATE  
 1-1-19

PREPARED FOR  
**TOPGRAPHIC MAP**  
 LOT TOPO ON PETER PAN ROAD  
 A.P.N. 241-201-18 & 241-201-10  
 COUNTY OF MONTREY, CALIFORNIA

**BESTOR ENGINEERS, INC.**  
 CIVIL ENGINEERS - SURVEYORS - LAND PLANNERS  
 5775 BLAKE LANE, SAN JOSE, CALIFORNIA 95120

DATE	1-1-19
BY	J. B. BESTOR
CHECKED BY	J. B. BESTOR
APPROVED BY	J. B. BESTOR