

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 040559

APN# 009-432-013-000
FINDINGS & DECISION

In the matter of the application of
COOPER WILLIAM A & SANDRA A TRS (PLN040559)

Combined Development Permit consisting of a Coastal Development Permit and Design Approval to allow structural alterations and additions which do not change the square footage of an existing 3,031 square foot single family dwelling that is legal non-conforming pursuant to lot-coverage and floor-area-ratio ('FAR') limitations, including a new 498 square foot basement; and a Coastal Development Permit for development within 750 feet of a known archaeological resource; including grading (approximately 100 cubic yards of excavation); a Variance to exceed the 35% building coverage by 1.9%; and a Variance to exceed the 45% floor-area-ratio limitation by 3.6%. The project is located at 26275 Scenic Road, Carmel. The project came on regularly for hearing before the Zoning Administrator on September 8, 2005.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. FINDING: CONSISTENCY, SITE SUITABILITY, & PUBLIC ACCESS – The subject Coastal Development Permit, as described in Condition 1, and as conditioned, conforms to the plans, policies, requirements, and standards of the certified Monterey County Local Coastal Program (LCP). The LCP for this site consists of the *Carmel Area Land Use Plan*, the *Regulations for Development in the Carmel Area Land Use Plan* (Part 4), Part 6 of the Coastal Implementation Plan (Appendices), and the Monterey County Zoning Ordinance (Title 20). The property is located at 26275 Scenic Road, Carmel (Assessor's Parcel Number 009-432-013-000), in the Carmel area of the Coastal Zone. The parcel is zoned "MDR/2-D (18') (CZ)"; i.e., "Medium Density Residential, 2 units per acre, with an 18 foot height limit, in a Design Control District, in the Coastal Zone." The site is physically suitable for the use proposed. 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 Section 20.70.050.B.4 of Title 20). No access is required as part of the project as no substantial adverse impact on public coastal 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) Planning and Building Inspection Department (PBID) staff have reviewed the project as contained in the application and accompanying materials for conformity with the certified Monterey County Local Coastal Program and have determined that the project is consistent as

- conditioned. Permit application, plans, and materials contained in Project File No. PLN040559.
- (b) The project planner conducted an onsite inspection on November 3, 2004, to verify that the project on the subject parcel conforms to the certified Monterey County Local Coastal Program.
 - (c) The project seeks to remodel the existing legal non-conforming structure beyond “*ordinary maintenance and repair*,” which may be allowed with a Coastal Development Permit, pursuant to Section 20.68.040.
 - (d) The parcel is zoned Medium Density Residential, 2 units per acre, with an 18 foot height limit, in a Design Control District, in the Coastal Zone per Section 20.08.060 of the .Coastal Implementation Plan.
 - (e) LAND USE ADVISORY COMMITTEE: The Carmel Area Land Use Advisory Committee recommended approval of the *original* version of the project by a vote of 5 to 0; LUAC meeting minutes dated September 20, 2004. They did not review the current version including the Variance request. (Exhibit “E”)
 - (f) 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 No. PLN040559.
 - (g) There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
 - (h) The project lies in an area of high archaeological sensitivity and lies within 750 feet of known archaeological resources. As proposed it is consistent with policies of the *Carmel Area Land Use Plan* dealing with development in such areas because, a field check by the staff archaeologist, Lynne Mounday, verified that no artifacts exist on the property. Due to the highly disturbed condition of the property (e.g., an existing residence covering most of the lot with a subterranean garage), it is highly unlikely that any archaeological resources remain on the small lot (~0.14 acres), if in fact the site ever contained any. Condition 13 requires that all work be stop in the unlikely event that resources are uncovered onsite during construction.
 - (i) The project lies adjacent to (and potentially within) seismic hazard zone “VI” (highest seismic risk) as found on the resource maps of the *Carmel Area Land Use Plan* and is within 1/8 of a mile from the Cypress Point fault, which is defined by the Monterey County Local Coastal Program as a potentially active fault. Nevertheless, several previous geologic reports prepared for the projects in the area have concluded that the Cypress

Point Fault poses very little seismic risk if any, especially when compared to other active faults in the region (e.g., CapRock Geology, Inc., dated September 2, 2003, for PLN030491). Due to the limited scale of the remodel and the apparently limited seismic risk from the Cypress Point Fault, the applicant has opted to record an Indemnification Agreement instead of submitting a geologic report that would further examine any potential risks posed by the Cypress Point Fault to the project. A geotechnical report will be required as part of the building permit application. Since a geologic report was not prepared for this specific project, an Indemnification Agreement is required by Condition 6.

- (j) The subject property is located on the inland side of Scenic Drive, which is a public road bordering the shoreline, but it is not described as an area where the Local Coastal Program requires public coastal access, due to the existing public access to the shore at that location, and according to Sections 20.70.050.B.4.c.i and ii of the Zoning Ordinance (Title 20).

2. FINDING: FAR VARIANCE, SPECIAL CIRCUMSTANCES – The strict application of the 45% floor-area-ratio (FAR) limitation for the MDR zoning district (Section 20.12.060.F of Title 20) is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification, because there are special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area.

- EVIDENCE:**
- (a) The property currently contains a home which exceeds the maximum 45% FAR allowed by 3.6%. This is a legal non-conforming FAR. County practice is to not require a property owner to bring a home into full numerical compliance prior to allowing a permit for a remodel.
 - (b) 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 No. PLN040559.

3. FINDING: BUILDING COVERAGE VARIANCE, SPECIAL CIRCUMSTANCES – The strict application of the 35% building coverage limitation for the MDR zoning district (Section 20.12.060.E of Title 20) is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification, because there are special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area.

- EVIDENCE:**
- (a) The property currently contains a home which exceeds the maximum 35% FAR allowed by 4.5%. This is a legal non-conforming building coverage. County practice is to not require a property owner to bring a home into full numerical compliance prior to allowing a permit for a remodel.

- (b) The proposed project would reduce the building coverage from the existing 39.5% to 36.9% making it more consistent with the zoning district requirement.
- (c) 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 No. PLN040559.

4. FINDING: **FAR VARIANCE, SPECIAL PRIVILEGE** – A Variance from the 45% floor-area-ratio (FAR) limitation in this case would not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated, since the project proposes to increase FAR beyond the current legal non-conforming level, inconsistent with prior County approvals for projects with similar circumstances.

- EVIDENCE:**
- (a) A review of the Planning Department’s permits database and records reveals that three Variances to the 45% floor-area-ratio limitation have been considered for approval in the vicinity of the subject parcel (see file nos. ZA93062 PLN970555, and PLN020284). All of these were approved because the projects reduced their floor-area ratios without fully complying with the 45% limitation due to special circumstances related to the legal non-conforming nature of the properties.
 - (a) 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 No. PLN040559.

5. FINDING: **BUILDING COVERAGE VARIANCE, SPECIAL PRIVILEGE** – A Variance from the 35% building coverage limitation in this case would not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated, since the project proposes to decrease the building coverage from the existing legal nonconforming level, consistent with prior County approvals for projects with similar circumstances.

- EVIDENCE:**
- (a) A review of the Planning Department’s permits database and records reveals that three Variances to the 45% floor-area-ratio limitation have been considered for approval in the vicinity of the subject parcel (see file nos. ZA93062 PLN970555, and PLN020284). All of these were approved because the projects reduced their floor-area ratios without fully complying with the 45% limitation due to special circumstances related to the legal non-conforming nature of the properties. Allowing a variance for a building coverage ratio with the same conditions would be consistent with this practice.
 - (b) 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 No. PLN040559.

6. **FINDING: FAR and LOT COVERAGE VARIANCE, AUTHORIZED USE** – The proposed future use, which is residential in nature, is expressly authorized by the zone regulation governing the parcel of property.
- EVIDENCE:** The subject parcel is zoned for residential uses (MDR/2-D [18'] [CZ]; i.e., “*Medium Density Residential, 2 units per acre, Design Review District, 18 foot height limit, Coastal Zone*”). Section 20.12.040 specifically allows “the first single family dwelling per legal lot of record.” The existing and proposed project is for a single family dwelling.
7. **FINDING: CEQA (EXEMPT)** – The project is exempt from environmental review.
- EVIDENCE:** (a) Section 15301(e) of the CEQA Guidelines, which categorically exempts additions to existing structures.
(b) No adverse environmental effects were identified during staff review of the development application during a site visit on November 3, 2004.
8. **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:** Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.
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:** Preceding findings and supporting evidence.
10. **FINDING: APPEALABILITY** – The project, as approved by the Zoning Administrator, is appealable to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** Sections 20.86.030 and 20.86.080 of the Monterey County Coastal Implementation Plan.

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that 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 8th day of September, 2005.

MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON

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

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 90th 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 Marina.
2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

**Planning and Building Inspection Department
Condition Compliance & Mitigation Monitoring and
Reporting Plan**

Project Name: Cooper
File No: PLN040559 **APN:** 009-432-013-000
Approval by: Zoning Administrator **Date:** September 8, 2005

| Permit Cond. No. | Conditions of Approval and Responsible Land Use Department | Compliance Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|------------------------|---|---|--|--|---|
| 1. | The subject permit approval allows a Combined Development Permit consisting of a Coastal Development Permit and Design Approval to allow structural alterations and additions which do not change the square footage of an existing 3,031 sq. ft. single family dwelling that is legal non-conforming pursuant to lot-coverage and floor-area-ratio ('FAR') limitations, including a new 498 sq. ft. basement; and a Coastal Development Permit for development within 750 ft. of a known archaeological resource; including grading (approx. 100 cu. yds. of excavation); a Variance to exceed the 35% building coverage by 1.9%; and a Variance to exceed the 45% floor-area-ratio limitation by 3.6%.The property is located at 26275 Scenic Road, Carmel (Assessor's Parcel Number 009-432-013-000), 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) | Adhere to conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless otherwise stated | |
| 2. | 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. (Planning and Building Inspection) | None | Owner/ Applicant | October 15 th to April 15 th | |

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|---------------------------------|--|--|---|--|---|
| 3. | The applicant shall record a notice which states: “A permit (Resolution 040559) was approved by the Zoning Administrator for Assessor's Parcel Number 009-432-013-000 on September 8, 2005. The permit was granted subject to thirteen (13) conditions of approval that 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. (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to issuance of grading and building permits. | |
| 4. | All exterior lighting shall be unobtrusive, compatible 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 plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building and grading permits. (Planning and Building Inspection Department) | Submit three copies of the lighting plans to PBI for review and approval. | Owner/ Applicant | Prior to issuance of grading and building permits. | |
| 5. | Native trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection) | Submit evidence of tree protection to PBI for review and approval. | Owner/ Applicant | Prior to Issuance of grading or building permits | |

| <i>Permit Cond. No.</i> | <i>Conditions of Approval and Responsible Land Use Department</i> | <i>Compliance 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>Verification of Compliance (name/date)</i> |
|---------------------------------|---|--|---|--|---|
| 6. | <p>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. (Planning and Building Inspection)</p> | <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.</p> | <p>Owner/ Applicant</p> | <p>Prior to issuance of grading or building permits.</p> | |
| 7. | <p>WR0043 WATER AVAILABILITY CERTIFICATE 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. (Water Resources Agency)</p> | <p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p> | <p>Owner/ Applicant</p> | <p>Prior to issuance of grading or building permits</p> | |

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| 8. | <p>FIRE011 – ADDRESSES FOR BUILDINGS 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 Protection District)</p> | <p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> | <p>Applicant or owner</p> | <p>Prior to issuance of building permit.</p> | |
| | | <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> | <p>Prior to final building inspection /occupancy</p> | |
| 9. | <p>FIRE019 – DEFENSIBLE DPACE REQUIREMENTS (STANDARD) - Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire 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 Protection District)</p> | <p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> | <p>Applicant or owner</p> | <p>Prior to issuance of building permit.</p> | |
| | | <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> | <p>Prior to final building inspection /occupancy</p> | |

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| 10. | FIRE021 – FIRE PROTECTION EQUIPMENT & SYSTEMS – FIRE SPRINKLER SYSTEM (STANDARD) - 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. (Carmel Highlands Fire Protection District) | 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 | |
| 11. | WR0040 WATER CONSERVATION MEASURE 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"> 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. 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. (Water Resources Agency) | Compliance to be verified by building inspector at final inspection. | Owner/ Applicant | Prior to final building inspection /occupancy | |
| 12. | 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. 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 | 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 | |

| <i>Permit Cond. No.</i> | <i>Conditions of Approval and Responsible Land Use Department</i> | <i>Compliance 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>Verification of Compliance (name/date)</i> |
|---------------------------------|---|---|---|---------------|---|
| | 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. (Planning and Building Inspection) | 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. | 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. (Planning and Building Inspection) | 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 | |

End of Conditions.