



## NOTICE OF APPROVAL

The Department of Community Planning & Building of the City of Carmel-by-the-Sea has approved a Project pursuant to the City's Municipal Code. Persons interested in the project may review additional materials available at the Department of Community Planning & Building located at City Hall on Monte Verde Street between Ocean and 7<sup>th</sup> Avenues, phone number 831-620-2010.

The decision to approve this project may be appealed within 10 days from the date of this by filing a written appeal with the Department of Community Planning & Building.

**Planning Case #:** Design Study 24051

**Owner Name:** MISSION STREET OFFICE LLC

**Case Planner:** Alec Barton, Contract Planner

**Date Posted:** \_\_\_\_\_

**Date Approved:**

**Project Location:** 25987 Mission Street

**APN #:** 009353012000      **BLOCK/LOT:** 1/17

**Applicant:** BLS Permit Facilitation

**Project Description:** Replacement of (E) fence portion on eastern side of property, DS 24-011 was approved for the first portion, this application is for the remaining portion of fence on eastern side of property to southern corner of property.

**Can this project be appealed to the Coastal Commission?** Yes  No

*Upon completion of the 10 calendar-day appeal period, please return this form, along with the Affidavit of Posting, to the case planner noted above.*

<b>CONDITIONS OF APPROVAL</b>	
<b>No.</b>	<b>Standard Conditions</b>
1.	<b>Authorization.</b> This approval of Design Study application DS 24051 (Mission Street Office, LLC) authorizes the replacement of the remaining portion of an existing rear yard fence at the historic Mills House located at 25987 Mission Street in the Single-Family Residential (R-1) District as depicted in the plans and documents submitted by BLS Permit Facilitation stamped approved and on file in the Community Planning & Building Department unless modified by the conditions of approval contained herein.
2.	<b>Codes and Ordinances.</b> The project shall be constructed in conformance with all requirements of the R-1 zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested when such plans are submitted, such changes may require additional environmental review and subsequent approval by the Director.
3.	<b>Permit Validity.</b> In accordance with CMC Section 17.52.170 (Time Limits on Approvals and Denials), a residential design study approval remains valid for a period of 12 months from the date of action. During this time, the project must be implemented, or the approval becomes void. Implementation is effected by erecting, installing, or beginning the installation of the improvement authorized by the permit, as determined by the Director. Extensions to this approval may be granted consistent with CMC 17.52.170.C.
4.	<b>Modifications.</b> The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within two weeks of the City being notified. A cease work order may be issued at any time at the discretion of the Director of Community Planning and Building until a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance with the approved plans prior to the final inspection.
5.	<b>Indemnification.</b> The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.

6.	<p><b>Cultural Resources.</b> Throughout construction, all activities involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning &amp; Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to the resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.</p>
7.	<p><b>USA North 811.</b> Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit <a href="http://USANorth811.org">USANorth811.org</a> for more information)</p>
<p><b>Landscape Conditions</b></p>	
8.	<p><b>Tree Removal Prohibited.</b> Throughout construction, the Applicant shall protect all trees identified for preservation by methods approved by the City Forester. Trees on or adjacent to the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission.</p>
9.	<p><b>Tree Protection Measures.</b> Requirements for tree preservation shall adhere to the following tree protection measures on the construction site.</p> <ul style="list-style-type: none"> <li>• Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved.</li> <li>• Excavation within 6 feet of a tree trunk is not permitted.</li> <li>• No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree.</li> <li>• Per Municipal Code Chapter 17.48.110, no material may be stored within the dripline of a protected tree, including the drip lines of trees on neighboring parcels.</li> <li>• Tree Protection Zone. The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing.</li> <li>• Structural Root Zone. The Structural Root Zone shall be 6 feet from the trunk or 6</li> </ul>

	<p>inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots.</p> <ul style="list-style-type: none"><li>• If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone, the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged.</li><li>• If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended, and all work stopped until an investigation by the City Forester has been completed, and mitigation measures have been put in place.</li></ul>
<b>Special Conditions</b>	
10.	<b>Notice of Authorized Work.</b> Prior to commencing work on-site, the applicant shall obtain a Notice of Authorized Work from the Planning Division. The Notice shall be posted on-site, readily visible from the public way through the completion of the project.
11.	<b>Materials to Match Prior Approval.</b> The approved plan set includes a sheet from prior Design Study approval DS 24011 (Mission Street Office, LLC). As indicated on the approved site plan, the fence to be replaced shall match the fence approved in DS 24011 in terms of materials (banyan wood), color, design, and height. Any modification to the materials, color, design, or height of the fence shall require review and approval from Planning Division staff.

Acknowledgment and acceptance of conditions of approval:

\_\_\_\_\_

Property Owner Signature

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Date

MISSION STREET  
(A County Road 36 West)

**CARMEL-BY-THE-SEA  
PLANNING DEPARTMENT  
APPROVED**

Permit #: DS 24051 (Mission Street Office, LLC)  
Date Approved: April 30, 2024  
Planner: A. Barton

**LEGEND**

- |                                     |   |
|-------------------------------------|---|
| ● FOUND MONUMENT, AS NOTED          | --- PROPERTY LINE                       |
| ○ SET 1" IRON PIPE, L.S. 532        | --- LOT LINE                            |
| ○ CLEAN-OUT                         | --- RAILROAD FAV*                       |
| ○ SEWER MAN-HOLE                    | --- OVERHEAD UTILITY LINE               |
| ○ WATER VALVE                       | --- UNDERGROUND ELECTRIC LINE           |
| ○ HOSE BIB                          | --- G --- UNDERGROUND GAS LINE          |
| ○ IRRIGATION VALVE                  | --- W --- UNDERGROUND WATER LINE        |
| ○ IRRIGATION CONTROL BOX            | --- SD --- UNDERGROUND STORM DRAIN LINE |
| ○ ELECTRICAL METER                  | --- WOOD FENCE LINE                     |
| □ ELECTRIC BOX                      |   |
| ○ ELECTRIC RISER                    |   |
| ○ UTILITY POLE                      |   |
| --- GUY WIRE                        |   |
| ○ GAS METER                         | ▨ BUILDING                              |
| ● TREE, TYPE AND DIAMETER SPECIFIED | ▨ CONCRETE MASONRY WALL                 |

**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF PEAK PROJECTS, IN NOVEMBER, 2022.

DATED: 12/1/2022  
LYNN A. KOVACH  
P.L.S. 5321



**BASIS OF BEARINGS**

THE BEARING OF NORTH ALONG THE WEST LINE OF MISSION STREET BETWEEN 12TH AVENUE AND 3 SANTA LUCIA AVENUE AS SHOWN ON THE MAP RECORDED IN VOLUME 4 OF PARCEL MAPS AT PAGES 3 AS FOUND MONUMENTED, WAS TAKEN AS BASIS OF BEARINGS SHOWN UPON THIS MAP.

**NOTES**

1. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
2. TOTAL LOT AREA = 7,821 SQUARE FEET.
3. UNDERGROUND UTILITY LINES WERE LOCATED BASED ON EXISTING UTILITY MARKINGS AND WERE NOT INDEPENDENTLY VERIFIED.
4. TREES UNDER 6" WERE NOT LOCATED AS PART OF THIS SURVEY.

RIO ROAD  
(A County Road)

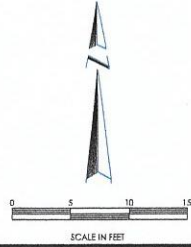
*(E) Fence to be Replaced \*Entire fence will match DS 24-011 colors/materials.*

*Fence Replacement Approved DS24-011*

**SURVEY**  
OF  
LOT 17, BLOCK 1  
VOLUME: 5 CITIES & TOWNS PAGE: 61  
APN 009-353-012  
25987 MISSION ST., CARMEL  
MONTEREY COUNTY, CALIFORNIA

PREPARED FOR: SYDNEY DOYLE  
SURVEYED BY: **ROCARIS LAND SURVEYING**  
P. O. BOX 1378  
CARMEL VALLEY, CA 93924  
831-659-9564

SCALE: 1" = 5' VIEW: ARCH D DATE: December 1, 2022  
FILE NAME: 25987 Mission Survey JOB #22-200 Sheet 1 of 1



Banyan Wood Fence  
Rendition

Property Line

ADU

Junipero

2x  
DFPT

4x4  
DFPT

CARMEL-BY-THE-SEA  
PLANNING DEPARTMENT  
APPROVED

Permit #: DS 24051 (Mission Street Office, LLC)

Date Approved: April 30, 2024

Planner: A. Barton

\*NTS

Concrete  
Footing

4x4  
DFPT Topped  
w/ 2x6 DFPT

12" Lattice

2x6 DFPT TOP RAIL

4x4 DFPT Post

1x6 RW Face Boards

1x RW Trimmer  
@ Perimeter of  
Boards & Lattice

2x DFPT Kick Board

