



## 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 22347

**Owner Name:** MERL LYDIA EDGAR

**Case Planner:** Katherine Wallace

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

**Date Approved:** 12/21/2022

**Project Location:** Forest Road 2 SE of 8th

**APN #:** 009202010000      **BLOCK/LOT:** 4PP/ALL LOT 2

**Applicant:** Christopher Baiata

**Project Description:** Removal of an ADU-adjacent wood deck; removal of a wood deck located southeast of the main residence to be replaced with a reconfigured deck with Trex flooring and wood railings; removal of all stone walkways to be replaced with mulch walkways; replacement of existing wood retaining walls with 205 linear feet of new stone veneer-faced concrete block retaining walls including a new three-foot-high retaining wall parallel to the rear (east) property line; modification of the existing paver driveway to a tire track-style driveway; new native and drought-tolerant plantings; three raised planting beds; a new irrigation system; new landscape lights; removal of one oak; and overall site coverage reduction from 1,531 square feet to 874 square feet at the property at Forest Road 2 SE of 8th Avenue, as depicted on the plans by Carmel Point Landscapes dated December 16, 2022

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

**CONDITIONS OF APPROVAL**

No.	Standard Conditions	
1.	<b>Authorization.</b> This approval of Design Study (DS 22-347, Merl) authorizes the removal of an ADU-adjacent wood deck; removal of a wood deck located southeast of the main residence to be replaced with a reconfigured deck with Trex flooring and wood railings; removal of all stone walkways to be replaced with mulch walkways; replacement of existing wood retaining walls with 205 linear feet of new stone veneer-faced concrete block retaining walls including a new three-foot-high retaining wall parallel to the rear (east) property line; modification of the existing paver driveway to a tire track-style driveway; new native and drought-tolerant plantings; three raised planting beds; a new irrigation system; new landscape lights; removal of one oak; and overall site coverage reduction from 1,531 square feet to 874 square feet at the property at Forest Road 2 SE of 8th Avenue in the Single-Family Residential (R-1) District as depicted on the plans by Carmel Point Landscapes dated December 16, 2022, 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 at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	<b>Appeal Period.</b> Approval of this Design Study is subject to the 10-calendar-day notice and appeal period.	✓
4.	<b>Permit Validity.</b> This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
5.	<b>Water Use.</b> Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration, and appropriate findings prepared for review and adoption by the Planning Commission.	✓
6.	<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 2 weeks of the City being notified. A cease work order may be issued 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 to the approved plans prior to final inspection.	✓

7.	<p><b>Exterior Revisions to Planning Approval Form.</b> All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that is not listed on this form, shall not be deemed approved upon issuance of a building permit.</p>	✓
8.	<p><b>Conflicts Between Planning Approvals and Construction Plans.</b> It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning &amp; Building Director, or their designee. When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.</p>	✓
9.	<p><b>Exterior Lighting.</b> Exterior lighting shall be limited to 25 watts or less (incandescent equivalent, i.e., 375 lumens) per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall not exceed 18 inches above the ground nor more than 15 watts (incandescent equivalent, i.e. 225 lumens) per fixture and shall be spaced no closer than 10 feet apart. Landscape lighting shall not be used for tree, wall, fence or accent lighting of any type. The purpose of landscape lighting is to safely illuminate walkways and entrances to the subject property. All fixtures shall be shielded and down facing. The manufacturer's specifications, including illumination information, for each exterior light fixture shall be included in the construction drawings submitted with the building permit application.</p>	✓
10.	<p><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 proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding, and shall 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 the resolution of all such actions by the parties hereto.</p>	✓

11.	<b>Driveway.</b> The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street. The driveway material and asphalt connection shall be clearly identified on the construction drawings submitted with the building permit application. If a driveway is proposed to be sand set a dimensioned construction detail showing the base material shall be included in the construction drawings.	✓
12.	<b>Hazardous Materials Waste Survey.</b> A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to the issuance of a demolition permit.	✓
13.	<b>Cultural Resources.</b> All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & 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 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 as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
14.	<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 USANorth811.org for more information)	✓
15.	<b>Conditions of Approval.</b> All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
<b>Landscape Conditions</b>		
16.	<b>Landscape Plan.</b> All new landscaping shall be shown on a landscape plan and shall be submitted to the Community Planning & Building Department and to the City Forester <u>prior to the issuance of a building permit</u> . The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards unless otherwise approved by the City based on-site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓

17.	<p><b>Tree Removal.</b> Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission, as appropriate; all remaining trees shall be protected during construction by methods approved by the City Forester.</p>	✓
18.	<p><b>Significant Trees.</b> All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2”) are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2”) 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. Six inches (6”) of mulch shall be evenly spread across the inside the dripline of all trees prior to the issuance of a building permit.</p>	✓
19.	<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>● The Structural Root Zone -- Structural Root Zone shall be 6 feet from the trunk or 6 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.</li> <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</li> </ul>	✓

	roots from being damaged. 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.	
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Acknowledgement and acceptance of conditions of approval:

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

*Once signed, please return to the Community Planning & Building Department.*

**SHEET CONTENTS**

- 1.0 OVERALL CHANGES
- 2.0 DEMOLITION PLAN
- 3.0 CONSTRUCTION PLAN
- 4.0 PLANTING PLAN
- 5.0 IRRIGATION & LIGHTING PLAN
- 6.0 DECK PLAN

**SCOPE OF WORK**

Sitework to include: the removal of an ADU-adjacent wooden deck; the removal of a wood deck located southeast of the main residence to be replaced with a reconfigured Trex; the removal of multiple stone walkways to be replaced with mulch walkways; the replacement of existing wood retaining walls with 205 linear feet of new stone veneer-faced concrete block retaining walls; a new three-foot high concrete block rear retaining wall parallel to the rear (east) property line; new native and drought-tolerant plantings; three raised planting beds; a new permeable tire track-style driveway to modify the existing paver driveway; a new irrigation system; and new landscape lights. Project will also include an after-the-fact hot tub building permit, as there is no city permit on file for the existing hot tub. The scope of this work reduces the hardscape coverage of the property from 22% to 12%. A single diseased oak tree will be removed from the property.

**GENERAL NOTES**

Lot Area: 7,392

**PROJECT DATA**

SITE COVERAGE	EXISTING		PROPOSED	
	SF	%	SF	%
Pervious				
Spaced Decking	791 SF	10.7%	616 SF	8.3%
Exterior Wooden Stairs	137 SF	1.9%	71 SF	0.10%
<b>Total</b>	<b>928 SF</b>	<b>12.6%</b>	<b>687</b>	<b>9.3%</b>
Impervious	EXISTING		PROPOSED	
Paver Drive	89 SF	1.2%	65 SF	0.9%
Hot Tub	50 SF	0.7%	50 SF	0.7%
Stone Pathways	419 SF	5.7%	0 SF	0%
Garden Walls	81 SF	1.10%	95 SF	1.29%
Concrete Steps	30 SF	0.4%	0 SF	0%
Concrete Pads	27 SF	0.36%	0 SF	0%
<b>Total</b>	<b>696</b>	<b>9.4%</b>	<b>210</b>	<b>2.8%</b>
<b>Grand Total:</b>	<b>1624</b>	<b>22%</b>	<b>897</b>	<b>12%</b>

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

Permit #: DS 22-347 (Merl)

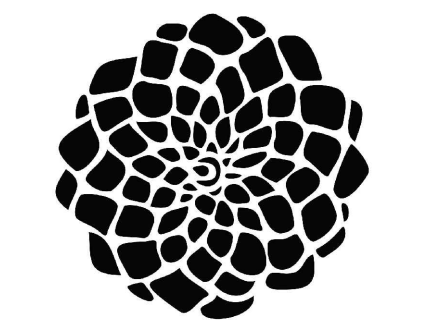
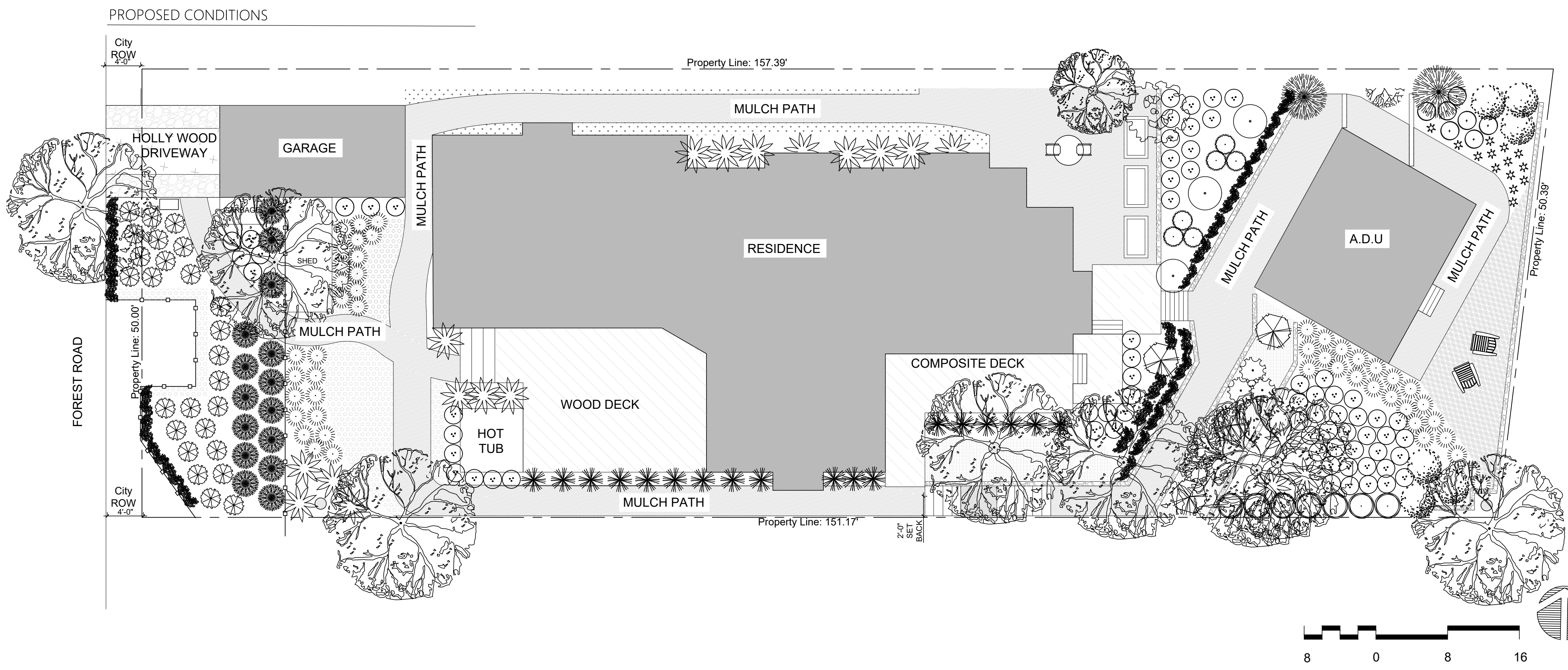
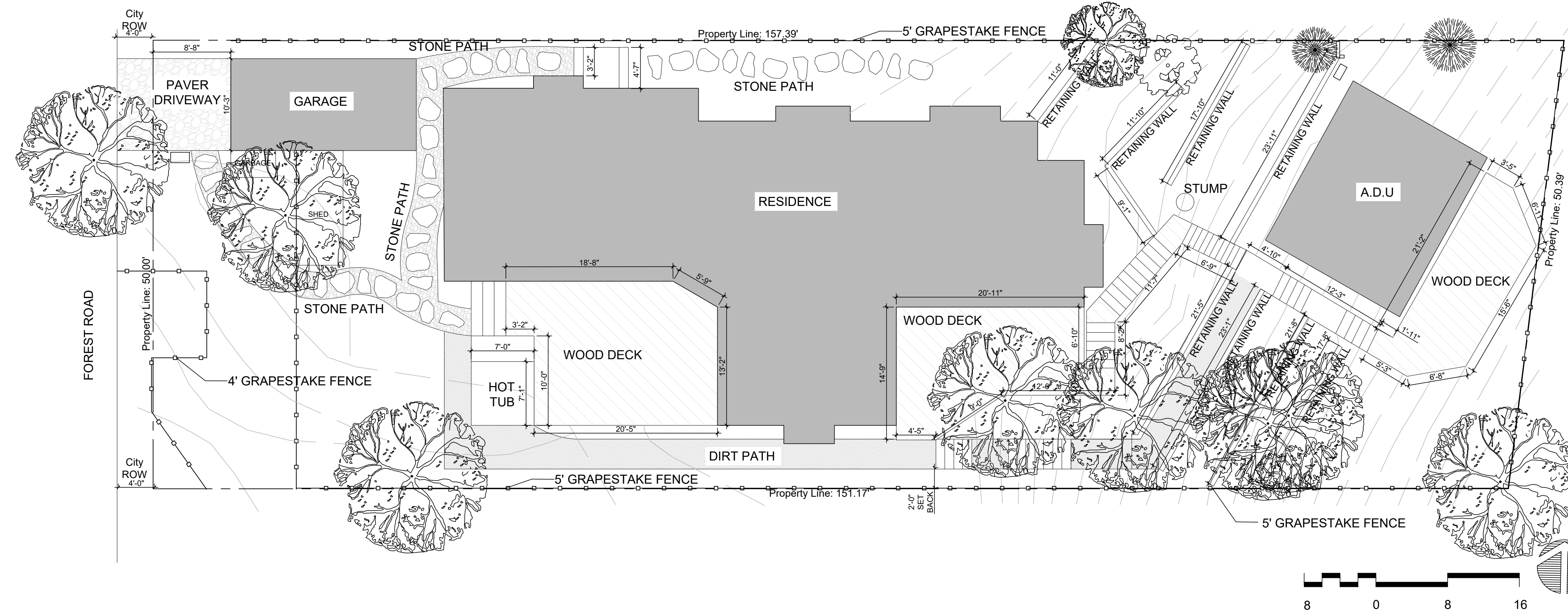
Date Approved: 12/21/2022

Planner: K. Wallace

Forester: S. Davis

**DISCLAIMER**

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**CARMEL POINT  
LANDSCAPES**

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CA, 93921  
(831) 574-9837  
carmelpointlandscapes.com

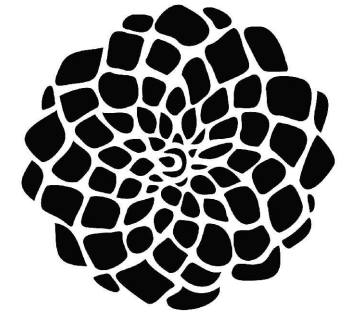
**Information**

Project Name and Address  
FOREST ROAD, 2 SE of 8TH  
CARMEL-BY-THE-SEA, CA  
(786) 223 - 0169

**OVERALL CHANGES**

No.	Revision/Issue	Date

Project <b>MERL &amp; JONES</b>	Sheet <b>01</b>
Date <b>12-16-2022</b>	
Scale <b>SCALE: 1"= 8'-0"</b>	



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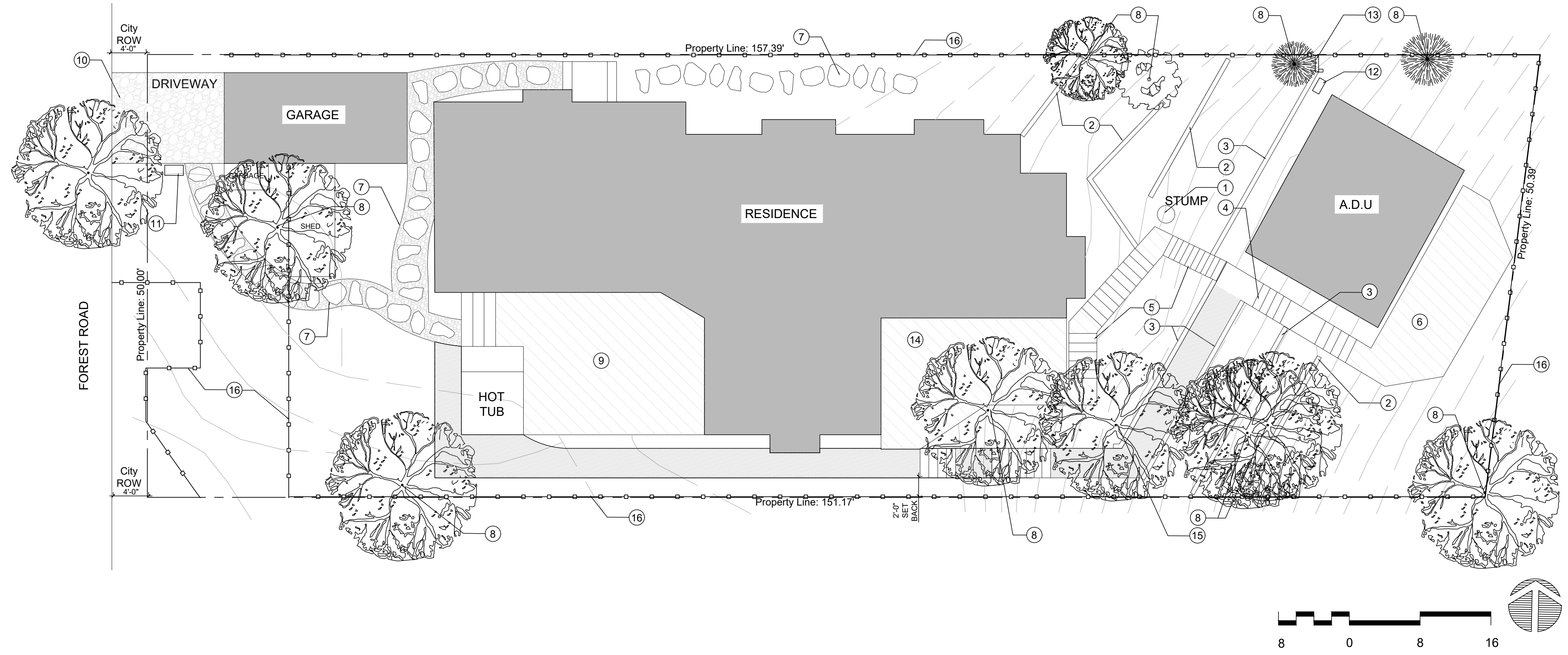
Information

Project Name and Address  
**FOREST ROAD, 2 SE of 8TH  
CARMEL-BY-THE-SEA, CA  
(786) 223 - 0169**

# DEMOLITION PLAN

### DEMOLITION NOTES

- ① Stump: Remove and grind
- ② 6" Pressure-treated wood retaining wall: Demolish and haul away
- ③ 2' Pressure-treated wood retaining wall: Demolish and replace with stone-veneer retaining wall. See Construction plan.
- ④ Timber steps with stone cap: Demolish and haul away.
- ⑤ Timber stairs and landing: Demolish and haul away.
- ⑥ Wooden deck: Demolish and haul away.
- ⑦ Stone path: Demolish and replace with mulch path to comply with hardscape limitations. See Construction plan.
- ⑧ Tree: Preserve and protect per City tree protection standards
- ⑨ Front Wooden Deck: Preserve and protect.
- ⑩ Driveway: Center pavers removed. See Construction & Planting plans
- ⑪ Water Point of Connection (POC)
- ⑫ Outdoor Air Conditioning Unit: Demolish or relocate
- ⑬ Concrete Retaining Wall: Demolish to fence line
- ⑭ Back Wooden Deck: Demolish, Replace and reduce. See Construction plan.
- ⑮ Existing Oak to be Removed
- ⑯ Existing Grapestake Fence: Preserve and Protect



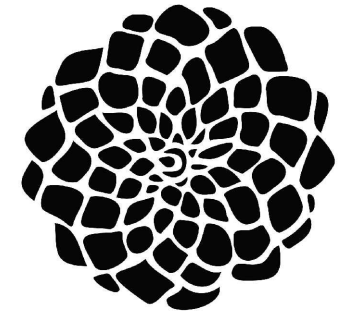
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No.	Revision/Issue	Date

Project <b>MERL &amp; JONES</b>	Sheet <b>02</b>
Date <b>12-16-2022</b>	
Scale <b>SCALE: 1"= 8'-0"</b>	





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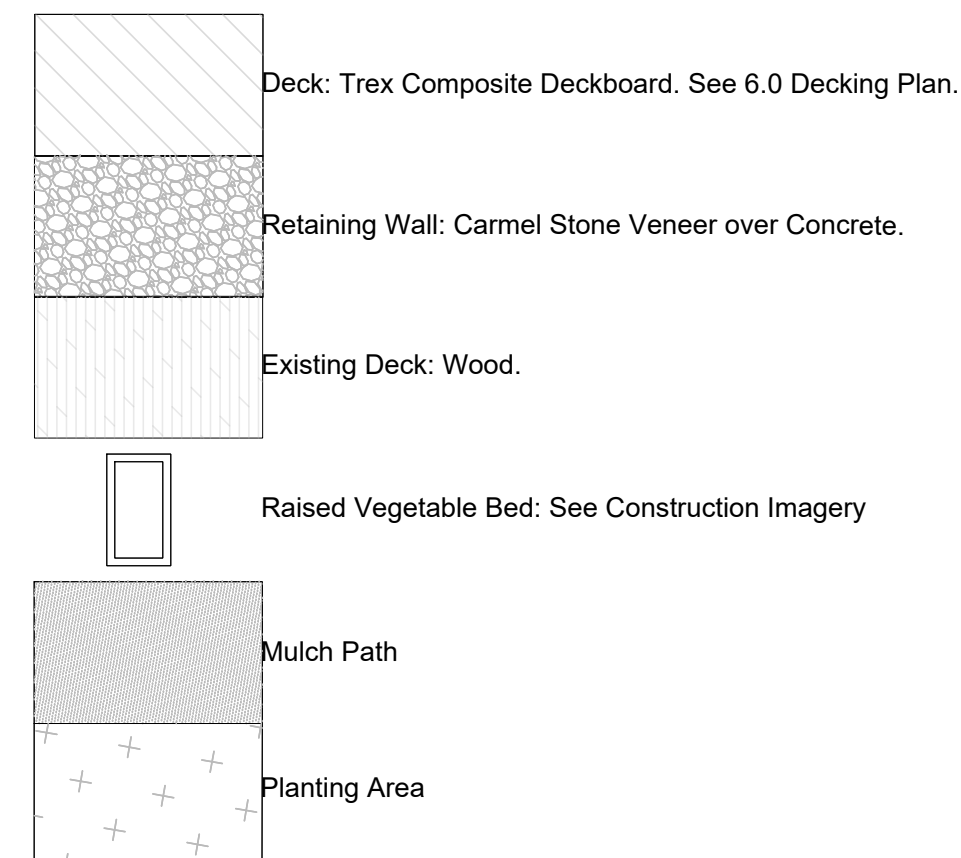
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Information

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**CONSTRUCTION PLAN**

CONSTRUCTION LEGEND

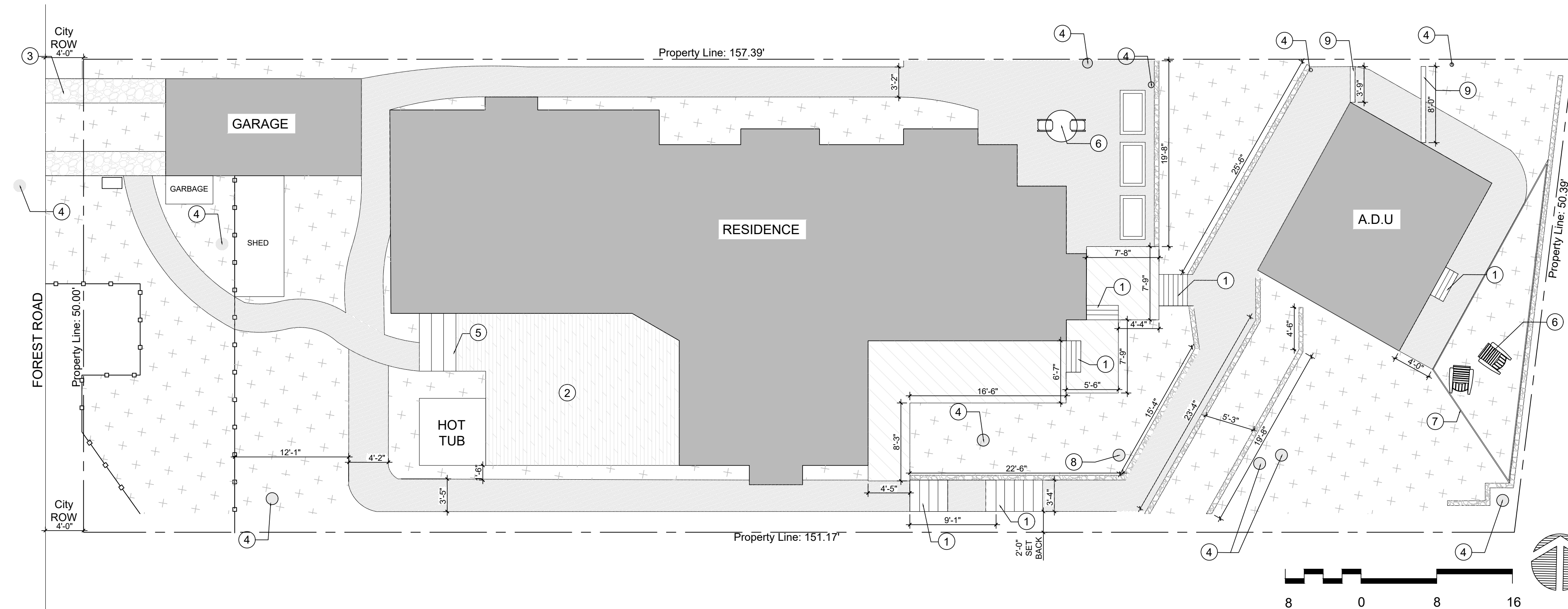


CONSTRUCTION NOTES

- ① Steps: Match Deck
- ② Existing Front Deck: Preserve and Protect
- ③ Hollywood Driveway to comply with Hardscape Limitations
- ④ Existing Tree: Preserve and protect
- ⑤ Existing Steps: Preserve and protect
- ⑥ Outdoor Furniture
- ⑦ Wooden Headerboard
- ⑧ Existing Oak to be Removed
- ⑨ Stone Step

GENERAL NOTES

Deck railings to be Wooden Rails. Match new deck color.



RAISED PLANTER BEDS



CARMEL STONE RETAINING WALLS



TREX SELECT COMPOSITE DECK

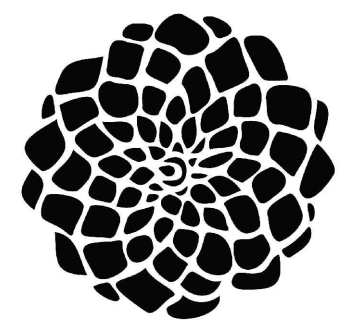


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No.	Revision/Issue	Date

Project <b>MERL &amp; JONES</b>	Sheet <b>03</b>
Date <b>12-16-2022</b>	
Scale <b>SCALE: 1"= 8'-0"</b>	



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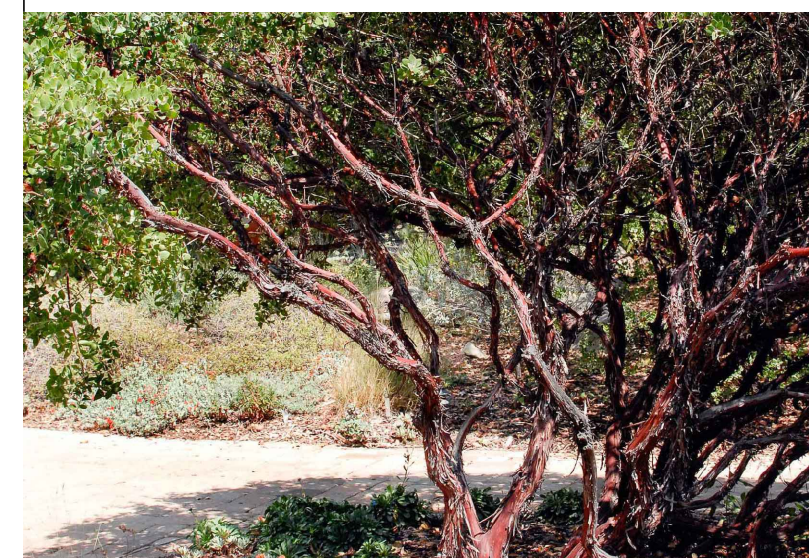
Carex tumulicola



Dymondia margaretae



Heteromeles arbutifolia



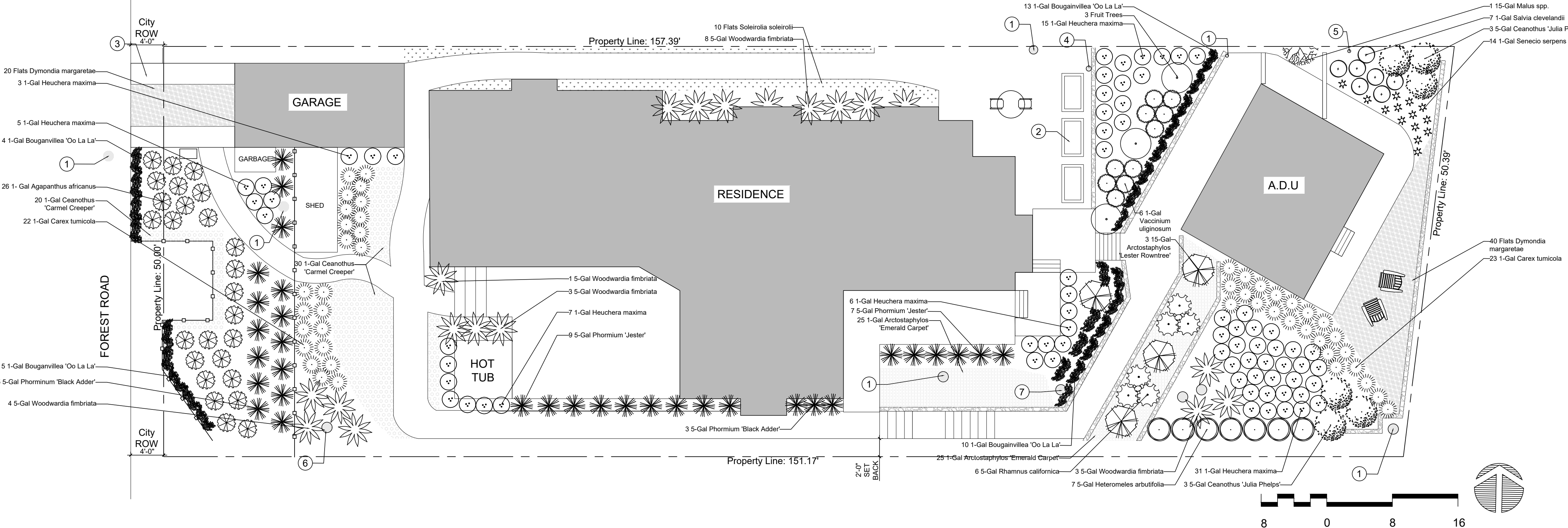
Arctostaphylos manzanita



Heuchera maxima



Arctostaphylos uva-ursi



PLANTING NOTES

- ① Existing Quercus agrifolia: Preserve and Protect
- ② Raised Vegetable Bed (3)
- ③ Hollywood Driveway to comply with Hardscape Limitations
- ④ Existing Ilex aquifolium: Preserve and Protect
- ⑤ Existing Sequoia sempervirens: Preserve and Protect
- ⑥ Existing Cedrus deodora: Preserve and Protect
- ⑦ Existing Quercus agrifolia: Remove

TYPE	BOTANICAL NAME	COMMON NAME	SIZE/COUNT
Shrubs/Trees			
○	Salvia clevelandii	Cleveland Sage	1 Gal. / 13
○	Heuchera maxima	Island Alum Root	1 Gal. / 60
○	Heteromeles arbutifolia	Toyon	5 Gal. / 7
○	Rhamnus californica	Coffeeberry	5 Gal. / 6
○	Woodwardia fimbriata	Giant Chain Fern	5 Gal. / 27
○	Ceanothus 'Julia Phelps'	Julia Phelps California Lilac	5 Gal. / 6
○	Bougainvillea 'Oo La La'	Oo La La Bougainvillea	1 Gal. / 23
○	Vaccinium uliginosum	Western Blueberry	1 Gal. / 10
○	Senecio serpens	Blue Chalksticks	1 Gal. / 14
○	Agapanthus africanus	African Lily	1 Gal. / 26
Groundcovers			
■	Manzanita 'Emerald Carpet'	Emerald Carpet Manzanita	1 Gal. / 50 @ 3" O.C.
■	Ceanothus 'Carmel Creeper'	Carmel Creeper Ceanothus	1 Gal. / 50 @ 3" O.C.
■	Soleirolia soleirolii	Sally's Tears	Flat / 10 @ 6" O.C.
■	Dymondia margaretae	Silver Carpet	Flat / 60 @ 6" O.C.
Grasses/Rushes			
○	Carex tumulicola	Berkeley Sedge	1 Gal. / 76
○	Phormium 'Jester' / 'Black Adder'	New Zealand Flax	5 Gal. / 33
○	Lomandra 'Platinum Beauty'	Platinum Lomandra	1 Gal. / 15
Trees			
○	Arctostaphylos 'Lester Rowntree'	Lester Rowntree Manzanita	15 Gal. / 6
○	Various spp.	Fruit Trees, assorted	15 Gal. / 4
○	Malus spp.	Apple Tree, Espalier	15 Gal. / 1



Ceanothus 'Carmel Creeper'



Ceanothus 'Julia Phelps'



Rhamnus californica



Senecio serpens



Bougainvillea 'Oo La La'



Phormium 'Jester'



Soleirolia soleirolii



Phormium 'Black Adder'



Woodwardia fimbriata



Salvia clevelandii



Agapanthus africanus



Vaccinium uliginosum

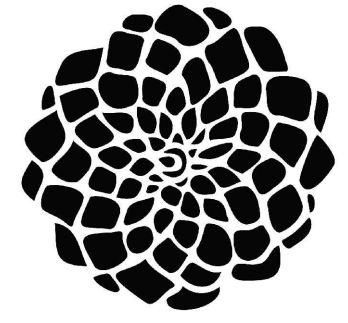
PLANTING PLAN

PLANTING REVISION		
No.	Revision/Issue	Date

Project MERL & JONES	Sheet 04
Date 12-16-2022	
Scale SCALE: 1"= 8'-0"	

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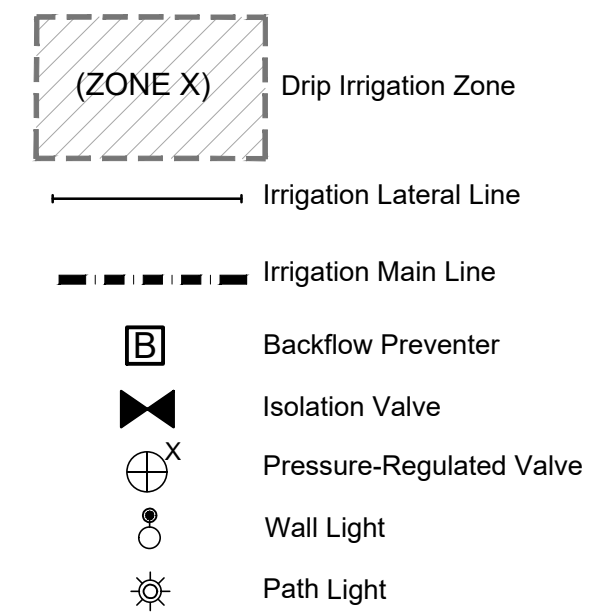
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IRRIGATION & LIGHTING LEGEND

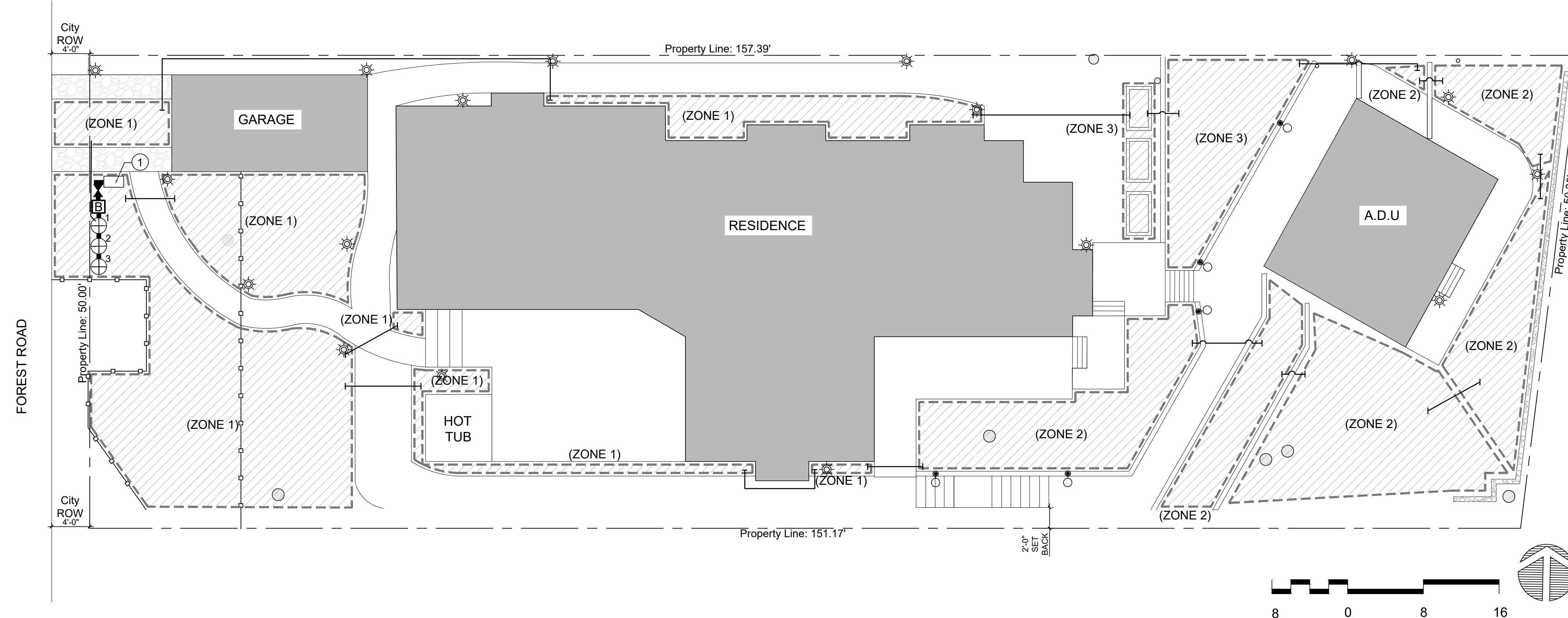


IRRIGATION & LIGHTING NOTES

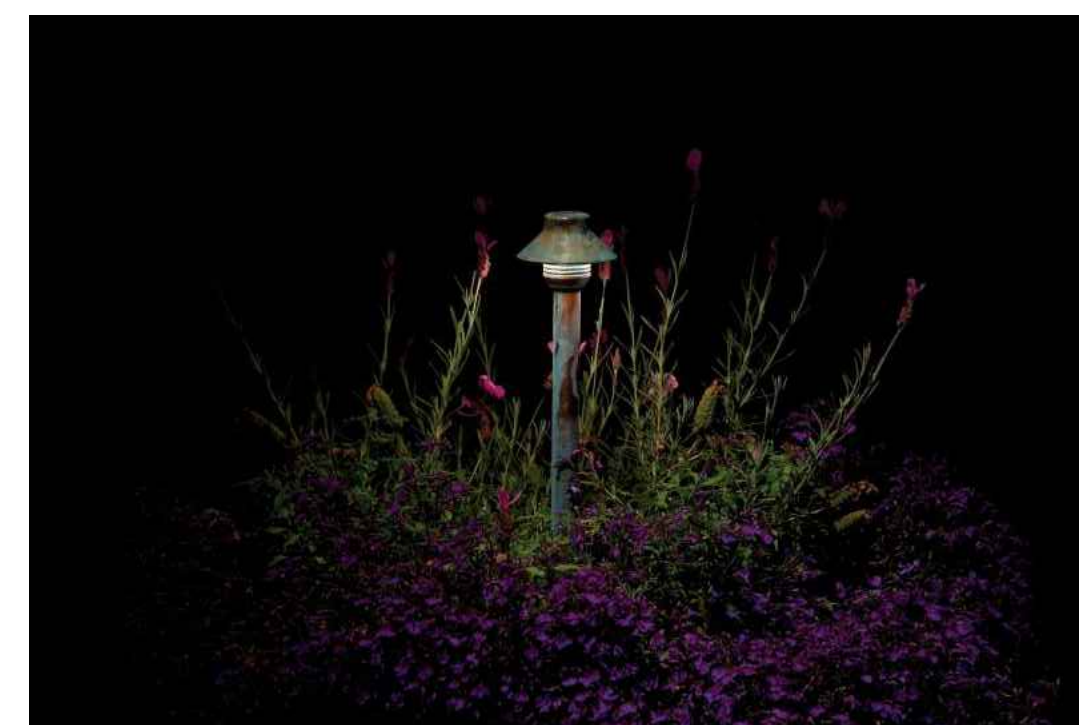
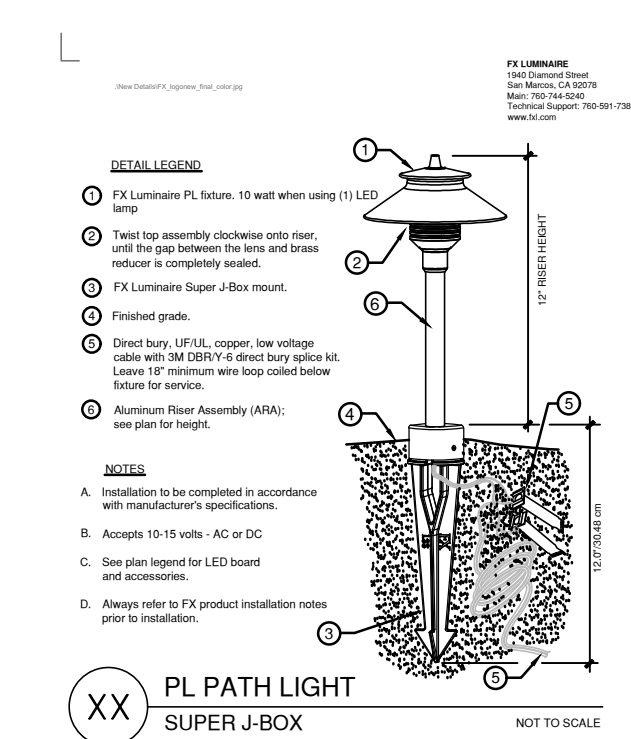
① Point of Connection

GENERAL NOTES

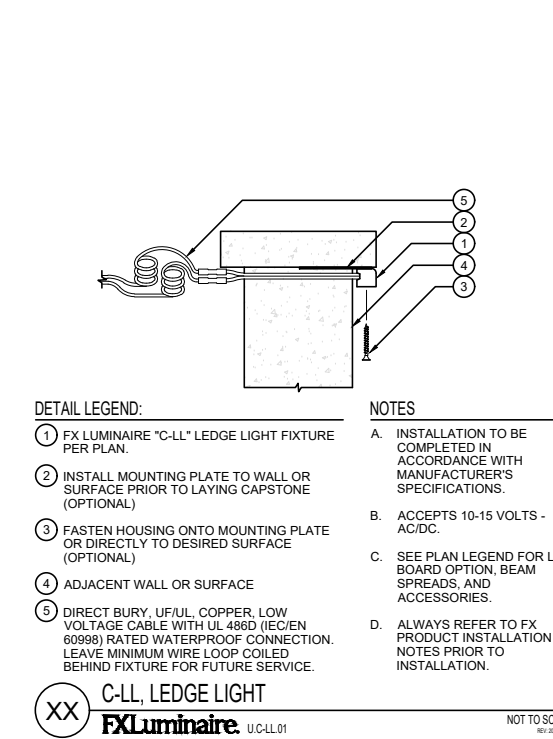
Emitters to be placed 4" - 6" from base of plant depending on rootball size.



PATH LIGHT: FX LUMINAIRE PL - LED10W - 12R



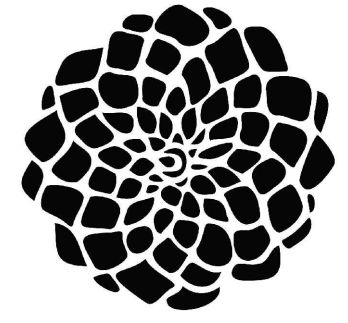
WALL LIGHT: FX LUMINAIRE C-LL



DISCLAIMER

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No.	Revision/Issue	Date
Project	MERL & JONES	Sheet
Date	12-16-2022	05
Scale	SCALE: 1"= 8'-0"	



**CARMEL POINT  
LANDSCAPES**

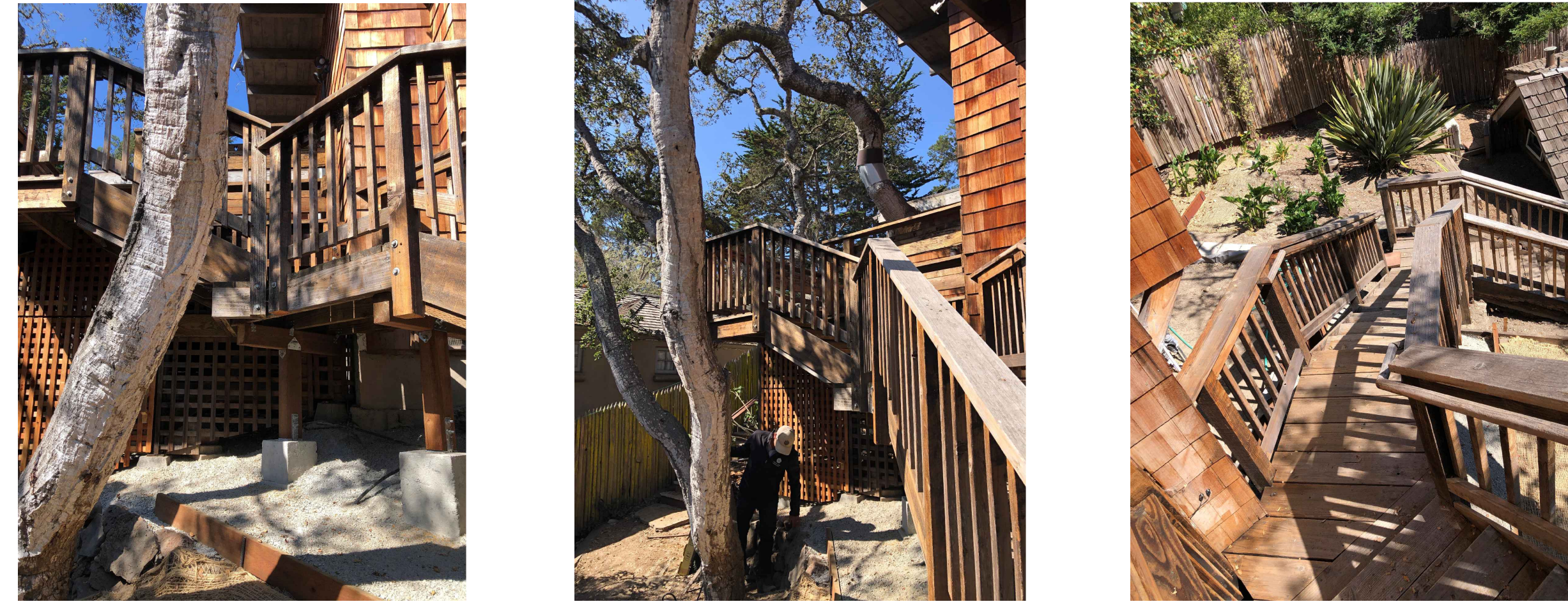
LIC# 106873  
P.O. Box 4195, Carmel-by-the-Sea,  
CA, 93921  
(831) 574-9837  
carmelpointlandscapes.com

Information

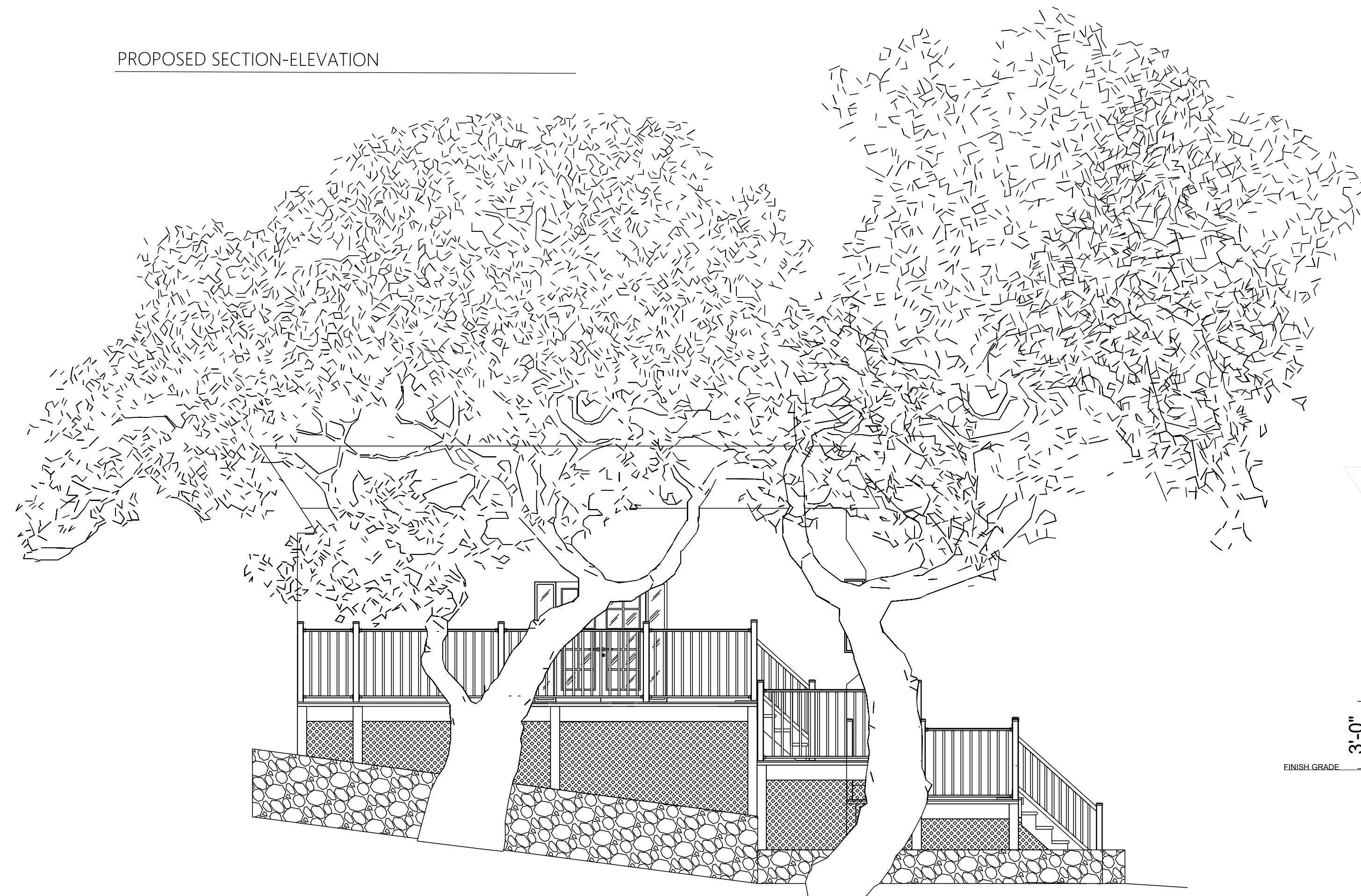
Project Name and Address

FOREST ROAD, 2 SE of 8TH  
CARMEL-BY-THE-SEA, CA

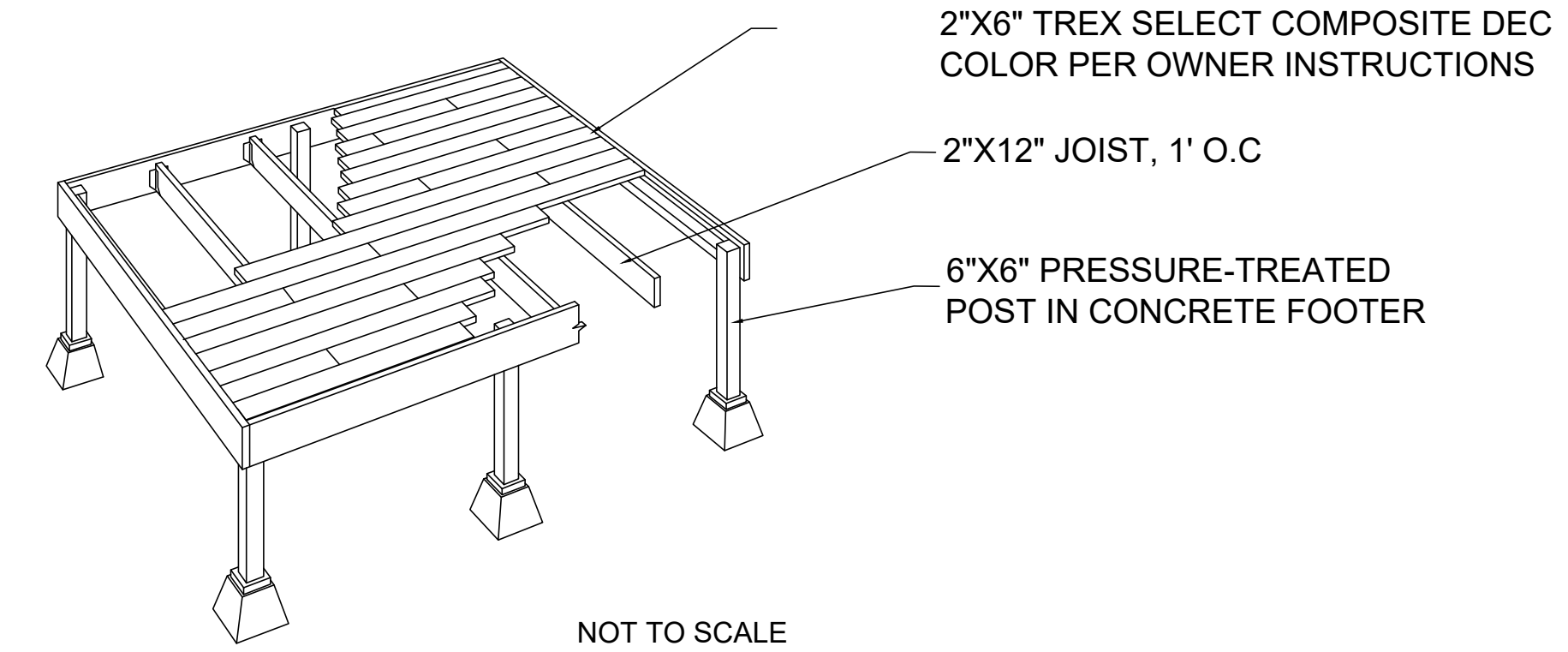
EXISTING DECK



PROPOSED SECTION-ELEVATION

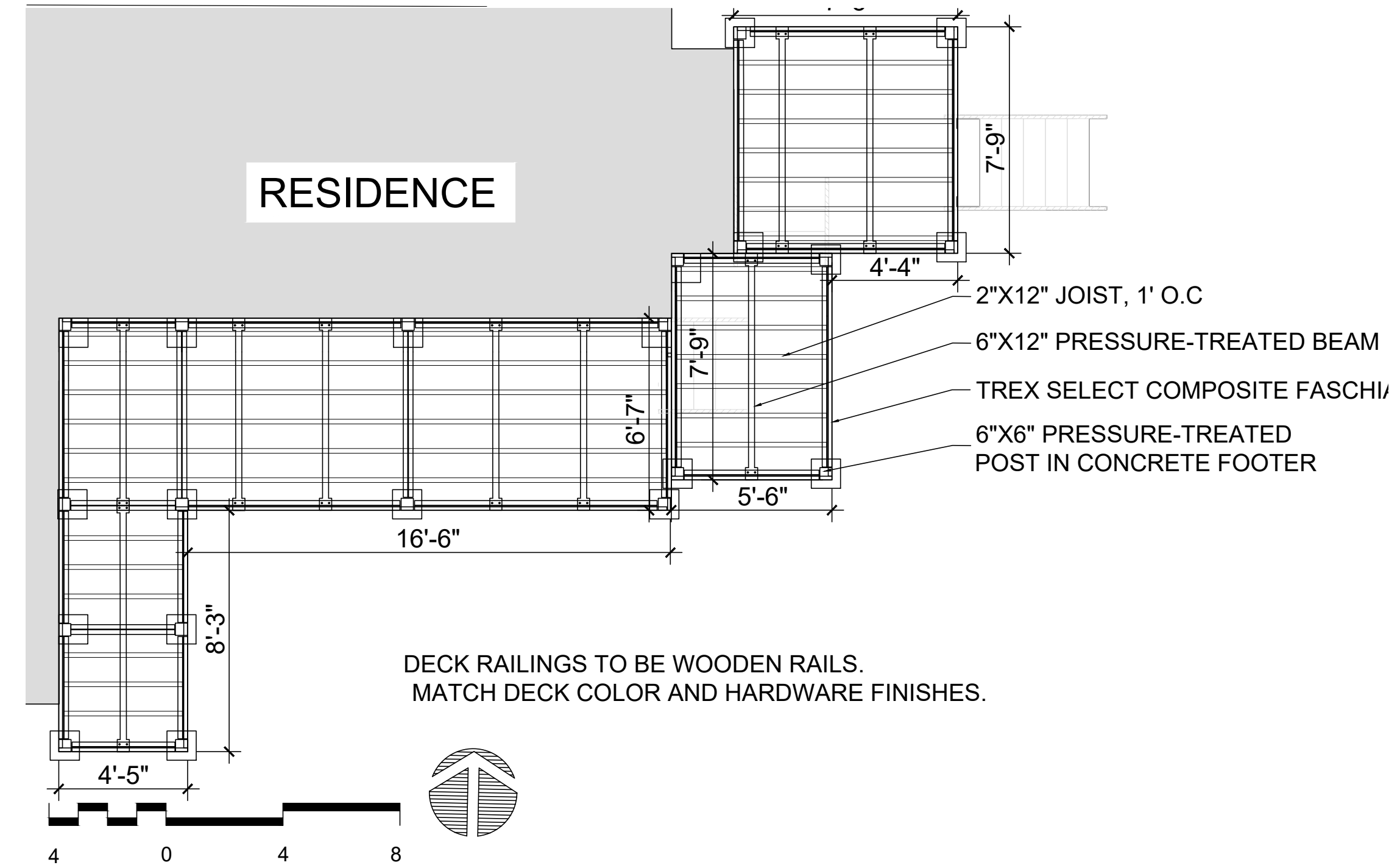


PROPOSED PLANKING PLAN

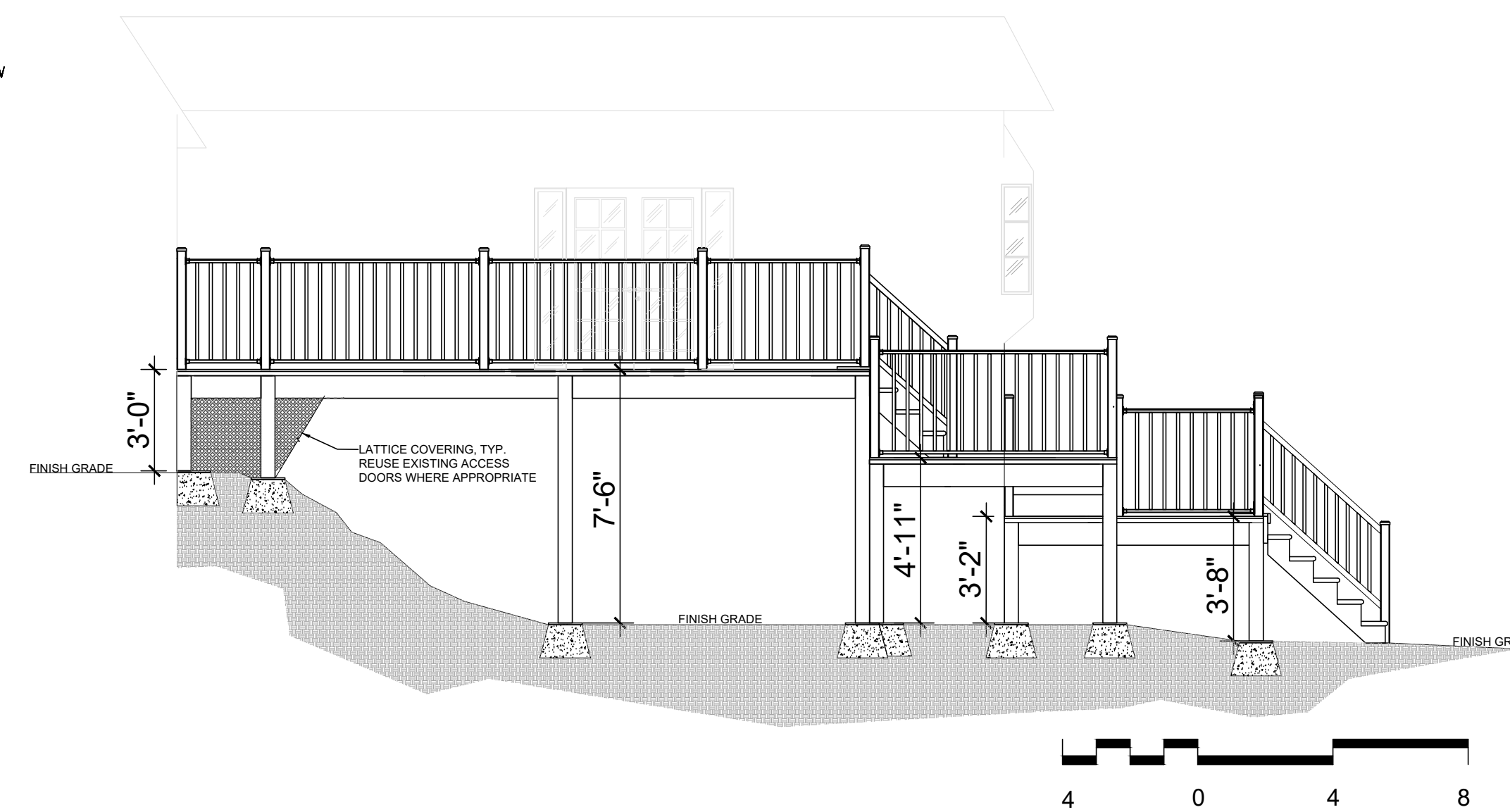


NOT TO SCALE

PROPOSED FRAMING PLAN



DECK RAILINGS TO BE WOODEN RAILS.  
MATCH DECK COLOR AND HARDWARE FINISHES.



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DECKING PLAN

No.	Revision/Issue	Date

Project MERL & JONES	Sheet 06
Date 12-16-2022	
Scale AS NOTED	