



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 7th 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 23191

Owner Name: SMITH THOMAS E TR

Case Planner: Evan Kort, Associate Planner

Date Posted: _____

Date Approved: 08/28/2023

Project Location: SW Corner of 12th & Dolores

APN #: 010171018000 **BLOCK/LOT:** 136/2 & 4

Applicant: Thomas Smith

Project Description: This approval of Design Study (DS 23-191, Smith) authorizes the re-removal of an existing fireplace and chimney and installation of new french doors in the location of the replaced fireplace and chimney –facing east into the interior courtyard. The project shall be constructed as depicted in the plans dated approved by Community Planning & Building Department on August 28, 2023 unless modified by the conditions of approval.

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.

CONDITIONS OF APPROVAL		
No.	Standard Conditions	
1.	Authorization. This approval of Design Study (DS 23-191, Smith) authorizes the re-removal of an existing fireplace and chimney and installation of new french doors in the location of the replaced fireplace and chimney –facing east into the interior courtyard. The project shall be constructed as depicted in the plans dated approved by Community Planning & Building Department on August 28, 2023 unless modified by the conditions of approval contained herein.	✓
2.	Codes and Ordinances. 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 subsequent approval by the Community Planning and Building Department.	✓
3.	Permit Validity. 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.	✓
4.	Water Use. 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.	✓
5.	Service Laterals. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than \$200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	✓
6.	Fire Sprinklers - Residential. Additions, alterations, or repairs to existing structures that involve the addition, removal, or replacement of 50 percent or more of the linear length of the walls (interior and exterior) within a 5-year period shall require the installation of an automatic residential fire sprinkler system in accordance with the California Building and Fire Codes (CMC 15.08.135)	✓
7.	Modifications. 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.	✓
8.	Exterior Revisions to Planning Approval Form. 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.	✓
9.	Conflicts Between Planning Approvals and Construction Plans. 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	✓

	<p>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 & Building Director, or their designee.</p> <p>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>	
10.	<p>Exterior Lighting. If the installation of a new exterior light fixture is required by the building code adjacent to the new door, the exterior light fixture 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. 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. Only one new light fixture shall be located at any single building entrance.</p>	✓
11.	<p>Indemnification. 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>	✓
12.	<p>Truck Haul Route. Prior to Building Permit issuance, the Applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route, and any necessary temporary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.</p>	✓
13.	<p>USA North 811. 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)</p>	✓
14.	<p>Conditions of Approval. 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.</p>	✓
Landscape Conditions		
15.	<p>Tree Removal. 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>	✓
16.	<p>Significant Trees. 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</p>	✓

	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.	
17.	<p>Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site.</p> <ul style="list-style-type: none"> • Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved. • Excavation within 6 feet of a tree trunk is not permitted. • No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree. • 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. • 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. • 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. • 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. <p>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.</p>	✓
ENVIRONMENTAL COMPLIANCE CONDITIONS		
18.	<p>Drainage Plan. If requested by the Building Division, prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a drainage plan that meets the requirements of the City's drainage guidance, SOG 17-07. At a minimum, new and replaced impervious area drainage must be dispersed around the site rather than focused on one corner of the property, infiltration features must be sized appropriately, and must be located at least 6 feet from neighboring properties. The drainage plan shall include information on drainage from new impervious areas and semi-pervious areas.</p>	✓
19.	<p>BMP Tracking Form. If requested by the Building Division, prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.</p>	✓

20.	Erosion and Sediment Control Plan. If requested by the Building Division, prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access.	✓
SPECIAL CONDITIONS		
21.	Building Permit. The applicant shall apply for and obtain a building permit from the building division prior to commencement of work.	✓
22.	Condition of Approval Acknowledgement. The Condition of Approval Acknowledgement form, available from the Community Planning and Building Department, shall be signed by the appropriate parties prior to the issuance of a building permit. A signed copy of the acknowledgement shall also be printed in the building plan set.	✓
23.	Building Finishes and Materials. All new building finishes, colors, and materials shall match those of the existing residence. The material of the door shall be clearly identified on the building plan set.	✓

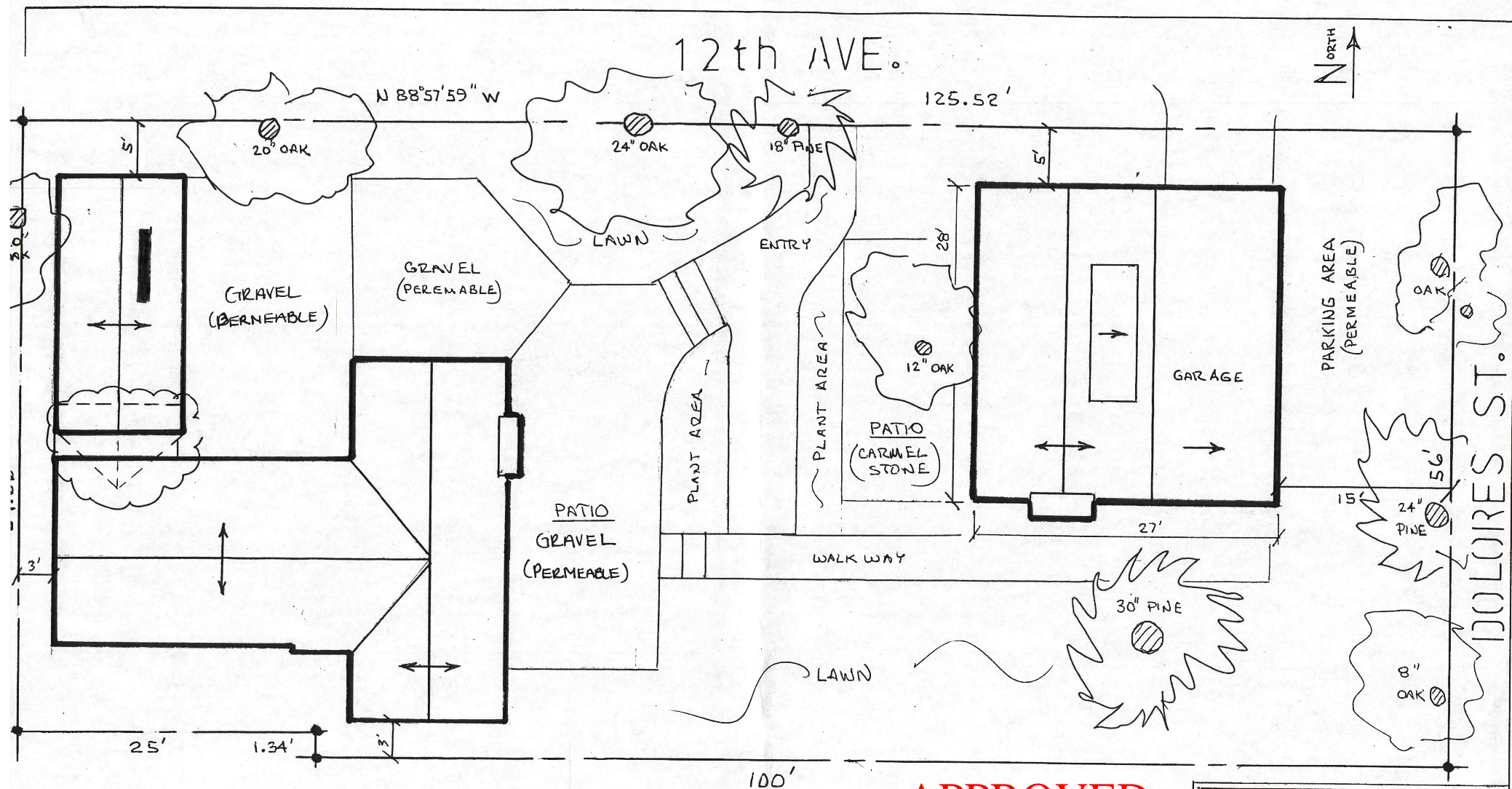
Acknowledgement and acceptance of conditions of approval:

Property Owner Signature

Printed Name

Date

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



APPROVED

SCOPE OF WORK :

08/28/2023

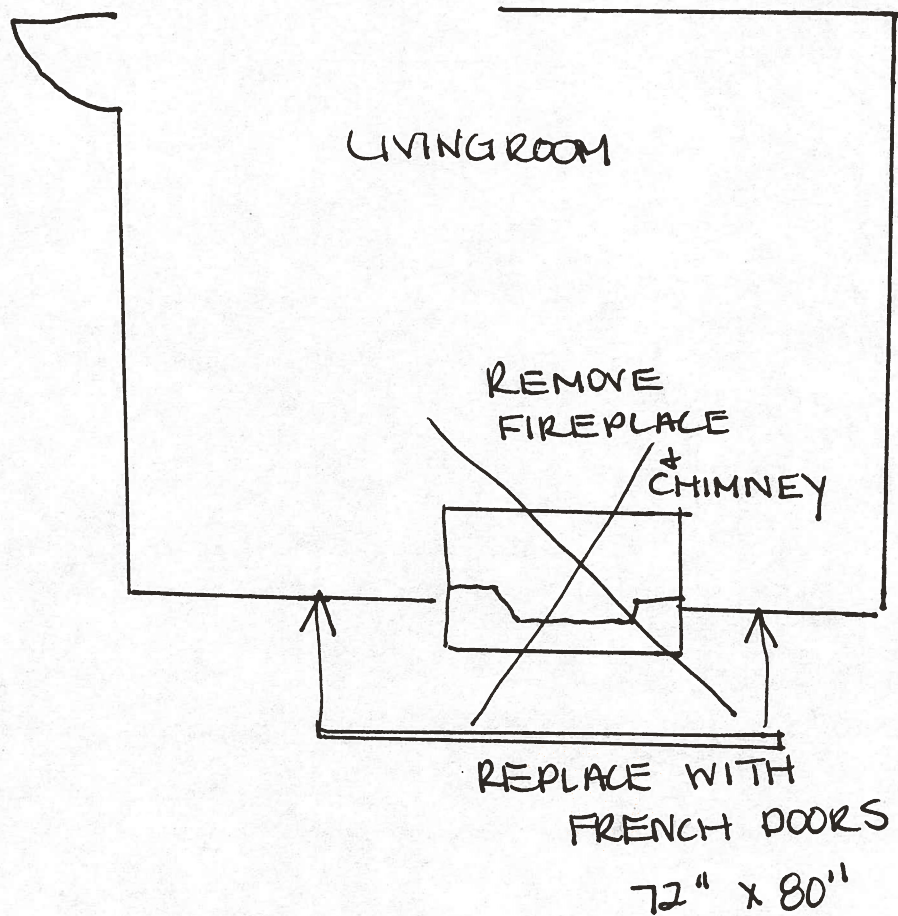
SCALE 1/4" = 1'-0"

City of Carmel-by-the-Sea
Planning & Building Dept.

AP# 010-171-01B
SW CORNER OF DOLORES & 12th
LOT 1 + Portions of Lot 2, 4
BLOCK 1 7098 SF
CARMEL-BY-THE-SEA, CA.

SITE PLAN

PAGE 2
OF 3



APPROVED

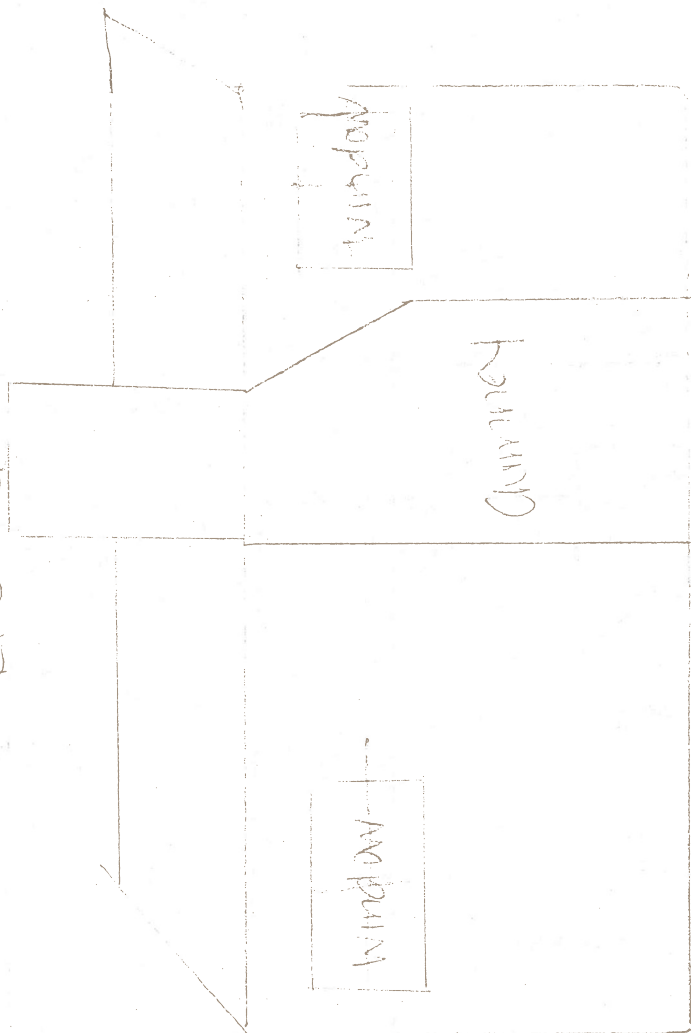
08/28/2023

City of Carmel-by-the-Sea
Planning & Building Dept.
AP # 010-171-018
SW corner of 12th + Dolores
Lot 1 and portions of
lots 2+4

SCOPE OF WORK: m - 2012

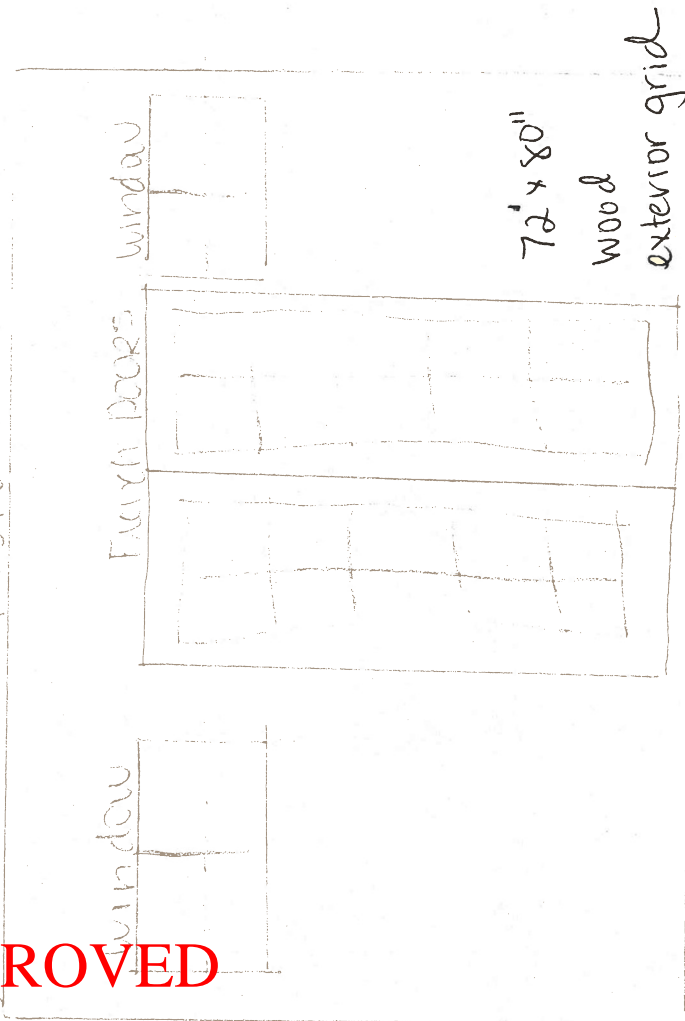
June 29
2023

EXISTING



REMOVE CHIMNEY
REPLACE WITH FRENCH DOORS

PROPOSED



APPROVED

08/28/2023

City of Carmel-by-the-Sea
Planning & Building Dept.