



## 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 23257

**Owner Name:** John Jackowski

**Case Planner:** Marnie R. Waffle, AICP, Principal Planner

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

**Date Approved:** 09/22/2023

**Project Location:** San Carlos 2 NW of Santa Lucia

**APN #:** 010165043000      **BLOCK/LOT:** 143/29

**Applicant:** Dan Tubridy, General Contractor

**Project Description:** This approval of Design Study application DS 23-257 (Jackowski) authorizes the creation of a new 9-foot wide unimproved driveway that connects to the edge of the street pavement within the public right of way and associated site modifications located at San Carlos Street 2 northwest of Santa Lucia Avenue in the Single-Family Residential (R-1) District as depicted in the plans stamped approved and on file in the Community Planning & Building Department 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.	<b>Authorization.</b> This approval of Design Study application DS 23-257 (Jackowski) authorizes the creation of a new 9-foot wide unimproved driveway that connects to the edge of the street pavement within the public right of way and associated site modifications located at San Carlos Street 2 northwest of Santa Lucia Avenue in the Single-Family Residential (R-1) District as depicted in the plans 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.
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.	<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 & 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.
7.	<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)
8.	<b>Conditions of Approval.</b> Prior to the issuance of an <b>Encroachment Permit</b> , the Applicant shall submit a signed copy of the conditions of approval to the Building Safety Division, which shall be attached to the Permit.
<b>Landscape Conditions</b>	
9.	<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.
10.	<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>	
11.	<b>Temporary Encroachment Permit Required.</b> Prior to commencing any work, the Applicant shall obtain a Temporary Encroachment Permit for driveways from the Building Safety Division.
12.	<b>Driveway in the Public Right of Way.</b> The maximum width of any driveway shall not exceed 14 feet as measured at the front property line or at any point between the front property line and its connection with the street pavement edge. A flare of a 30-inch radius shall be allowed at each side of the driveway at the street pavement edge connection. There shall be a short return of asphalt material at the street connection for transition of street to driveway. The length of this return shall be approved by the Director of Public Works.
13.	<b>Safety During Construction.</b> During the construction of any driveway or surfaced area, the owner of the property to be served shall maintain the area in a safe manner and shall provide adequate barricades and warning lights at his/her own expense to protect the safety of the public using the adjacent streets and/or sidewalks and shall hold the City and its employees harmless from any damages incurred by his/her operations.
14.	<b>Clean Up.</b> All debris and surplus materials shall be promptly removed during and upon completion of the work.
15.	<b>Final Inspection.</b> Before any driveway or surfaced area may be used, it shall be inspected and approved by the Director of Public Works and Director of Forest, Parks and Beach.

Acknowledgment and acceptance of conditions of approval:

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Property Owner Signature

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

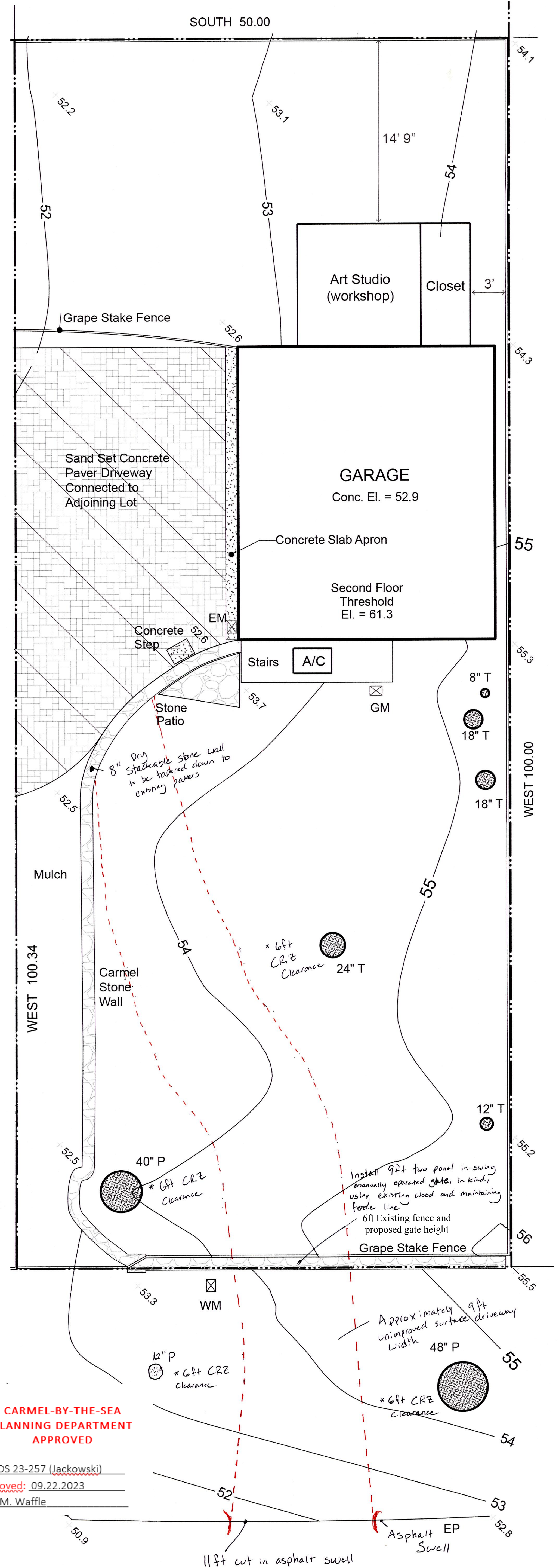
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Date



SOUTH 50.00



SOUTH 50.00



Text


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

Permit #: DS 23-257 (Jackowski)  
Date Approved: 09.22.2023  
Planner: M. Waffle



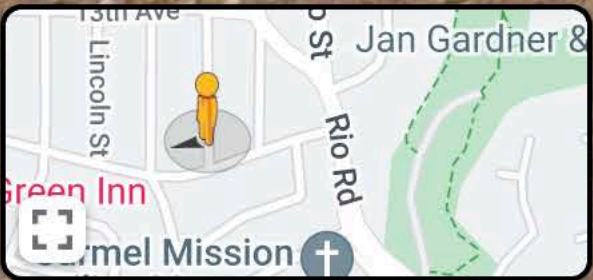
6023 San Carlos St

Carmel-By-The-Sea, California


 Google Street View

Aug 2023

See more dates






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