## 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 $7^{\text {th }}$ 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 24031
Owner Name: TIRRENO DANIEL L \& KRISTEN S
Case Planner: Alec Barton, Contract Planner

## Date Posted:

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## Date Approved:

Project Location: SE Corner of Perry Newberry \& 5th
APN \#: 009162026000 BLOCK/LOT: 3B/ALL LOT 4

## Applicant: BRADLEY GREEN

Project Description: REMODEL OF EXISTING SINGLE FAMILY RESIDENCE CONSISTING OF ADDITION TO SECOND SOTRY OF RESIDENCE RESULTING IN ADDITIONAL 46 SQ FT

Can this project be appealed to the Coastal Commission? Yes $\square$ No $\boxtimes$

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 application DS 24031 (Tirreno) finds the subject application <br> consistent with the findings and requirements of CMC 17.10.030, and authorizes the remodel of an <br> existing single-family residence, including a second-story addition of 31 square feet, at the southeast <br> corner of Perry Newberry Way and 5th Avenue in the Single-Family Residential (R-1) zoning district, as <br> depicted on plans dated March 22, 2024. |
| 2. | Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R- <br> 1 zoning district. All adopted building and fire codes shall be adhered to in preparing the working <br> drawings. If any codes or ordinances require design elements to be changed, or if any other changes are <br> requested when such plans are submitted, such changes may require additional environmental review <br> and subsequent approval by the Community Planning and Building Department, the Planning <br> Commission, and/or Historic Resources Board, as appropriate. |
| 3. | Permit Validity. In accordance with CMC Section 17.52.170 (Time Limits on Approvals and Denials), a <br> residential design study approval remains valid for a period of 12 months from the date of action. During <br> this time, the project must be implemented, or the approval becomes void. Implementation is effected <br> by erecting, installing, or beginning the installation of the improvement authorized by the permit, as <br> determined by the Director. Extensions to this approval may be granted consistent with CMC 17.52.170.C. |
| 4. | Modifications. The Applicant shall submit in writing, with revised plans, to the Community Planning and <br> Building staff any proposed changes to the approved project plans prior to incorporating those changes. <br> If the Applicant changes the project without first obtaining City approval, the Applicant will be required <br> 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 final inspection. |  |$|$

protection measures on the construction site.

- 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 to include 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 $4.5^{\prime}$ 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, hydrovac 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.
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.

10. 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 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.
11. Conditions of Approval. Prior to the issuance of a building permit, these signed Conditions of Approval shall be printed on a full-size sheet within the construction plan set submitted to the Building Division.

## Special Conditions

12. | Building Permit. The applicant shall obtain a Building Permit from the Planning and Building Department. |
| :---: | :---: | Conditions of Approval Acknowledgement. Prior to the issuance of a building permit revision, a completed Conditions of Approval Acknowledgment form shall be included in the construction drawings. The form shall be signed by the Property Owner, Applicant, and Contractor prior to the issuance of a building permit.
13. Gutters \& Downspouts. As applicable, prior to issuance of a building permit, the applicant shall submit a revised plan for review and approval by the Planning Division identifying the material and color of any proposed gutters and downspouts. Copper gutters and downspouts are prohibited due to environmental impacts on Carmel Bay.
14. Exterior Finishes. Exterior finish materials shall match existing materials. If alternative materials are intended for use, they shall be submitted to the Community Planning \& Building Department for review and approval prior to issuance of a building permit.
15. 

Removed Site Coverage. Unless otherwise expressly noted on the approved site plan, all areas where site coverage is proposed to be removed shall be replaced with woodchip or mulch. New or replacement improvements that would otherwise count as site coverage (gravel, decomposed granite, etc) shall not be authorized. All site coverage required to be removed shall be removed prior to final inspection. All new landscaping shall be installed prior to final inspection.

Acknowledgment and acceptance of conditions of approval:

Property Owner Signature

Applicant Signature

Printed Name
Date

Printed Name
Date













carmel-by-the-sea PLANNING DEPARTMENT APPRoved

Permit \#. DS 24031 (Tirreno)
ate Approved: April 8, 202
lanner: A. Barton


