

## CONDITIONS OF APPROVAL

No.	Standard Conditions
1.	<b>Authorization.</b> This approval of Design Study DS 25108 (Schneider) authorizes an inward-open wood grapestake driveway gate (3' to 4' tall and 10'3" wide) to match grapestake fence, at the property located at the SW Corner of Mission and 12th Avenue in the R-1 District, APN 010163001000, as depicted in the plans prepared by Dyar Architecture, dated 4/15/2025, stamped approved by Community Planning and Building Department on 05/21/2025 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 Planning Commission.
3.	<b>Permit Required.</b>  Incorporate the driveway gate into the BP 240435 and BP 240434 (Schneider) plan sets.
4.	<b>Permit Validity.</b> The project shall be implemented in accordance with the time limits set forth <a href="#">CMC 17.52.170 (Time Limits on Approvals and Denials)</a> . 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.
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 unavailable for this site, this approval shall be null and void. If installed, the property owner/applicant shall be required to remove the subject improvement(s) at the property owners expense.
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 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.
7.	<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.
8.	<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)

9.	<b>Conditions of Approval.</b> Prior to the issuance of a Building Permit or Notice of Authored Work, the Applicant shall print a copy of the signed Conditions of Approval within the construction plan set submitted to the Building Safety Division as part of the submittal for the Building Permit Application or Notice of Authorized Work.
10.	<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 or pruned with the approval of the City Forester or Forest and Beach Commission.
11.	<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 contractor/builder 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 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 roots from being damaged.</li> </ul> <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. <b>The Forester can be reached at 831-620-2073.</b></p>
12.	<b>Foundation Work Near 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, construction activity will be suspended and all work stopped until an investigation by the City Forester has been completed. The Forester can be reached at 831-620-2073.



## 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 25108

**Owner Name:** Tobin Schneider

**Case Planner:** Katherine Wallace, Associate Planner

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

**Date Approved:** 05/21/2025

**Project Location:** SW Corner of Mission and 12th Avenue

**APN #:** 010163001000      **BLOCK/LOT:** 138/ALL LOT 1 EXCEPT S. .90'

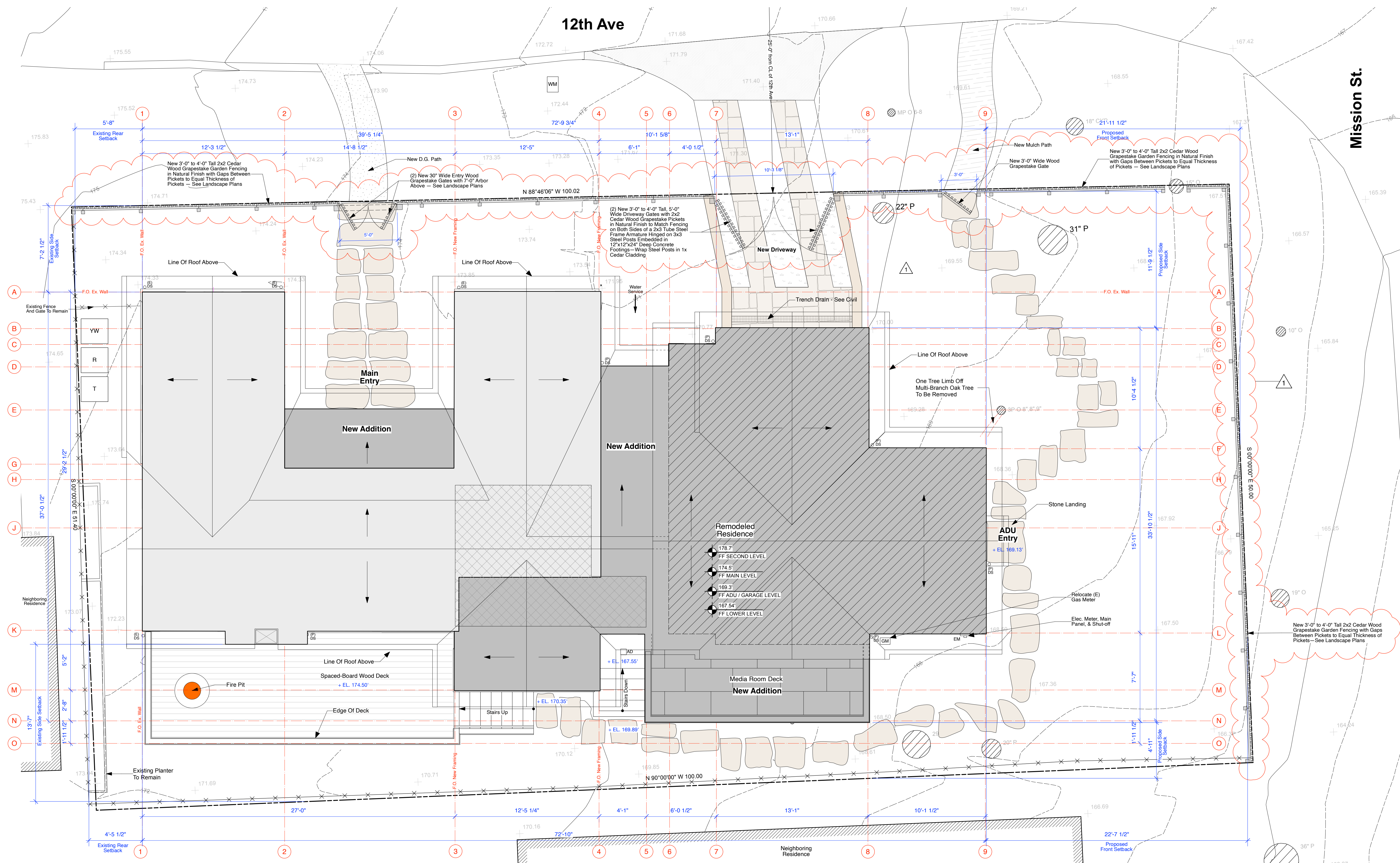
**Applicant:** Tobin M Schneider

**Project Description:** Inward-open wood grapestake driveway gate (3' to 4' tall and 10'3" wide) to match grapestake fence, as depicted on the plans prepared by Dyar Architecture, dated April 15, 2025

**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.*





Existing Fence Along 12th Avenue



Existing Fence Along 12th Avenue

**Site Plan**

Scale: 1/4" = 1'-0"

**NORTH**

0' 4' 8'

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

Permit #: DS 25108 (Schneider)  
Date Approved: 5/21/2025  
Planner: K. Wallace

**Tree Protection Measures**

1. Prior To Grading, Excavation, Or Construction, The Contractor Shall Clearly Tag Or Mark All Trees To Be Preserved.
2. Excavation Within 6 Feet Of A Tree Trunk Is Not Permitted.
3. No Attachments Or Wires Of Any Kind, Other Than Those Of A Protective Nature Shall Be Attached To Any Tree.
4. Per Municipal Code Chapter 17.48.110 No Material May Be Stored Within The Dripline Of A Protected Tree To Include The Tree Drip Lines Of Trees On Neighboring Parcels.
5. 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. 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 Taut 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 Fencing.
6. 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 Feet 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 Pneumatic Excavator, Hydrovac At Low Pressure, Or Other Method That Does Not Sever Roots.
8. 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.

**Legend**

- |  |   |  |                     |
|--|---|--|---------------------|
|  | Building Footprint  |  | New Stepping Stones |
|  | Area Of Existing Structure  |  | Existing Contour    |
|  | Main Level Floor Addition   |  | Proposed Contour    |
|  | Upper Level Floor Addition  |  | Gas Meter           |
|  | Existing Basement   |  | Water Meter         |
|  | New Stone Retaining Wall Or Site Wall                                 |  | Hose Bib            |
|  | New 2x2 Cedar Wood Grapestake Fencing 3' to 4' Tall in Natural Finish |  |                     |
- OWNER REVIEW SET  
Not For Construction**