

CONDITIONS OF APPROVAL		
No.	Standard Conditions	
1.	<p><b>Authorization.</b> This approval of Design Study (LD 21-259) authorizes the installation of new landscaping, a new front path, and a front patio on the site of a single-family residence located at the 4th House SE of 9<sup>th</sup> Avenue on Casanova Street.</p> <p>Alterations not expressly listed in this authorization are not permitted. The project shall be constructed as depicted in the plans prepared by INCA Landscape Management dated approved by Community Planning &amp; Building Department on July 8, 2024 unless modified by the conditions of approval contained herein.</p>	✓
2.	<p><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 review and subsequent approval by the Community Planning &amp; Building Director.</p>	✓
3.	<p><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.</p>	✓
4.	<p><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.</p>	✓
5.	<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>	✓
6.	<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.</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.	
7.	<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.	✓
8.	<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.	✓
9.	<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.	✓
10.	<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)	✓
11.	<b>Conditions of Approval.</b> This signed copy of the 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>		
12.	<p><b>Landscape Plan.</b> All new landscaping shall be shown on a landscape plan and shall be submitted to the Community Planning &amp; Building Department and to the City Forester prior to the issuance of a building permit. 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.</p>	✓
13.	<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>	✓
14.	<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. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.</p>	✓
15.	<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</li> </ul>	✓

	<p>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> </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.</p>	
<b>ENVIRONMENTAL COMPLIANCE CONDITIONS</b>		
16.	<b>Drainage Plan.</b> 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.	✓
17.	<b>BMP Tracking Form.</b> 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.	✓
18.	<b>Semi-Permeable Surfaces.</b> Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments cross-section details for semi-permeable surfaces.	✓
19.	<b>Erosion and Sediment Control Plan.</b> 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.	✓
<b>SPECIAL CONDITIONS</b>		
20.	<b>Landscape Installation.</b> All new landscaping shall be installed on-site prior to scheduling of final inspection.	✓
21.	<a href="#"><u>Conditions of Approval Acknowledgement</u></a> . Prior to the issuance of a building permit, a completed Conditions of Approval Acknowledgment form shall be signed by the Property Owner, Applicant, and Contractor and submitted to the Building Safety Division.	✓
22.	<b>Building Permit Revision Required.</b> Prior to commencing work on-site, the applicant shall apply for and obtain a building permit revision from the Community Planning & Building Department for the drainage work on site.	✓

Acknowledgement and acceptance of conditions of approval:

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

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

\_\_\_\_\_  
Date



## 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 #:** Landscape Plan Check/Inspection 21259

**Owner Name:** TAKIZAWA DOUGLAS HIDETATSU TR ET AL

**Case Planner:** Jacob Olander, Assistant Planner

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

**Date Approved:**

**Project Location:** 4th House SE of 9th on Casanova

**APN #:** 010186013000      **BLOCK/LOT:** D/ALL LOT 12

**Applicant:** Mario Callau

**Project Description:** This approval of Design Study (LD 21-259) authorizes the installation of new landscaping, a new front path, and a front patio on the site of a single-family residence located at the 4th House SE of 9th Avenue on Casanova Street. Alterations not expressly listed in this authorization are not permitted. The project shall be constructed as depicted in the plans prepared by INCA Landscape Management dated approved by Community Planning & Building Department on July 8, 2024 unless modified by the conditions of approval contained herein.

**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.*



