



## 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 22212

**Owner Name:** MURPHY DANIEL SCOTT ET AL

**Case Planner:** Katherine Wallace

**Date Posted:** 9/13/2022

**Date Approved:** 09/01/2022

**Project Location:** Camino Real 3 SE of Ocean Avenue

**APN #:** 010261011000      **BLOCK/LOT:** G/S 37' OF LOT 8

**Applicant:** SAME AS OWNER

**Project Description:** drought tolerant and native plants in the public right-of-way fronting Camino Real 3 SE of Ocean Avenue in the Single-Family Residential (R-1) District as depicted in the plan received July 14, 2022, and revised September 1, 2022, unless modified by the conditions of approval. This approval does not authorize logs, timbers, boards, or rocks in the public right-of-way.

**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 Landscape Plan Check (LD 22-212) authorizes drought tolerant and native plants in the public right-of-way fronting Camino Real 3 SE of Ocean Avenue in the Single-Family Residential (R-1) District as depicted in the plan received July 14, 2022, and revised September 1, 2022, unless modified by the conditions of approval contained herein. This approval does not authorize logs, timbers, boards, or rocks in the public right-of-way.	✓
2.	<b>Codes and Ordinances.</b> The project shall be completed in conformance with all requirements of the R-1 zoning district.	✓
3.	<b>Permit Validity.</b> This approval shall be valid for a period of one year from the date of action.	✓
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 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 City Forester 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.	✓
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 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.	✓
6.	<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)	✓

<b>Standard Landscape Conditions</b>		
7.	<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 <u>prior to the issuance of Notice of Authorized Work</u>. 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>	✓
8.	<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>	✓
9.	<p><b>Significant Trees.</b> 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 permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Six inch-deep (6”) mulch shall be evenly spread across the dripline of all trees.</p>	✓
10.	<p><b>Tree Protection Measures.</b> Requirements for tree preservation shall adhere to the following tree protection measures.</p> <ul style="list-style-type: none"> <li>● Prior to grading, excavation, or construction, 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 to include 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. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. 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.</li> <li>● The Structural Root Zone -- Structural Root Zone shall be 6 feet from the</li> </ul>	✓



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

Permit #: LD 22-177 (Murphy)

Date Approved: 09/01/2022

Forester: Sara Davis

Planner: Katherine Wallace

APN 010-261-011  
CAMINO REAL 3 SE OCEAN

