



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 7th 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 23346

Owner Name: BURCH SEAN TR

Case Planner: Evan Kort, Associate Planner

Date Posted: _____

Date Approved: 02/27/2024

Project Location: NE Corner 5th Ave And Santa Rita

APN #: 010036008000 **BLOCK/LOT:** /

Applicant: Sean Burch

Project Description: Approval of this Design Study/Landscape Plan authorizes the installation of new landscaping within the City right-of-way at the northeast corner of Santa Rita Street and 5th Avenue. All landscaping shall be installed in accordance with the approved landscape plan dated approved on February 27, 2024 on file in the Community Planning & Building Department unless modified by the conditions of approval 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.



DESIGN STUDY/LANDSCAPE PLAN APPROVAL
LD 23-346 (Burch)
NEC Santa Rita and 5th
APN: 010-036-008

AUTHORIZATION:

Approval of this Design Study/Landscape Plan authorizes the installation of new landscaping within the City right-of-way at the northeast corner of Santa Rita Street and 5th Avenue. All landscaping shall be installed in accordance with the approved landscape plan dated approved on February 27, 2024 on file in the Community Planning & Building Department unless modified by the conditions of approval herein.

STANDARD CONDITIONS:

- ☒ **Notice of Authorized Work.** A building permit is not required for landscape installation; however, the applicant shall obtain a Notice of Authorized work form after the 10-day posting period. The Notice of Authorized Work shall be obtained by uploading a complete "[Scope of Work Declaration](#)" to the City's [Online Permit Portal](#). There shall be no fee for the review or issuance of the Notice of Authorized Work.
- ☒ **Signed and Printed Conditions.** A signed copy of these Conditions of Approval shall be returned to the Community Planning and Building Department prior to the issuance of a Notice of Authorized Work. See condition above (Notice of Authorized Work).
- ☒ **Encroachments.** This approval does not authorize the installation of any encroachments in the right-of-way aside from the approved landscaping authorized within this approval. Stone steps, pavers, or similar encroachments shall not be permitted, or if installed, shall be removed prior to final inspection.
- ☒ **Irrigation.** No irrigation system is authorized under this approval.
- ☒ **Modifications.** 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.
- ☒ **Final Inspection.** The applicant shall contact the City Forester for a final inspection upon completion of the installation of the landscaping to review consistency with the approved landscape plan. (831)620-2073.
- ☒ **811 Ticket Number.** Prior to issuance of the Notice of Authorized Work form, 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)

- ☒ **Clearance From Trees.** During construction, no dirt or construction materials or equipment may be placed within 6 feet of the base of any tree.
- ☒ **Tree Roots.** 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 be reached at (831) 620-2073.
- ☒ **Indemnification Statement.** The applicant agrees, at the applicant's 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.

SPECIAL CONDITIONS OF APPROVAL

- ☒ **Tree Removal/Pruning.** The approval does not authorize the removal or pruning of any tree located within the city right-of-way regardless of its size. Pruning or removal of a city tree shall only be carried out upon approval of a tree removal/pruning permit approved by the city forester. Prior to the issuance of a Notice of Authorize Work, the applicant shall revise the scope of work/project plans, as appropriate, to indicate no tree removal or pruning shall occur.
- ☒ **Erosion Control in the Right-of-Way.** The applicant shall install jute netting planted with a drought tolerant ground cover to manage erosion control in the public right-of-way. The jute netting shall be installed in all areas where previous existing ground cover or landscaping has been removed, modified, or altered to accommodate the proposed landscaping. Prior to the issuance of a Notice of Authorize Work, the applicant shall revise the scope of work/project plans, as appropriate, to indicate jute netting shall be installed to manage erosion control from removed or modified landscaping.

*Acknowledgement and acceptance of conditions of approval.

Property Owner Signature

Printed Name

Date

Once signed, please email to ekort@ci.carmel.ca.us.

APPROVED

02/27/2024

City of Carmel-by-the-Sea
Planning & Building Dept.

PUBLIC STREET SANTA RITA AVE.

SITE PLAN



NOTE:

EXISTING SITE PLAN AND TO BE EXISTING AND REMAINING ON
THE PROPERTY. THE EXISTING SITE PLAN IS A REPRODUCTION OF
A SITE PLAN DATED 11-01-23 AND IS NOT A PROFESSIONAL
DRAWING. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
DO NOT SCALE. UNDER PERMIT NO. 24-198.

Remove existing ivy
Remove woody dead plants
Remove less 4" diameter oak
under and near power lines/poles

x- 75 1 gal Ceanothus "Carmel Creeper"
O- 19 1 gal Polystichum munitum
Y- 11 5 gal Ceanothus Yankee

PUBLIC STREET 5TH AVE.

DATE: 11-01-23
SCALE: 3/4"=1'0"

BURCH RESIDENCE
N.E. CORNER 5th AVE & SANTA RITA ST.
CARMEL BY THE SEA, CA
APN 010-036-008

PO Box 733
Carmel, Ca 93921
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