

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: May 11, 2006	Agenda Item:
Project Description: Use Permit (PLN060047 SELFRIDGE) to allow the construction of a 3,240 sq. ft. pre-manufactured horse barn within 100 ft. of the Carmel Valley Floodway Fringe, on a 4.87 acre parcel; and Design Approval.	
Project Location: 28000 Selfridge Lane, Carmel Valley	APN: 169-121-017-000
Planning Number: PLN060047	Name: Selfridge Farm LLC
Plan Area: Carmel Valley Master Plan	Flagged and staked: Yes
Zoning Designation: LDR/2.5-D-S (Low Density Residential, 2.5 Acres Per Unit, Design Control and Site Plan District)	
CEQA Action: Exempt per Section 15303(a) of the CEQA Guidelines	
Department: Planning and Building Inspection	

RECOMMENDATION:

Approve the project based on Findings and Evidence (**Exhibit “B”**) and subject to proposed conditions (**Exhibit “C”**).

OVERVIEW OF PROPOSED ACTION:

The application is for a Use Permit for a 3,240 sq. ft. pre-manufactured horse barn within 100 ft. of the Carmel Valley Floodway Fringe, on a 4.87 acre parcel. Section 21.64.130(D)(2) of Title 21 (Monterey County Zoning Ordinance) allows development in the floodway fringe provided that all structures including related utilities shall be so located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

Development in the Carmel Valley Flood Plain

Environmental Health and Water Resources have reviewed the project and appropriate conditions and requirements are included for the structure, utilities, drainage and on-site waste disposal system. The project is a partially open sided pole barn to be used as a stable for horses and is not an habitable structure.

Visual Impact

The site was flagged and staked and staff determined that the proposed development would not create an adverse visual impact as viewed from the nearest public road, nor is it a ridgeline development. The parcel is adjacent to Carmel Valley Road, at a low elevation below the road. The proposed structure is set back approximately 200 feet from the road. It is a one-story, small scale structure with a proposed height of 15 feet 9 inches. A 30 foot height maximum is allowed for a barn in the LDR district. The roof and siding color is a neutral color (taupe) and will blend in with the natural environment.

CEQA:

The project is exempt from CEQA pursuant to Section 15303, Class 3(a) and no potential significant environmental impacts will result from the project. Section 15303, Class 3(a) exempts small facilities or structures; installation of equipment or facilities in small structures including one-single family residence in a residential zone. (See Finding No. 3 and the supporting evidence). The site is in a designated high archaeological zone. An archaeology report was required and it concluded that there is no surface evidence of potentially significant resources.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Carmel Valley Fire Department

All the above agencies have reviewed this project and recommend conditions are included in Exhibit C.

Note: The decision on this project is appealable to the Planning Commission.

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cc: Zoning Administrator; Owner/Applicant; Planner; File

Attachments: Exhibit "A" Project Data Sheet
Exhibit "B" Recommended Findings and Evidence
Exhibit "C" Conditions of Approval
Exhibit "D" Vicinity Map/ APN Map
Exhibit "E" Project Plans and Photos

This report reviewed by Taven Kinison Brown, Senior Planner.

Exhibit A

EXHIBIT "B"

RECOMMENDED FINDINGS AND EVIDENCE

- 1. FINDING: CONSISTENCY** - The project, as conditioned, is consistent with applicable plans and policies, the Carmel Valley Land Use Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development. Specifically, the proposed addition complies with all applicable requirements of Section 21.64.130.

EVIDENCE: (a) Staff has reviewed the project as contained in the application and accompanying materials for consistency and conformity with the Carmel Valley Land Area Plan and the Monterey County Zoning Ordinance (Title 21) and has determined that the project is consistent, and conforms with, said Area Plan and Ordinance. Staff notes are provided in Project File PLN060047.

(b) Project planner conducted an on-site inspection on 2/10/06 to verify that the project on the subject parcel conforms to the plans listed above.

(c) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN060047.
- 2. FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Environmental Health, Water Resources, and the Carmel Valley Fire Protection District. Recommended conditions have been incorporated.

(b) Staff conducted an on-site visit on 2/10/06 to verify that the site is suitable for this use.

(c) Necessary public facilities are available and will be provided.
- 3. FINDING: CEQA** - The project is exempt from environmental review.

EVIDENCE: (a) The project is exempt from CEQA pursuant to Section 15303 Class 3(a) and no potential significant environmental impacts will result from the project. Section 15303, Class 3(a) exempts small facilities or structures; installation of equipment or facilities in small structures including one-single family residence in a residential zone.

(b) No adverse environmental effects were identified during staff review of the development application or during a site visit.

(c) The development is in an already disturbed area with existing residences, horse corrals and facilities. There are no unusual circumstances related to the project or property.

(d) The site is in a designated high archaeological zone and an archaeology report was required and it concluded that there is no surface evidence of potentially significant resources.

(e) Although sensitive or protected species are listed in the Monterey County GIS CNDDDB database on the 5.87 acre parcel, no species was listed near the proposed barn site.

- 4. FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement cost, if any, have been paid.
- EVIDENCE:** (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.
- 5. FINDING: CARMEL VALLEY FLOODWAY** - Per Section 21.64.130.D.3 of Title 21 (Monterey County Zoning Ordinance) structural repairs and alterations to existing structures may be permitted in the floodway or floodway fringe subject to obtaining a Use Permit. Section 21.64.130(D)(2) of Title 21 (Monterey County Zoning Ordinance) allows development in the floodway fringe provided that all structures including related utilities shall be so located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. The subject property is in compliance with Section 21.64.130.D.3 of Title 21 (Monterey County Zoning Ordinance.)
- EVIDENCE:** Environmental Health and Water Resources have reviewed the project and appropriate conditions and requirements are included for the structure and utilities, drainage and waste. The project is a partially open sided pole barn to be used as a stable for horses and is not an habitable structure. The elevation of the structure is required to be at least one foot above the 100-year flood plain.
- EVIDENCE:** The proceeding Findings and Evidence.
- 6. FINDING: VISUAL SENSITIVITY**- The development, as approved and conditioned, will not create a substantially adverse visual impact when viewed from a common public viewing area.
- EVIDENCE:** Staff has reviewed the project as contained in the application and accompanying materials for consistency with Section 21.46 (Visual Sensitivity District). The site was flagged and staked and staff determined that it will not create a substantially adverse visual impact as viewed from the nearest public road, nor is it a ridgeline development. The parcel is adjacent to Carmel Valley Road, but is at a low elevation well below the road and the proposed structure is approximately 300 feet from the road. It is a one-story, small scale structure with a height to 15 feet 9 inches where 30 feet height is allowed for a barn. The roof and siding color is a neutral color (taupe) and will blend in with the natural environment. Staff notes and photos are provided in Project File PLN060047.
- 7. FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will, under the circumstances of this particular case, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** (a) Preceding findings and supporting evidence.

8. FINDING: APPEALABILITY - The decision on this project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040(B) of the Monterey County Zoning Ordinance (Title 21).

Exhibit C Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Selfridge Farm, LLC File No: PLN060047 Approval by: Zoning Administrator	APN: 169-121-017-000 Date: May 11, 2006
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		PBD029 - SPECIFIC USES ONLY This Use Permit for a 3,240 sq. ft. pre-manufactured horse barn within 100 ft. of the Carmel Valley Floodway Fringe, on a 4.87 acre parcel. The property is located at 28000 Selfridge Lane, Carmel Valley (Assessor's Parcel Number 169-121-017-000), Carmel Valley Master Plan Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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2.		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A Use permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 169-121-017-000 on May 11, 2006. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department. Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use	
3.		<p>PBD026 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Preliminary Archaeological Reconnaissance" report has been prepared for this parcel by Archaeological Consulting, dated December 14, 2005, and is on record in the Monterey County Planning and Building Inspection Department (Library No. LIB060102). All development shall be in accordance with this report." (Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits	

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4.		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)</p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	
5.		<p>PBD021 – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)</p>	<p>Submit two copies of the lighting plans to PBI for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of building permits</p>	

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6.		PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)	None	Owner/ Applicant	Ongoing	
7.		WR3 - DRAINAGE PLAN - RETENTION The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ engineer	Prior to issuance of grading or building permits	
8.		WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of grading or building permits	
9.		WR14 - CONCRETE SLAB INSPECTION The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on building under construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the foundation pre-pour inspection	

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10.		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
11.		WR16 - ELEVATION CERTIFICATE The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, completed by a registered civil engineer or licensed surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on finished construction, and completed by the engineer or surveyor, to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer/ Surveyor	Prior to final inspection	
12.		ZONE A1-A30 ELEVATION REQUIREMENTS The lowest floor and attendant utilities shall be constructed at least 139.2 feet above mean sea level (NGVD 1929). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the flood proofing and certification of the lowest floor elevation. (Water Resources Agency)	Submit a letter to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	WRA
13.		EHSP01 – NON-STANDARD Provide a Manure Management Plan to the Division of Environmental Health for review and approval. The Manure Management Plan shall address the number of horses that will be contained on the property, volume of waste generated, method and time frame of continual disposal off-site, and necessary controls for vector, odor and waste run-off. (Environmental Health)	Submit two copies of the plan to the Division of Environmental Health for review and approval.	Owner/ Applicant/ Operator	Prior to issuance of building permit.	

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14.		EHSP01 – NON-STANDARD The applicant shall manage the manure waste product generated by the horse boarding facility in conformance with the Manure Management Plan that has been reviewed and approved by the Division of Environmental Health. (Environmental Health)	Comply with the plan approved by the Division of Environmental Health.	Owner/ Applicant/ Operator	Continuous condition.	
15.		EHSP01 – NON-STANDARD Applicant shall operate the facility in a manner consistent with public health and safety requirements. The horse boarding facility shall be managed in a manner that does not create a public health nuisance. (Environmental Health)	Applicant shall operate the facility in a manner consistent with public health and safety requirements.	Owner/ Applicant/ Operator	Continuous condition.	
16.		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. (Carmel Valley Fire Department)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
17.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire Department)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant/ Owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant/ owner	Prior to final building inspection	

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18.		<p>FIRE011 – (NONSTANDARD) - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, including the barn, except accessory buildings, shall have its own permanently posted address (for instance as Building A, Building B, etc.). When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Department)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	

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19.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Department)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
20.		FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire Department)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
21.		FIRE - NON-STANDARD – FIRE EXTINGUISHERS (CARMEL VALLEY FPD) At least three fire extinguishers with a classification of 2-A:20-B:C must be mounted on approved brackets throughout the barn; the maximum spacing can not exceed 75 feet between each fire extinguisher. (Carmel Valley Fire Department)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	