

## *Policy Regulating Exemption of Shade Cloth Structures*

City of Walnut Creek Municipal Code Section 9-0.5.301(b)(1)(k) provides the following exemption from permits:

Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

The City of Walnut Creek's Building Division will not require a building permit for shade cloth structures provided all of the following conditions are met:

1. The shade cloth structure must be located a sufficient distance from other existing or new structures in such a manner so as not to impact the overall area or location-on-property issues of the existing or new buildings. The shade cloth structure must meet all location on property and area limitations relative to assumed property lines that are used to separate the existing buildings from the shade cloth structure. In other words, to be exempted, the structure must be a stand-alone structure and must not impact the fire and life safety aspects of adjacent buildings. The shade cloth structure must, on its own, meet location on property and area limitations relative to both real property lines and imaginary lines between buildings (to create fire separation distance).
2. The "shade cloth" proposed shall be an open cloth system which has the property that it will not catch water and that it will allow smoke and gases originating from under the cloth to ventilate readily. The cloth used shall be a fabric made by weaving, knitting, netting or compressing filaments.
3. The shade cloth structure shall not contain or support any electrical, mechanical or plumbing systems.
4. Approval from Planning Division for all zoning and design review shall first be obtained.
5. Approval from Current Engineering for any site development work shall first be obtained.
6. Approval from the Fire Department shall first be obtained.
7. Although no building permit will be required, the structure must still meet all building code requirements, such as structural design for wind and seismic loads, handicap access, and exiting requirements.