

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: AG-01 (Shade and Hoop Structures)
Effective Date: 01/01/03
Originally Issued: 12/06/95 (Daniel K. Shaw, Shade and Hoop Structures)

Question

When are shade and hoop structures, either individually or collectively, subject to the greenhouse regulations?

Applicable Ordinance Section(s)

§12.10.070(b)11

§13.10.636

§13.10.700-S

INTERPRETATION:

A shade or hoop structure is subject to the greenhouse regulations if it does not satisfy the criteria in Subsection 12.10.070(b)11, i.e., it must be “less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no associated electrical, plumbing, or mechanical equipment.”

Reason

Unlike permanent greenhouses, these structures are often temporary, easy to erect and dismantle, and do not have any associated electricity or plumbing. Chapter 13 of the County Code has no provision for or definition of an “agricultural shade or hoop structure.” While the Code does provide regulations for greenhouses, greenhouses are not specifically defined. This begs the question – when are shade and hoop structures, either individually or collectively, subject to the greenhouse regulations? If they are not subject to the greenhouse regulations, what restrictions (if any) apply? Section 13.10.7---S of the County Code does provide a general definition of “Structure,” which is “anything constructed or erected which requires a location on the ground.”

County Code Subsection 12.10.070(b) exempts “agriculture shade structures” from the requirement for a building permit if the structure is “less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no associated electrical, plumbing, or mechanical equipment.” A shade or hoop structure must satisfy the criteria in Section 12.10 or it will be considered a greenhouse and subject to all applicable greenhouse regulations. **Note:** *shade and hoop structures not subject to the greenhouse regulations are still structures and as such are subject to all applicable non-greenhouse site regulations, use regulations, coastal zone regulations, and environmental protection regulations contained in the Zoning Ordinance.*

Alvin James, Planning Director