



### TENT PERMIT APPLICATION

UNDER THE PROVISIONS OF CHAPTER 1, SECTION 105.3 OF THE CALIFORNIA BUILDING CODE, that a permit be issued for the erection, use or maintenance of a tent on the property described below:

ADDRESS AND GENERAL LOCATION: \_\_\_\_\_

OWNER OF PROPERTY: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

EVENT OR ORGANIZATION: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

TENT TO BE ERECTED BY: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

PURPOSE OF TENT: \_\_\_\_\_

TENT TO BE USED FROM: \_\_\_\_\_ TO: \_\_\_\_\_

THE FOLLOWING ITEMS ARE NECESSARY FOR AN APPLICATION TO BE ACCEPTED AND PROCESSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, BUILDING AND SAFETY SERVICES DIVISION THROUGH THE FAASTER APP: <https://lmsaca.fresno.gov/citizenAccess/>

- A. Before issuance of permit, a zone clearance must be obtained from the Planning department through FAASTER (See Policy C-0008) Pages 5-8
- B. A copy of a fully dimensioned plot plan for the site showing the size and use of the tent, distances to other structures, property lines, and location of available parking, to include location of accessible parking.
- C. A copy of a fully dimensioned floor plan of the tent showing the size and location of exits, seating arrangement, aisle spacing, anchoring details and fire extinguisher locations. You must have a 20' setback to parking.
- D. Fire retardant Certificate for Tent/Canopy fabric material. Also please see list of Fresno Fire Department requirements, Pages 3-4.
- E. Payment of permit and inspection fee of \$138 payable to the City of Fresno. This fee does not include any necessary permit fees such as electrical, plumbing, mechanical, business license and others.

**DECLARATION:** I, \_\_\_\_\_, declare that I am the owner or the authorized representative for the owner, of part or all of the property involved in this application, and that the statements made, therein and in any attached documents are in all respects true and correct. I declare, under penalty of perjury, that the foregoing is true and correct. I have read the attached Conditions of Use of this application on this \_\_\_\_\_ day \_\_\_\_\_ month \_\_\_\_\_ year, in the City of Fresno.

Applicant Name (PLEASE PRINT) \_\_\_\_\_

Applicant Signature \_\_\_\_\_

**For Department Use Only Below This Line**

HTE Application No. \_\_\_\_\_

Permit Issued by: \_\_\_\_\_

Date: \_\_\_\_\_

Initial Approval:

PLANNING: \_\_\_\_\_ DATE: \_\_\_\_\_

FIRE PREVENTION: \_\_\_\_\_ DATE: \_\_\_\_\_

BUILDING: \_\_\_\_\_ DATE: \_\_\_\_\_

PUBLIC WORKS: \_\_\_\_\_ DATE: \_\_\_\_\_

ELECTRICAL: \_\_\_\_\_ DATE: \_\_\_\_\_

COUNTY HEALTH: \_\_\_\_\_ DATE: \_\_\_\_\_

PLUMBING: \_\_\_\_\_ DATE: \_\_\_\_\_

## **TENT PERMIT CONDITIONS OF USE**

1. A tent is any structure cover or enclosure constructed of canvas or other resistible fabric or similar material.
2. Duration: The permit shall specify the number of days the tent shall remain provided, however, that no permit shall authorize erection and maintenance of any tent at any location for more than thirty consecutive days. Any tent authorized under this section shall be promptly dismantled and removed when the permit expires.
3. Flame Proofing: Any canvas or other fabric used in tent shall be flame proofed in accordance with the State Fire Marshall's Code.
4. Standards: Any tent in or under which ten or more persons may gather for any purpose shall be subject to the requirements of Chapter 31 of the 2019 California Fire Code. All other tents shall be subject to the requirements of the Planning and Development Department Tent Policy.
5. Electrical Equipment: All electrical wiring and other electrical equipment shall meet the requirements of the 2019 California Electrical Code and an electrical permit shall be obtained for installation.
6. Zoning Ordinance: No permit shall be issued for any use contrary to the provisions of Chapter 12 of the Fresno Municipal Code.
7. Sanitary Facilities: Toilet and other sanitary facilities shall be provided as required by the Fresno County Health Officer or the Plumbing Section of the Development Department.
8. Inspection: No person shall use or occupy or permit the use or occupancy of a tent regulated by this section for any purpose until said tent has been inspected and approved for use by the Building and Safety Services Division. Prior to final approval for the use by Building and Safety, approval from the Fire Prevention Bureau that the tent is in compliance with all Fire Code Standards, and the Fresno County Health Department that all sanitary facilities have been provided.
9. Animals: Animals utilized in conjunction with or displayed in tents permitted under these regulations shall be maintained off pedestrian malls and public property other than in locations approved by the Director.
10. House Trailers: House trailers associated with tent shows permitted herein shall at all times be maintained off pedestrian malls and public property other than in locations approved by the Director.
11. House Trailers shall not discharge any waste except in approved receptors.

## **BUILDING REQUIREMENTS FOR TENTS**

1. Please provide:
  - a. Dimensions of tent on plans
  - b. Dimension separation from building
  - c. Dimensions from property lines
2. Please add note tent shall not encroach on accessible parking and Tent shall be accessed by an accessible route.
3. Provide vertical access (ramp, lift) to any raised areas with multiple potential users (i.e. not required for a designated user such as a band)
4. Parking shall not be allowed within 20ft from tent.
5. Tent hold downs (tiebacks or deadmen) shall be identified on plans. Dead men shall be sufficient dead load to secure tent during wind events as per CBC 2019, ASCE 7-16
6. Call for building inspection 559-621-8116 after tent is constructed and items addressed. Please provide this comment list to the building inspector.)

A temporary use permit application is required to be submitted to the planning department for review and approval. During the Covid-19 emergency all temporary use permit applications are suspended until further notice.

## **TENT, CANOPIES, MEMBRANE STRUCTURES FFD REQUIREMENTS**

Tents or membrane structures and their appurtenances shall be designed and installed to withstand the elements of weather and prevent collapsing. 2019 CFC, Section 3103.9.

All tent fabrics shall be flame resistant in accordance appropriate standards set forth in California Code of Regulations, Title 19, Division I, Chapter 8. Tent tops and sidewalls shall be made either from fabric which has been flame resistant treated by an approved exterior chemical process by an approved application concern, or from inherently flame-resistant fabric approved and listed by the State Fire Marshal. CCR, Title 19, Division 1, §315.(a)

Membrane structures, tents or canopies shall have a permanently affixed label bearing the identification size and fabric or material type. 2019 CFC, Section 3104.3.

Exits shall be clearly marked. Exit signs shall be installed at required exit doorways and where otherwise necessary to indicate clearly the direction of egress where the exit serves an occupant load of 50 or more. 2019 CFC, Section 3103.12.6.

Means of egress shall be illuminated with light having an intensity of not less than 1 foot-candle at the floor level while the structure is occupied. Fixtures required for means of egress illumination shall be supplied from a separate circuit of source of power. 2019 CFC, Section 3103.12.7.

The required width of exits, aisles and passageways shall be maintained at all times to a public way. Guy wires, ropes and other support members shall not cross a means of egress at a height of less than 8 feet. 2019 CFC, Section 3103.12.8

Hay, straw, trash and other similar flammable material shall be stored more than 50 feet from any tent. CCR, Title 19, Division 1, Section 315(b), 2019 CFC, Section 3107.2.

Trash shall be removed daily.

No open flames within or adjacent to tent.

No flammable or combustible liquids (or vehicle fueling) within 100 feet of the tent. Smoking shall not be permitted in tents or membrane structures. Approved "No Smoking" signed shall be conspicuously posted in accordance with CFC, Section 310. 2019 CFC, Section 3107.3 and 310.

One minimum Class 2A fire extinguisher shall be provided in every tent having a floor area between 500 sq. feet and 1,000 sq. feet, plus one 2A fire extinguisher in each auxiliary adjacent tent. One additional extinguisher shall be provided for each additional 2,000 sq. feet or fraction thereof. CCR, Title 19, Division 1, Chapter 2, Article 3, Section 319

At least one minimum Class 10B:C fire extinguisher shall be provided with each generator or transformer. CCR, Title 19, Division 1, Chapter 2, Article 3, Section 319.

At least one minimum Class 10B:C fire extinguisher shall be provided in kitchen, dining areas, and at locations where flammable or combustible liquids or flammable gases are used, stored, or dispensed. 2019 CFC, Section 3107.9 and CCR, Title 19, Division 1, Chapter 2, Article 3, Section 319.

Tent or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents or membrane structures, parked vehicles or internal combustion engines. 2019 CFC 3103.8.2.

Show location of parking stalls on scaled drawing.

Label parking stalls within 20 feet of tent with "No Parking" on plans and provide a means to block off parking.



**Emergency Ordinance  
Regarding Outdoor Dining  
During the COVID-19 Pandemic  
Emergency  
(pursuant to Section 2-515 of the  
Fresno Municipal Code)**

Planning and Development Department  
2600 Fresno Street, 3<sup>rd</sup> Floor, Rm 3076  
Call (559) 621-8277 for an appointment or visit [www.fresno.gov](http://www.fresno.gov) for  
information

Policy and Procedure No.

**C-008**

Date:

July 7, 2020

**Target Audience:**

Planning staff and the general public.

**Purpose:**

On May 21, 2020, the Council of the City of Fresno adopted emergency Ordinance No. 2020-020 adding Section 2-515 to the Fresno Municipal Code (FMC) to assist restaurant businesses which have been limited to take out only, and which will likely be unable to operate at full capacity within indoor premises for an extended period of time, to temporarily utilize Outdoor Dining in order to accommodate and retain patronage while ensuring compliance with CDC recommendations for distancing and provide protections to the public to reduce spread of the virus.

**This Policy outlines the City of Fresno Planning and Development Department, Development Services (Planning) Division procedures for purposes of processing and expediting Zone Clearance applications specific to Outdoor Dining in common areas and parking lots of shopping centers during the Covid-19 pandemic emergency and until expiration/repeal of Section 2-515 of the FMC.**

- \* *Outdoor dining proposed on City property is permitted with permission of the City Manager.*
- \* *The provisions of the emergency ordinance and Section 2-515 et seq. do not apply to use of public rights-of-way.*

**Policy:**

**Application Required:**

When outdoor dining is proposed pursuant to the provisions of §2-515 of the FMC, a **Zone Clearance** shall be processed in accordance with Chapter 15, Article 51 of the Fresno Municipal Code (FMC).

**Standards and Regulations:**

- Pursuant to §2-515(a) of the FMC, Outdoor Dining may include consumption of alcohol (with an existing alcohol sales license) so long as it is combined with consumption of food and in compliance with California Alcoholic Beverage Control (ABC) Requirements.
- Outdoor dining shall be provided in accordance with the following requirements of §2-515(b) of the FMC:
  - Proper social distancing shall be maintained with dining areas demarcated with tape or barriers;
  - Excess seating shall be removed when feasible, or blocked off if the seating or tables are permanently affixed;
  - For parking lots, every other parking stall may be used;
    - Parking stalls between those stalls which are used for tables shall remain

vacant.

- No disabled person parking stalls may be used.
  - Businesses shall follow any additional State and County requirements in effect at the time; and,
  - All employees must wear masks and wash hands frequently.
- \* *NOTE: Further regulations may be issued by the City Manager, with approval by the Police Chief and City Attorney.*
- Shade covers, including umbrellas, tents, and/or awnings to protect patrons from inclement weather are permitted.
    - Shade covers shall be properly anchored or weighted to prevent overturning due to wind or weather.
    - A building permit is required for any temporary tent or canopy larger than 120 square feet.
  - Outdoor dining areas shall not interfere with required pedestrian and vehicular access, circulation, points of ingress/egress or easements;
    - Clear paths of travel and walkways shall be provided and maintained in accordance with American with Disabilities Act (ADA) and California Code of Regulations, Title 24, Part 2 California Building Code requirements.
  - Hours of operation for outdoor dining areas shall not be permitted to exceed allowable hours of operation for the respective business.
  - Compliance with all applicable noise standards of the Fresno Municipal Code shall be required.

#### **Procedures:**

- **Creating an Application Record.** Business owners/operators shall create an application record for a “Zone Clearance” in the City of Fresno FAASTER online system (please see instruction below):
  1. Log into the City of Fresno FAASTER online system at <http://www.fresno.gov/faaster>
  2. From the Home Screen either Login or Register for an Account if you do not have one.
  3. Once Logged-in, select the Planning/Land Division tab from the menu; and then, select “Create an Application” from the blue menu bar.
  4. Click the check-box accepting terms of General Disclaimer; and then, click blue button to select “Continue Application”
  5. Select “**Zone Clearance**”, accordingly, under the options for selecting a Record Type; and then, click blue button to Continue Application.
    - ❖ **Zone Clearance Type:** When asked to select the zone clearance type, **select the last option, “Other Ministerial Uses.”**
  6. Complete subsequent steps and entries for required fields (instructions provided; required fields are marked with red asterisk).
    - ❖ **Application Name:** When you reach the Application Name field, **please specify the following, specifically: Outdoor Dining/Covid-19/Business Name** (*this will enable City staff to easily screen applications for expedited review*).

- ✓ When complete, you will be prompted that your application has been successfully submitted. (Please note that a Record Number will be identified in blue text beneath the address. This is your record number and may be utilized to reference, search, and/or to review the status of your application at any time.)

➤ **Submittal Materials.** The following materials are required to be uploaded to an application record for submittal of a Zone Clearance application when outdoor dining pursuant to Section 2-515 of the FMC is proposed:

- Owner authorization form or letter (see Forms herein below).
- A site plan shall be submitted which depicts the following:
  - Property lines for the subject property on which the applying business is located.
  - The location of buildings on the subject property.
  - The location and dimensioned widths of building entrances, on-site pedestrian paths-of-travel and walkways.
    - \* NOTE: When building entrances are provided from sidewalks within public rights-of-way, on-site paths-of-travel and walkways to their points of connection with the public rights-of-way/sidewalks shall be shown.
  - The location and dimensioned widths of on-site vehicular parking stalls, circulation aisles, and striping.
    - \* NOTE: All vehicular parking stalls designated for disabled person shall be identified.
  - The location of any on-site fire hydrants.
  - The location and boundaries of proposed outdoor dining areas; identification of those vehicular parking stalls proposed to be utilized for dining and those proposed to remain vacant in accordance with the standards and regulations included herein above; and, notations respective to the type of physical barriers which may be proposed.
  - The location of any temporary shade covers or structures exceeding the size for which building permits are required (see standards and regulations included herein above).
- \* Previously approved site plans, hand-drawn plot-plans and or aerial imagery which accurately and clearly represent existing facilities and improvements may be utilized for purposes of site plan requirements. All "site plans" provided for purposes of Outdoor Dining pursuant to the provisions of §2-515 of the FMC need not be scaled. However, all required dimensions specified in the requirements herein above shall be provided and the Development Services (Planning) Division may require additional information for purposes of verifying compliance with all applicable requirements prior to project acceptance and/or approval.

➤ **Verification.** Planning and Development Department staff will review all incoming applications that are received and will notify the contact identified on the application record if additional information is needed for purposes of processing or verification of compliance with this policy.

➤ **Fees.** All fees will be waived.

➤ **Routing.** Routing to other departments and agencies for review and comment will not be required for on-site outdoor dining proposed pursuant to the provisions of §2-515 of the FMC and in compliance with this policy.

- Uses proposed within public rights-of-way and/or facilities or structures which require issuance of a permit in accordance with California Building Code requirements will be subject to a separate entitlement review process pursuant to City of Fresno regulations and policies.

- **Review and Approval.** Planning staff shall review required submittal materials for compliance with this policy. Once compliance has been verified, the assigned Planner shall approve the Zone Clearance application through signature approval on the submitted site plan and issuance of an approval letter; and notify the contact identified on the application record of the approval. Approval documents will be uploaded to the application record in the City of Fresno FAASTER system.
- **Timelines.** All new and/or resubmitted applications will be reviewed and verified within 3 business days of receipt. Applications deemed complete will be processed within 2 business days of acceptance.

**Documents & Fresno Municipal Code Sections Referenced in this Policy/Procedure:**

[Ordinance No. 2020-020 adding Section 2-515 to the Fresno Municipal Code \(FMC\)](#)

[Section 2-5015 of the Fresno Municipal Code \(FMC\).](#)

[Chapter 15, Article 51 of the Fresno Municipal Code \(FMC\).](#)

[Section 15-2744 of the Fresno Municipal Code \(FMC\).](#)

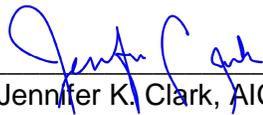
**Review and Responsibility:**

The Planning & Development Department, Development Services (Planning) Division is responsible for the implementation of this policy.

**Forms (attached):**

[Owner Authorization Form](#)

**Signature:**



Jennifer K. Clark, AICP, HDFP, Director

**Dated:** 7/8/2020