



County of Mendocino

Office Of The Sheriff-Coroner

REQUIREMENTS FOR COMPLIANCE WITH MEDICAL MARIJUANA CULTIVATION ORDINANCE

TWENTY-FIVE (25) PLANTS PER PARCEL LIMITATION.

Individuals, collectives, and individual members thereof may grow no more than twenty-five (25) total marijuana plants per legal parcel, without a permit, provided they are in compliance with the conditions as set forth in Mendocino County Code Chapter 9.31, which are summarized in the following section entitled "General Requirements for All Marijuana Cultivation". All marijuana cultivators are responsible to read and understand Mendocino County Code Chapter 9.31 in its entirety, including all definitions and the measurement method for the location limitations, in order to insure compliance.

PERMIT FOR EXEMPTION TO CULTIVATE UP TO NINETY-NINE (99) PLANTS PER PARCEL.

Individuals, collectives, and individual members thereof, who are in compliance with the "General Requirements for All Marijuana Cultivation", may grow no more than ninety-nine (99) total marijuana plants per legal parcel provided they apply for, obtain, and are in compliance with a permit issued by the Mendocino County Sheriff's Office as set forth in Mendocino County Code Section 9.31.110; the requirements of which are summarized in the following section entitled "Exemption to Limitation on Number of Plants per Parcel."

GENERAL REQUIREMENTS FOR ALL MARIJUANA CULTIVATION

- (1) Limitation on Location.** Marijuana may not be cultivated under any circumstances in the following locations:
 - (A) Within one thousand (1,000) feet of a youth-oriented facility, a school, a park, or any "church" or residential treatment facility.
 - (B) Outdoors within one hundred (100) feet of any occupied legal residential structure located on a separate legal parcel.
 - (C) Outdoors in a mobile home park as defined in Health and Safety Code Section 18214.1 within one hundred (100) feet of an occupied mobile home that is under separate ownership.
 - (D) In any location where the marijuana plants are visible from the public right of way or publicly traveled private roads.
- (2) Limitation on Indoor Cultivation.** The indoor cultivation of marijuana plants shall be limited to no more than one hundred (100) contiguous square feet per legal parcel.
- (3) Proof of Notice.** If the applicant(s) is (are) not the legal owner(s) of the parcel, they must give written notice to the owner of the parcel prior to commencing cultivation of marijuana and provide proof that said notice has been given. For less than twenty-five (25) marijuana plants per parcel, said proof shall be furnished upon request to verify compliance with this requirement. For those seeking an exemption to the

- twenty-five (25) plants per parcel limitation, such proof shall be furnished as part of the application process.
- (4) **Fencing Requirement.** All marijuana grown outside of any building must be fully enclosed by a secure fence at least six (6) feet in height. The fence must include a lockable gate that is locked at all times when a qualified patient or caregiver is not in the immediate area. Said fence shall not violate any other ordinance, code section or provision of law regarding height and location restrictions and shall not be constructed or covered with plastic or cloth except shade cloth may be used on the inside of the fence.
 - (5) **Limitation on Odors.** The indoor or outdoor cultivation of marijuana shall not subject residents of neighboring parcels who are of normal sensitivity to objectionable odors.
 - (6) **Limitation on Light Assistance.** The use of light assistance for the outdoor cultivation of marijuana shall not exceed a maximum of six hundred (600) watts of lighting capacity per one hundred (100) square feet of growing area.
 - (7) **Limitation on Light and Glare.** All lights used for the cultivation of marijuana shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel upon which they are placed.
 - (8) **Limitation on Noise.** The indoor or outdoor cultivation of marijuana shall not exceed the noise level standards as set forth in the County General Plan Policies DE 100, 101, and 103.
 - (9) **Posting Requirement.** A copy of a current and valid, State-issued medical marijuana identification card or physician recommendation must be displayed in such a manner as to allow law enforcement officers to easily see the card without having to enter any building of any type except that those who receive a permit to grow up to ninety-nine (99) plants per parcel shall display copies of said permit in a conspicuous place at the entrance to each garden area and immediately inside the entrance to any building where marijuana is cultivated, processed, or stored.
 - (10) **Authority to Abate.** Nothing in these conditions shall be construed as a limitation on the County's authority to abate any violation which may exist from the cultivation of marijuana plants or any part thereof from any location, indoor or outdoor, including from within a fully enclosed and secure building.

EXEMPTION TO LIMITATION ON NUMBER OF PLANTS

- (11) **Permit From Sheriff's Office.** Medical marijuana growing collectives, individual members thereof, or individual patients who possess a valid doctor's recommendation stating that more than twenty-five (25) plants are necessary to meet the medical needs of the patient may be granted an exemption from the twenty-five (25) plants per parcel limitation provided they apply for, obtain, and are in compliance with a permit from the Mendocino County Sheriff's Office. Under no circumstances shall the permitted number of marijuana plants per legal parcel exceed ninety-nine (99).
- (12) **Minimum Parcel Size.** Any legal parcel for which an exemption is sought shall be a minimum of five (5) acres in size.
- (13) **Permit Application.** A separate permit application that conforms to the requirements of Section 9.31.110 (B), including an on site inspection by the Sheriff's Office, shall be required for each parcel for which permission to exceed the twenty-

five (25) plants per parcel limitation is sought. All permits shall be site specific and once issued shall not be transferred or sold.

- (14) **Permit Application Fee.** Permit applications shall be charged a permit application fee as adopted by the Board of Supervisors. All permits that have been issued are subject to annual renewal.
- (15) **Additional Conditions.** Every individual, collective, or member thereof who receives a permit for an exemption from the twenty-five (25) plants per parcel limitation shall comply with all additional conditions as set forth in Section 9.31.110 (E), including the purchase of a zip-tie for each plant subject to the exemption.
- (16) **Third Party Inspection.** In lieu of an on-site inspection by the Sheriff's Office, the applicant may, at their expense, select a qualified third party inspector who shall conduct the on-site inspection and verify all of the items specified in Section 9.31.110 (G).