

**Table E-1: Summary of County Commercial Ordinances (as of May 26, 2017)**

County	Cultivation Amount	Applicable Ordinance or Statute (Date Adopted)	Cultivation Requirements Note: Requirements are selected and summarized. Refer to County Code for complete list of requirements.
Alameda	Cultivation prohibited.		
Alpine	Cultivation prohibited.		
Amador	Commercial cultivation not permitted. Cultivation for personal use only.		
Butte	<p><b>Medical:</b> Varies based on lot size; lots over 10 acres may designate 150 square feet to cultivation.</p> <p><b>Non-Medical:</b> No more than six plants.</p>	<p>Butte County Code, Chapter 34A (Medical);</p> <p>Butte County Code, Chapter 34C (Non-Medical)</p>	<p><b>All Cultivation Types</b></p> <ul style="list-style-type: none"> <li>• Cultivation is prohibited within 1,000 feet of a school or similar facility, 600 feet if a school bus stop, and 100 feet from an occupied residential structure on an adjacent parcel. Subject to setback requirements based on size of parcel.</li> <li>• Cultivation is prohibited in any location where plants are visible from a public right of way. Outdoor grows must be fully enclosed by a solid and opaque fence at least 6 feet in height.</li> <li>• Cultivation must have permitted permanent water well connection or connection to a municipal water source. No illegal discharges of water.</li> <li>• Cultivation must be connected to municipalities' sewer system or have a County-inspected and permitted sewage disposal system.</li> <li>• Chemicals used in cultivation and/or harvest must be used, stored, and disposed of in accordance with applicable laws.</li> <li>• Cultivation not permitted in commercial, industrial, or public zones.</li> </ul> <p><b>Nonmedical Cultivation</b></p> <ul style="list-style-type: none"> <li>• Any accessory structure must (1) comply with the Building Code; (2) be secure against unauthorized entry; (3) be accessible only through one or more lockable doors; (4) be constructed of approved building materials; (5) contain a ventilation and filtration systems to control odor; (6) be located in the rear yard area of a legal parcel or premises; (7) maintain appropriate setbacks.</li> <li>• Installation of electrical fixtures, plumbing, or ventilation/filtration systems, for the purpose of modifying an existing structure to meet the requirements of an accessory structure, shall require a Building Permit.</li> </ul>
Calaveras	Tiered licensing	Ordinance No. 3069	<ul style="list-style-type: none"> <li>• Must at all times ensure the health and safety of employees, visitors, and neighbors;</li> </ul>

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	system based on type of cultivation and size of operation	(May 10, 2016)	<p>protect the environment from harm to streams, fish, and wildlife; ensure the security of the medical cannabis; and safeguard against diversion of cannabis for non-medical purposes.</p> <ul style="list-style-type: none"> <li>• Must comply with all federal, state, and local laws.</li> <li>• Must comply with all laws and regulations related to use, storage, and disposal of hazardous materials or wastes, including but limited to pesticides.</li> <li>• Must comply with all laws relating to housing, sanitation, and health and safety of agricultural workers employed at the site.</li> <li>• Must demonstrate compliance with Central Valley Water Quality Control Board regulations.</li> <li>• Outdoor and mixed light sites must be set back at least 75 feet from any property line, and 1,000 feet from any parcel containing a “sensitive use.”</li> <li>• Cultivation subject to zoning restrictions.</li> <li>• Indoor cultivation area must be lawful, permitted structure that is securely locked and enclosed by four walls and a roof that prevents public viewing.</li> <li>• Outdoor and mixed light grow areas must be fully enclosed by a six-foot tall fence of a material and strength to prevent unauthorized access and public viewing.</li> <li>• Reasonable screening from public view and from the view of parcels containing a “sensitive use” must be provided.</li> <li>• All outdoor lighting must be shield to prevent light trespass into the night sky and glare onto adjoining parcels or rights-of-way.</li> <li>• Any generator used in cultivation must be housed in an insulated shed; set back 75 feet from the property line, and in compliance with the county’s noise ordinance.</li> </ul>
Colusa	Cultivation prohibited.		
Contra Costa	Commercial cultivation not permitted. Cultivation for personal use only.		
Del Norte	Cultivation prohibited.		
El Dorado	Size of outdoor cultivation area restricted based on	Ordinance No. 5000 (September 24, 2013)	<ul style="list-style-type: none"> <li>• Cultivation must be screened from public view, and secured by a minimum six-foot high solid fence with locked gates.</li> <li>• Must be set back 1,000 feet from school, park, or similar facility, and 50 to 100 feet from any property line depending on zoning.</li> </ul>

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	zoning district (200 to 600 square feet)		<ul style="list-style-type: none"> <li>• Must have legal water source. No illicit discharges or off-site drift of chemicals.</li> <li>• Must be connected to public sewer or have an approved sewage system.</li> <li>• Must use and dispose of chemicals in accordance with applicable laws.</li> <li>• Cultivation must not adversely affect health or safety of nearby residents due to dust, noise, smoke, or odors.</li> </ul>
Fresno	Cultivation prohibited.		
Glenn	Commercial cultivation not permitted. Cultivation for personal use only.		
Humboldt	Tiered permit system allowing up to 1 acre outdoors, 22,000 square feet for mixed-light, and 10,000 square feet indoors	Ordinance No. 2559 (September 13, 2016)	<ul style="list-style-type: none"> <li>• Outdoor, mixed-light, and indoor commercial cultivation subject to zoning restrictions (generally limited to areas zoned for agriculture but may be allowed in other zones with clearance certificate or use permit).</li> <li>• Electrical power for indoor cultivation shall be provided by on-grid power 100% renewable source, on-site net zero energy renewable source, or with purchase of carbon offsets of any portion of power not from renewable sources.</li> <li>• Cultivation sites must be set back 30 feet from any property line and 600 feet from any school, church, or similar land use.</li> <li>• Must comply with applicable Regional Water Quality Control Board orders and any Streambed Alteration Agreement.</li> <li>• Where surface water diversion provides any part of the water supply for irrigation of cannabis cultivation, applicant shall either (1) consent to forebear from any such diversion during the period from May 15th to October 31st of each year and establish on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, or (2) submit a water management plan prepared by a qualified person, such as a licensed engineer or hydrologist.</li> <li>• Water is to be sourced locally (on-site). Trucked water shall not be allowed.</li> <li>• Must refrain from improper storage or use of any fuels, fertilizer, pesticide, or hazardous substance. Fuel shall be stored and handled in compliance with applicable state and local laws. Any uses of pesticide products shall be in compliance with State pesticide laws and regulations.</li> <li>• Must maintain noise below acceptable standards. Noise produced by a generator used</li> </ul>

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			<p>for cultivation shall not be audible by humans from neighboring residences. Where applicable, permittees must show sound levels will not result in the harassment of Marbled Murrelet or Spotted Owl species.</p> <ul style="list-style-type: none"> <li>• Must shield light sources and comply with International Dark Sky Association standards.</li> <li>• Cultivators must comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, including federal and state wage and hour laws, Cal/OSHA, and OSHA.</li> </ul>
Imperial	No cultivation ordinance adopted.		
Inyo	Commercial cultivation ordinance pending.		
Kern	Commercial cultivation not permitted. Cultivation for personal use only.		
Kings	Commercial cultivation not permitted. Cultivation for personal use only.		
Lake	<p><b>Indoor Cultivation:</b> 100 square feet</p> <p><b>Outdoor Cultivation:</b> 6 mature or 12 immature plants; collectives may cultivate up to 48 mature or 72 immature plants, provided that cultivation is conducted on a parcel that is a minimum of 20 acres and located</p>	County Code, Article 72	<p><b>Indoor Cultivation:</b></p> <ul style="list-style-type: none"> <li>• Lighting must not exceed 1,200 watts.</li> <li>• Cultivation areas must have ventilation and filtration systems to prevent odors or mold.</li> <li>• Ventilation and filtration systems, along with any plumbing improvements, shall be installed with valid electrical and plumbing permits issued and inspected by the Lake County Building and Safety Division.</li> </ul> <p><b>Outdoor Cultivation:</b></p> <ul style="list-style-type: none"> <li>• Prohibited on any parcel that is located within a Community Growth Boundary as designated by the Lake County General Plan, and on any parcel that is 1 acre or smaller and located outside of any designated Community Growth Boundary.</li> <li>• Must not be located 1,000 feet from schools, parks, or other similar land uses, and must be setback 75 feet from any property line.</li> <li>• Cultivation sites must not be located within 100 feet of any spring, creek, or water feature. Must have a legal water source, and must not allow illicit discharges or off-site drift.</li> <li>• Use of hazardous materials is prohibited in cultivation except for limited quantities</li> </ul>

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	within the “A” Agriculture zoning district		below State threshold levels of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas. Any hazardous materials stored shall maintain a minimum setback distance of 100 feet from any private drinking water well, spring, etc. and 200 feet from any public water supply well. <ul style="list-style-type: none"> <li>• Cultivation must be screened from public view by a fully enclosed solid fence of minimum of 8 feet in height, with locked gates.</li> </ul>
Lassen	Cultivation prohibited.		
Los Angeles	Cultivation prohibited.		
Madera	Commercial cultivation not permitted. Cultivation for personal use only.		
Marin	No cultivation ordinance adopted.		
Mariposa	Commercial cultivation not permitted. Cultivation for personal use only.		
Mendocino	Tiered licensing system subject to zoning requirements allowing up to 10,000 sq. ft. of cultivation area.	Ordinance No. 4381 (April 4, 2017)	<ul style="list-style-type: none"> <li>• Cultivation prohibited within 1,000 feet of a school or similar facility. Outdoors or mixed-light cultivation prohibited within 100 feet of any residence.</li> <li>• Cultivation prohibited in any location where the marijuana plants are visible from the public right-of-way.</li> <li>• Indoor or mixed-light cultivation must rely on the electrical grid or some form of alternative energy source. Indoor or mixed-light cultivation may not rely on diesel generator as primary source of power. If generator is used, it must meet noise standards and have electrical wiring of sufficient capacity and installed in such a way as to provide for minimum safety standards.</li> <li>• Cultivation must not subject residents of neighboring parcels to objectionable odors. Light assistance for outdoor cultivation must not exceed 35 watts per one sq. ft. of growing area. All lights shielded and downcast.</li> <li>• Must not exceed applicable noise standards.</li> <li>• May not utilize water that has been or is illegally diverted. Must comply with all statutes, regulations, and requirements of the SWRCB, Division of Water Rights.</li> <li>• Must not create erosion or result in contaminated runoff. Must establish and maintain enrollment in Tier 1, 2, or 3 with the NCRWQCB Order No. 2015-0023.</li> <li>• Outdoor cultivation must be contained within wildlife exclusionary fencing that</li> </ul>

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			includes a lockable gate. <ul style="list-style-type: none"> <li>• All buildings where marijuana is cultivated or stored must be properly secured to prevent unauthorized entry. Fuel, fertilizer, pesticide, etc. must be stored in secured and locked structure or device. Any use of pesticides must be consistent with state law and regulations.</li> <li>• May not remove any commercial tree species for purpose of developing cannabis cultivation site.</li> <li>• Must maintain applicable “defensible space” protocols and distances around structures, as established by CAL FIRE.</li> <li>• Indoor or mixed-light cultivation must be equipped with filtered ventilation systems or other effective odor control mechanism to control cannabis odors.</li> </ul>
Merced	Commercial cultivation not permitted. Cultivation for personal use only.		
Modoc	Commercial cultivation not permitted. Collective cultivation for personal use allowed, but no commercial sales.		
Mono	Commercial cultivation not permitted. Cultivation for personal use only.		
Monterey	Permit required; canopy area varies based on type and size of facility; outdoor cultivation may cultivate up to 1 acre, while mixed light may cultivate up to 22,000 square feet	Ordinance No. 5272 (July 19, 2016)	<ul style="list-style-type: none"> <li>• Only allowed in Light Industrial (LI), Heavy Industrial (HI), Agricultural Industrial (AI), or Farmland zones.</li> <li>• In no case shall a building intended for residential use be used for cultivation.</li> <li>• May not be located within 600 feet of a school, public park, or drug recovery facility.</li> <li>• Water conservation measures, water capture systems, or grey water systems shall be incorporated in cultivation operations to minimize use of water where feasible.</li> <li>• On-site renewable energy generation shall be required for all indoor cultivation activities. Renewable energy systems shall be designed to have a generation potential equal to or greater than one half of the anticipated energy demand.</li> <li>• Cannabis plants shall not be visible from offsite.</li> <li>• Odor prevention devices and techniques shall be incorporated to ensure that odors are not detectable off-site.</li> <li>• Cannabis must be stored in a secured and locked safe room, safe or vault, and in a manner to prevent diversion, theft, and loss. Appropriate security measures, including lighting and alarms, must be employed.</li> <li>• Permittee shall comply with all applicable federal, state, and local laws, including</li> </ul>

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			County building, zoning, and health codes. <ul style="list-style-type: none"> <li>• Must follow all pesticide use requirements of local, state, and federal law.</li> <li>• Must follow all local, state, and federal requirements for waste disposal.</li> <li>• Use of hazardous, flammable, or explosive substances is prohibited.</li> <li>• Pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.</li> </ul>
Napa	Commercial cultivation not permitted. Cultivation for personal use only.		
Nevada	Commercial cultivation not permitted. Cultivation for personal use only.		
Orange	No cultivation ordinance adopted.		
Placer	Commercial cultivation not permitted. Cultivation for personal use only.		
Plumas	Commercial cultivation ordinance pending.		
Riverside	Cultivation prohibited.		
Sacramento	Commercial cultivation not permitted. Cultivation for personal use only.		
San Benito	Commercial cultivation not permitted. Cultivation for personal use only.		
San Bernardino	Commercial cultivation not permitted. Cultivation for personal use only.		
San Diego	Commercial cultivation not permitted. Cultivation for personal use only.		
San Francisco	Commercial cultivation not permitted. Cultivation for personal use only.		
San Joaquin	Cultivation prohibited.		
San Luis Obispo	Commercial cultivation ordinance pending.		
San Mateo	Commercial cultivation not permitted. Collective cultivation for personal use allowed, but no sales.		
Santa Barbara	Commercial cultivation not permitted. Cultivation for personal use only.		
Santa Clara	Commercial cultivation not permitted. Cultivation for personal use only.		

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Santa Cruz	Licensing system, as follow: Category (A) Cottage Garden License – Allows cultivation of up to 200 square feet of garden canopy; Category (B) Level One Cultivator License – Allows cultivation of up to 500 square feet of garden canopy	Ordinance No. 5216 (2015)	<p><b>Cottage Garden Licenses</b></p> <ul style="list-style-type: none"> <li>• Must not be located within the urban area defined by either the urban services line or the rural services line.</li> <li>• May not cultivate cannabis within 600 feet of a habitable structure on neighboring parcel, municipal boundary, perennial stream, school, or park.</li> <li>• Cultivation must not be visible from any adjacent public right-of-way.</li> </ul> <p><b>Level One Cultivator Licenses</b></p> <ul style="list-style-type: none"> <li>• All cottage garden restrictions described above apply.</li> <li>• Must be located in a zone district designated as SU (Special Use), TP (Timber Production), CA (Commercial Agriculture), A (Agriculture), AP (Agriculture Preserve) or RA (Residential Agriculture).</li> </ul> <p><b>All License Types</b></p> <ul style="list-style-type: none"> <li>• For indoor cultivation, must be able to provide written certification from licensed electrician that cultivation location has all necessary electrical permits required by California Building Codes.</li> <li>• For outdoor cultivation, must enclose the cultivation area by opaque fence at least six feet in height, and secure area by a locked gate to prevent unauthorized entry.</li> <li>• Must comply with all requirements of County Code Title 16, Environmental and Resource Protection, and requirements of other code titles related to water conservation, water wells, and water systems.</li> <li>• May not use a generator, hazardous materials, or flammable products in cultivation.</li> <li>• Must contain all irrigation runoff, fertilizer, and contaminants on site.</li> <li>• May not use water from any water source that is not located on the parcel on which cultivation is taking place.</li> <li>• For indoor cultivation, must use a commercial air scrubbing device that prevents cannabis odors from escaping the structure where cultivation takes place.</li> <li>• May not possess, store, or use any firearm on parcel where cultivation takes place.</li> </ul>
Shasta	Commercial cultivation not permitted. Cultivation for personal use only.		
Sierra	Commercial cultivation not permitted. Cultivation for personal use only.		
Siskiyou	Commercial cultivation not permitted. Cultivation for personal use only.		



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Solano	Commercial cultivation not permitted. Cultivation for personal use only.		
Sonoma	Outdoor maximum is one acre; indoor/mixed-light is 22,000 square feet.	Ordinance No. 6189 (December 20, 2016)	<ul style="list-style-type: none"> <li>• All indoor, greenhouse, and mixed-light operations must be equipped with odor control filtration and ventilation system(s) to control odors, humidity, and mold. All cultivation sites must utilize dust control measures on access roads and all ground disturbing activities.</li> <li>• Electrical power for indoor and mixed-light cultivation shall be provided by any combination of the following: (i) on-grid power with one hundred percent renewable source; (ii) on-site zero net energy renewable source; or (iii) purchase of carbon offsets of any portion of power not from renewable sources. The use of generators is prohibited except for temporary use in emergencies.</li> <li>• All cultivation operations that utilize hazardous materials shall comply with all applicable local and state laws and regulations and maintain permits with appropriate agencies.</li> <li>• Cultivators must comply with all applicable federal, state, and local laws and regulations related to occupational safety, including CAL/OSHA, OSHA, and the California Agricultural Labor Relations Act.</li> <li>• Must develop waste management plan. All garbage and refuse must be stored in appropriate, sealed containers.</li> <li>• Must develop waste water management plan identifying the amount of waste water, excess irrigation and domestic wastewater anticipated, as well as disposal. Cultivation must comply with BMPs issued by the Agricultural Commissioner and submit verification of compliance with the Waste Discharge Requirements of the applicable RWQCB. Excess irrigation water or effluent must be directed to a sanitary sewer, septic, irrigation, greywater, or bio-retention treatment system. All domestic waste for employees must be disposed of in a permanent sanitary sewer or on-site septic system demonstrated to have adequate capacity.</li> <li>• Must have adequate on-site water supply, such as municipal water connection, recycled water, surface water right, or well water. Trucked water is not allowed.</li> <li>• Groundwater wells used for cultivation must be equipped with a meter or sounding tube or other water level sounding device. Groundwater monitoring reports must be submitted to County Permit Department annually.</li> </ul>

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Stanislaus	Cultivation prohibited.		
Sutter	Commercial cultivation not permitted. Cultivation for personal use only.		
Tehama	Commercial cultivation not permitted. Cultivation for personal use only.		
Trinity		Ordinance No. 315-816 (August 10, 2016)	<ul style="list-style-type: none"> <li>• May not be located within 1,000 feet of a youth-oriented facility, a school, any church, or residential treatment facility, or within 500 feet of a school bus stop. Cultivation is not permitted in any location where cannabis plants are visible from the public right-of-way.</li> <li>• May not be located within the Trinity County jurisdiction of the Whiskeytown-Shasta-Trinity National Recreation Area or within the boundaries of the Ruth Lake Community Service District.</li> <li>• Not permitted in Timber Production Zones (TPZ), with certain limited exceptions.</li> <li>• May not be located in Residential 1 (R1), Residential 2 (R2), or Residential 3 (R3) Zones.</li> <li>• May not exceed the noise level standards as set forth in the County General Plan.</li> <li>• Must comply with all State laws regarding surface water. May not use water that has been or is illegally diverted from any stream, creek, river, or water source.</li> <li>• Must not create erosion or result in contaminated runoff into any stream, creek, river, or body of water. If property has more than a 35% slope, must apply for Tier 2 of the NCRWQCB Order 2015-0023.</li> <li>• Outdoor cultivation must be contained within Wildlife Exclusionary Fencing, with lockable gate.</li> <li>• All buildings used for cultivation must be properly secured to prevent unauthorized entry.</li> <li>• Any fuel, fertilizer, pesticide, fungicide, rodenticide, herbicide or other substance toxic to wildlife, children, or pets must be stored in secured, locked structure or device.</li> <li>• Must comply with applicable state and local laws related to hazardous materials and wastes, and Hazardous Materials program administered by Trinity County Environmental Health Division.</li> <li>• Rodenticides requiring a California Restricted Materials permit are not permitted.</li> <li>• All lighting associated with cultivation shall be downcast, shielded, and/or screened to</li> </ul>

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			keep light from emanating off-site or into the sky. <ul style="list-style-type: none"> <li>• Cultivation must comply with CAL FIRE, CDFW and any other resource agency having jurisdiction.</li> </ul>
Tulare	Commercial cultivation not permitted. Collective cultivation allowed but no sales; distribution to member patients only.		
Tuolumne	Commercial cultivation prohibited. Cultivation for personal use only.		
Ventura	No cultivation ordinance adopted.		
Yolo	Up to one acre.	Ordinance No. 1467 (April 21, 2016); Ordinance No. 1473 (November 24, 2016); Ordinance No. 1483 (February 9, 2017)	<ul style="list-style-type: none"> <li>• Outdoor cultivation is prohibited within 1,000 feet of a school or similar land use, or within 75 feet of any occupied residence on separate parcel.</li> <li>• Cultivation area must be fully enclosed by an opaque fence at least 6 feet in height, which is adequately secured by a locked gate. Evidence of cultivation shall not be visible from the public right-of-way.</li> <li>• Use of light assistance for outdoor cultivation shall not exceed 600 watts per 100 square feet of growing area.</li> <li>• All lights used for cultivation shall be shielded and downcast.</li> <li>• May not use water that has been illegally diverted from any stream, creek, river, ditch, or any other body or source of water.</li> <li>• All buildings where marijuana is stored shall be properly secured to prevent unauthorized entry.</li> <li>• Outdoor cultivation must be in compliance with Central Valley Regional Water Quality Control Board Order No. R5-2015-0133.</li> </ul>
Yuba	Commercial cultivation prohibited. Cultivation for personal use only.		