



**COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY  
BUILDING DEPARTMENT**

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## Medical Marijuana Cultivation Building Permit Submittal Requirements

**This document is intended to assist customers that are applying for building permits for structures intended to be used for indoor medical marijuana cultivation per Sections G-IV 5.1, et seq, of the Nevada County General Code. All structures intended for the cultivation of marijuana shall submit complete construction plans for review, obtain a building permit, obtain required inspections and a final certificate of occupancy prior to using the building for any purpose. This is not an all-inclusive list of requirements and applicants are urged to reference the ordinance to view specific requirements associated to medical marijuana cultivation in the County of Nevada.**

- See the Building Permit Submittal Checklist for general plan requirements, sheet sizes, legibility standards, etc associated with the plan submittal.
- A legally established residence is located on the legal parcel.
- The legal property owner shall obtain all required building permits.
- The legal parcel is zoned primarily for residential or rural uses (e.g., R-1, R-2, R-3, R-A, AG, AE, FR or TPZ).
- The residence is occupied by a “Qualified Patient” and/or “Primary Caregiver” as defined in Nevada County Ordinance 2405.
- Grading and erosion control plans are submitted for any grading activities associated to any building improvements per Chapter V of the Nevada County Land Use and Development Code.
- The grow area is attached to a residence or is a detached accessory building with a U Occupancy designation per the California Building Standards Codes. The grow area is not located in a space used for living, sleeping, bathing, eating, cooking or any other space used as, designed or intended for human occupancy.
- The structure is fully enclosed and secure from unauthorized entry accessible only through one or more lockable doors constructed of solid materials that cannot easily be broken through.
- The structure has a complete roof structure supported by connecting walls extending from the ground to the roof, and a foundation, slab or equivalent base to which the floor is securely attached.
- Walls and doors are constructed of solid materials with 2”x4” or thicker studs overlain with 3/8” or thicker plywood or equivalent materials. Exterior walls shall be constructed with non-transparent material. Plastic sheeting, regardless of gauge, or similar products do not satisfy these requirements.
- The location and number of proposed marijuana plants are shown on the floor plan(s) in one contiguous indoor cultivation area (limited to a total of 12 plants per parcel).
- Structure is a minimum of 100ft from any legal residence or outdoor living area located on an adjacent separate legal parcel and meets all other setback requirements required under the Nevada County Land Use and Development Code.
- Structure is located a minimum of 600ft of any school, school bus stop, school evacuation site, church park, park, child care center, or youth-oriented facility.
- All permanent electrical, plumbing and mechanical utilities are shown on the construction plans associated with indoor cultivation.
- Show locations of backflow prevention devices at all water connections per the California Plumbing Code.
- Electrical load calculations are included as part of the plans per the California Electrical Code for the electrical service(s) feeding electrical equipment, lighting and appliances.
- Complete information about the mechanical ventilation system is included to show how adequate ventilation, air filtration and odor control filters will be installed to prevent odor, mold, humidity and mildew.

- All lighting locations are shown on the plans indicating the type of lights, wattage and fixture support. Lights shall not exceed 1200W. All lights shall be shielded and downcast.
- Show the location, types and quantities of any hazardous materials in compliance with Section G-IV 5.4.H.12 of the Nevada County General Code.
- Greenhouses shall be constructed of obscure glass or polycarbonate panels. If panels are not obscure, the greenhouse shall be screened from view by a solid fence in compliance with Section G-IV 5.3.G of the Nevada County General Code and applicable building code requirements.
- Use areas are not allowed in any structure which has not obtained a building permit.

### **Frequently Asked Questions**

*Q: Can I cultivate, process or store medical marijuana inside my residence?*

A: No. Use areas are limited to areas that are not used as, designed or intended for human habitation, such as legally permitted vehicular garages, storage areas and accessory structures. (See Title 2, Article 5, Sec. G-IV 5.4 (M) of the Nevada County General Code for specific exemptions for growing up to 6 plants for personal use only.)

*Q: Can a solar PV system be used as a power source for lighting related to medical marijuana cultivation?*

A: Yes, provided it is permitted, inspected and installed per the California Fire and Electrical Codes.

*Q: Can I use extension cords and/or portable water hoses in place of permanent wiring and plumbing?*

A: No. Extension cords and portable water hoses are not allowed to be used in lieu of permanent utilities.

*Q: Can I cultivate marijuana in my residential vehicular garage?*

A: Yes, if a building permit is obtained for the required utilities, the occupancy type is a U per the California Building Standards Codes and all requirements are met per Sections G-IV 5.1, et seq, of the Nevada County General Code.

*Q: Can I cultivate marijuana in the sunroom of my residence?*

A: No. This is considered a place of human habitation.

*Q: Can I cultivate marijuana on my covered patio and/or deck?*

A: No. This does not meet the enclosed structure and obscured from view requirements per Sections G-IV 5.1, et seq of the Nevada County General Code.

*Q: Where can I find Nevada County Medical Marijuana Cultivation regulations?*

A: You can view the regulations online at: <http://qcode.us/codes/nevadacounty/view.php?topic=2-iv-5&frames=off>. You can also visit <http://www.mynevadacounty.com/nc/countycounsel/Pages/County-Codes.aspx> to search all Nevada County Codes for building code and other development requirements.

*Q: If I have a an existing accessory building that is exempt from building permits per the Nevada County Land Use and Development Code can I cultivate marijuana in that building?*

A: Yes, but only if you submit complete as-built plans to the Building Department for review of the structure, obtain a building permit, obtain required building inspections and a final certificate of occupancy. No structures used for the cultivation of marijuana are exempt from building permits.

*Q: If I have a greenhouse can I have a solid dirt floor as the finished floor surface?*

A: Yes, as long as it meets the enclosure and security requirements of Sections G-IV 5.1, et seq of the Nevada County General Code.

For more information, you may also contact the County of Nevada Community Development Agency at:

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