

## Minor Use Permit Procedure to Cultivate in a Multi-family Unit

To cultivate Medical Marijuana within a residential unit in a multifamily structure you must obtain a Minor Use Permit from the community Development Department. To apply for a Minor Use Permit, please provide:

1. A completed Minor Use Permit application and payment of the permit fee.
2. Documented medical need, such as a physician's recommendation; and
3. Written permission from the property owner.

The City will schedule an inspection by the Building Department to confirm that no health or safety concerns are present. The Building Official may require additional specific standards to meet the California Building Code and Fire Code (such as the installation of fire rated green board or fire suppression sprinklers if necessary).

### Enforcement

The violation of the ordinance is a public nuisance, and upon conviction a person can be punished by a fine not to exceed \$1,000.00, by imprisonment in the County jail not to exceed six months, or by both a fine and imprisonment.

### Definitions

*CULTIVATION.* The planting, growing, harvesting, drying, or processing of marijuana plants, or any part thereof.

*FULLY ENCLOSED AND SECURE STRUCTURE.* A space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors.

*INDOORS.* Within a fully enclosed and secure structure.

*PARCEL.* Property assigned a separate parcel number by the Mendocino County Assessor.

*PRIMARY CAREGIVER.* The individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person, as more particularly as set forth in California Health and Safety Code §11362.7(d), as may be amended.

*QUALIFIED PATIENT.* A person who is entitled to the protections of Section 11362.5 of the California Health and Safety Code and who meets the definition of "qualified patient" as defined in the Health and Safety Code section 11362.7(f).

### City of Fort Bragg

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## City of Fort Bragg Medical Marijuana Cultivation Ordinance



Consult Fort Bragg Municipal Code, Chapter 9.32, for complete information about regulations concerning cultivation of medical marijuana in the City of Fort Bragg.

The City of Fort Bragg adopted a Medical Marijuana Ordinance that regulates the cultivation of medical marijuana within City limits. Specifically the ordinance:

- Prohibits outdoor cultivation of marijuana plants;
- Sets standards for indoor medical marijuana cultivation; and
- Sets enforcement and fines for not following regulations.

### **Standard for All Cultivation of Medical Marijuana within City of Fort Bragg**

You may only cultivate medical marijuana on parcels with residential units. However, cultivation is prohibited on parcels adjacent to any school or public park.

Cultivation is only allowed within a residential unit, a garage, or a self-contained outside accessory building that is secured, locked, and fully enclosed. Cultivation cannot occur in the kitchen, bathroom, and primary bedrooms. Medical marijuana cultivation within a residence shall not create a humidity or mold problem.

The cultivation area may not exceed 50 square feet and 250 cubic feet per residence, lighting shall not exceed 1200 watts, and the use of gas products (CO2, butane, etc.) is prohibited.

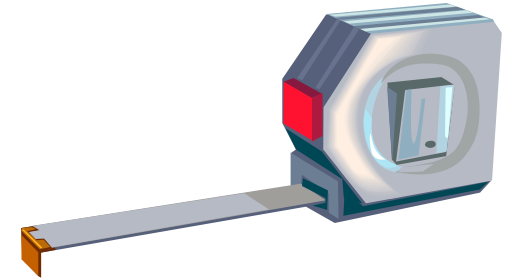


Cultivation of marijuana is restricted to Qualified Patients and Primary Care Givers. Qualified patient may only cultivate medical marijuana indoors on the parcel where they reside. The qualified patient shall not participate in medical marijuana cultivation in any other location within the City of Fort Bragg.



The qualified patient and/or primary care giver shall obtain the written permission of the property owner for the cultivation of medical marijuana. This permission should be available for review at the location of cultivation.

There shall be no exterior evidence of medical marijuana cultivation. The medical marijuana cultivation area shall not adversely affect the health or safety of the nearby residents by creating glare, heat, noise, noxious gasses, odor, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.



### **Minor Use Permit Procedure for Additional Square Feet of Cultivation Area**

The cultivation area can be increased to a maximum of 100 square feet or 500 cubic feet through a Minor Use Permit. To obtain a Minor Use Permit, you must provide the following to the City of Fort Bragg Community Development Department:

1. A Minor Use Permit application and payment of the permit fee.
2. Documented medical need, such as a physician's recommendation or verification of more than one qualified patient living in the residence; and
3. Written permission from the property owner.

The City will schedule an inspection by the Building Department to confirm that no health or safety concerns are present. The Building Official may require additional specific standards to meet the California Building Code and Fire Code (such as the installation of fire rated green board or fire suppression sprinklers if necessary).