

**TITLE 9**

**DIVISION 4: SIGNS, PARKING, FENCE, HOME OCCUPATIONS, ACCESSORY DWELLING UNITS & CANNABIS OPERATIONS**

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**CHAPTER 6: CANNABIS OPERATIONS**

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**§ 90406.00 PURPOSE**

The purpose and intent of this Chapter is to incorporate, adopt, and regulate, where permitted, the State of California’s Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) of 2017, including any amendments thereto.

**§ 90406.01 INTERPRETATION AND APPLICABILITY**

- A. Nothing in this Chapter is intended, nor shall it be construed, to burden any defense to criminal prosecution otherwise afforded by California Law.
- B. Nothing in the Chapter is intended, nor shall it be construed, to exempt any Cannabis-related activity from any applicable local or state construction, environmental, electrical, plumbing, land use, labor or employment laws or any other building or land use standards or permitting requirements.
- C. Nothing in this Chapter is intended, nor shall it be construed, the make legal any Commercial Cannabis Activity that is otherwise prohibited or non-compliant under California law..
- D. All Commercial Cannabis Activities within the unincorporated areas of Imperial County shall be subject to the provisions of this Chapter, regardless of whether the use existed or occurred prior to adoption of this Chapter

**§ 90406.02 DEFINITIONS**

Unless as otherwise specified herein, the terms used in this Chapter shall be as defined in the Medicinal and Adult-Use Cannabis Regulation and Safety Act and Title 14 of the Imperial County Codified Ordinances.:

**§ 90406.03 PERSONAL CULTIVATION STANDARDS**

All Personal Cultivation of Cannabis shall be in accordance with MAUCRSA, Title 14 of the Imperial County Codified Ordinances, and this section. Personal Cultivation of Cannabis shall be subject to the following additional restrictions:

- A. Personal Cultivation of Cannabis shall only be allowed in zones that provide for Residential Use as a primary use per Division 5 of this Title.
- B. The area in which Personal Cultivation shall take place, whether located within a primary residence or an accessory structure, shall not exceed one hundred square feet (100 ft<sup>2</sup>).
- C. The maximum electrical panel for the Personal Cultivation area shall be fifty (50) amps. Except for temporary use in case of emergency power loss, the use of generators to supply power to any system or activity associated with Personal Cultivation is prohibited
- D. Light systems used for Personal Cultivation shall not exceed two thousand (2000) watts total, and shall be shielded, including adequate coverings on windows, so as to confine light and glare to the interior of the structure. Lighting systems shall conform to all applicable building and electrical codes.
- E. The Personal Cultivation area shall be equipped with odor control filtration and ventilation system(s) adequate to prevent odor, humidity, or mold problems on the premises and adjacent parcels

**§ 90406.04 COMMERCIAL CANNABIS ACTIVITY ZONING**

Commercial Cannabis activities are permitted within the unincorporated County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

- A. Cannabis Operations: All Forms  
Imperial County permits commercial cannabis: including Cultivation, Nursery, Manufacturing (including processing & storage), Distribution, Testing Laboratories, Retail (virtual and medical), and Delivery within the Gateway Industrial (GI) Zone of the Gateway of the America's Specific Plan Area and the Medium Industrial (MLI2) and Heavy Industrial (MLI3) Zones of the Mesquite Lake Specific Plan Area.
- B. Cannabis Operations: Retail and Delivery only  
Imperial County permits commercial cannabis: including, Retail, and Delivery (virtual and medical) within the Gateway Commercial (GC) Zone of the Gateway of the America's Specific Plan Area and the Light Industrial (MLI1) Zone of the Mesquite Lake Specific Plan Area.

§ **90406.05** **COMMERCIAL CANNABIS ZONING (Conditional Use Permit):**

Commercial Cannabis activities are permitted with an approved Conditional Use Permit within the unincorporated County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

A. Cannabis Operations: All Forms

Imperial County permits with an approved Conditional Use Permit commercial cannabis: including Cultivation, Nursery, Manufacturing (including processing & storage), Distribution, Testing Laboratories, Retail (virtual and medical), and Delivery within the Light Industrial (M-1) and Medium Industrial (M-2) Zones of Imperial County.

§ **90406.06** **INDUSTRIAL HEMP ACTIVITY ZONING**

Industrial Hemp activities are permitted within the unincorporated County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

A. Industrial Hemp Operations:

Imperial County permits Industrial Hemp: including, the cultivation, harvesting, and testing, and light processing within the General Agricultural (A-2) and Heavy Agricultural (A-3) Zones of Imperial County.

B. Industrial Hemp Operations: Processing

Imperial County permits the processing of Industrial Hemp into semi-finished and finished products within the Light Industrial (M-1) and Medium Industrial (M-2) Zones of Imperial County.

§ **90406.07** **INDUSTRIAL HEMP ZONING (Conditional Use Permit):**

Industrial Hemp activities are permitted with an approved Conditional Use Permit within the unincorporated County of Imperial, in accordance with the most current State and County Regulations and prescribed as follows:

A. Industrial Hemp Operations: Processing

Imperial County permits with an approved Conditional Use Permit processing of Industrial Hemp into semi-finished and finished products within the Heavy Agricultural (A-3) Zones of Imperial County.