



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

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3015 H STREET EUREKA CA 95501  
PHONE: (707) 445-7245 FAX: (707) 445-7446

## **Cannabis Operations**

### **Cultivation:**

Greenhouse structures with no conditioned space, heating or cooling used for cannabis cultivation are allowed as agricultural exempt structures regardless of whether or not there are employees working in the structures. Lighting used for cultivation is exempt from the energy code when such lighting operates on timers. Area and task lighting will require a Lighting Energy Analysis Report.

Indoor cultivation structures where employees or sub-contractors are working must be processed as a commercial building permit application and must be fully ADA compliant. This use will be classified as a U Occupancy. Exception: Structure can go Ag Exempt if the space is not conditioned and there are no interior finishes.

### **Processing, treating or packaging products:**

- 1) Trim rooms or structures where employees or sub-contractors will be working must be processed as a commercial building permit application and shall be fully ADA compliant. This use will be classified as an F-1 Occupancy
- 2) Drying rooms or structures that are heated or cooled will not qualify for an agricultural exemption. This use will be classified as either an F-1 or S-1 Occupancy. Structures will be required to comply with commercial building codes and shall be fully ADA compliant.
- 3) Extraction rooms or structures will either be classified as an F-1 with Control Area(s), H-2 or H-3 occupancy type, depending on the type of solvent used in the extraction process. Structures will be required to comply with commercial building codes and shall be fully ADA compliant. Applicants will also be required to submit a plan of operation at the time of application for the building permit(s).

Projects located within Arcata, Blue Lake, Fortuna or Humboldt Bay Fire District will be referred to them for their review and approval.

**Note:** This document is not intended to address all possible situations; therefore, there may be additional requirements or restrictions depending on the particular application.



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## **Cannabis Operations**

### **Extraction:**

Extraction rooms or structures will either be classified as an F-1 with Control Area(s), H-2 or H-3 occupancy type, depending on the type of solvent used in the extraction process. Structures will be required to comply with commercial building codes and shall be fully ADA compliant. Applicants will also be required to submit a plan of operation at the time of application for the building permit(s). Building permits will be required for new construction, change in occupancy and tenant improvements for structures containing this type of use.

Additional Requirements that may apply for this type of use include but are not limited to the following:

- 1) Buildings containing an H Occupancy, the entire structure shall have an automatic sprinkler system.
- 2) Additional set back to property lines.
- 3) More restrictive Fire-Resistance Rating of Exterior Wall based on Fire Separation Distance.
- 4) Occupancy separations, 1-3 Hour Fire-Resistance Rating.
- 5) Fire Barriers, 1 Hour Fire-Resistance Rating.
- 6) Mechanical Ventilation.
- 7) Explosion Control, Venting and Prevention Systems.
- 8) Emergency or Standby Power.
- 9) Emergency Alarms.

Projects with this type of use located within Arcata, Blue Lake, Fortuna or Humboldt Bay Fire District will be referred to them for their review and approval otherwise they will be referred to the State Fire Marshal for review and approval.

**Note:** This document is not intended to address all possible situations; therefore, there may be additional requirements or restrictions depending on the particular application.

**Daniel Boe - RE: Ag Exempt vs Commercial Buildings**

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**From:** "Moxon, Delilah" <DMoxon@co.humboldt.ca.us>  
**To:** Daniel Boe <boed@mendocinocounty.org>  
**Date:** 8/2/2017 12:47 PM  
**Subject:** RE: Ag Exempt vs Commercial Buildings

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Good morning,

Please see my responses in red below.

If you have questions or need clarification, please let me know. Thank you.



**Delilah Moxon**

County of Humboldt  
Building Division  
Planning and Building Department  
3015 H Street | Eureka, CA 95501  
Phone: 707-445-7245 | Fax: 707-445-7446  
Email: [dmoxon@co.humboldt.ca.us](mailto:dmoxon@co.humboldt.ca.us)

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**From:** Daniel Boe [[boed@mendocinocounty.org](mailto:boed@mendocinocounty.org)]  
**Sent:** Wednesday, August 02, 2017 10:50 AM  
**To:** Moxon, Delilah  
**Subject:** RE: Ag Exempt vs Commercial Buildings

Hi Delilah,

I have a few clarifying questions.

1) Concerning ag exempt greenhouse structures, are other electric components (dehumidifiers, fans) permissible? What about plumbing for drip irrigation? Ag exempt structures are allowed to have electrical and plumbing components. Ag exempt structures cannot have finished interiors (i.e. drywall). However, those structures (greenhouses or others) cannot be mechanically heated or cooled. We do allow ag exempt structures to have fans and dehumidifiers.

2) Are dry rooms that don't contain heating or cooling components ag exempt? Would this still allow for dehumidifiers and fans? Drying rooms qualify for the ag exempt status if the interior is unfinished and drying is only accomplished with fans and dehumidifiers. Again, no mechanical heating or cooling systems.

3) How are cultivators dealing with trim rooms? Are employees allowed to trim in ag exempt dry rooms? Or, is your county (like ours) still in uncharted waters in this sense? It seems highly unlikely that a majority of the county is equipped with ADA compliant trim rooms at this point in time. We do not allow trim rooms with employees to qualify for ag exempt status. Those structures are required to meet commercial construction codes, including ADA standards. Employees are not allowed to trim in ag exempt drying rooms. Our ag exempt requirements specifically state that the structure is not a place where employees are packaging, processing or treating and we consider trimming to be processing. We have some applicants working with engineers to meet the construction and ADA requirements. We have had a few very small operators who have indicated that they will be doing their own processing (trimming) without hiring employees. While these buildings do not qualify for ag exempt status, the owners are not required to meet commercial and ADA requirements because there are no employees. The buildings can be permitted as private accessory buildings.

Thanks for your help,

Daniel Boe  
Agricultural Weights, Measures & Standards Specialist  
County of Mendocino  
(707) 234-6829

>>> "Moxon, Delilah" <[DMoxon@co.humboldt.ca.us](mailto:DMoxon@co.humboldt.ca.us)> 7/25/2017 11:17 AM >>>  
Good morning,

Our Building Official, Todd Sobolik, prepared the attachment to assist both the public and our staff in assessing the appropriate permit requirements based on listed variables. You may find this information helpful.

Please contact me if you have questions or need further clarification. Thank you.



**Delilah Moxon**  
County of Humboldt  
Building Division  
Planning and Building Department  
3015 H Street | Eureka, CA 95501  
Phone: 707-445-7245 | Fax: 707-445-7446  
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**From:** Daniel Boe [<mailto:boed@mendocinocounty.org>]  
**Sent:** Tuesday, July 25, 2017 10:09 AM  
**To:** Moxon, Delilah  
**Subject:** Ag Exempt vs Commercial Buildings

Hi Delilah,

Thanks for speaking with me yesterday. Has your department created a public document that spells out the differences between ag exempt buildings and commercial facilities? If not, could you respond with a summary of our conversation yesterday? I'm sharing the information with my supervisors, and they'd like the information from you. From the notes I took, ag exempt buildings used for cannabis can include greenhouses and drying facilities, which can include electrical, plumbing, lights, fans and dehumidifiers. Ag exempt structures can have employees present. Because these structures are ag exempt, no ADA access is required. A commercial building permit would be required if mechanical heating/air conditioning were included, which would trigger ADA access.

Thanks for your help!

Daniel Boe  
Agricultural Weights, Measures & Standards Specialist  
County of Mendocino  
[\(707\) 234-6829](tel:(707)234-6829)

