



Mariposa County Building Department

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Green House Construction Requirements

BUILDING PERMITS REQUIREMENTS:

1. A Building Permit is required for all (residential and commercial) Green House construction in Mariposa County per the California Building Code (CBC) section 1.8.4 and the California Residential Code (CRC) 1.8.4.
2. An accurate use description will be required at application submittal. Please see Mariposa County Planning Department requirements.
3. Very small Green Houses less than 120 sq. ft. may be exempt from permitting requirements per the California Building Code section 105.2 and/or the California Residential Code R105.2.
4. For permitted Green House construction, the design must comply with the California Building Code section 3102, "membrane structures".
5. Per the CBC section 3102.7 "Engineering Design. The structure shall be designed and constructed to sustain dead loads; loads due to tension or inflation; live loads including wind, snow or flood and seismic loads and in accordance with Chapter 16."
6. All Green House structures will require an engineered plan stamped and signed by the engineer of record.

GREENHOUSES CONSTRUCTED WITHOUT PERMITS:

1. For "unpermitted" Green House construction (residential and commercial) in Mariposa County please refer to the Building Department informational handout section, at the Mariposa County web site, under BWOP (Built With Out a Permit). You will be required to follow this process.
2. If you wish to retain an "unpermitted" Green House structure, a permit application with engineering and all associated penalty fees will be required. You will also need to meet all other Mariposa County Departments requirements. (Please see Mariposa County Planning Department requirements for an overview).
3. When you are required to demolish an "unpermitted" Green House structure (residential or commercial) a demolition permit, all associated requirements, and penalty fees will be required.
4. Mariposa County Board of Supervisors approved penalty fees for building without a building permit will apply. Permit fee penalties of up to ten times the permit fee have been approved for commercial uses per the Mariposa County Code 15.10.260.
5. Upon discovery of any unpermitted Green House construction (residential or commercial), a "notice of non-conformance" will be filed and recorded against the property title until such a time that all code corrections and requirements have been completed.



MARIPOSA PLANNING

COUNTY OF MARIPOSA

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Greenhouses and Storage Buildings in Mariposa County

All building permit applications are routed to the Planning Department for a determination regarding use and applicability of development standards, established by the Zoning Ordinance and other regulations. A building permit for a greenhouse or storage building will not be authorized if a project does not comply with the Zoning Ordinance.

NOTE: Mariposa County prohibits ALL commercial activities associated with medical and recreational marijuana, including growing, processing and sale. Similarly, industrial hemp is not permitted in the county or state at this time. Mariposa County has an active code compliance program for prohibited activities associated with marijuana.

The Zoning Ordinance establishes provisions for agricultural uses and agricultural processing activities. The provisions vary, based on project location, project size, parcel size, project design, and the project site's zoning designation. A greenhouse or storage building project may be:

- Permitted
- Conditionally permitted (requires conditional use permit)
- Prohibited

In order to authorize a building permit application for a greenhouse or storage building in Mariposa County, the applicant will be required to provide detailed information regarding the proposed project, including the agricultural activity (or activity) to be conducted within the greenhouse or storage building, and on-site.

If the greenhouse or storage building, and use are permitted or conditionally permitted, potential conditions or other agency permits which may be required in conjunction with a conditional use permit or building permit for a greenhouse include, but are not limited to, the following:

1. Detailed engineered grading and erosion control plans
2. Detailed access and parking plan
3. Encroachment permit (from Caltrans or County Public Works Department)
4. General Permit for Discharges of Storm Water Associated with Construction Activity (from Regional Water Quality Control Board)
5. Storm Water Pollution Prevention Plan or SWWPP
6. Streambed Alteration Agreement (from CA Department of Fish and Wildlife)
7. Reporting to County Agricultural Commissioner
8. Compliance with State Fire Safe Regulations (enforced by CALFIRE)
9. Hazardous Materials Business Plan (from County Health Department)
10. Well permit and water testing (quality) (from County Health Department)
11. Agricultural Burn Permit (from County Health Department)
12. Restroom facilities for employees
13. On-site sewage disposal system permit (from County Health Department)
14. California Environmental Quality Act (CEQA) determination

Mariposa County Commercial & Recreational Marijuana Regulations



Mariposa County Prohibits:

Any activity and use within Mariposa County for which a license is required pursuant to CA Business and Professions Code Division 10 including: commercial or not-for-profit cultivation, processing, manufacture, wholesale or retail sale, and public consumption of marijuana or derivative products

Mariposa County Allows:

Personal marijuana possession, use and cultivation pursuant to the Adult Use of Marijuana Act

POSSESSION		USE	
LEGAL	ILLEGAL	LEGAL	ILLEGAL
<p>Up to 28.5 grams (one ounce) of marijuana.</p> <p style="text-align: center;">AND</p> <p>8 grams of concentrate (including any contained in marijuana products)</p>	<p>Open package or container while operating a vehicle, boat, vessel, aircraft or any vehicle used for transportation</p>	<p>Must be 21 years or older to use any cannabis products</p> <p style="text-align: center;">This includes but is not limited to smoking, vaping and edibles</p>	<p>While operating a vehicle, boat, vessel, aircraft or any vehicle used for transportation</p>
	<p>Any marijuana products within 1,000 feet of or on the grounds of a school, day care center or youth center while children are present</p>		<p>In public areas which include but are not limited to schools, shopping centers, parking lots, sidewalks, parks, etc.</p>
<p>Must be 21 years or older to possess any cannabis products</p>	<p>Any marijuana products on Federal lands</p>		<p>Any marijuana products on Federal lands</p>

How many plants can be Grown LEGALLY?

MEDICINAL	RECREATIONAL
12 plants PER qualified patient or primary caregiver residing on the parcel	6 plants can be grown at one time (either indoor or outdoor) per parcel
MAXIMUM of 24 plants per parcel	

Additional CULTIVATION Regulations

(The following regulations apply to both medicinal and recreational cultivation)

INDOOR		OUTDOOR	
LEGAL**	ILLEGAL	LEGAL**	ILLEGAL
Structure in which cultivation is occurring must meet all Building Code and Zoning Code Requirements	Commercial cultivation of any kind is prohibited in Mariposa County	Must have fully enclosed opaque fence not less than 6 feet in height	Landscaping, plastic sheeting or cloth material does not constitute and adequate fence
	Plants in excess of permitted limits	1,000 Feet from any school, school evacuation site, church, park, daycare or youth center	Plants in excess of permitted limits
		50 feet from property lines (if NOT near above)	Commercial cultivation of any kind is prohibited in Mariposa County
		Adequate security	
Any fence built over 7 feet in height requires a Building permit.			

Both Indoor and/or Outdoor cultivations **MUST:

- Have notarized letter from property owner authorizing cultivation IF the cultivators/residents are NOT the property owners.
- For medicinal marijuana cultivation, the primary caregiver or qualified patient cultivating the marijuana must live on cultivation property on a permanent basis.
- Cultivation is not allowed on undeveloped land/parcels; a legal residential dwelling must exist on the parcel and be the full time residence of the cultivator(s). Recreational vehicles, unpermitted structures, garages, etc. are not considered residential dwellings.