

SHASTA COUNTY RESOURCE MANAGEMENT DEPARTMENT
Medical Marijuana Cultivation In Shasta County
Frequently Asked Questions

Ordinance SCC 2014-02 is a text amendment to the Shasta County Zoning Plan, amending Section 17.88.320, Medical Marijuana Cultivation, and Section 17.88.140, Accessory Buildings and Uses. On January 28, 2014, the Shasta County Board of Supervisors adopted Ordinance SCC 2014-02. A referendum was filed and the voters approved the ordinance on November 4, 2014. As a result, the ordinance applies to all properties in the unincorporated area of Shasta County as of November 5, 2014.

This document is intended to provide general answers to frequently asked questions pertaining to the regulations, standards and requirements applicable to medical marijuana cultivation in Shasta County. The answers given here are based on the provisions of Shasta County Ordinance SCC 2014-02; however, this document is not an official interpretation of the ordinance, and has no legal effect. Readers should refer to the ordinance itself for the full text as adopted by the Board of Supervisors and approved by the voters. Should there be any inconsistency or conflict between this FAQ document and the text of Ordinance SCC 2014-02, the text of the Ordinance shall govern.

Q: Does the County ordinance regulate cultivation in the cities of Anderson, Redding and Shasta Lake?

A: No. The County ordinance only applies to the unincorporated area of Shasta County.

Q: Who can cultivate medical marijuana in Shasta County?

A: Only Qualified Patients and Primary Caregivers, as defined in California Health and Safety Code §11362.7(c), (f) and (d), who reside in Shasta County can cultivate medical marijuana in Shasta County.

Q: Is there a limit to the number of plants I can cultivate?

A: Yes. Cultivation of more than twelve (12) marijuana plants on any premises is prohibited regardless of parcel size and the number of Qualified Patients or Primary Caregivers cultivating.

Q: Where in the County can I cultivate medical marijuana?

A: Cultivation is allowed in all zone districts within the County on any parcel or premises where there is a legally established primary residence occupied by the Qualified Patient or Primary Caregiver who is cultivating, but only within a legally-established detached residential accessory building that meets all development standards of the ordinance and all applicable provisions of the Shasta County Code.

Q: What are the development standards for a legally established residential accessory building used for cultivation?

A: Cultivation may only occur within a detached residential accessory structure affixed to the real property that (a) meets the ordinance definition of "Indoor," or "Greenhouse," (b) is located on the same premises as the legal residence occupied by the Qualified Patient(s) or Primary Caregiver(s) that is (are) cultivating, and (c) complies with all of the provisions of the ordinance and Shasta County Code relating to accessory structures.

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Accessory structures used for Cultivation shall meet all of the following criteria:

- a. The accessory structure shall be legally constructed with all applicable permits including, but not limited to, grading, structural, electrical, mechanical and plumbing approved by the applicable authorities prior to any Cultivation activity. The conversion of any existing accessory structure, or portion thereof, for Cultivation shall be subject to these same permit requirements and must be inspected for compliance by the applicable authorities prior to any Cultivation.
- b. The accessory structure shall not be located in the front yard setback area of the Parcel and shall maintain a minimum building setback from all side and rear property lines of 12 feet, or as required by the applicable zone district, whichever is greater. Setback distance shall be measured in a straight line from the nearest exterior wall of the accessory structure or, if the accessory structure is a greenhouse, from the nearest fence surrounding the greenhouse, to the nearest property line.
- c. The maximum electrical panel for the cultivation area shall be 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 cultivation is prohibited.
- d. Light systems shall not exceed 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. Grow light systems within a greenhouse are prohibited.
- e. The accessory structure shall be equipped with odor control filtration and ventilation system(s) adequate to prevent an odor, humidity, or mold problem on the premises or adjacent parcels.
- f. The accessory structure shall have locking doors and a working security system which shall consist of a standard audible residential alarm of at least 90 dBA, but not exceeding 110 dBA.
- g. If the accessory structure is a greenhouse, for security and visual screening purposes, it shall additionally be surrounded by a secure solid minimum six-foot high fence located within ten feet of the greenhouse, and equipped with a lockable gate.

Q: Can I cultivate medical marijuana on undeveloped land?

A: No. Cultivation is allowed only in legally-established detached residential accessory buildings located on parcels or premises with a legally established primary residence occupied by the Qualified Patient or Primary Caregiver.

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- Q: Can I cultivate, process or store medical marijuana inside my residence?*
A: No. Cultivation is defined in the ordinance to include growing, processing and storage, and is not allowed in any residence, guest house, family care residence or any other structure intended for human habitation.
- Q: Can a solar PV system be used as a power source for a residential accessory building used for cultivation?*
A: Yes, provided the building meets all County development standards and criteria for a residential accessory building used for cultivation and all required building permits are first secured.
- Q: Can I cultivate in a commercial building?*
A: No. The ordinance allows cultivation only in approved detached residential accessory structures accessory to a legally-established residence occupied by the Qualified Patient and/or Primary Caregiver who is cultivating.
- Q: Can I cultivate outdoors?*
A: No. The ordinance prohibits outdoor cultivation anywhere in the unincorporated area of Shasta County.
- Q: Can I cultivate in a greenhouse?*
A: Yes. Like other residential accessory buildings used for cultivation, a greenhouse must have an approved building permit and meet all development standards and criteria for a residential accessory building used for cultivation. Additionally, a greenhouse must be surrounded by a solid, minimum six-foot-high fence with a lockable gate.
- Q: Can I cultivate medical marijuana for friends, relatives, or cooperatively with others?*
A: Yes. Any Qualified Patient or Primary Caregiver living in the legal residence may cultivate medical marijuana on the premises in an approved residential accessory building, provided all requirements of the ordinance are met and cultivation does not exceed a combined total of twelve (12) plants, no matter how many Qualified Patients and/or Primary Caregivers cultivate.
- Q: How far must a building used for cultivation be from a school, church or other sensitive use?*
A: Cultivation buildings must be located at least 1,000 feet from schools, school bus stops, public parks, public libraries, licensed child care centers, youth-oriented facilities and other sensitive uses.
- Q: How far does my accessory building need to be from my residence and other structures to be considered "detached"?*
A: A minimum of ten (10) feet from all other structures on-site.

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Q: How can I make a complaint about cultivation that is not in compliance?

A: Complaints must be submitted to the Resource Management Department in writing. Forms are available at the Resource Management Department lobby located at 1855 Placer Street, Redding, CA 96001, or on line at the following link:
http://www.co.shasta.ca.us/Resource_Management/bldg_forms/Code_Violation_Complaint_for_m.sflb.ashx

Q: Where can I find Shasta County's cultivation regulations, including the code sections referenced in this FAQ document?

A: The entire text of Shasta County's Cultivation Ordinance (SCC 2014-02) is available at the Resource Management Department's Permit Center at 1855 Placer Street, Redding, CA 96001 and at following link:
http://www.co.shasta.ca.us/Resource_Management/docs/SCC2014-02.pdf

The entire text of the Shasta County Zoning Plan is available at the Resource Management Department's Permit Center at the address above, and at the following link:
http://www.co.shasta.ca.us/index/drm_index/planning_index/plng_zoning.aspx

For more information, you may also contact Resource Management at 1855 Placer Street, Suite 103 Redding, CA 96001, (530) 225-5532

THANK YOU FOR YOUR INTEREST