

## **Medical Marijuana Cultivation Frequently Asked Questions**

On December 13, 2011, the Shasta County Board of Supervisors enacted Ordinance SCC 2011-05 which went into effect on January 12, 2012. Ordinance SCC 2011-05 is a text amendment to the Shasta County Zoning Plan and adds Section 17.88.320 Medical Marijuana Cultivation to the existing Special Uses section. The intent of Section 17.88.320 is to establish reasonable regulation of Medical Marijuana cultivation in unincorporated Shasta County in accordance with Public Health and Safety Code.

<http://www.leginfo.ca.gov/calaw.html>

Q: Where may I cultivate medical marijuana?

A: The County ordinance allows cultivation on any parcel or premises where there is a legally-established primary residence.

Q: May I cultivate medical marijuana on undeveloped land?

A: No. Cultivation is allowed only on parcels or premises with a legally-established primary residence.

Q: May I cultivate inside my residence?

A: No. Cultivation is not allowed in a residence or in any structure intended for human habitation. Indoor cultivation is allowed only in detached accessory buildings that qualify as “Indoor” as defined in the ordinance.

Q: May I grow medical marijuana on my property for friends and relatives?

A: Yes. However, only a qualified patient or primary caregiver may grow medical marijuana and the qualified patient or primary caregiver must live at the residence where the cultivation occurs. Therefore, you may only grow for qualified patients and only if you are that patient’s designated primary caregiver.

Q: If more than one qualified patient or primary care giver lives in the same residence may each one grow on that parcel?

A: Yes. The County ordinance does not limit the number of growers on any given parcel, provided that each grower lives in the residence<sup>1</sup>, each is a qualified patient or a primary caregiver, and the total grow area for all growers combined does not exceed the maximum area allowed for that parcel.

Q: Is there a limit to the number of plants or the amount of medical marijuana I may grow in my cultivation area?

A: No. The County ordinance does not limit the number of plants or the amount of medical marijuana produced within the allowed cultivation area.

Q: How far must my cultivation area be from a school?

A: Cultivation areas must be located at least 1,000 feet from schools, youth-oriented facilities and sensitive uses such as a public park, public library, or church.

Q: My outdoor cultivation area is blocked from view by tall bushes; do I still need a solid fence?

A: Yes. Hedges and bushes do not qualify as a solid fence. Outdoor cultivation areas shall not be visible from public rights-of-way or private streets and must be fully enclosed by a solid fence with a locking gate.

Q: May I use grow lights on my outdoor cultivation area?

A: No. Outdoor grow light systems are not permitted.

Q: How large of a cultivation area may I have on my parcel?

A: Cultivation area and setbacks from property lines and adjacent residences are regulated by the County ordinance in accordance with the table below.

| Parcel Size <sup>2</sup> | Total cultivation area allowed | Setback to property line | Setback to adjacent residences |
|--------------------------|--------------------------------|--------------------------|--------------------------------|
| Less than 1 acre         | 60 square feet                 | 15 feet                  | 30 feet                        |
| 1 to under 2 acres       | 100 square feet                | 50 feet                  | 75 feet                        |
| 2 to under 5 acres       | 150 square feet                | 100 feet                 | No additional setback          |
| 5 to under 20 acres      | 240 square feet                | 150 feet                 | No additional setback          |
| 20 acres or more         | 360 square feet                | 200 feet                 | No additional setback          |

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

A: Complaints must be received in writing. Code Violation Complaint Forms are available at the Resource Management Department located at 1855 Placer Street, Redding, CA 96001 or are available online at the following link:  
[http://www.co.shasta.ca.us/index/drm\\_index/bldg\\_index/bldg\\_forms.aspx](http://www.co.shasta.ca.us/index/drm_index/bldg_index/bldg_forms.aspx)

Q: Where can I find more information about Shasta County's cultivation regulations?

A: The entire text of SCC 2011-05 is available at the following link:  
[http://www.co.shasta.ca.us/index/drm\\_index/planning\\_index.aspx](http://www.co.shasta.ca.us/index/drm_index/planning_index.aspx)  
or by contacting the Resource Management, Planning Division at 1855 Placer Street, Suite 103 Redding, CA 96001 (530) 225-5532

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<sup>1</sup> Exception: the ordinance also allows a designated primary caregiver to cultivate at their qualified patient's residence.

<sup>2</sup> "Parcel size" refers to an individual legal parcel upon which cultivation of medical marijuana occurs. In accordance with the Ordinance, parcel size also refers to a "premises" which consists of one legal parcel or contiguous legal parcels under one ownership or managed as one unit. For example an agricultural operation on two contiguous legal parcels made up of a 3-acre home site and a 17-acre pasture would qualify for 360 square feet of cultivation area; a 4-acre parcel with two legal residences would qualify for 150 square feet of cultivation area.