



**SHASTA LAKE PLANNING COMMISSION  
MEETING AGENDA  
DECEMBER 4, 2025  
6:00 P.M.**

**Shasta Lake City Council Chambers**  
4488 Red Bluff Street ■ Shasta Lake, CA 96019

**Chair:** Darlene Brown

**Vice Chair:** Cherrel Kirkland

**Planning Commissioners:** Jeff Bowman, Duke Fleming, Randy Trotter

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**OTHER WAYS TO PARTICIPATE IN THE MEETING**

- Watch a livestream of the meeting online or view the recording any time after the meeting concludes at the following: [cityofshastalake.gov/meetings](http://cityofshastalake.gov/meetings)
- Submit public comment electronically before the meeting to: [claam@cityofshastalake.gov](mailto:claam@cityofshastalake.gov). Public comments by email will be read into the record during consideration of the item the comment addresses. Each public comment will be limited to three minutes of reading. Include the item number you are commenting on in the subject line of the email. Once the vote has taken place on an item, no additional public comments will be accepted.
- Submit public comment by mail addressed to City Clerk, City of Shasta Lake, PO Box 777, Shasta Lake, CA 96019. Mailed comments must be received one day prior to the meeting to be included.

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**1.0 6:00 PM CALL TO ORDER – REGULAR MEETING**

**1.1** Statement for the record of Planning Commissioners Present

**1.2** Pledge of Allegiance

**2.0 APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

**2.1** Approval of Minutes for the Planning Commission Special Meeting of October 16, 2025. (pg.3)

**3.0 PUBLIC COMMENT - for non-agendized matters within the City's jurisdiction.**

*Each speaker is allocated three (3) minutes to speak. Speakers may not cede their time. Comments should be limited to matters within the purview of the Planning Commission. Pursuant to The Brown Act, the Planning Commission cannot take action on Public Comment Items.*

**4.0 PLANNING COMMISSION REGULAR AGENDA**

**4.1 Comprehensive Zoning Ordinance (CZO) Workshop #14 - Consideration of Draft Chapter 17.41 – Off-Street Parking and Loading. (pg. 5)**

This workshop focuses on the updated parking ordinance. The ordinance specifies off-street parking and loading standards for new and expanded land uses. The parking standards are intended to minimize street congestion and traffic hazards,

while providing safe, attractive, and convenient parking for all users. Staff is requesting Planning Commission and public feedback on the information, and Commission permission to post the draft ordinance on the project website to allow the public to review it well in advance of formal consideration.

**Recommendation:** Planning Commission consideration of the staff presentation, and public comment on the draft ordinance. Further, staff recommends that the Commission provide direction on any desired modifications and authorize posting of the draft ordinance for public review.

**5.0 PUBLIC HEARING**

**5.1 Consideration and Recommendation to the City Council re: Amendments to the City of Shasta Lake Municipal Code Chapter 17.10 – Cannabis Business Land Use (pg. 21)**

Consider adopting a new Chapter to replace the existing Chapter. Changes include removing the requirement for cannabis retailers to be located on Shasta Dam Boulevard.

**Recommendation:** Staff recommends that the Planning Commission forward the proposed ordinance to the City Council with a recommendation for adoption of the revisions to Title 17 (Zoning) of the City of Shasta Lake Municipal Code.

**6.0 COMMUNICATIONS / REPORTS**

- 6.1 Planning Commissioner’s Reports
- 6.2 City Staff Reports
- 6.3 Information Items

**7.0 ADJOURNMENT**

*Meetings are broadcast on the Wednesday following the meeting at 6:00 PM and the following Friday at 2:00 PM on Charter Channel 181. Videos of meetings are also available through the City website:  
[www.cityofshastalake.gov](http://www.cityofshastalake.gov)*

*In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (530) 275-7407. Notification 48 hours prior to the meeting is requested to enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).*

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# SHASTA LAKE PLANNING COMMISSION

## SPECIAL MEETING MINUTES

October 16, 2025

6:00 P.M.

Shasta Lake City Council Chambers  
4488 Red Bluff Street ■ Shasta Lake, CA 96019

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### 1.0 6:00 PM CALL TO ORDER – REGULAR MEETING

1.1 **Chair Brown** stated for the record that all Planning Commissioners present

1.2 **Commissioner Fleming** led the Pledge of Allegiance

### 2.0 APPROVAL OF PLANNING COMMISSION MEETING MINUTES

2.1 **A motion was made/seconded (Kirkland/Trotter) and passed to Approve Minutes for September 4, 2025, Planning Commission Meeting**

### 3.0 PUBLIC COMMENT PERIOD - for non-agendized matters within the City's jurisdiction.

3.1 There was no public comment.

### 4.0 PLANNING COMMISSION REGULAR AGENDA

4.1 **Comprehensive Zoning Ordinance (CZO) Update Workshop #13 - Consideration of Administrative Draft Chapter 17.42 – Signs**

**A motion was made/seconded (Kirkland/Trotter) and carried; the item was approved.**

### 5.0 PUBLIC HEARING

5.1 **Tentative Parcel Map Lot 15 Shasta Gateway Industrial Park – PM 17-02, Filed by Tery Scott and Edward Blanck**

**A motion was made/seconded (Trotter/Kirkland) and carried; the item was approved.**

### 6.0 COMMUNICATIONS / REPORTS

6.1 Planning Commissioner's Reports

6.2 City Staff Reports

6.3 Information Items

7.0 **ADJOURNMENT:** With no further business, Chair Brown adjourned the meeting at 7:42 pm.

*APPROVAL DATE: December 4, 2025*

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**Charity Tatlow, CMC**  
City Clerk



## **CITY OF SHASTA LAKE**

PLANNING COMMISSION  
STAFF REPORT  
December 4, 2025

**Staff Assigned: Jim Hamilton, Annuitant Planner**

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<b>Project</b>	Comprehensive Zoning Ordinance (CZO) Update Workshop #14, Consideration of Draft Chapter 17.41 – Parking and Loading.
<b>File</b>	RZ 24-01
<b>Assessor's Parcel #</b>	Citywide
<b>Location</b>	Citywide
<b>Applicant</b>	N/A
<b>Property Owner</b>	N/A
<b>Representatives</b>	N/A
<b>Significant / Applicable Legal Authority</b>	Shasta Lake Municipal Code Title 17.04; and California Government Code Title 7. Planning and Land Use [65000 - 66499.58]
<b>Environmental Determination:</b>	Not applicable at this time.

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### **SUMMARY:**

On September 19, 2023, the City Council initiated a comprehensive update (CZO) to Title 17—Zoning of the Shasta Lake Municipal Code. In August 2023, the Council also adopted an interim zoning ordinance (IZO) as a first step in the update effort to ensure that development activities could continue uninterrupted following the adoption of the General Plan.

In October 2023 at the direction of the City Council, staff and the Commission began work on the CZO Update project. The code diagnostic report (which established the scope of work for the project) was approved in March 2024 by the Commission, following a series of Commission meetings on the project.

This meeting represents the 14<sup>th</sup> Commission workshop specifically on the CZO. **Attachment B** to this report provides the administrative draft of *Chapter 17.41 – Parking and Loading* for Commission consideration.

**REQUEST:**

Staff is requesting Commission feedback on the updated parking standards and processes reflected in draft ordinance. If determined appropriate by the Commission, staff also request authorization to post the draft ordinance on the CZO webpage for any interested parties to consider and comment on. As an administrative draft, it may change as the full CZO evolves towards a final version, one suitable for full public notice and consideration for adoption. This process allows for refinements to be made to the draft ordinance based on input received from policy makers and the public before the formal adoption process commences.

**RECOMMENDED MOTION:**

“I move that the Commission authorize the posting of the administrative draft (including any Commission modifications) of *Chapter 17.41 – Parking and Loading*, of the CZO project, for public review and comment.”

**BACKGROUND:**

The following is a general discussion of the purposes and uses of parking ordinances. It includes summary detail on the ordinance and the provisions that respond to General Plan policy direction.

- *What is the purpose of a parking ordinance?*

Parking ordinances promote public safety, support commercial activity, and address compatibility between residential uses and business activity. In addition, they protect property values and long term business success by limiting potentially negative characteristics of parking lots and parking demand on adjacent uses.

- *What are the significant issues to consider related to land use and parking ?*

Besides supporting vehicle use, parking supply influences the character, form, and function of land use in every community. Analysis of cities in the United States indicate that parking can absorb 20% to 50% of available development land in a community. In the U.S., off-street parking alone is estimated to cover an area larger than the states of Rhode Island and Delaware combined.

Parking lots also generate higher peak stormwater runoff and can impact creek habitats and increase flood potential. In Shasta Lake, city parking standards can, when combined with our generally smaller lot sizes, result in a reduction in the potential of residential and commercial land, indirectly increasing development costs, and discouraging the reuse of buildings.

**Attachment A** to this report provides additional background on parking and land use.

- *Why are we considering amendments to the current parking standards?*

To be legally compliant, all land use ordinances - including the parking ordinance - must reflect the direction provided in the General Plan. The General Plan policies as required by state law

address sustainability, multimodal access, infill development, and the reduction of VMT. The ordinance reflects this and responds to applicable mitigations of the GP EIR. Following are two policies (among others) that are reflected in this ordinance update:

- Health and Safety Policy-9.13: *The City will explore alternatives that reduce parking footprints, including decreasing or removing parking minimums, adding more public parking, and expanding or modifying on-street parking.*
- Housing Element Policy HE-1.9: *The City shall evaluate the Municipal Code to determine what standards may need revision in order to encourage housing production. The revisions may include reducing parking standards, setbacks, [building] height, or the ability to use clustering without having to re-zone property to the Planned Development Zone.*
- *How is the ordinance used?*

The ordinance is used during the review of new development projects, and for changes in use of existing properties. The ordinance includes the following:

Land Use Regulations: Identifies appropriate standards to be applied to new or adaptively reused residential, commercial, industrial, or mixed-use properties to ensure well planned and orderly development.

Community Planning Goals: The ordinance will help manage growth and development more efficiently by establishing realistic parking standards based on site specific and context sensitive circumstances.

Property Development Guidance: The ordinance will provide businesses and the public with guidance on parking lot design, parking space standards, parking lot locations, and surfacing standards. This guidance is provided by the development standards and permitting criteria.

Land Use Compatibility: The ordinance standards address parking issues that could negatively impact adjacent properties and streets (e.g., brightly lit commercial parking lots adjacent to residential uses).

Legal Enforcement: The ordinance will allow effective enforcement of the community's property use and development standards.

- *How was the draft ordinance created?*

The ordinance was built around the city's current parking ordinance. Existing provisions were reorganized to reflect the organization of the CZO, and all parking related provisions have been consolidated into this single chapter (unlike the current zoning code).

- *How is the draft ordinance different than the current parking ordinance?*

The draft ordinance largely parallels the provisions in the current ordinance. Parking area design and parking area locations remain substantially the same. The draft ordinance (**Attachment B**) includes specific changes addressing the following:

- 1) **Calculating parking demand.** The updated ordinance provides two new options for determining parking demand .
  - o Default Parking Ratios. The current parking space standards built around a lengthy list of uses has been replaced with a “default parking” standards list based on the city’s current parking standards. These multiple uses have been reorganized into broader use classifications – residential (SF and MF), commercial/retail, industrial, office, and assembly uses (like churches) – with associated parking ratios. This list will provide an easier method for considering parking needs for a business wishing to reuse vacant commercial space.
  - o ITE-Parking Generation Manual (PGM) Ratios. An alternative method is provided which references the detailed ITE Parking Generation Manual list of parking demand. This list is based on “real world” parking data and new software tools. This method provides a data-focused statistically based method for determining parking needs. It establishes parking based on the results of detailed parking studies from around the country and establishes a parking ratio standard at the 85th percentile of the demand for a listed use.
  - o Flexibility is also included to consider specific conditions, unique uses, and shared parking options through parking exceptions. The ordinance also addresses bicycle parking, restaurant drive-throughs, lot and space surfacing, use of compact spaces and the need for loading spaces.
- 2) **Project Review.** Flexibility is provided to allow alternative parking through both administrative level permits and commission level-use permits based on project specifics. The ordinance maintains the streamlining direction embedded in the zoning ordinance update - one based on the application of known standards, along with flexible options for unique circumstances.

**PLANNING COMMISSION OPTIONS**

The Planning Commission has the following options:

- 1. **Approve the staff request.** The draft ordinance and related information will be posted on the project website for public review and comment. In early 2026, the ordinance will return with the full CZO for Commission consideration and recommendations to the City Council.
- 2. **Approve the staff request with modifications.** The draft ordinance would be posted, after incorporation of Commission directed changes.
- 3. **Continue action to a future meeting.** If the Planning Commission desires additional information or time to review the materials, the Commission can continue action on this matter until the January 15th Commission meeting.

**ATTACHMENTS:**

- A. Zoning Topic – Adequate Parking Standards ( additional background).
- B. Comprehensive Zoning Ordinance Update, Draft Chapter 17.41 – Parking and Loading.



## “Right-sizing” Parking

Parking requirements are an often-overlooked transportation policy that holds significant importance to how a community will develop over the years. When new buildings are constructed, cities commonly require a minimum number of parking spaces, which is reasonable but often results in excessive amounts of parking.

Parking is one of the single largest uses of land in a municipal footprint, although it typically does not receive significant attention. Besides encouraging vehicle use, parking supply influences the character, form, and function of communities.

For example, dispersed parking, like the general layout along Shasta Dam Boulevard, keeps buildings widely spaced and alters the perception of safety for cyclists and pedestrians. On the other hand, on-street parking can serve as an additional speed reduction mechanism.

City requirements to provide a minimum amount of parking, combined with smaller commercial lot sizes, often result in reduced productive development on lots. The General Plan reflects that over the coming decades, the city will need to explore alternatives that reduce parking footprints, including decreasing or removing parking minimums, adding more public parking, and expanding on-street parking.

While adequate parking is necessary in suburban communities like Shasta Lake, strategic reductions in minimum parking standards can support the reuse of existing buildings and reduce startup costs for new businesses, while also allowing the land that would have been used for parking to be put to more productive uses.

The topic of parking standards is multifaceted, and there are various perspectives to consider. However, it’s critical to recognize that when parking supply greatly exceeds real parking demand, it has negative effects. Balancing parking needs with community development objectives is crucial in achieving a “right-sized” community form.

### **Why should we consider “right-sizing” our parking standards?**

- Parking spaces are expensive. A cheap structured stall costs \$20,000, and in many cities, \$40K-\$60K per stall is common. Underground parking can easily double the per-stall cost. Generally, \$10,000 in construction costs adds \$100/mo. to the needed rent for a commercial property.

- Car parking takes up lots of space!
- Excessive car parking makes communities less affordable by increasing land and other development costs, which are ultimately passed on to customers.
- The conversion from forested areas to commercial and residential development is a significant factor in creating the "urban heat island effect." Heat islands form as cities replace natural land cover with buildings and add dark-colored impermeable pavement for roads and parking lots.

The article “A Business Case for Parking Reform” (see link at the end of the discussion) addresses the economic case for considering reducing mandatory minimum parking standards. The accompanying link from the “Parking Reform Network” takes you to a map tool that allows you to access the parking standards of other communities nationwide and see how they are responding to this issue.

Below are some relevant General Plan development policies that touch on this topic. In reading the articles, you should see a link between the policies below, and the information in the article(s). In summary, reevaluating parking standards involves striking a balance between practicality, community needs, and accessibility.

### **General Plan Policies**

- POLICY -CIR-1.3 Encourage practical parking solutions to serve community needs while avoiding excessive amounts of surface parking that disrupt the urban fabric of the city. Explore alternatives that reduce parking footprints, including decreasing or removing parking minimums, adding more public parking, and expansion or modification of on-street parking. (Source: New)
- IMPLEMENTATION-LU-1.3 “Regularly monitor all parts of the Municipal Code to identify requirements or standards that limit flexibility and creativity in the reuse of developed properties and existing structures. The City should make appropriate changes consistent with the goals and policies of the General Plan when needed.
- POLICY-LU-3.1 “Where practical, promote mixed-use development patterns and higher densities that use land and resources efficiently, reduce automobile dependence and pollution, and facilitate walking, bicycling, and transit use. (Source: New)”

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APA - A Business Case for Dropping Parking Minimums [A Business Case for Dropping Parking Minimums \(planning.org\)](#)

Map of Parking Reforms  
[Parking Mandates Map - Parking Reform Network](#)

## ***Chapter 17.41 OFF-STREET PARKING AND LOADING***

### **17.41.010 Purpose.**

This chapter specifies off-street parking and loading spaces for all land uses. The following standards are intended to minimize street congestion and traffic hazards; provide safe and convenient access; and make the appearance of parking areas aesthetically pleasing and compatible with surrounding land uses. Its purpose is to establish context-sensitive requirements and standards for off-street parking, loading, and curbside access that:

- A. Ensure safe and convenient access for people and goods.
- B. Create an appropriate level of parking supply based on demand and local context.
- C. Support infill, mixed-use and transit-supportive development.
- D. Support reduction in vehicle miles traveled (VMT) and heat-island effects by limiting unnecessary levels of parking; and
- E. Improve access for all users including pedestrians, bicycling, transit, and those needing accessible parking.

### **17.41.020 Application.**

All uses shall be provided with well-maintained off-street parking and loading facilities in accordance with the provisions of this chapter. Terms are defined in Chapter 17.61 – List of Terms and Definitions

Required parking shall be determined using the standards and adjustment factors of this chapter. The approving authority may authorize appropriate alternatives—including shared parking, in-lieu fees, transportation demand management (TDM), car-share, unbundled parking, bicycle/micromobility facilities, and on-street credits—when the project applicant demonstrates the alternative standard or method will result in equal or better performance relative to safety, access, and the purposes of this ordinance. Parking requirements shall rely on current best-available data and practices, including the Institute of Transportation Engineers (ITE) Parking Generation Manual, applicable state law, and the standards of this ordinance.

### **17.41.030 When required.**

Every building constructed, enlarged, or structurally altered, and every use of property, shall provide off-street parking and loading facilities, as specified by this chapter. Required spaces shall be improved and installed prior to final building inspection or occupancy. When determined appropriate by the approving authority, a deferral of the required parking improvements may be allowed for a period not to exceed 90 days. All required off-street parking and loading spaces shall be maintained in good condition for the duration of the use that they are intended to serve.

### **17.41.040 Parking facilities location.**

Required parking shall be located on the same lot or parcel as the use which the spaces serve, except as otherwise provided in this chapter.

**17.41.050 Shared use.**

The shared use of off-street parking areas may be authorized by the approving authority, subject to compliance with the following standards and the required permit findings:

- A. The shared use of off-street parking for "nighttime" or off-peak uses, such as theaters, bowling alleys, bars or restaurants, may be supplied by the parking area provided for "daytime" uses, such as banks, offices, retail, and personal service establishments.
- B. Up to fifty (50) percent of the off-street parking for "daytime" uses may be supplied by the parking area provided by "nighttime" uses.
- C. Up to fifty (50) percent of the parking for churches or auditoriums may be supplied by the parking facilities provided by "daytime" uses.
- D. Parking in mixed use, commercial or industrial zones shall be located within three hundred (300) feet of the use which it serves. Parking for residential uses shall be located onsite.
- E. An administrative permit application for shared use of off-street parking shall contain information which demonstrates that there will be no conflict between the principal operating hours of the buildings or uses for which shared parking is proposed, and that all other requirements of this chapter will be met.

To effectuate this provision, a legal conveyance or agreement shall be signed by all affected landowners or their duly authorized agents guaranteeing that shared parking or off-street parking will be available for the use or building which it serves, unless an alternative standard or method is approved by the city. The agreement or conveyance shall be approved as to form by the city attorney, recorded with the county recorder and a copy submitted to the director, prior to issuance of the permit or other approval.

**17.41.060 Compact vehicle parking.**

Compact vehicle parking may be provided at the following rates in **Schedule 17.41.060 - A**, except within the Village Mixed Use (VMU) District. Compact spaces in the VMU are not permitted except when authorized pursuant to Section 17.41.150.

**Schedule 17.41.060 - A**

<b>Total Parking Spaces</b>	<b>Maximum Compact Spaces</b>
1 to 10 spaces	None allowed
11 to 30 spaces	10 percent of all spaces
31 to 100 spaces	30 percent of all spaces
101 or more spaces	30 spaces, and 40 percent of all spaces in excess of 100

**17.41.070 Parking within front and street side yards.**

Except as authorized by this title or state law, required off-street parking spaces shall not be located in front or street side yard areas.

### **17.41.080 Parking in interior side and rear yards.**

Interior side and rear yards may only be used for vehicle parking and access for residential uses, or as otherwise permitted by this code. Required landscape areas are specifically excluded from use for parking.

### **17.41.090 Tandem parking.**

Except where otherwise approved by administrative permit and designed consistent with the standards of this section, each car must be able to enter and exit the parking space independently of the movement of any other vehicle. Tandem parking - parking where a car must be moved to allow a car to back from a parking space - may also be considered by the director or designee when necessary to accommodate development of an accessory dwelling unit.

A. Standards: Tandem spaces must serve the same dwelling unit, each space must meet standard stall dimensions of 10 feet wide × 20 feet long per space, be located so that the vehicles can enter and exit a space without encroaching into the public right of way. Minimum driveway access width is 12 feet for one-way, 20 feet for two-way access.

### **17.41.100 Surfacing.**

Required parking spaces and driveways with direct access from an improved public street, shall be surfaced for their entire length with asphalt, concrete, or director approved alternative. For residential driveways more than fifty (50) feet in length, or for driveways which do not gain access from a paved public street, the director may waive the requirement for paving with approval of a site development permit (SDP-D).

All driveways and private road access shall be minimally surfaced with a 4-inch-thick road base with dust palliative to support emergency-service vehicles and reduce particulate matter. Exceptions to the surfacing requirements for temporary uses may be allowed by the director.

### **17.41.110 Controlled access.**

Except for a one-family or two-family residence and residential accessory uses, access to required parking spaces shall be designed in such a manner that vehicles leaving a parking space do not back directly onto any public street. Parking lots shall be designed and improved to prevent entrance or exit at any point other than designated driveways.

### **17.41.120 Off-street loading spaces.**

Loading space requirements are as follows:

- A. No building or part thereof, which will be occupied by an institution, hotel, commercial or industrial use or other similar uses as determined by the director, shall be erected, structurally altered by more than 100 square feet of new floor area, or allowed to house a significant change in use, unless the required off-street parking spaces, plus one additional loading space for each additional ten thousand (10,000) square feet of floor area, is provided. On-site driveways and maneuvering areas may be used in lieu of providing off-street loading space if adequate maneuvering areas for delivery vehicles is provided.
- B. Each off-street loading space shall not be less than twelve (12) feet in width, thirty (30) feet long (exclusive of driveways and maneuvering areas), and if covered, a minimum of fifteen (15) feet high.
- C. A loading space which does not adjoin a street, or alley, shall have a minimum twenty (20) foot wide access.

- D. Loading space(s) shall be improved to the same standard as required for parking areas.
- E. Except in the VMU district, no off-street loading space for commercial or industrial uses shall be closer than fifty (50) feet to any lot in a residential district, unless the space is wholly within a building, or it is enclosed on three sides by a wall not less than eight feet in height.

**17.41.130 Parking plan required.**

All parking required by this section shall be installed and maintained in accordance with a parking plan. The plan shall be submitted to and approved by the director or his or her designee prior to issuance of a building permit or use permit, and shall show the layout of the parking spaces, required access, interior aisles and other pertinent improvements including required areas for landscaping.

**17.41.140 Off-street parking standards.**

The following parking standards apply in all districts as specified. The required parking spaces are in addition to any spaces necessary for business-operated vehicles. Parking requirements shall rely on Section 17.41.140. D, applicable state law, or current best-available data and practices as identified in the Institute of Transportation Engineers (ITE) Parking Generation Manual, and the standards of this ordinance.

When computing the required number of off-street parking or loading spaces, a fraction of one-half or more shall be deemed a whole unit of measurement; a fraction of less than one-half will be disregarded.

- A. Method. Determine baseline parking using the most representative ITE land use code, setting, and independent variable as approved by the director and applying the 85<sup>th</sup> percentile as the maximum parking value. The approving authority may adjust within the 50<sup>th</sup>–85<sup>th</sup> percentile for the applicable ITE land use code based on use and the site-specific context. Alternatively, the approving authority may apply the default parking standards of section 17.41.140.D.
- B. Reductions and Credits. The following reductions and credits may be combined, subject to administrative or use permit approval: shared parking per §17.41.050; on-street frontage parking credit of 25% of a space per available on street space (e.g., 4 on-street spaces equal 1 required on-site space); transit proximity (within 0.25 mi of fixed-route stop) 10% space credit for multifamily or mixed use development; approved car-share or TDM program up to 20%. In no case shall the combination of these credits or reductions result in parking below fifty (50%) percent of the spaces established for the land use by the ITE Parking Generation Manual or section 17.41.140.D, whichever results in more spaces.
- C. Maximum Parking. Off-street parking supply for a proposed use shall not exceed the 85<sup>th</sup>-percentile ITE demand, or the standard for a use a section 17.41.140.D, whichever results in more spaces, without an approved study that demonstrates operational necessity. Modification of this standard is permissible with approval of a use permit, or when associated with the conversion or reuse of existing structures.
- D. Administrative Default Parking Standards. For ministerial review and approval, the following default parking standards shall apply. Project specific parking studies may justify lower or higher parking requirements. The following default standards are to be calibrated with local data and ITE Parking Generation Manual data every 3 years following adoption of this ordinance, unless waived by action of the city council.
  - 1. Detached single family residence: two (2) covered spaces meeting the surfacing requirements of this chapter.
  - 2. Multiple-family or group residence, condominiums, or townhouses: 1.5 parking spaces per unit; two (2) parking spaces per unit for three or more bedroom units; plus 1 guest parking space for each 5 units.

3. General commercial services, including retail and service uses: 3.0 spaces per 1,000 sf GFA.
  4. Office: 2.5 spaces per 1,000 sf GFA.
  5. Restaurant (without drive through): 6.0 spaces per 1,000 sf GFA, or 1 space per 4 seats whichever is greater.
  6. Restaurant (drive-in, fast food, or self-service): 1 parking space for each 75 square feet of GFA.
  7. Hotel, motel, boarding-house, or bed and breakfast guest facility: 1 parking space per guest room, plus 1 space per two employees, plus parking for accessory uses when determined necessary by the approving authority.
  8. Heavy commercial and industrial uses: 1 parking space for each 1,000 square feet of manufacturing or warehousing area, or 1 parking space for each employee on a major shift, plus 1 parking space for each 300 square feet of office area, plus 1 parking space for each 300 square feet of retail floor area if present
  9. Mixed use development - Per tenant mix and use type. Where residential use represents 80% or more of the parking requirement, a 10% shared parking credit may be applied.
  10. Place of public assembly (e.g.: church, social hall, club, lodge, community center, theater, or other similar uses): 1 parking space for each 4 seats in the principal seating area, or 1 parking space for every 40 square feet in the principal seating area, whichever is greater, plus 1 passenger loading space.
- E. Drive-through facilities. In addition to required off-street parking, drive-through facilities shall provide vehicle reservoir spaces as set forth in Schedule 17.41.140–A. Vehicle reservoir space is a clear area measuring at least ten (10) feet by twenty (20) feet within a drive-through lane, allowing forward movement to the point of service. Drive-through lanes shall be a minimum of twelve (12) feet wide. The drive isle entry point shall commence no closer than fifty (50) feet from the point of primary public street ingress that serves as access to the drive through lane.

**Schedule 17.41.140 -A. Drive-through space requirements.**

<u>Use</u>	<u>Space Requirements</u>
<u>Car wash (customer operated)</u>	<u>2 stacking spaces per rack.</u>
<u>Car wash (automatic)</u>	<u>4 stacking spaces per bay, not counting the vehicle in the bay.</u>
<u>Drive-in bank or financial services</u>	<u>4 stacking spaces for a single teller/ATM lane; 3 spaces per lane when two or more lanes are provided.</u>
<u>Drive-through restaurant</u>	<u>8 stacking spaces per service lane, including at least 6 spaces prior to the order point.</u>
<u>Service station</u>	<u>2 stacking spaces per aisle/lane.</u>
<u>Pharmacy</u>	<u>3 stacking spaces per service lane.</u>

- F. Bicycle parking – required. Bicycle parking shall be provided for all new buildings, additions or other modifications exceeding 25 percent of the existing building area, and for changes of use that increase floor area or employees by 25 percent. Single-family dwellings and related accessory uses are exempt

from this requirement. In the VMU and MU Districts, up to 10 percent of required automobile parking spaces may be substituted with bicycle parking spaces, subject to permitting authority approval.

1. General Standards.
  - i. Dimensions: Each bicycle space shall be at least 2 ft. × 6 ft.
  - ii. Rack Design: Must allow frame and one wheel to be locked with a U-lock; racks shall be securely anchored.
  - iii. Location: Short-term spaces within 50 ft of primary entrance, visible and well-lit. Long-term spaces in secure, weather-protected areas (e.g., bike rooms, lockers).
2. Quantity Requirements. Provide short-term and long-term bicycle parking as follows:

Land Use Type	Short-term Spaces	Long -term Spaces
Multi-family residential (5 or more units)	1 per 10 units	1 per unit. Not required for units with garages.
Commercial (retail and service uses)	2 total, or 1 per 5,000 sq. ft. (whichever greater)	1 per 10,000 sq. ft.
Office and Institutional	2 or 1 per 10,000 sq. ft.	1 per 5,000 sq. ft.
Heavy Commercial and Industrial	1 per 20,000 sq. ft.	1 per 20,000 sq. ft. or 25 employees, whichever is more.
Public / Civic / Parks	4 minimum	2 minimum

3. Design. Bicycle parking shall comply with the design standards of the APBP Bicycle Parking Guidelines and/or California Green Building Standards Code (CalGreen).
4. Plans. Show bicycle parking location and quantity on project site plan or landscaping plan. Indicate rack type and dimensions. Include lighting and signage details, and e-bike charging accommodations if provided.

**17.41.150 Parking exceptions.**

Because of circumstances unique to a property, such as size, shape, topography, location of easements or existing improvements, or for preservation of desirable trees, the approving authority may authorize by zoning exception a ten (10) percent reduction in space or aisle width dimensions, and the number of on-site parking spaces required for commercial and industrial uses, and for multiple family residential uses with four or more units. Such exception is permissible when it is shown that the reduction will not result in a traffic hazard or negatively impact on the available parking of adjacent development. The approving authority must find that the proposed modification will meet the purposes of these parking regulations and will provide adequate parking or loading for the intended use(s).

In approving an exception, the approving authority may condition the permit on compliance with other applicable provisions of this chapter, in addition to other measures that are necessary to achieve the purposes of this chapter.

- A. Parking exceptions in specified zone districts. To preserve the historical and/or architectural character of certain areas of the city, the following parking exceptions may apply in specified geographical areas. The approving authority may condition application of the exception to include participation in an established parking district, and/or payment of a parking in-lieu fee established by the city council.

1. VMU District. An off-street parking exception may be approved in the Village Mixed Use District for projects involving the conversion or reuse of existing structures, subject to compliance with applicable city design or development standards. Such projects shall use the baseline parking standards of Section 17.41.140 for determining required parking.

Subject to issuance of a minor exception pursuant to Chapter 17.15, the approving authority may apply the most representative ITE land use code and those independent variables (e.g., site context, physical constraints, shared use, etc.) as determined appropriate by the director, to establish the required parking ratio. At a minimum, the exception shall authorize a parking ratio equal to, or greater than, the 50th percentile of the ITE rate.

#### **17.41.160 Parking lot design and striping standards.**

Parking lot design and striping standards are identified in Figures 17.41.150 A and B, below:



FIGURE 17.86.150 A  
STANDARD VEHICLE PARKING

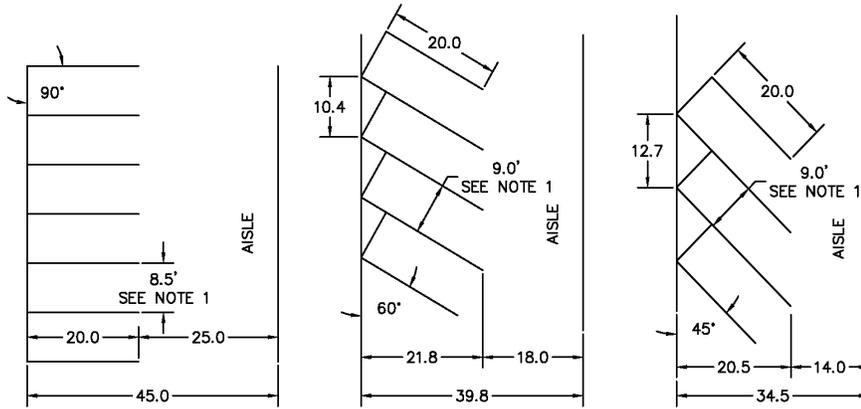


FIG. A  
90° PARKING

FIG. B  
60° PARKING

FIG. C  
45° PARKING

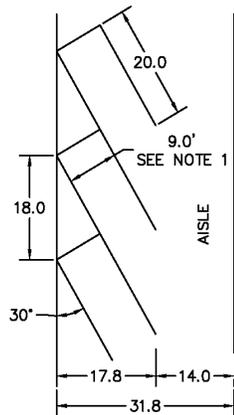


FIG. D  
30° PARKING

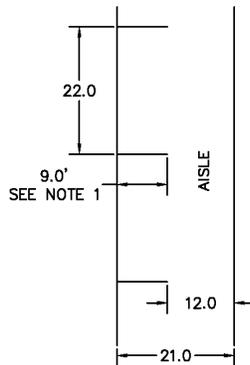


FIG. E  
PARALLEL  
PARKING

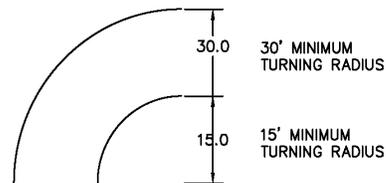


FIG. F  
MINIMUM TURNING RADIUS

- NOTE 1: Minimum 8.5-foot width except when located alongside a structure, pole, post, wall, or fence, in which case a minimum ten-foot width is required. A parking space may be reduced in length from twenty (20) feet to eighteen (18) feet if it abuts a six-foot wide landscaped area and is separated from the landscaped area by a six-inch curb or bumper stop; or if it abuts a nonpublic six-foot wide sidewalk and is separated from the sidewalk by a six-inch curb or bumper stop.
- NOTE 2: Locations of required parking spaces, garage spaces, garages and carports, are also governed by yard and other regulations of this section.
- NOTE 3: Any aisle that provides primary access to a building shall be a minimum of sixteen (16) feet wide.

FIGURE 17.86.150 B  
COMPACT VEHICLE PARKING

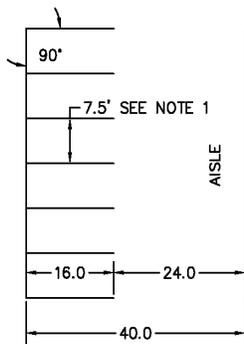


FIG. A  
90° PARKING

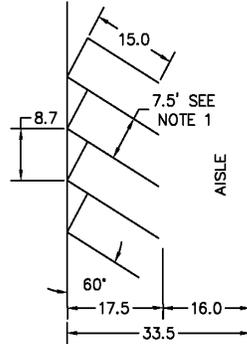


FIG. B  
60° PARKING

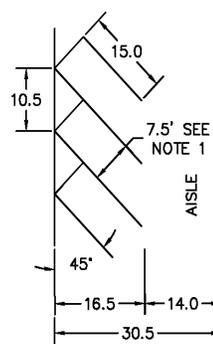


FIG. C  
45° PARKING

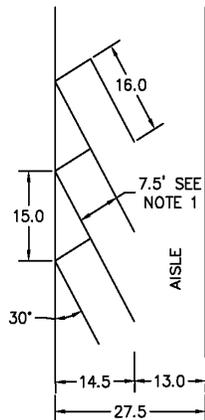


FIG. D  
30° PARKING

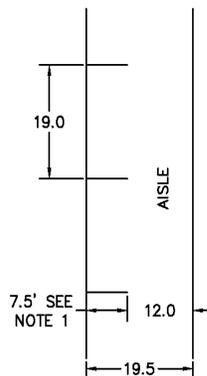


FIG. E  
PARALLEL  
PARKING

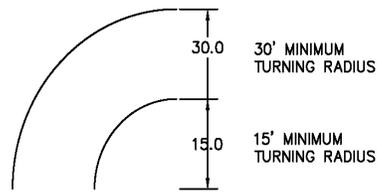


FIG. F  
MINIMUM TURNING RADIUS

- NOTE 1: Minimum 7.5-foot width is required except when located alongside a structure, pole, post, wall, or fence, in which case a 9.0-foot width is required.
- NOTE 2: Locations or required parking spaces, garage spaces, garages, and carports are also governed by yard and other regulations of this section.
- NOTE 3: Compact car spaces must be identified by signage or other designation and must be differentiated from standard car spaces.
- NOTE 4: The arrangement of standard and compact spaces shall be approved by the development services director or his or her designee.
- NOTE 5: Any aisle that provides primary access to a building shall be a minimum sixteen (16) feet wide.



**CITY OF SHASTA LAKE**

PLANNING COMMISSION MEETING  
STAFF REPORT  
December 4, 2025

**Staff Assigned:** Peter Bird, Senior Planner

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<b>Subject:</b>	<b>Consideration and Recommendation to the City Council re: Amendments to the City of Shasta Lake Municipal Code Title 17-Zoning</b>
<b>File:</b>	Z 25-01
<b>Location:</b>	Citywide
<b>Significant / Applicable Legal Authority</b>	State Planning and Zoning Act (Government Code) California Environmental Quality Act (Public Resources Code) City of Shasta Lake Municipal Code 2.12 "Planning Agency"
<b>Environmental Determination:</b>	The proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State Guidelines to implement CEQA

---

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission consider the information provided in the staff report and open the meeting to accept public comments on the ordinance. If determined appropriate, the Commission should recommend that the City Council adopt the proposed revisions to Title 17-Zoning of the City of Shasta Lake Municipal Code (SLMC).

- a. Find the proposed amendments exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State Guidelines to implement CEQA; and
- b. Adopt an Ordinance amending Chapter 17.10 – Cannabis Business Land Use, of the SLMC.

## **RECOMMENDED MOTION**

Staff recommends the Planning Commission make the following motion to forward the proposed ordinance amendments to the City Council:

"I move the Planning Commission adopt the resolution finding the proposed amendments exempt from CEQA and recommending the City Council adopt the ordinance amending Chapter 17.10 – Cannabis Business Land Use of the City of Shasta Lake Municipal Code.

## **BACKGROUND:**

The following municipal code amendment represents an effort to clarify and align Chapter 17.10 – Cannabis Business Land Use with the findings of the Commercial Cannabis Ad Hoc Committee. Please review Attachment B for background information.

## **PROPOSED CHANGES**

The existing ordinance will be replaced with the attached draft, which is reformatted and reflects the zoning districts that will be adopted with the development code update. The current ordinance is included in Attachment C for reference.

Substantive changes include:

4. Existing Footnote 1 - ~~Three total retail businesses are permitted; each must be located on Shasta Dam Boulevard or in a previously established location housing an existing retailer in operation at the time the ordinance from which this section is derived was adopted.~~

Proposed Footnote 1 - A total of three cannabis retailers are permitted within the City of Shasta Lake.

## **ALTERNATIVES**

Alternatives include but are not limited to the following:

1. Recommend that no ordinance be forwarded to the City Council at this time.
2. Recommend that the proposed ordinance be revised to address issues identified during the public hearing. The Commission should provide specific direction on the revisions.

## **California Environmental Quality Act**

The proposed amendments address minor modifications to currently permitted uses and will not create new environmental impacts. Therefore, the proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State Guidelines to implement CEQA.

## **General Plan**

The proposed ordinance is consistent with the City's General Plan by supporting the adopted goals, objectives, policies and implementation measures including but not limited to the following:

- a. POLICY-LU-1.3 - Evaluate zoning proposals to prevent the overconcentration of land uses in any area of the City where land use intensities, commercial or industrial operations, or increased traffic would adversely impact the safety, health, and quality of life of residents.
- b. POLICY-LU-1.8 As the community grows and faces development pressure along Interstate 5 and on its fringes, the City must be both deliberate and resolute in its commitment to preserve the character and economic vitality of downtown. The City shall encourage economic growth and continued improvement in the downtown area on already-developed areas and on underutilized parcels.
- c. IMPLEMENTATION-LU-1.3 Regularly monitor all parts of the Municipal Code to identify requirements or standards that limit flexibility and creativity in the reuse of developed properties and existing structures. The City should make appropriate changes consistent with the goals and policies of the General Plan when needed.

## **ATTACHMENTS**

Attachment A – Planning Commission Resolution  
Attachment B – City Council Agenda Packet  
Attachment C – Current Ordinance

## **Attachment A: Planning Commission Resolution**

**RESOLUTION NUMBER PC 2025-XX**

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**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHASTA LAKE  
RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF MUNICIPAL CODE  
AMENDMENTS TO CHAPTER 17.10 – CANNABIS BUSINESS LAND USE**

---

**WHEREAS**, the General Plan of the City of Shasta Lake has been adopted to guide development in compliance with State Law; and

**WHEREAS** the Government Code allows the City to adopt ordinances and standards to reasonably regulate the development of property and to protect public safety and the environment consistent with the direction provided by the General Plan; and,

**WHEREAS**, the City of Shasta Lake proposes to amend the Municipal Code Chapter 17.10 – Cannabis Business Land Use to align with the Commercial Cannabis Ad Hoc Committee findings; and,

**WHEREAS**, the City of Shasta Lake is in the process of completing the comprehensive development code update; and,

**WHEREAS**, the existing Shasta Lake Municipal Code Chapter 17.10 will stay in effect until May 30, 2026, and will thereafter be replaced by this ordinance.

**WHEREAS**, the Planning Commission conducted a public hearing on December 4, 2025, and considered all public testimony provided regarding the proposed ordinance, as well as all written materials and other information in the record.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Shasta Lake:

- A.** Makes the following findings and recommendations to the City Council:
  - 1. The proposed amendments would further the public necessity, convenience, and general welfare. The amendment would provide citizens with opportunities to participate in the planning and decision-making processes of the City relative to the development of property. The proposed ordinance would also preserve and enhance the quality of life of residents by supporting orderly and safe development of a variety of living environments and accommodating growth.
  - 2. The proposed revisions comply with the applicable Government Code requirements of the State of California as implemented by the General Plan and Municipal Code of the City.
  - 3. The proposed amendments are consistent with the City’s General Plan by supporting the adopted goals, objectives, policies and implementation measures including but not limited to the following:

- a. POLICY-LU-1.3 - Evaluate zoning proposals to prevent the overconcentration of land uses in any area of the City where land use intensities, commercial or industrial operations, or increased traffic would adversely impact the safety, health, and quality of life of residents.
  - b. POLICY-LU-1.8 As the community grows and faces development pressure along Interstate 5 and on its fringes, the City must be both deliberate and resolute in its commitment to preserve the character and economic vitality of downtown. The City shall encourage economic growth and continued improvement in the downtown area on already-developed areas and on underutilized parcels.
  - c. IMPLEMENTATION-LU-1.3 Regularly monitor all parts of the Municipal Code to identify requirements or standards that limit flexibility and creativity in the reuse of developed properties and existing structures. The City should make appropriate changes consistent with the goals and policies of the General Plan when needed.
4. The proposed project will not result in significant adverse impact on the environment as it will implement the Land Use Element of the General Plan, consistent with the Final Environmental Impact Report prepared for adoption of the General Plan. The proposed amendments address minor modifications to existing permitted uses, and will not create new impacts of the environment. Therefore, the proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State Guidelines to implement CEQA.
- B. Recommends City Council approve an ordinance as outlined in this Resolution.
  - C. Ordinance Amendments – Replace Chapter 17.10 in its entirety.
    - I. Proposed Ordinance (including new anticipated chapter reference):

**Title 17 – Zoning**  
**Division IV – Regulations Applying in All Districts**  
**Chapter 17.49 – Cannabis Business Land Use**

**17.49.010 Purpose**

The purpose of this chapter is to establish clear standards for the location and operation of commercial cannabis uses within the City of Shasta Lake. Commercial cannabis activities are permitted only in the zoning districts expressly identified in Section 17.49.040; any district not listed in that section does not allow such uses.

This chapter is further intended to ensure that all cannabis businesses operate in a manner that safeguards public health, safety, and the general welfare of residents and businesses, and that such activities remain compatible with surrounding land uses and community expectations.

**17.49.020 Applicability**

This chapter applies to the permitting of cannabis land uses in the city. Routine ongoing operation and maintenance shall not require a permit.

**17.49.030 Definitions**

The definitions for commercial cannabis activities listed within Section 05.05.030 - Definitions are hereby incorporated into this chapter by reference.

**17.49.040 Land Use table(s)**

The following land use tables – Tables 17.49. 040 - A and B - shall be used to determine whether a cannabis business is permitted (P) by zoning clearance, not permitted (NP), or permitted subject to an administrative permit (AP) or use permit (UP). If a zoning district in title 17 is not listed in the land use table in this section, the use is expressly not permitted.

**Table 17.49 - A. Cannabis Land Use Type and Permitting**

Use Type	Land Use Class	Permit Required					
		VMU	GC/VC	HC	ML	M	SGIP-PD/DR
Cultivation	Commercial—A, B, C	NP	NP	UP	P	P	P
Retailer	Storefront/Delivery	P <sup>1</sup>	P <sup>1</sup>	NP	NP	NP	NP
Distribution	Warehouse/Distributor	NP	P <sup>2</sup>	P <sup>2</sup> /UP	P	P	P
Manufacturer	Manufacturing	NP	NP	UP	UP	P	P
Nursery	Retail/Wholesale	NP	P <sup>3</sup> /UP <sup>3,5</sup>	P <sup>4</sup> /UP <sup>4,5</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>
Testing	Laboratory	NP	UP	UP	P	P	P

**Footnotes:**

<sup>1</sup> A total of three total retail cannabis businesses are permitted within the City of Shasta Lake.

<sup>2</sup> Permitted use within buildings less than two thousand (2,000) square feet.

<sup>3</sup> Retail sales required.

<sup>4</sup> Retail sales allowed.

<sup>5</sup> Permitted use for buildings less than two thousand (2,000) square feet—Subject to CUP for buildings over two thousand (2,000) square feet.

<sup>6</sup> Retail sales not allowed.

**Land use classifications:**

Commercial A—Permitted cultivation area: Zero to five thousand (5,000) square feet.

Commercial B—Permitted cultivation area: Five thousand one (5,001) to ten thousand (10,000) square feet.

Commercial C—Permitted cultivation area: Ten thousand (10,000) to twenty-two thousand (22,000) square feet.

**Table 17.49 - B. Applicable Land Use Table**

ZONING DISTRICTS	
VMU	Village Mixed Use
GC, VC	General Commercial
HC	Heavy Commercial
LI	Light Industrial
I	Industrial
SGIP-PD	Shasta Gateway Industrial Park—Planned Development

**17.49.050 Permits**

All commercial cannabis business allowed as shown in section 17.49.040 are required to obtain a business license and commercial cannabis business permit as required by [Title 5 - Business Licenses and Regulations](#), prior to the commencement of activity of any kind.

- A. The director may require an applicant to apply for a use permit if, based on substantial evidence, the cannabis use could have a specific, adverse impact upon the public health and safety. The director’s decision to require a use permit may be appealed by the applicant to the planning commission pursuant to Chapter 17.11 – Common Procedures of this title.
- B. If a use permit is required, the application for the permit may be denied if the planning commission makes written findings, based upon substantial evidence in the record, that the proposed use would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of potential feasible alternatives for preventing the specified, adverse impact.

**17.49.120.060 Development Standards**

Commercial cannabis businesses shall comply with all applicable development standards outlined within this title and code.

**DULY PASSED AND ADOPTED** this 4<sup>th</sup> day of December, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**Darlene Brown, Chair**  
Planning Commission, City of Shasta Lake

**ATTEST:**

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**Jessaca Lugo, City Manager**

**Attachment B – City Council Agenda Packet**



Report and Recommendations  
Reviewed and Approved

**X.X**

  
\_\_\_\_\_  
City Manager

## **AGENDA ITEM**

### **City Council**

---

**TO:** Mayor and City Council Members

**FROM:** Jessaca Lugo, City Manager

**DATE:** January 6, 2026

**SUBJECT:** **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE AND RESOLUTION AMENDING CHAPTER 5.05, "REGULATION OF COMMERCIAL CANNABIS ACTIVITIES," AND ADOPTING THE PROCEDURAL GUIDELINES AND REVIEW CRITERIA FOR THE RETAIL COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION SELECTION PROCESS**

**FILE NO.:** **C-015-080-060**

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### **RECOMMENDATION**

Staff recommends that the City Council receive a staff presentation, conduct a Public Hearing, and subsequently approve an ordinance and resolution amending Chapter 5.05, "Regulation of Commercial Cannabis Activities."

### **BACKGROUND**

At the July 15, 2025, City Council meeting, the City Council voted to temporarily pause the acceptance of retail applications and established a Commercial Cannabis Ad Hoc Committee to discuss existing Commercial Cannabis Regulations, create a retail license application selection process, and review suggested regulatory updates. The Ad Hoc Committee held two public meetings, during which they met with staff, commercial cannabis stakeholders, and subject-matter specialists to evaluate the operational challenges encountered during the licensing process.

Through this review, the Committee identified a series of miscellaneous but meaningful updates spanning definitions, application submittal requirements, evaluation procedures, timelines, and compliance protocols. These recommended changes aim to streamline internal workflows, clarify expectations for applicants, and ensure that the Ordinance

continues to align with evolving state law and best practices within the cannabis regulatory field and the Shasta Lake community.

The update includes additional definitions, addresses separation requirements for cannabis retailers, sets forth a timeline for application abandonment, and establishes a retail application selection process. Additionally, the revision aligns the maintenance and retention requirements for records with those of the California Department of Cannabis Control.

**FISCAL IMPACTS:**

The number of licensed retail licenses remains unchanged, so staff does not anticipate a fiscal impact.

**ATTACHMENTS**

Ordinance ORD-2025-\_\_  
Resolution CC-2025-\_\_  
Public Hearing Notice

**DISTRIBUTION**

City Council  
City Attorney  
Finance Department

**ORDINANCE ORD-2025-XX**

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**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE  
AMENDING CITY MUNICIPAL CODE SECTIONS FOR REGULATION OF  
COMMERCIAL CANNABIS ACTIVITIES**

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The City of Shasta Lake City Council does hereby ordain that City of Shasta Lake Municipal Code Article V Section 5.05 and 17.10 are hereby amended to read as follows:

**Section 1.** Chapter 5.05 Regulation of Commercial Cannabis Activities

**Attached hereto as Exhibit A-1**

**Section 1.** Chapter 17.10 Regulation of Commercial Cannabis Activities

**Attached hereto as Exhibit A-2 (From Peter)**

**Section 2.** Severability: If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

**Section 3.** Effective Date: This ordinance shall take effect 30 days after the date of its second reading and posting pursuant to City Code.

**I HEREBY CERTIFY** that the foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of Shasta Lake held on the 18th day of November 2025.

**PASSED, APPROVED, AND ADOPTED** this 6th day of January, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, Mayor

\_\_\_\_\_  
**CHARITY TATLOW, CMC**  
City Clerk

## RESOLUTION CC-2025-XX

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### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE ADOPTING THE PROCEDURAL GUIDELINES AND REVIEW CRITERIA FOR THE RETAIL COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION SELECTION PROCESS PURSUANT TO SECTION 5.05.120 OF THE SHASTA LAKE MUNICIPAL CODE

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**WHEREAS**, Section 5.05.120 of the City of Shasta Lake Municipal Code establishes the Retail Commercial Cannabis Business Permit Application Selection Process; and

**WHEREAS**, this section requires that the City Council, by resolution, adopt Procedural Guidelines and Review Criteria to ensure fairness, impartiality, and transparency in the City's evaluation and selection of retail commercial cannabis business applications; and

**WHEREAS**, the Procedural Guidelines establish the process for soliciting applications, including timelines, limitations, requirements, forms, and rules for completing and submitting applications; and

**WHEREAS**, the Review Criteria provide the methodology for evaluating applications based on a point system, or other system, as determined appropriate by the City Council, to assess compliance with minimum qualifications and standards; and

**WHEREAS**, the City Council finds that adoption of these Guidelines and Criteria promotes an equitable merit-based review followed by a randomized qualified lottery among eligible applicants who meet or exceed the established minimum standards; and

**WHEREAS**, the City Council further authorizes the City Manager to prepare forms, adopt administrative rules, and implement procedures necessary to carry out the adopted Guidelines and Criteria consistent with Section 5.05.120 of the Municipal Code; and

**WHEREAS**, the City Council desires to ensure that the City's retail commercial cannabis permitting process is transparent, competitive, and consistent with state and local law.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Shasta Lake hereby adopts the Retail Commercial Cannabis Business Permit Procedural Guidelines and Review Criteria (**attached hereto as Exhibit B**), governing the City's evaluation and selection process for retail cannabis permit applications, including the Qualified Lottery process.

**BE IT FURTHER RESOLVED** that:

1. Procedural Guidelines — shall define the City's process for soliciting, accepting, and reviewing applications, including timeframes, forms, requirements, and submission procedures.

2. Review Criteria — shall establish the evaluation methodology for determining applicant eligibility, utilizing a point-based or equivalent merit system approved by the City Council.
3. Qualified Lottery — shall be conducted among eligible applicants who satisfy the minimum threshold of qualifications, following impartial and transparent procedures adopted by this resolution.
4. City Manager Authority — the City Manager, or designee, is authorized to prepare and distribute necessary forms, adopt administrative procedures, and take such actions as may be required to implement the adopted Guidelines and Criteria.

Publication — the adopted Procedural Guidelines and Review Criteria shall be published on the City’s website and made available at City Hall.

**PASSED, APPROVED, AND ADOPTED** this 6th day of January, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, Mayor

\_\_\_\_\_  
**CHARITY TATLOW, CMC**  
City Clerk

## **Chapter 5.05 REGULATION OF COMMERCIAL CANNABIS ACTIVITIES**

### **5.05.010 Purpose and intent.**

It is the purpose and intent of this section to regulate the cultivation, manufacturing, testing, distribution, and sale of cannabis in order to ensure the health, safety and welfare of the residents of the city. The regulations in this article, in compliance with the Compassionate Use Act, the Medical Marijuana Program Act, Proposition 64 (AUMA), SB 94 (MAUCRSA) and the California Health and Safety Code (collectively referred to as "state law") do not interfere with the right to use cannabis or medical cannabis as authorized under state law, nor do they criminalize the possession or cultivation of cannabis or medical cannabis as authorized under state law. All commercial cannabis business shall at all times be in compliance with current state law at a minimum.

### **5.05.020 Scope of article.**

The operating standards established in this article apply to any site, facility, location, use, or business currently operating in the city, or which commences operations after the effective date of this section, that cultivates, distributes, dispenses, stores, sells, exchanges, processes, delivers, or gives away cannabis for medical or recreational purposes. Any commercial cannabis business shall operate in conformance with the operating standards set forth in this section of the code to assure that the operations of the retail facility, cultivation facility, manufacturing facility, distribution facility or testing facility are in compliance with state law and to mitigate the adverse secondary effects from its operations.

Persons who cultivate cannabis for their sole personal use, or qualified primary caregivers who cultivate medical cannabis on behalf of their qualified patient(s) may do so in quantities recommended by their physician and in accordance with all state and local regulations without submitting any application or permit. It is hereby declared to be unlawful and a public nuisance may also be deemed to exist if such activity is determined to be related to the cultivation of cannabis and produces:

1. Odors which are disturbing to people residing or present on adjacent or nearby property or areas open to the public.
2. Repeated responses to the property from law enforcement or other code enforcement officers (more than three times in a one-year period).
3. Repeated disruption to the free passage of persons or vehicles in the neighborhood (more than three times in a one-year period) as reported to law enforcement officers or the city code enforcement officer.
4. Any other impact which adversely impacts the health, safety or general welfare of people on adjacent or nearby property or areas open to the public.

Nothing in this chapter shall be construed as a limitation on the city's authority to abate any nuisance which may exist from the planting, growing, harvesting, drying, processing or storage of cannabis plants or any part thereof from any location.

All cannabis cultivation shall be subject to Chapter 8.12 (summary abatement-immediately dangerous buildings and conditions), Chapter 8.16 (abatement of dangerous buildings, substandard buildings and public nuisances) and the state housing code (California Health and Safety Code) and other applicable provisions of local and state law.

### 5.05.030 Definitions.

The definitions listed here are applicable throughout this code where cannabis is referenced. All definitions are intended to comply with those in this code, state regulations, Business and Professions Code, and in the California Health and Safety Code, and as they may be amended.

"Applicant" shall mean an owner who is required to file an application for a permit or license under this chapter.

"Cannabis" means all parts of the Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

**"Cannabis Application Selection or Review Committee" consists of designated staff members from departments to include: Electric Utility, Finance, and Planning.**

"Cannabis goods" means both cannabis and/or cannabis products.

"Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

"Cannabis manufacturing site" means the premises that produces, prepares, propagates, or compounds manufactured cannabis or cannabis products either directly or indirectly, or by extraction methods, or by a combination of extraction and chemical synthesis at a fixed location that packages, or repackages cannabis goods, or labels or relabels its container.

"Cannabis testing facility" means a public or private laboratory licensed and certified or approved by the Bureau of Cannabis Regulation or any other regulatory body controlling testing facilities, to conduct research and analyze cannabis, cannabis products, and cannabis concentrate for contaminants and potency.

"Canopy" means the total combined canopy area for all locations on a property where cannabis is being cultivated, including indoor areas, outdoor areas, or a combination of both, as measured by the horizontal extent of the plant or combination of plants at the widest point and measured in a straight line.

"City manager" means the city manager of the City of Shasta Lake or designee.

"Commercial cannabis business" means any business which engages in commercial cannabis activity. "Commercial cannabis business" also means the location at which a person engages in commercial cannabis activities.

"Commercial cannabis business permit" means a regulatory permit issued by the City of Shasta Lake pursuant to this chapter to a commercial cannabis business to engage in those commercial cannabis activities authorized by the permit and is required before any cannabis business may conduct any commercial cannabis activity in the city.

"Commercial cannabis activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, dispensing, or sale of cannabis and/or cannabis products.

"Cultivation" and/or "cultivate" shall mean the planting, growing, harvesting, drying, processing, or storage of one or more cannabis plants or any part thereof.

"Customer" means a natural person twenty-one (21) years of age or older or a natural person eighteen (18) years of age or older who possesses a physician's recommendation, or a primary caregiver who is engaged in a transaction with a retailer for purposes of obtaining cannabis goods, i.e., purchase.

"Daycare Center" or "Licensed Daycare Center" means any child care-infant center, child care center, or child care center preschool licensed by the State of California Department of Social Services.

"Delivery" means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of cannabis or cannabis products.

"Distribution" means the procurement, sale, and transport of cannabis goods between state-licensed cannabis businesses.

"Distributor" means a commercial cannabis business that is locally authorized to engage in the distribution of cannabis goods.

"Employee" shall mean any person employed by a commercial cannabis business that is locally authorized to engage in commercial cannabis activity.

"Immature cannabis plant" or "immature plant" means a plant that is nonflowering and is shorter and narrower than eighteen (18) inches.

"Indoor cultivation" means cultivation that is conducted within a fully enclosed, permitted building or structure, accessible only through one or more locking doors, which is secure against unauthorized entry, and which uses artificial light.

"Labeling" means any label or other written, printed, or graphic matter upon a cannabis good, upon its container or wrapper, or that accompanies any cannabis good.

"Manager" shall mean an employee responsible for management and/or supervision of a commercial cannabis business.

"Manufacture" means to produce, prepare, propagate, or compound, or otherwise blend, extract, or infuse cannabis and/or a cannabis product either directly or indirectly, or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

"Mixed-light cultivation" means cultivation of cannabis using light deprivation, and both natural and/or artificial lighting during the growing cycle, in a permanent facility, which is a building constructed on a permanent foundation in compliance with the California Building Code and complies with all applicable requirements cited within this chapter.

"Non-climbable fence" means a fence with a smooth exterior surface that is not equipped with steps or other provisions for climbing.

"Nursery" means a commercial cannabis business that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

"Outdoor cultivation" means any commercial cannabis cultivation without the use of light deprivation and/or artificial lighting in the canopy area, and that is not conducted within a fully enclosed, permitted building, accessible only through one or more locking doors, which is secure against unauthorized entry.

"Person" includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business, business trust, receiver, syndicate, collective, cooperative, or any other group or entity, or combination acting as a unit, and the plural as well as the singular.

"Premise" means the designated structure(s) and land of a legal parcel specified in the application that is owned, leased, used, possessed, or otherwise held under the control of the commercial cannabis business where the commercial cannabis activity will be or is conducted. The premise shall be a contiguous area and shall only be occupied by one permittee.

"Primary caregiver" shall have the same meaning as set forth in California Health and Safety Code Section 11362.7.

"Qualified patient" shall have the same meaning as set forth in the California Health and Safety Code Section 11362.7.

"Retail" or "retailer" means a premise that is locally authorized to engage in retail sale and delivery of cannabis or cannabis goods.

"Retail nursery" means a premise that is locally authorized to engage in retail sale and delivery of only cannabis clones, immature plants, and seeds. The sale of all other cannabis goods is prohibited.

"School" means any public or private school providing instruction in kindergarten or grades one to twelve (12), inclusive, but does not include any private school in which education is primarily conducted in private homes.

"Youth center" means any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

#### **5.05.040 Separation requirements.**

No commercial cannabis business may be located within a 900-foot linear foot (from property line to property line) from a school, day care home, recreational center, youth center, library or public park.

No commercial cannabis retail business may be located within a 600-foot linear foot (from property line to property line) from another permitted commercial cannabis retail business.

(Ord. No. 19-276, § 3(Exh. A), 9-17-2019)

#### **5.05.050 Maximum number of retail businesses permitted citywide.**

In no case shall the city allow more than three retail businesses to operate within city limits, regardless of the location's compliance with any other section specified in this title. Retail nurseries are excluded from this restriction.

#### **5.05.060 Commercial cannabis cultivation, testing, manufacturing, distribution and retail facilities.**

- A. Commercial cannabis cultivation shall be limited to indoor cultivation or mixed-light cultivation only. Outdoor cultivation is prohibited.
- B. Cannabis cultivation, distribution, manufacturing or testing facilities shall not contain an exhibition or product sales area or allow for retail sale of products at that location.
- C. All commercial cannabis businesses shall be required to provide an air treatment system that ensures off-site odors shall not result from its operations. This requirement at a minimum means that the facility shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the location is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same building as the facility, if the use occupies only a portion of a building.

#### **5.05.070 Commercial cannabis business permit required.**

- A. It shall be unlawful for any person, association, partnership or corporation to engage in, conduct or carry on, in or upon any premises within the city without a commercial cannabis business permit. A cannabis business shall register and obtain a commercial cannabis business permit from the city prior to operation. The applicant shall pay a nonrefundable fee in an amount established by the city council.
- B. A copy of the commercial cannabis business permit shall be displayed at all times in a place visible to the public.
- C. A commercial cannabis business permit shall be valid for one year, unless sooner revoked. No permit granted herein shall confer any vested right to any person or business for more than the above-referenced period.

#### **5.05.080 Commercial cannabis business permit.**

- A. A commercial cannabis business permit shall not be issued to an individual or a business entity associated with an individual, who has violated California Health and Safety Code Section 11590 and its provisions.
- B. The commercial cannabis business permit shall be issued to the specific person or persons listed on the cannabis permit application.
- C. A commercial cannabis business permit does not transfer with the land and does not transfer with the transfer of the property.

#### **5.05.090 Commercial cannabis business permit application submission process.**

- A. The city manager will prepare cannabis application forms and a related administrative policy. Each applicant interested in operating pursuant to this section may submit an application together with a nonrefundable processing fee in an amount established by the city council.
- B. The city manager shall determine whether each application received demonstrates compliance with the minimum requirements to be eligible to be entered into the selection process. These requirements include:
  - 1. Application was submitted during the application period.
  - 2. Application is filled out completely.
  - 3. Application fee is paid.
  - 4. The location indicated on the application meets the zoning criteria established in Section 17.10.020.
  - 5. The location indicated on the application meets the separation criteria established in Section 5.05.040.
  - 6. A planning and/or building permit with a receipt proving payment for processing from the city planning department for the property location the commercial cannabis business will occupy.
  - 7. A notarized signature from the property owner authorizing the location to be used for commercial cannabis business activity.
  - 8. Authorization from the management association/CC&R's that a cannabis business use is allowed on that parcel (if applicable).
  - 9. Business owner(s)/applicant(s) referenced on the application completes live scan background check.
  - 10. There may be no change in applicant/business owner from the one(s) listed on the commercial cannabis business permit application.

11. All other application documents required in the city's application package instructions, state regulations and any other applicable regulations as they may be amended.
12. Photographs of the exterior of the building including the entrance(s), exit(s), street frontage(s) and parking area.
13. If the property is being rented, leased or purchased under contract, the lease agreement term, name of lessor or equivalent, shall be provided by a notarized signed affidavit of the property owner.
14. The name and address of the applicant's current agent for service of process.
15. A copy of the applicant's board of equalization seller's permit.
16. A copy of the commercial cannabis business operating standards, listed in Sections 5.05.140, 5.05.150, and 5.05.160 if applicable containing a statement dated and signed by the business owner stating that under penalty of perjury that they read, understand and shall ensure compliance with the aforementioned operating standards.
17. Provide a statement, signed by the applicant under penalty of perjury, that the information provided is complete, true, and accurate.
18. Release of the city from all liability associated with the commercial cannabis business. Such a release includes indemnifying the city for claims, damages and injuries that may arise as a result of the commercial cannabis business.
19. Provide a completed utility load information form.

**5.05.100 Environmental clearance required for commercial cannabis business permit applications.**

- A. The purpose of this section is to provide the City of Shasta Lake, permit applicants, and the public with the procedures to be used in administering the city's responsibilities under the California Environmental Quality Act (CEQA), codified as Public Resources Code Section 21000, et seq., as amended. The procedures are intended to protect both local and regional natural resources in a manner that is consistent with the goals and policies of the general plan, and the requirements of CEQA.
- B. Each applicant interested in operating pursuant to this chapter shall submit an application for environmental clearance with the city manager together with a nonrefundable processing fee in an amount established by the city council at the time of application for a commercial cannabis business permit. The city manager will prepare documents as required for environmental clearances for all cannabis business permits.
- C. The full text of the state CEQA guidelines as amended is hereby incorporated by reference into this chapter as if fully set out herein and shall supersede any inconsistent provisions of these city environmental review procedures. These environmental review procedures supplement the state CEQA guidelines adopted as 14 California Code of Regulations, Title 14, Section 15000, et seq. In the event there is a conflict between the Public Resources Code and the CEQA guidelines, the Public Resources Code shall govern.
- D. The list of defined terms in Chapter 17.02 (definitions), under title 17 of the City of Shasta Lake Municipal Code is expanded by reference to include the definitions contained in the Public Resources Code and the state CEQA guidelines.
- E. The city manager shall determine whether an application for environmental clearance is complete within thirty (30) calendar days from the receipt of the application. If no written determination of the completeness of the application is made within that period, the application shall be deemed complete on the thirty-first (31<sup>st</sup>) day.
  1. When reviewing the application for completeness, the city manager shall identify environmental issues that require additional information or explanation by the applicant. An application for a commercial

cannabis business permit shall not be accepted as complete until all the information necessary for environmental review as determined by the city manager has been submitted.

2. Accepting an application as complete does not limit the authority of the city to require the applicant to submit additional information needed for environmental evaluation.
  3. Notice of Exemption. When the city manager determines that a project is categorically or statutorily exempt from CEQA and the city decides to approve the commercial cannabis permit, the city may file a notice of exemption. The notice of exemption may be prepared in accordance with Section 15062 of the CEQA guidelines.
  4. Filing of Notice of Exemption. The city may file the notice of exemption with the County Clerk of Shasta County. Copies of the notice may also be available for public inspection at the city. Filing and posting the notice of exemption commences a thirty-five-day statute of limitations from the date of project approval.
- F. A commercial cannabis business permit shall not be issued until such time that environmental clearance where required by this chapter and the provisions of CEQA has been completed.
1. Exception: Where the issuance of a commercial cannabis business permit also involves the issuance of a discretionary land use entitlement as set forth in Chapter 17.10, the environmental clearance may be completed in combination with the land use entitlement.

#### **5.05.110 Non-Retail Commercial cannabis business permit application selection process.**

- A. The city manager will evaluate the applications received and make a determination on the eligibility of each application. Each application that is complete and in compliance with this chapter shall be placed on the "qualified commercial cannabis business application list" and shall be notified in writing that they are a "qualified commercial cannabis business applicant."
- B. The city manager, after receiving the application and aforementioned information, will grant the **permit Approval Letter** if they find:
  1. The required fee has been paid.
  2. The application conforms in all respects to the provisions of this chapter.
  3. The applicant has not knowingly made a material misrepresentation in the application.
  4. The applicant has fully cooperated in the investigation and background checks required by this section.
  5. The applicant has not had a commercial cannabis business license or other similar license or permit denied or revoked for cause by this city or any other city in the state within the last five years prior to the date of the application.
  6. The commercial cannabis business, as proposed by the applicant would comply with all applicable laws including, but not limited to, health, zoning, fire and safety requirements.
  7. The applicant has demonstrated compliance with this code and state regulations.
- C. After all tenant improvements have been finalized by the commercial cannabis business owner, the city manager can request an inspection of the cannabis business location to confirm compliance with this section.
- D. If any of the items listed in the application process are not met, the city manager shall notify the applicant of the deficiency, after which the applicant will have ten days from receipt of notice to correct the deficiency. If the deficiency is not corrected within ten days, the city manager may deny the permit and notify the applicant of this determination in writing after which the applicant can appeal the decision in accordance with Section 5.05.130 (appeal of denial of permit reference).
- E. **Any application that has failed to comply with local or state application compliance may be deemed abandoned after 90 days.**

- F. The Business License and Permit to Operate will be issued once the State has approved the license and all fees have been paid.

#### **5.05.120 Retail commercial cannabis business permit application selection process.**

- A. The Qualified Lottery process is intended to ensure fairness and transparency in the issuance of retail commercial cannabis business permits by requiring applicants to first demonstrate basic qualifications through a merit-based review, followed by a randomized lottery among those applicants who meet the established standards.
- B. By resolution, the City Council shall adopt Procedural Guidelines and Review Criteria for the City's evaluation of applications for retail commercial cannabis business permits. The Procedural Guidelines and Review Criteria shall be published on the City's website and available upon request at City Hall.
- B. The Procedure Guidelines shall provide the process for soliciting applications including time frames, limitations, requirements, forms, and rules for completing applications.
- C. The Review Criteria shall include the methodology to be used to evaluate applications on a point system, or other system, based on the Review Criteria.
- D. The City Manager shall be authorized to prepare forms and adopt rules to implement the Procedure Guidelines and Review Criteria.
- E. Merit-based review.
  - 1. All applications shall first be reviewed to determine compliance with minimum qualifications and standards adopted by City Council resolution.
  - 2. Only those applications that meet or exceed the minimum threshold established by resolution shall be eligible to participate in the lottery.
  - 3. Applications failing to meet the minimum threshold shall be deemed ineligible and disqualified from the application process.
- F. Qualified lottery.
  - 1. The City shall conduct a lottery among all eligible applicants who satisfy the minimum qualifications.
  - 2. The procedures for conducting the lottery, including methods to ensure impartiality and transparency, shall be adopted by City Council resolution.
  - 3. The lottery shall be conducted in a public forum, and the results shall be recorded and made available to the public.
- G. Permit Award.
  - 1. Applicants selected through the lottery shall be offered conditional retail commercial cannabis business permits, subject to compliance with all other applicable requirements of this Code.
  - 2. In the event a selected applicant is disqualified or withdraws, the City may offer the permit to another applicant in accordance with procedures adopted by resolution.

#### **5.05.120-130 Cannabis permit annual renewal.**

- A. Applications for the renewal of a permit shall be submitted at least thirty (30) calendar days before the expiration of the current permit. Any permittee allowing their permit to lapse or which permit expired during a suspension shall be required to submit a new application, pay the corresponding original application fees and be subject to all aspects of the selection process.

- B. Any person desiring to obtain a renewal of their respective permit shall file a written application under penalty of perjury on the required form. The application shall be accompanied by a nonrefundable filing fee established by the city council to defray the cost of the review required by this section. An applicant shall be required to update the information contained in their original permit application and provide any new and/or additional information as may be reasonably required by the city manager in order to determine whether said permit should be renewed.

#### **5.05.130-140 Denial of permit.**

- A. The city manager, in consultation with law enforcement, building official and city fire protection district, will review all commercial cannabis business applications, and all other relevant information, and determine if a permit should be granted. If the city manager determines that the permit shall not be granted, the reasons for denial shall be provided in writing to the applicant. The applicant shall have fourteen (14) calendar days from the date of the receipt of the written denial to correct the reasons for denial and request in writing reconsideration of permit issuance. Following review of the amended permit application, the city manager will approve or deny the permit by providing written notice to the applicant.
- B. An applicant who disagrees with the decision may appeal such decision pursuant to the appeals process of this section.

#### **5.05.140-150 Operational standards for all commercial cannabis business activities.**

- A. Interior and exterior locations of the business property shall be monitored at all times by digital video surveillance system with a minimum camera resolution of one thousand two hundred eighty (1280) by seven hundred twenty (720) pixels and at a minimum of fifteen (15) frames per second for security purposes. The video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance. Each camera shall be permanently mounted and in a fixed location. The video surveillance system shall record areas where cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the permitted premise including: all limited-access areas, security rooms, point-of-sale areas, and all points of entry and exit on the premise. The video surveillance system shall clearly record activity occurring within twenty (20) feet of all points of entry and exit on the premise.
- B. Surveillance recordings shall clearly and accurately display the time and date and shall be maintained, unaltered, in secured location, stored digitally, for a period of not less than ninety (90) days. The city or law enforcement may request the recordings in connection with an investigation. If the recordings are not voluntarily provided, the city or law enforcement may seek a warrant or court order for the recordings.
- C. A commercial cannabis business entity that remains inoperative for more than ninety (90) days shall be deemed "abandoned" and the permit shall be forfeited. A business may temporarily suspend operations for a period of time as may be reasonably required to affect upgrades, modifications, repairs, or other property issue mitigations as approved by the development services director or his or her designee.
- D. Create and maintain an active account within the state's track and trace system prior to commencing any commercial cannabis activity. In the event of system failure, the business shall keep a hard copy record and transfer the information to the track and trace system within twenty-four (24) hours of the system being available.
- E. Register with the department of pesticide regulation if using any pesticides.
- F. Comply with all state regulations regarding testing, labeling and storage of all cannabis products.
- G. Meet all state and local regulations for the disposal of all cannabis materials and materials used in conjunction with manufacturing, testing, processing, distributing and cultivating of cannabis.
- H. Conform to all state regulations requiring the use of appropriate weighing devices.
- I. Conform to all state and local regulations regarding water usage.

- J. All electrical and plumbing must comply with state and local regulations including the California Building Code and California Fire Code, as adopted by the City of Shasta Lake.
- K. Comply with all state insurance and security bond regulations.
- L. The commercial cannabis business shall have a centrally monitored fire and burglar alarm system which shall include all perimeter entry points and perimeter windows.
- M. All persons with ownership interest, and all employees, agents, officers and other persons acting on behalf of a licensee must be at least twenty-one (21) years of age.
- N. **Comply with all state, county, and local tax regulations.**

### **5.05.150-160 Additional operational standards for retail business.**

- A. A permitted cannabis retail business shall comply with all state regulations. During the hours of operation, the cannabis retail business shall hire or contract for security personnel who are at least twenty-one (21) years of age and licensed by the Bureau of Security and Investigative Services and shall comply with Chapters 11.4 and 11.5 of Division 3 of the Business and Professions Code.
- B. The security personnel and cannabis retail business personnel shall monitor the site and the immediate vicinity of the site to assure that patrons immediately leave the site and do not consume cannabis in the vicinity of the retail business or on the property or in the parking lot.
- C. Signage.
  - 1. All exterior signage shall conform with existing zoning requirements. The existing retail business signage is 'grandfathered' in as of April 1, 2017. Any additional signage modifications shall comply with retail business.
  - 2. The following information shall be provided on a sign posted in a conspicuous location inside the cannabis dispensary:
    - a. Smoking, ingesting or consuming cannabis on this property or within one hundred (100) feet of the business is prohibited.
    - b. No one under the age of twenty-one (21) shall be allowed to enter this facility unless they are a qualified patient or a primary caregiver and they are in the presence of their parent or legal guardian.
    - c. The City of Shasta Lake has not tested or inspected any cannabis product for pesticides, or other regulated contaminants, distributed at this location.
- D. No recommendations from a doctor for medical cannabis shall be issued on-site.
- E. Each retail business owner shall establish minimum training standards for all employees.
- F. There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption of food, alcohol, tobacco or cannabis by patrons without prior written approval from the city.
- G. Drive-through sales must be approved in writing by the city prior to implementing.
- H. The retail business shall comply with state department of health requirements pertaining to use of commercial kitchen facilities for the cannabis operations.
- I. All employees of the retail business shall wear a laminated or plastic-coated photo identification badges clearly identifying them as employees when on duty. Badges shall include a color frontal face picture,

employee name, employee number, business name and number, and be at least one and one-half inches in width by one and one-half inches in height.

- J. No cannabis retail facility shall cause or permit the access, sale, or exchange of cannabis goods to any person who is not at least twenty-one (21) years of age or at least eighteen (18) years of age with a valid physician's recommendation for medical cannabis.

#### **5.05.160-170 Deliveries.**

- A. All deliveries shall comply with all state regulations contained in California Code of Regulations Title 16, Division 42 and as it may be amended from time to time.
- B. Deliveries may be made from a licensed retail business.
- C. All employees who deliver cannabis must have a valid identification card at all times while the delivery is being made.
- D. Deliveries may only take place during normal business hours of the retail business.
- E. A customer requesting delivery shall maintain a physical or electronic copy of the delivery request and shall make it available upon request by the licensing authority and law enforcement officers.
- F. A retail business shall maintain a list of all deliveries, including the address delivered to, the amount and type of product delivered and any other information required by the state.
- G. A cannabis business shall only deliver cannabis in aggregate amounts tied to its members' needs. A cannabis business shall ensure compliance with state law limits as they regard cannabis and cannabis products.
- H. A manifest with all information required in this section must accompany any delivery person or delivery method at all times during the delivery process and delivery hours.

#### **5.05.170-180 Additional operational standards for retail nurseries.**

- A. A retail nursery shall be restricted to the sale of only cannabis clones, immature plants, and seeds. The sale of all other cannabis goods is prohibited.
- B. A retail nursery shall be required to comply with the additional operating standards established for retail businesses in Section 5.05.140.
- C. A retail nursery shall be required to obtain a state-issued license.

#### **5.05.180-190 Maintenance of records.**

- A. A commercial cannabis business shall maintain all the records required for retention by California Code of Regulations Title 3, Division 8; ~~Title 16, Division 42~~ Title 4, Division 19 – New Location; and Title 17, Division 1.
- B. These records shall be maintained for a period of seven years and shall be kept in a manner that allows the records to be produced for the City of Shasta Lake and/or law enforcement at the cannabis business premises in either hard copy or electronic form, whichever the City of Shasta Lake requires.
- C. A commercial cannabis business shall maintain all the records required for retention by California Business and Professions Code Section 26160.
- D. A commercial cannabis business shall maintain all the records required for retention by Revenue and Taxation Code Section 34019.

### **5.05.190-200 Inspection and enforcement responsibilities.**

City code enforcement officials may enter and inspect the location of any commercial cannabis business between the normal business hours to ensure compliance with this section. In addition, law enforcement may enter and inspect the location of any cannabis business and the recordings and records maintained as required by this section, except that the inspection and copying of private medical records shall be made available to law enforcement only pursuant to a properly executed search warrant, subpoena, or court order. A person engaging in commercial cannabis business without a permit and associated unique identifiers required by this chapter shall be subject to civil penalties of up to twice the amount of the permit fee for each violation, and the department, state or local authority, or court may order the destruction of cannabis associated with that violation. A violator shall be responsible for the cost of the destruction of cannabis associated with his or her violation, in addition to any amount covered by a bond required as a condition of licensure. Each day of operation shall constitute a separate violation of this section.

### **5.05.200-210 Fees.**

All cannabis operations shall pay applicable fees and taxes, which may include one or more of the following.

- A. Application Fee. The business applicant shall submit a nonrefundable fee to cover the cost of processing an application and renewal application for the commercial cannabis business.
- B. Business License Fee. The business owner shall at all times maintain a current and valid business certificate and pay all business taxes required by this code.
- C. Regulatory License Fee. The business owner shall pay an annual regulatory license fee ("regulatory fee") to cover the costs of anticipated enforcement relating to the cannabis operation. The amount of the fee shall be set by resolution of the city council and be supported by the estimated additional costs of enforcement and monitoring associated with the cannabis operation. The regulatory fee shall be due and payable prior to opening for business and thereafter on or before the anniversary date. The regulatory fee may be amended from time to time based upon actual costs.
- D. Taxes. The business applicant shall stay current with all state, federal, and local taxes, including commercial cannabis business tax set forth by Chapter 3.17.

### **5.05.210-220 Violation and enforcement.**

Each and every violation of this section shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by this code. Additionally, as a nuisance per se, any violation of this article shall be subject to injunctive relief, revocation of the business's commercial cannabis business permit, disgorgement and payment to the city of any and all monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or equity. The city may also pursue any and all remedies and actions available and applicable under local and state laws for any violations committed by the cannabis business and persons related or associated with the cannabis business.

### **5.05.220-230 Permit suspension, modification or revocation.**

Commercial cannabis business permits may be revoked, suspended, modified for any violation of any law, rule, regulation, or permit conditions or standard adopted pursuant to this Title 5.05. If the city manager determines that there is cause to consider revocation, suspension or modification of any commercial cannabis business permit, the city manager will:

1. Notify the permittee of the possible action and the reasons for it;

2. Provide permittee with evidence the city manager possesses that may justify the revocation, suspension or modification;
3. Advise the permittee that permittee may request a hearing before the city manager to present evidence, argument or other matters permittee feels the city manager should consider before taking any action.

#### **5.05.~~230~~-240 Hearing.**

If a permittee wishes to have a hearing before the city manager, the permittee must, within five days of the city manager's notice, send to the city manager a written request for a hearing. The city manager will provide notice to permittee of the time and place of hearing. The city manager will consider evidence, argument, and evidence offered by permittee and render a written decision.

#### **5.05.~~240~~-250 Appeal process.**

- A. Within ten calendar days after the date of a decision of the city manager to revoke, suspend or deny a permit, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the decision was not proper.
- B. At the time of filing the appellant shall pay the designated appeal fee, established by resolution of the city council from time to time.
- C. Upon receipt of the written appeal, the city clerk shall set the matter for a hearing before the city council. The city council shall hear the matter de novo, and shall conduct the hearing pursuant to the procedures set forth by the city.
- D. The appeal shall be held within a reasonable time after the filing the appeal.
- E. At the hearing the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing.
- F. At the conclusion of the hearing the city council may affirm, reverse or modify the decision appealed. The decision of the city council shall be final.

## Attachment C – Current Ordinance

## Chapter 17.10 CANNABIS BUSINESS LAND USE

### 17.10.010 Purpose.

The purpose of this chapter is to define where cannabis business as a land use can be located within the identified zoning districts as called out in the land use table in section 17.10.020. For zoning districts not called out in the table it shall be presumed that the business is expressly not permitted or allowed within that zoning district.

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 20-283, § II(Att. A), 9-1-2020)

### 17.10.015 Intent.

The intent of this section shall be to insure that cannabis businesses are operated in such a manner as to insure the public health and safety of the residents and businesses of the City of Shasta Lake.

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 20-283, § II(Att. A), 9-1-2020)

### 17.10.020 Land use table.

The land use table shall be used to determine whether a cannabis business is permitted (P), not permitted (NP), or permitted with a conditional use permit (CUP). If a zoning district in title 17 is not listed in the land use table in this section, the use is expressly not permitted.

Use Type	Land Use Class	Permit Required						
		R	VC	C-2	CM	ML	M	SGIP-PD/DR
Cultivation	Commercial—A, B, C	NP	NP	NP	CUP	P	P	P
Retailer	Storefront/Delivery	NP	P <sup>1</sup>	P <sup>1</sup>	NP	NP	NP	NP
Distribution	Warehouse/Distributor	NP	NP	P <sup>2</sup>	P <sup>2</sup> /CUP	P	P	P
Manufacturer	Manufacturing	NP	NP	NP	CUP	CUP	P	P
Nursery	Retail/Wholesale	NP	NP	P <sup>3</sup> /CUP <sup>3,5</sup>	P <sup>4</sup> /CUP <sup>4,5</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>
Testing	Laboratory	NP	NP	CUP	CUP	P	P	P

#### Footnotes:

<sup>1</sup> Three total retail businesses are permitted; each must be located on Shasta Dam Boulevard or in a previously established location housing an existing retailer in operation at the time the ordinance from which this section is derived was adopted.

<sup>2</sup> Permitted use within buildings less than two thousand (2,000) square feet.

<sup>3</sup> Retail sales required.

<sup>4</sup> Retail sales allowed.

<sup>5</sup> Permitted use for buildings less than two thousand (2,000) square feet—Subject to CUP for buildings over two thousand (2,000) square feet.

<sup>6</sup> Retail sales not allowed.

#### Land use classifications:

Commercial A—Permitted cultivation area: Zero to five thousand (5,000) square feet.

Commercial B—Permitted cultivation area: Five thousand one (5,001) to ten thousand (10,000) square feet.

Commercial C—Permitted cultivation area: Ten thousand (10,000) to twenty-two thousand (22,000) square feet.

<b>ZONING DISTRICTS</b>	
R	Residential Zoning Districts
VC	Village Commercial
C-2	Community Commercial
CM	Commercial—Light Industrial
DR	Design Review
ML	Light Industrial
M	Industrial
SGIP-PD	Shasta Gateway Industrial Park—Planned Development

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 18-268, 4-3-2018; Ord. No. 20-283, § II(Att. A), 9-1-2020; Ord. No. 21-288, (Exh. A), 4-6-2021)

**17.10.030 Definitions.**

The definitions listed within section 05.05.030, regulation of commercial cannabis activities—definitions, are hereby incorporated into this chapter.

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 18-268, 4-3-2018; Ord. No. 20-283, § II(Att. A), 9-1-2020)

**17.10.040 Development standards.**

Commercial cannabis businesses shall comply with all applicable development standards outlined within this Code.

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 20-283, § II(Att. A), 9-1-2020)

**17.10.050 Permits.**

All commercial cannabis business allowed as shown in section 17.10.020 are required to obtain a business license and commercial cannabis business permit as required by title 5, business licenses and regulations.

(Ord. No. 17-258, § 1, 5-2-2017; Ord. No. 20-283, § II(Att. A), 9-1-2020)