

**ORDINANCE NO. 2584**

**AN ORDINANCE OF THE CITY OF REDDING REPEALING UNCODIFIED ORDINANCE NUMBER 2577 AND AMENDING TITLE 6 (BUSINESS TAXES, LICENSES AND REGULATIONS) BY REPEALING CHAPTER 6.12 (MEDICAL MARIJUANA COOPERATIVES AND COLLECTIVES) AND REPLACING SAID CHAPTER BY ENACTING CHAPTER 6.12 (CANNABIS) SECTIONS 6.12.010 THROUGH 6.12.650, INCLUSIVE; AMENDING TITLE 18 (ZONING) BY AMENDING SECTIONS 18.15.030 (STANDARDS FOR WHICH EXCEPTIONS MAY BE CONSIDERED); 18.17.030 (TEMPORARY USES REQUIRING PERMITS); AND SCHEDULES 18.30.020-A (USE REGULATIONS – “RURAL LANDS” DISTRICT), 18.31.020-A (USE REGULATIONS – OTHER “RESIDENTIAL” DISTRICTS), 18.32.020-A (USE REGULATIONS – “LIMITED OFFICE” AND “GENERAL OFFICE” DISTRICTS), 18.33.020-A (USE REGULATIONS – “COMMERCIAL” DISTRICTS), 18.34.020-A (USE REGULATIONS – “INDUSTRIAL” DISTRICTS), 18.35.030-A (USE REGULATIONS – “OPEN SPACE” DISTRICT), AND 18.36.030-A (USE REGULATIONS – “PUBLIC FACILITIES” DISTRICT); REPEALING SECTION 18.43.100 (MEDICAL MARIJUANA CULTIVATION AT PRIVATE RESIDENCES); AND AMENDING SECTIONS 18.43.110 (HOME OCCUPATIONS); 18.46.120 (NUISANCE ABATEMENT), 18.61.020 (DEFINITIONS) ALL RELATING TO PROHIBITING OUTDOOR CULTIVATION OF CANNABIS, THE LICENSING AND REGULATION OF RESIDENTIAL CANNABIS CULTIVATION AND THE LICENSING AND REGULATION OF COMMERCIAL CANNABIS ACTIVITY SPECIFIC TO INDOOR CULTIVATION, MANUFACTURE, DISTRIBUTION, LABORATORY TESTING, STORAGE, DELIVERY TO DESTINATION POINTS WITHIN THE CITY OF REDDING, AND RETAIL SALE OF COMMERCIAL AND MEDICAL CANNABIS GOODS WITHIN THE CITY OF REDDING**

**WHEREAS**, Proposition 64 (the “Adult Use of Marijuana Act”) was submitted to the California electorate at the November 8, 2016, general election; and

**WHEREAS**, the Adult Use of Marijuana Act (“AUMA”) passed and took effect on November 9, 2016; and

**WHEREAS**, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”) was adopted into law on June 27, 2017; and

**WHEREAS**, the AUMA immediately made legal the possession, non-retail transfer, and use of non-medical cannabis for private consumption; and

**WHEREAS**, the AUMA and MAUCRSA further license the State of California to regulate and license the cultivation, testing, labeling, and retail sale of non-medical cannabis, including

cannabis products, as well as establish state-wide taxes for the commercial cultivation and retail sale of non-medical cannabis; and

**WHEREAS**, the State of California has commenced licensing commercial cultivation and retail sale of non-medical cannabis and its derivative products on or about January 1, 2018; and

**WHEREAS**, the expected pervasive presence of cannabis in the State of California necessitates that local public agencies institute ordinances to pervasively regulate cannabis in order to address the secondary impacts associated with the possession, use, cultivation, distribution and sale of cannabis; and

**WHEREAS**, because cannabis retains a high retail value on the illegal market, it remains a source of criminal activity, and it therefore becomes necessary to pervasively regulate lawful commercial activity in order to mitigate and prevent the release of lawful cannabis into the illegal market; and

**WHEREAS**, because use of cannabis and cannabis products creates an intoxicating effect on the user, it is necessary to closely regulate the industry to protect the public health, welfare and safety; and

**WHEREAS**, it is the intention of the City Council to pervasively regulate commercial cannabis activity and indoor cultivation for personal or medical purposes so that cannabis does not easily become a source of ready access to individuals under the age of twenty-one (21) years; and

**WHEREAS**, the City Council of the City of Redding therefore has a substantial interest in regulating cannabis; and

**WHEREAS**, it is the intention of the City of Redding to conduct frequent, regular and unannounced inspections of Cannabis Businesses, as defined, in order to advance the substantial interests addressed herein; and

**WHEREAS**, the AUMA and MAUCRSA reserve local control to cities for purposes of regulating outdoor cultivation, indoor cultivation in excess of six (6) plants, manufacture of cannabis products, processing, laboratory testing, storage, delivery to destination points within the City of Redding, and retail sale of non-medical cannabis; and

**WHEREAS**, RMC 18.43.100 licenses the cultivation of six (6) cannabis plants (whether indoor or outdoor) for medicinal consumption as an accessory use to private residences so long as other restrictions relating to cultivation standards, security, screening and proximity to schools, parks, libraries and youth-oriented facilities are honored; and

**WHEREAS**, the City of Redding has experienced a significant amount of complaints relating to noxious odors emanating from the outdoor cultivation of cannabis which has a deleterious impact on the public health, safety and welfare, as well as negatively impacting the use of code enforcement and law enforcement resources in responding to such complaints; and

**WHEREAS**, Chapter 6.12 of the RMC prohibits the operation of medical cannabis collectives or cooperatives, as defined in RMC 6.12.010; and



**WHEREAS**, the allowances made under state law and the allowance made herein for commercial and medical cannabis activity make the continuation of the limited allowances for continued collective activity set forth in RMC 6.12.010 through 6.12.040, inclusive, unnecessary to retain; and

**WHEREAS**, due to the operation of the AUMA and MAUCRSA and the prevalence of cannabis in society resulting from the operation of such laws, it is necessary to regulate commercial and medical cannabis within the City of Redding in order to protect the public health, safety and welfare;

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF REDDING DOES ORDAIN AS FOLLOWS:**

**Section 1. Findings.**

The City Council of the City of Redding adopts and finds as true and correct the aforementioned recitals and incorporates them herein as findings.

**Section 2.** Ordinance Number 2577 is hereby repealed.

**Section 3.** Chapter 6.12 (Medical Marijuana Cooperatives and Collectives) of Title 6 of the Redding Municipal Code, Sections 6.12.010 through 6.12.040, inclusive, is hereby repealed in its entirety and is replaced by adding Chapter 6.12 (Cannabis) with a title to read as follows:

**CANNABIS**

**Sections:**

<b>6.12.010</b>	<b>Definitions.</b>
<b>6.12.020</b>	<b>Outdoor Cannabis Cultivation Prohibited.</b>
<b>6.12.030</b>	<b>Indoor Cannabis Cultivation Regulations – Private Residence.</b>
<b>6.12.040</b>	<b>Cannabis Business License Required.</b>
<b>6.12.050</b>	<b>Notice of Licensure Status.</b>
<b>6.12.060</b>	<b>California Environmental Quality Act.</b>
<b>6.12.070</b>	<b>Cannabis Business Licenses – Fees and Term.</b>
<b>6.12.080</b>	<b>Cannabis Business License Application Requirements.</b>
<b>6.12.090</b>	<b>Cannabis Business License Renewal.</b>
<b>6.12.100</b>	<b>Approval of License With Conditions.</b>
<b>6.12.110</b>	<b>Denial of Cannabis Business License.</b>
<b>6.12.120</b>	<b>Death or Incapacity of Licensee.</b>
<b>6.12.130</b>	<b>Premises.</b>
<b>6.12.140</b>	<b>Co-Location of Cannabis Businesses.</b>
<b>6.12.150</b>	<b>Notification of Changes.</b>
<b>6.12.160</b>	<b>Notification of Criminal, Civil or Administrative Action.</b>
<b>6.12.170</b>	<b>Notification of Theft, Loss, or Criminal Activity.</b>
<b>6.12.180</b>	<b>Cannabis Business Security.</b>
<b>6.12.190</b>	<b>Track and Trace.</b>

<b>6.12.200</b>	<b>Cannabis Waste Management.</b>
<b>6.12.210</b>	<b>Odor Control.</b>
<b>6.12.220</b>	<b>Display of License.</b>
<b>6.12.230</b>	<b>Cannabis Business – Signs.</b>
<b>6.12.240</b>	<b>Advertising and Marketing.</b>
<b>6.12.250</b>	<b>Cannabis Business Sites Restricted.</b>
<b>6.12.260</b>	<b>Storage of Inventory.</b>
<b>6.12.270</b>	<b>Access to Cannabis Businesses.</b>
<b>6.12.280</b>	<b>Attire and Conduct at Cannabis Businesses.</b>
<b>6.12.290</b>	<b>Diversion.</b>
<b>6.12.300</b>	<b>Maintenance of Records.</b>
<b>6.12.310</b>	<b>Site Management.</b>
<b>6.12.320</b>	<b>Consent to Inspection and Right of Access.</b>
<b>6.12.330</b>	<b>Visibility of Cannabis.</b>
<b>6.12.340</b>	<b>Disposal of Cannabis and Cannabis Byproducts.</b>
<b>6.12.350</b>	<b>Cannabis Business Distance Requirements.</b>
<b>6.12.360</b>	<b>Cultivation for Commercial Sale – License Required.</b>
<b>6.12.370</b>	<b>Cultivation Site Buildings and Authorized Cultivation Area.</b>
<b>6.12.380</b>	<b>Retail Sales Prohibited.</b>
<b>6.12.390</b>	<b>Number of Cannabis Retailers Licensed.</b>
<b>6.12.400</b>	<b>Award of Cannabis Retailer License.</b>
<b>6.12.410</b>	<b>Failure to Commence Retail Operations and Abandonment.</b>
<b>6.12.420</b>	<b>Cannabis Retailer – Delivery Only.</b>
<b>6.12.430</b>	<b>Retailer Limited-Access Areas.</b>
<b>6.12.440</b>	<b>Retail Area.</b>
<b>6.12.450</b>	<b>Retail Hours of Operation and Daily Limits.</b>
<b>6.12.460</b>	<b>Retail Customers.</b>
<b>6.12.470</b>	<b>Display of Cannabis Goods.</b>
<b>6.12.480</b>	<b>Sale and Return of Cannabis Goods - Free Cannabis.</b>
<b>6.12.490</b>	<b>Inventory Documentation.</b>
<b>6.12.500</b>	<b>Record of Sales.</b>
<b>6.12.510</b>	<b>Sale of Non-Cannabis Products on Premises.</b>
<b>6.12.520</b>	<b>Retail of Live Plants.</b>
<b>6.12.530</b>	<b>Packaging and Labeling.</b>
<b>6.12.540</b>	<b>Delivery.</b>
<b>6.12.550</b>	<b>Distributors.</b>
<b>6.12.560</b>	<b>Microbusinesses Prohibited.</b>
<b>6.12.570</b>	<b>Cannabis Events Prohibited.</b>
<b>6.12.580</b>	<b>Manufacture of Cannabis Products.</b>
<b>6.12.590</b>	<b>Testing Laboratories and Limited Testing Facilities.</b>
<b>6.12.600</b>	<b>Licensee’s Responsibility for Acts of Employees and Agents.</b>
<b>6.12.610</b>	<b>Suspending, Modifying, or Revoking Licenses.</b>
<b>6.12.620</b>	<b>Initiation of Discipline and Appeals.</b>
<b>6.12.630</b>	<b>Non-Disciplinary Modification of Cannabis Business License.</b>
<b>6.12.640</b>	<b>Remedies and Public Nuisance.</b>
<b>6.12.650</b>	<b>Joint and Several Liability.</b>



**Section 4.** Title 6 of the Redding Municipal Code is amended to add sections 6.12.010 through 6.12.650, inclusive, to Chapter 6.12 as follows:

**Section 6.12.010 Definitions.**

- A. “Cannabis” has the same meaning as defined in Business and Professions Code section 26001.
- B. “Cannabis Business” means any enterprise engaged in the cultivation, manufacture, processing, laboratory testing, storage, delivery, distribution, or retail sale of recreational or medical cannabis.
- C. “Cannabis goods” means cannabis, including dried flower, and cannabis products, as defined herein.
- D. “Cannabis products” shall have the meaning set forth in Health and Safety Code section 11018.1.
- E. “Cannabis retailer - delivery only” means a retailer selling cannabis (whether medical or adult-use) or cannabis products only by delivery and not by completing the transfer in a building or structure that is open to customers or elsewhere on the retail site.
- F. “Cannabis retailer” or “retailer” means a business selling cannabis or cannabis products to the end user or customer. A cannabis business retailer does not include the following uses: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; (2) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; and (3) a residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code.
- G. “Charged” within the meaning of this Chapter means (1) an indictment was issued by a grand jury, or an information, complaint, or similar pleading was issued by the United States Attorney, district attorney, city attorney, or other governmental official or agency authorized to prosecute crimes, and (2) the criminal proceedings are currently pending.
- H. “City Manager” shall mean the City Manager of the City of Redding or his/her designee.
- I. “Commercial Sale” means the offer, sale or exchange for value of cannabis for recreational and/or medical use.
- J. “Convicted” or “conviction” means a plea or verdict of guilty or a conviction following a plea of nolo contendere was entered, but does not include any plea, verdict, or conviction that is expunged pursuant to California law or a similar federal or state law where the expungement was granted.
- K. “Cultivation” or “Cultivate” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming or processing of cannabis plants or any part thereof.

- L. “Delivery” means to transport any item from a cannabis business to a person other than a cannabis business.
- M. “Detached, fully-enclosed and secure structure” means a structure completely detached from a residence that complies with all state and municipal laws and regulations and has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, is accessible only through one or more lockable doors and has walls sufficient to obscure view so the contents therein cannot be recognized from the outside.
- N. “Director” means the Director of Development Services for the City of Redding. Whenever reference is made to the Director, such reference shall be interpreted to include a designee of the Director.
- O. “Distributor” means a person or entity engaged in distribution, as defined by Business and Professions Code section 26001(r), of cannabis or cannabis products.
- P. “Financial interest” shall have the meaning set forth in Section 5004 of Title 16 of the California Code of Regulations.
- Q. “Indoors” means within a fully enclosed and secure structure.
- R. “Manufacture” means to compound, blend, extract, infuse, process, or otherwise make or prepare a cannabis product.
- S. “Manufacturer” means a business producing, preparing, propagating, manufacturing or compounding cannabis and cannabis products. “Cannabis manufacturing business” includes businesses involving the extraction of a substance from a cannabis plant, the infusion or mixture of cannabis into another substance, the preparation of an edible item that contains cannabis, and the packaging and labeling of cannabis or cannabis products. “Cannabis manufacturing business” does not include a cannabis cultivation business.
- T. “Objectionable conditions that constitute a nuisance” means disturbance of the peace, public intoxication, drinking alcoholic beverages in public, smoking or ingesting cannabis or cannabis products in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.
- U. “Outdoor” means any area or location not specifically meeting the definition of Indoors.
- V. “Owner” shall have the meaning provided in Section 5003(b) of Title 24 of the California Code of Regulations.
- W. “Person” includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.



- X. “Residential structure” or residence” or “private residence” means any building, or portion thereof, legally existing which contains living facilities, including provisions for sleeping, eating, cooking and sanitation and includes a house, an apartment unit, a mobile home, or similar dwelling.
- Y. “Significant discrepancy in inventory” means a difference in actual inventory compared to records pertaining to inventory of at least one thousand dollars. For purposes of determining a discrepancy, the acquisition price of the cannabis goods shall be used to determine the value of cannabis goods in a licensee’s inventory.
- Z. “Transport” means to physically move items between cannabis businesses. “Transport” does not include delivery.
- Aa. “Volatile solvent” means a solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. “Volatile solvent” does not include carbon dioxide used for extraction or ethanol used for extraction and post-extraction processing.
- Ab. “Youth-oriented facility” shall have the same meaning as set forth for “youth center” in Business and Professions Code section 26001.

**Section 6.12.020 Outdoor Cannabis Cultivation Prohibited.**

It is unlawful and a public nuisance for any person to cause or allow any property within the jurisdictional limits of the City of Redding to be used for the outdoor cultivation or outdoor storage of cannabis.

**Section 6.12.030 Indoor Cannabis Cultivation Regulations – Private Residence.**

- A. It is hereby declared to be unlawful and a public nuisance for any person, legal entity or association of individuals to cultivate cannabis indoors at a private residence, except as provided in this Section.
- B. It is unlawful and a public nuisance for any person to cultivate cannabis inside any residential structure or building without first having been issued a license for such cultivation by the Director as provided herein. No license shall be issued or be renewed for a period longer than one (1) year.
- C. The indoor cultivation of cannabis at a private residence shall only be conducted within a detached, fully-enclosed and secure structure or within a residential structure. Cultivation shall conform to the following minimum standards:
  - 1. No more than six (6) cannabis plants, whether mature or not, may be cultivated indoors at any private residence.
  - 2. Indoor grow lights shall not exceed 1,200 watts and shall be installed, maintained and operated in compliance with the Redding Municipal Code. Gas products (including, but not limited to, CO2, butane, propane and natural gas), or

generators producing electric power shall not be used within any detached, fully-enclosed and secure structure or residential structure.

3. Any detached, fully-enclosed and secure structure used for the cultivation of cannabis must have a ventilation and filtration system installed that shall prevent cannabis plant odors from detection at the property line. The ventilation and filtration system must be installed prior to commencing cultivation within the detached, fully-enclosed and secure structure or residential structure.
  4. Any detached, fully-enclosed and secure structure or residential structure used for the cultivation of cannabis shall comply with Title 18 of the Redding Municipal Code.
  5. There shall be no exterior evidence of cannabis cultivation occurring at the property as detected from the public right-of-way.
- D. No license shall be issued when any of the following occur:
1. The license fee for cultivation at a private residence has not been paid. The fee for such license shall be established by resolution of the City Council.
  2. A license has already been issued for the private residence.
  3. The applicant has failed to provide a written, notarized acknowledgement from the owner of the private residence that the owner consents to cultivation on-site.
  4. The applicant has failed to provide the name of each person owning, leasing, occupying or having charge of the private residence where cannabis is cultivated.
- E. Cannabis cultivation for purposes of commercial sale at any property zoned for residential use is prohibited. Notwithstanding the preceding, a primary caregiver may recover his or her costs of cultivation from his or her qualified patient. In such cases, costs of cultivation shall not include compensation for the labor of the primary caregiver.
- F. No person cultivating cannabis at a private residence shall dispose of cannabis, or any of its component parts, at curbside. Cannabis shall not be disposed of by means of mulching, or similar organic process, outdoors. Cannabis shall not be stored outdoors. All cannabis and cannabis waste generated at the private residence, including chemical and organic waste, shall be disposed of in accordance with applicable laws and regulations.
- G. The Director may, in his or her sole discretion, deny any application for a license issued pursuant to this Section or a renewal thereof and may suspend, revoke or further condition any license that has been issued, where he or she finds, based on articulated facts, that the issuance of a license would be detrimental to the public health, safety, or welfare or where there is demonstrated non-compliance with the minimum requirements of this Section. The determination of the Director shall be final. Review of any such determination shall be made pursuant to Section 6.12.620.



**Section 6.12.040 Cannabis Business License Required.**

- A. It is unlawful and a public nuisance for any person or association of persons to establish, operate or assume duties of a cannabis business without all valid and applicable local licenses or permits.
- B. It is unlawful and a public nuisance for any person or association of persons to establish, operate or assume duties of a cannabis business without all valid and applicable licenses or permits issued by the State of California.
- C. It is unlawful and a public nuisance for any person or association of persons to operate a cannabis business in violation of any license condition imposed by the Director or in violation of any license condition imposed by the State of California.

**Section 6.12.050 Notice of Licensure Status.**

- A. Within ten (10) calendar days of approval, every cannabis business shall submit to the Director a copy of any license issued by the State of California or any local governmental entity to the cannabis business or any of its owners.
- B. If any license issued to the cannabis business or any of its owners by the State of California or any local governmental entity is denied, suspended, modified, revoked or expired, the cannabis business shall notify the Director within ten (10) calendar days.

**Section 6.12.060 California Environmental Quality Act.**

The issuance of a license pursuant to this Chapter shall require environmental review pursuant to Public Resources Code section 21000 et seq.

**Section 6.12.070 Cannabis Business Licenses – Fees and Term.**

- A. No cannabis business license or license renewal shall be issued unless a nonrefundable application fee and a nonrefundable license fee in amounts to be set by resolution of the City Council are paid.
- B. A cannabis business license issued pursuant to this Chapter is valid for a term of one (1) year from the date that the license is issued. Renewal terms shall not exceed one (1) year.
- C. All fees authorized pursuant to this Chapter are in addition to the license fees required by Chapter 6.02 of the Redding Municipal Code.

**Section 6.12.080 Cannabis Business License Application Requirements.**

- A. Each cannabis business and cannabis business location shall be separately licensed. Cannabis business licenses are nontransferable.

- B. Only an owner of the applicant may submit an application for a cannabis business license or license renewal. An owner may apply for a cannabis business license or a cannabis business license renewal by filing an application with the Director.
- C. No person shall knowingly make a false statement of fact or knowingly omit any information that is required in an application for a commercial sale cannabis license.
- D. The application shall be on a form approved by the Director and shall include the following:
  - 1. The license type the applicant is requesting.
  - 2. Payment of a nonrefundable application fee to be established by resolution of the City Council.
  - 3. A description of the statutory entity or business form that will serve as the legal structure for the applicant; a copy of its formation and organizing documents, including, but not limited to, articles of incorporation, certificate of amendment, statement of information, articles of association, bylaws, partnership agreement, operating agreement, and fictitious business name statement; and the name and address of its agent for purposes of service of process.
  - 4. A list of every fictitious business name the applicant is operating under including the address where the business is located.
  - 5. The first and last name, primary phone number, date of birth and mailing address of each owner. If the license is to be held in the name of a business entity, the owner shall also provide the legal business name of the licensee.
  - 6. The current name and primary and secondary telephone numbers and email addresses of at least one twenty-four (24) hour on-call manager to address and resolve complaints and to respond to operating problems or concerns associated with the cannabis business.
  - 7. If applicable, the business trade name (“DBA”) of the applicant.
  - 8. A list of the license types and the license number issued by the Bureau of Cannabis Control and all other state cannabis licensing authorities that the applicant holds, including the date the license was issued, the date the license will terminate and the licensing authority that issued the license.
  - 9. Whether the applicant, or any owners, has been denied a license or has had a license suspended or revoked by the Bureau of Cannabis Control or any other state cannabis licensing authority. The applicant shall provide the type of license applied for, the name of the licensing authority that denied the application, and the date of denial.



10. The physical address of the premises where business will be conducted, the telephone number for the premises, and the website address and email address of the applicant's business.
11. The business' federal employer identification number.
12. The physical address of any other premises owned or operated by the applicant within the jurisdictional limits of the City of Redding and a brief summary of the business operations at each premises.
13. The applicant shall supply the following financial information:
  - A. A list of funds belonging to the applicant held in savings, checking, or other accounts maintained by a financial institution. The applicant shall provide for each account, the financial institution's name, the financial institution's mailing address, account type, account number and the amount of money in the account.
  - B. A list of loans made to the applicant. For each loan, the applicant shall provide the amount of the loan, the date of the loan, terms of the loan, security provided for the loan, and the name, address, and phone number of the lender.
  - C. A list of investments made into the applicant's commercial cannabis business. For each investment, the applicant shall provide the amount of the investment, the date of the investment, terms of the investment, and the name, address, and phone number of the investor.
  - D. A list of all gifts of any kind given to the applicant for its use in conducting commercial cannabis activity. For each gift, the applicant shall provide the value of the gift or description of the gift, and the name, address and phone number of the provider of the gift.
  - E. A complete list of every individual that has a financial interest in the cannabis business, as defined in Section 5004 of Title 16 of the California Code of Regulations, who is not an owner within the meaning of Section 5003 of Title 16 of the California Code of Regulations.
  - F. A complete list of every owner of the applicant, as defined in Section 5003 of Title 16 of the California Code of Regulations. Each individual named on this list shall submit the following information:
    1. The full name of the owner.
    2. The owner's title within the applicant entity.
    3. The owner's date of birth and place of birth.

4. The owner's social security number or individual taxpayer identification number.
  5. The owner's mailing address.
  6. The owner's home, business, or mobile telephone number and email address.
  7. The owner's current employer.
  8. The owner's percentage of ownership interest held in the applicant entity.
  9. Whether the owner has an ownership or a financial interest in any other commercial cannabis business licensed by the State of California.
  10. A copy of the owner's government-issued identification that includes the name, date of birth, physical description and picture of the owner.
  11. A copy of the DOJ and NCIC fingerprint background check for each owner procured through the Redding Police Department.
  12. If applicable, a copy of any certificate of rehabilitation issued under Penal Code section 4852.01 or dismissal issued pursuant to Penal Code section 1203.4 or 1203.41.
14. If applicable, a detailed description of any suspension or revocation of a cannabis-related license or sanctions for unlicensed or unlawful cannabis activity by a state or local governmental agency against the applicant or any of its owners or any business entity in which the applicant or any of its owners was an owner or officer within the seven (7) years immediately preceding the date of the application.
  15. If applicable, a detailed description of any civil and/or criminal suit and/or judgment relating to unlawful cannabis activity against the applicant or any of its owners or a business entity in which the applicant or any of its owners was an owner or officer within the seven (7) years immediately preceding the date of the application.
  16. Attestation to the following statement: Under penalty of perjury, I hereby declare that the information contained within and submitted with the application is complete, true and accurate. I understand that a misrepresentation of fact, whether intentional or not, is cause for rejection of this application, denial of the license, or revocation of a license issued.



17. A written, notarized statement from the owner of the proposed site where cannabis activity will be licensed evidencing unqualified consent to the applicant to operate a cannabis business on site. The statement must specify the street address and parcel number for the premises. The statement shall also contain the name, business address, email address and telephone number of the property owner(s) (whether business entity or individual).
18. If applicable, a copy of the rental agreement for the premises.
19. If the applicant is the landowner upon which the business premises is located, a copy of the title or deed to the property.
20. Evidence that the proposed business premises will be compliant with the locational restrictions set forth in Section 6.12.350 and the zoning set forth in Title 18 of the Redding Municipal Code.
21. Evidence of a valid seller's license number issued by the California Department of Tax and Fee Administration, if applicable. If the applicant has not yet received a seller's license, the applicant shall attest that the applicant is currently applying for a seller's license.
22. A premises diagram which meets the requirements set forth in Section 5006 of Title 16 of the California Code of Regulations.
23. A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on premises of the cannabis business. The security plan must be prepared by a licensed security company or individual licensed by the State of California. The license number shall be on the face of the security plan. The security plan shall also require registration in the Redding Police Department's Security Camera Registration and Monitoring Program ("SCRAM").
24. A detailed plan describing the air treatment system, or other methods which will be implemented to completely prevent odors generated from cannabis from being detected outside the buildings on the cannabis business site.
25. A business operations plan including the following:
  - A. A description of how the cannabis business will operate in accordance with the Redding Municipal Code.
  - B. A neighborhood responsibility plan which address the potential adverse impacts of cannabis cultivation on the surrounding area.
  - C. A description of the exterior of the cannabis business premises including, but not limited to, a description of any exterior signage to be used at the premises.

26. Authorization and consent for City of Redding staff to seek verification of the information contained within the application.
27. An agreement in a form approved by the City Attorney whereby the applicant:
  - A. Releases the City of Redding, its agents, officers, elected officials and employees from any and all claims, injuries, damages or liabilities of any kind arising from any repeal or amendment of this Chapter or any other provision of the Redding Municipal Code, and any arrest or prosecution of the applicant or its managers, agents, employees, members or volunteers for violation of state or federal laws; and
  - B. Defends, indemnifies and holds harmless the City of Redding, and its agents, officers, elected officials and employees from and against any and all claims or actions brought by adjacent or nearby property owners or any other parties for any damages, injuries or other liability of any kind arising from operations at the cannabis business.
28. Any other document or information which the Director deems necessary for consideration of the application.

**Section 6.12.090 Cannabis Business License Renewal.**

- A. To renew a cannabis business license, a completed license renewal form, payment of the cannabis business license application fee, payment of the cannabis business license fee, and, if applicable, the late fee required by subsection D of this section shall be received by the City of Redding no earlier than sixty (60) calendar days before the expiration of the license and no later than 5:00 p.m. on the last business day before the expiration of the license. Failure to receive a notice for license renewal does not relieve a licensee of the obligation to renew all licenses as required.
- B. An application for a cannabis business license renewal shall contain the following:
  1. The name of the licensee. For licensees who are individuals, the applicant shall provide the first and last name of the individual. For licensees who are business entities, the licensee shall provide the legal business name of the applicant.
  2. The license number and expiration date.
  3. The licensee's address of record and cannabis business premises address.
  4. An attestation that all information provided to the City of Redding in the original application for a license is accurate and current.
- C. In the event the license is not renewed prior to the expiration date of the license, the licensee must not sell, transfer, transport, manufacture, test or distribute any cannabis or cannabis products until the license is renewed.



- D. A licensee may submit a cannabis business license renewal application up to thirty (30) calendar days after the license expires. In addition to the application fee for renewal of the cannabis business license, the applicant submitting a renewal application pursuant to this subdivision shall pay a late fee equal to fifty percent (50%) of the application license fee. The payment of a late fee shall not be grounds for a defense against prosecution or enforcement of the Redding Municipal Code on the basis that the licensee operated a cannabis business without a valid or unexpired license nor shall it be considered as a set-off to any assessment, fine, penalty or recoupment of costs of enforcement attributable to said violation.
- E. A license that has expired and has not been renewed within thirty (30) calendar days after expiration shall be deemed to have been forfeited.
- F. Any time limitation set forth in this Section shall not be deemed to be tolled for the duration of time during which the City of Redding considers the license renewal application.
- G. Review of any decision by the Director to deny a request to renew a cannabis business license shall be pursuant to Section 6.12.620.

**Section 6.12.100 Approval of License with Conditions.**

- A. Upon approval of a license or renewal of a cannabis business license, the Director may impose conditions in excess of the requirements set forth in this Chapter including, but not limited to, conditions relating to the operation of any cannabis business and restrictions relating to the deployment or use of the types of equipment used on site.
- B. During the term of any cannabis business license, the Director may impose additional conditions on a license when reasonably necessary to abate a violation of the Redding Municipal Code or to protect the public health, safety or welfare.
- C. Review of any decision by the Director to impose additional conditions on a license pursuant to this section shall be pursuant to Section 6.12.620.

**Section 6.12.110 Denial of Cannabis Business License.**

- A. The Director may deny a license or a renewal of a license for any cannabis business if he or she determines that one or more of the following circumstances exist:
  - 1. The applicant has not paid all fees required for consideration of the application and inspection of the premises of the cannabis business;
  - 2. The application received is incomplete, filed late, or is otherwise not responsive to the requirements of this Chapter;
  - 3. The application contains a false or misleading statement or omission of a material fact;

4. The applicant or any of its owners has unpaid and overdue fees, taxes or administrative penalties imposed for violations of the Redding Municipal Code;
5. The applicant, or any of its owners, has an unpaid civil judgment imposed for violation(s) of the Redding Municipal Code;
6. The applicant or any of its owners is delinquent on any fee, charge for service or tax levied by the State of California or the City of Redding;
7. The applicant, or any of its owners or persons with a financial interest in the applicant, has, within the seven (7) years preceding the date the application is filed with the Director, been sanctioned by a state licensing authority or a city, county, or city and county for unlawful cannabis-related activity or has had a license suspended or revoked pursuant to this Chapter in the seven (7) years immediately preceding the date the application is filed with the City of Redding;
8. The applicant has been denied a license or other authorization to engage in commercial cannabis activity by a state or local licensing authority.
9. The applicant, any owner of applicant or person having a financial interest in the applicant is a person employed by the City of Redding when the duties of such person have to do with the enforcement of the Redding Municipal Code, the laws of the State of California or that of the United States of America.
10. The applicant, or any of its owners or persons having a financial interest in the applicant, has been convicted of any crime set forth in Business and Professions Code section 26057(b)(4), Fish and Game Code sections 12025 or 12025.1, Penal Code section 186.22 or any other offense which is substantially related to the qualifications, functions, or duties of the business for which application is made. In determining whether such offense is "substantially related," the Director shall consult with the City Attorney and thereafter apply the analysis set forth in section 5017 of Title 16 of the California Code of Regulations.
11. The applicant's premises or the operation of the applicant's cannabis business, as described in its application, would fail to comply with the standards set forth in the Redding Municipal Code or state law.
12. The applicant's premises is substantially different from the diagram submitted by the applicant, in that the size, layout, location of common entryways, doorways or passage ways, means of public entry or exit, or limited access areas within the licensed premises is not the same.
13. The applicant denied City of Redding personnel access to the premises for purposes of inspection.
14. The applicant, at the time of application, is in violation of any provision of the Redding Municipal Code.



15. Operation of the cannabis business is a threat to the public health, safety or welfare.
- B. Upon denial of an application for a license or renewal of a license, the Director shall notify the applicant in writing with the reasons for denial and the right to contest the determination of denial pursuant to the procedures set forth in Section 6.12.620.

**Section 6.12.120      Death or Incapacity of a Licensee.**

- A. In the event of the death, incapacity, receivership, assignment for the benefit of creditors of a licensee, or other event rendering a licensee incapable of performing the duties associated with the license, the licensee's success in interest notify the Director in writing within thirty (30) calendar days.
- B. To continue operations or surrender the existing license, the successor in interest shall submit to the Director the following:
  1. The name of the successor in interest.
  2. The name of the licensee for which the successor in interest is succeeding and the license number.
  3. The phone number, mailing address and email address of the successor in interest; and
  4. Documentation demonstrating that the licensee is incapable of performing the duties associated with the license, such as a death certificate or a court order finding the licensee lacks capacity, and documentation demonstrating that the individual making the request is the licensee's successor in interest such as a court order appointing guardianship or will or trust agreement.
- C. The Director may give the successor in interest written approval to continue operations for a period of time to be determined by the Director if:
  1. The successor in interest has applied for a license from the City of Redding for the premises and that application is under review; or
  2. The successor in interest needs additional time to destroy or sell cannabis goods.
- D. Approval to continue operations on a temporary basis or for a defined period of time gives no vested right to continue operations thereafter.
- E. The Director may deny approval to continue operations based upon the criteria set forth in Section 6.12.110.

**Section 6.12.130 Premises.**

- A. Each licensee shall have a designated premises for the licensee's commercial cannabis activity which is subject to unannounced inspection by the City of Redding.
- B. A cannabis business licensee may occupy the same licensed premises and operate under two or more separate commercial cannabis licenses in that same licensed premises under the following conditions:
  - 1. The cannabis business licensee has been issued an adult-use license and medical cannabis license issued by the State of California for the identical type of commercial cannabis activity;
  - 2. The cannabis business licensee who holds both licenses is identical in name, business formation and ownership;
  - 3. The cannabis business licensee only conducts one type of commercial cannabis activity on the premises; and
  - 4. Records for the adult use license and medical cannabis license issued by the State of California are kept separately.
- C. A cannabis business licensee shall not, without the prior written approval of the Director, make a physical change, alteration, or modification of the licensed premises that alters the licensed premises or the use of the licensed premises from the premises diagram filed with the license application. Material or substantial changes, alterations or modifications requiring approval include, but are not limited to, the removal, creation, or relocation of a common entryway, doorway, passage, or a means of public entry or exit, when such common entryway, doorway or passage alters or changes limited-access areas within the licensed premises.
- D. A cannabis business licensee whose premises is to be materially or substantially changed, modified, or altered is responsible for filing a request for premises modification with the Director. The request shall be in writing and include:
  - 1. A new premises diagram that conforms to the requirements set forth in Section 5006 of Title 16 of the California Code of Regulations.
  - 2. A fee to be established by resolution of the City Council.
  - 3. Any additional documentation or information that the Director deems necessary to consider the request.
- E. A licensee shall not sublet or otherwise transfer control over any portion of the licensed premises to another without the prior permission of the Director.



**Section 6.12.140 Co-Location of Cannabis Businesses.**

Each cannabis businesses shall be located in a stand-alone structure which does not share common walls with another structure. Notwithstanding the preceding, a cannabis business may be co-located and share common walls with one or more other cannabis businesses only if each such cannabis business is separately licensed by the City of Redding and the State of California.

**Section 6.12.150 Notification of Changes.**

- A. With the exception of changes to standard operating procedures, every licensee shall notify the Director in writing within ten (10) calendar days of any change to any item listed in the application. The notification shall be signed by an owner.
- B. Licenses are not transferable. No change of owners shall occur if the Director determines that the new owner(s) has a disqualifying conviction within the meaning of Section 6.12.110(A)(10) or is otherwise barred from ownership in the licensee due to operation of this Chapter.
- C. No person or entity may gain a financial interest in the licensee if said person or entity is determined by the Director to have a disqualifying conviction within the meaning of Section 6.12.110(A)(10) or is otherwise barred by reason of this Chapter.
- D. If one of more of the owners of a licensee change, a new license application and fee shall be submitted to the City of Redding within ten (10) business days of the effective date of the ownership change. A change in ownership occurs when the person receiving its interest in the cannabis business meets the definition of an owner, as defined in Section 6.12.010. A change in ownership does not occur when one or more owners leave the business by transferring their ownership interest to the other existing owner(s).

**Section 6.12.160 Notification of Criminal, Civil or Administrative Action.**

- A. A cannabis business licensee shall ensure that the Director is notified in writing of the criminal conviction of a licensee, owner, or employee or when a licensee, owner, or employee has been charged with a criminal offense. Notice shall either be by mail or electronic mail and shall occur within forty-eight (48) hours of the conviction or charge. The written notification shall include the date of conviction or charge, the court docket number, the name of the court in which the licensee was convicted or charged, and the specific offense(s) for which the licensee was convicted or charged.
- B. A cannabis business licensee shall ensure that the Director is notified in writing of a civil penalty or judgment rendered against the licensee or any owner either by mail or electronic mail, within forty-eight (48) hours of delivery of the verdict or entry of judgment, whichever is earlier. The written notification shall include the date of verdict or entry of judgment, the court docket number, the name of the court in which the matter was adjudicated, and a description of the civil penalty or judgment rendered against the licensee.

- C. A cannabis business licensee shall ensure that the Director is notified in writing of the revocation or suspension of a license or other authorization for a cannabis business issued by a local governmental agency or the State of California within forty-eight (48) hours of receiving notice of the revocation. The written notification shall include the name of the governmental agency involved, a written explanation of the proceeding or enforcement action, and the specific violation(s) that led to revocation or suspension.

**Section 6.12.170 Notification of Theft, Loss, or Criminal Activity.**

- A. A cannabis business licensee shall notify the Director and the Chief of the Redding Police Department within twenty-four (24) hours of discovery of any of the following situations:
  - 1. The licensee discovers a significant discrepancy, as defined in Section 6.12.010, in its inventory.
  - 2. The licensee becomes aware of, or has reason to suspect, diversion, theft, loss or any other criminal activity pertaining to the operations of the licensee by any owner, employee, agent or volunteer of the cannabis business or by any third party.
  - 3. The licensee becomes aware of, or has reason to suspect, any breach of security.
- B. The notification required by this Section shall be in writing and include the date and time of discovery of the occurrence of the theft or loss, the date of the occurrence of the theft or loss and a description of the incident including, when applicable, the items that were taken or lost.

**Section 6.12.180 Cannabis Business Security.**

- A. All persons on the site of a cannabis business, except for employees and those doing business with the cannabis business, must be escorted at all times by the licensee or employee of the cannabis business when in the limited-access area of the premises.
- B. All agents, officers, employees or other persons acting for, or employed by a licensee shall display an identification badge issued by the Redding Police Department at all times while on site at the cannabis business.
- C. A cannabis business shall have an operational video surveillance system that meets the standards of operation, storage, and surveillance set forth in Section 5044 of Title 16 of the California Code of Regulations.
- D. Surveillance recordings shall be kept for a minimum of ninety (90) days and shall be subject to inspection and copy by the City of Redding. Recordings shall be kept in a manner that permits the City of Redding to view and obtain copies of the recordings at the licensed premises immediately upon request.
- E. All cannabis retailers shall retain and deploy security personnel in accordance with Section 5045 of Title 16 of the California Code of Regulations.



- F. Licensees shall ensure that the limited access areas of the cannabis business, as defined in Section 5401 of the California Code of Regulations, can be securely locked using commercial-grade, nonresidential door locks. A licensee shall also use commercial-grade, nonresidential door locks on all points of entry and exit to the licensed premises.
- G. Licensees shall maintain an alarm system in accordance with Section 5047 of Title 16 of the California Code of Regulations and make available to the City of Redding all information related to the alarm system, monitoring and alarm activity.
- H. In the event that a licensee is delivering tax proceeds to the City of Redding in excess of ten thousand dollars (\$10,000.00), the licensee shall either procure licensed, armed transport to the City Treasurer or shall deliver said tax proceeds to armed transport retained by the City of Redding. If the City of Redding procures armed transport of tax proceeds, the licensee shall pay to the City of Redding within thirty (30) calendar days of the date of the invoice all invoices for such service.

**Section 6.12.190 Track and Trace.**

All cannabis business licensees shall comply with the track and trace system established by the State of California and as further described in Sections 5048 through 5052, inclusive, of Title 16 of the California Code of Regulations.

**Section 6.12.200 Cannabis Waste Management.**

- A. Destruction of cannabis goods shall be in accordance with Sections 5054 and 5055 of Title 16 of the California Code of Regulations.
- B. A cannabis business licensee shall not sell cannabis waste, as such waste is defined in Section 5000(d) of Title 16 of the California Code of Regulations.
- C. Cannabis business licensees shall comply with all cannabis waste management practices set forth in Section 5055 of Title 16 of the California Code of Regulations.
- D. Cannabis waste shall not be deposited at curb-side but shall either be delivered by the licensee to a City of Redding disposal site or the licensee shall arrange with the City of Redding for pick-up of the cannabis waste, if available. Delivery of cannabis waste to a City of Redding disposal site shall be accomplished by the licensee and shall not be contracted to a third party.

**Section 6.12.210 Odor Control.**

All cannabis businesses shall install a ventilation and filtration system to prevent all odors generated from the cannabis business from escaping from the buildings on site, such that the odor cannot be detected outside of the building(s). The ventilation and filtration system must be approved by the Building Official and installed prior to commencing operations.

**Section 6.12.220      Display of License.**

The cannabis business licensee shall display all applicable, valid and unexpired licenses issued by the State of California and the City of Redding inside the lobby or waiting area of the main entrance to the cannabis business site. Licenses shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site.

**Section 6.12.230      Cannabis Businesses - Signs.**

- A. With the exception of cannabis retail licensees, all cannabis business licensees shall post in the lobby of the cannabis business site signs that state the following:
  - 1. “This site is not open to the public.”
  - 2. “Retail sales of any goods and services is prohibited.”
  - 3. “Except as specifically permitted by Redding Municipal Code 6.12.440, persons under the age of twenty-one are prohibited from entering this site.”
  - 4. “Smoking, ingesting, or consuming cannabis on or within 20 feet of this site is prohibited.”
  - 5. “Not for kids or teens! Starting cannabis use young or using frequently may lead to problem use and, according to the Centers for Disease Control, may harm the developing teen brain. GOVERNMENT HEALTH WARNING.”
- B. Cannabis retail licensees shall post the signs required in subdivisions A(3) through A(5), inclusive, of this Section.
- C. Each sign described in this Section shall be at least eight inches (8”) by ten inches (10”) in size and must be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the cultivation site.

**Section 6.12.240      Advertising and Marketing.**

- A. No cannabis business shall place any advertising or marketing in broadcast, cable, radio, print or digital communications unless such marketing or advertising meets the requirements of Section 5040 of Title 16 of the California Code of Regulations.
- B. Upon request of the Director, the licensee shall provide the audience composition data required by Section 5040 of Title 16 of the California Code of Regulations within the time frame specified by the Director.
- C. No licensee shall place advertising or marketing from the licensee or on behalf of the licensee involving direct, individualized communication or dialogue, unless the licensee meets the requirements set forth in Section 5041 of Title 16 of the California Code of Regulations.



- D. If the Director determines that audience composition data for advertising provided by a licensee or on behalf of a licensee does not meet the requirements of Section 5040 of Title 16 of the California Code of Regulations, that any individualized communication or dialogue does not meet the requirements of Section 5041 of Title 16 of the California Code of Regulations, or the licensee fails to provide audience composition data to the Director within the time specified, the licensee shall remove all such advertising or marketing placement within twenty-four (24) hours of written notice by the Director.

**Section 6.12.250 Cannabis Business Sites Restricted.**

- A. No cannabis business licensee shall open their business to the public.
- B. No cannabis business licensee shall allow anyone on the cannabis business site, except for managers, staff, and other persons with a bona fide business or regulatory purpose for being there, such as contractors, inspectors and cannabis transporters.
- C. A manager must be on the cannabis business site at all times that any other person is on site, except after business hours when a security guard is on the site.
- D. Any person other than managers or staff who are on the cannabis business site must sign in, wear a visitor badge provided by the licensee, and be escorted on the site by a manager or other staff at all times. Notwithstanding the preceding, state, county and city officials performing their lawful duties on-site are exempt from the requirements set forth in this subsection.
- E. This Section shall not apply to cannabis retailers possessing valid and unexpired licenses issued by the City of Redding.

**Section 6.12.260 Storage of Cannabis.**

- A. A cannabis business licensee shall not store cannabis or cannabis goods outdoors.
- B. Employee breakrooms, changing facilities and bathrooms shall be separated from any cannabis or cannabis goods storage areas.
- C. Cannabis goods shall only be stored at a licensed premises.
- D. Storage of cannabis goods must be ancillary to the business of the licensee, and storage of cannabis goods shall not be licensed by the Director as a stand alone cannabis business.

**Section 6.12.270 Access to Cannabis Businesses.**

- A. No person under the age of twenty-one (21) years shall be on the site of a cannabis business or participate in the operations of a cannabis business in any capacity including, but not limited to, as manager, staff, employee, contractor, agent or volunteer.

- B. Notwithstanding subdivision (A), a person who has attained eighteen (18) years of age and has on his person an identification card issued pursuant to Health and Safety Code section 11362.71 may enter a retail cannabis business as a customer.
- C. Cannabis business licensees are strictly liable for any violation of this Section. Proof of intent or scienter shall not be required in establishing a violation of this Section.

**Section 6.12.280 Attire and Conduct at Cannabis Businesses.**

- A. A cannabis business licensee shall abide by the attire and conduct requirements set forth in Sections 5806 and 5807 of Title 16 of the California Code of Regulations.
- B. No person shall smoke, ingest or otherwise consume cannabis in any form at a cannabis business or within twenty feet (20') of a cannabis business.
- C. No person shall possess, consume, or store any alcoholic beverage at any cannabis business.
- D. Cannabis business licensees are strictly liable for any violation of this Section. Proof of intent or scienter shall not be required in establishing a violation of this Section.

**Section 6.12.290 Diversion.**

No person shall give, sell, distribute, or otherwise transfer any cannabis in any manner that violates the laws of the State of California or the City of Redding.

**Section 6.12.300 Maintenance of Records.**

- A. A cannabis business shall maintain all the records required for retention by Section 5037 of Title 16 of the California Code of Regulations for a period of at least seven (7) years.
- B. Records shall be kept in a manner that allows the records to be produced for the City of Redding at the cannabis business premises in either hard copy or electronic form, whichever the City of Redding requires.
- C. A licensee may contract with a third party to provide custodial or management services of the records of the cannabis business. Such a contract shall not relieve the licensee of the licensee's responsibilities under this Section.
- D. A cannabis business licensee shall report any loss, damage, or destruction of these records to the Director within twenty-four (24) hours of the loss, damage or destruction.

**Section 6.12.310 Site Management.**

- A. The cannabis business licensee shall prevent and immediately abate conditions at the cannabis business that constitute a nuisance or other violation of the Redding Municipal Code.



- B. The cannabis business licensee shall maintain the exterior of the cannabis business site, including any parking lots and landscaped areas under the control of the licensee, free of litter, debris, trash and unused equipment.
- C. The cannabis business licensee shall properly store and dispose of all waste generated at the cannabis business site, including chemical and organic waste, in accordance with all applicable laws and regulations.
- D. The cannabis business licensee shall remove all graffiti from the cannabis business site and parking lots under the control of the licensee within seventy-two (72) hours of its application.

**Section 6.12.320 Consent to Inspection and Right of Access.**

- A. Unless otherwise provided for in this Chapter, representatives from the City of Redding including, but not limited to, members of the Redding Police Department, the Office of the City Attorney, the Code Enforcement Division and their agents may test, enter and inspect the property, vehicles, structures, documents, facilities and cannabis goods of every cannabis business during the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, or at any other reasonable time during business hours to ensure compliance and enforcement of the Redding Municipal Code. Notwithstanding the preceding, the inspection and copying of private medical records shall be made available only pursuant to a search warrant, subpoena or court order.
- B. Prior notice of an inspection, investigation, review, or audit is not required.
- C. It is unlawful and cause for immediate suspension or revocation of the license for any licensee, property owner, landlord, lessee, cannabis business, and/or its owner, agent or employee to refuse to allow, impede, obstruct or interfere with an inspection.
- D. When a requirement is established pursuant to this Chapter for the inspection and/or copy of any record, the record shall be delivered immediately upon demand by City of Redding personnel unless it would be unreasonable to access such records due to the time constraint's of the licensee's business.
- E. This Section shall not be construed to deprive a licensee of any privilege guaranteed by the Fifth Amendment to the Constitution of the United States.

**Section 6.12.330 Visibility of Cannabis.**

No cannabis or cannabis products on the site of a cannabis business shall be visible with the naked eye from outside the licensed premises.

**Section 6.12.340 Unsold Cannabis.**

Except as otherwise permitted by the Director for purposes of facilitating a donation program, all cannabis and any product containing cannabis that is not sold into the market shall be made

unusable and unrecognizable prior to removal from the cannabis business in compliance with all applicable federal, state and local laws.

**Section 6.12.350 Cannabis Business Distance Requirements.**

- A. Except as otherwise provided in this Section, no cannabis business shall be located within six hundred (600) feet of a school providing instruction in kindergarten or any grade one (1) through twelve (12), inclusive, public park, public library or youth-oriented facility.
- B. Notwithstanding Subsection A, no cannabis retailer shall be located within one thousand (1000) feet of a school providing instruction in kindergarten or any grade one (1) through twelve (12), inclusive, public park, public library or youth-oriented facility.
- C. Distances shall be measured from the property line of a parcel where the cannabis business is located to the nearest property line that is occupied by a school providing instruction in kindergarten or any grade one (1) through twelve (12), inclusive, public park, public library or youth-oriented facility.

**Section 6.12.360 Cultivation for Commercial Sale – License Required.**

It is unlawful and a public nuisance to cultivate cannabis for commercial sale unless that person has been issued all applicable licenses for cultivation by the State of California and the City of Redding.

**Section 6.12.370 Cultivation Site Buildings and Authorized Cultivation Area.**

It is unlawful to cultivate cannabis unless the site of cultivation meets the following requirements:

- A. All entrances into the buildings on the cultivation site shall be locked at all times with entry controlled by the commercial sales cannabis cultivation licensee's managers and staff.
- B. The cultivation site shall have a building with a main entrance that is clearly visible from the public street or sidewalk. The main entrance shall be maintained clear of barriers, landscaping, and other obstructions. Inside of the main entrance, there shall be a lobby to receive persons into the site and to verify whether they are allowed in the cultivation areas.
- C. All cultivation areas in any building on the cultivation site shall be separated from the main entrance and lobby, and shall be secured by a lock accessible only to managers and staff of the licensee.
- D. Each building with a cultivation area shall have an area designed for the secure transfer of cannabis from the cultivation area to a vehicle for transportation.
- E. Each building with a cultivation area shall have adequate storage space for cannabis that has completed the cultivation process or is otherwise not being cultivated. The storage



areas shall be separated from the main entrance and lobby, and shall be secured by a lock accessible only to managers and staff of the licensee.

- F. Each building with a cultivation area shall have all utilities installed, maintained and operated in accordance with the Redding Municipal Code. Volatile solvents shall not be used or located within any cultivation area. The Building Official may authorize the use of CO2 generators upon a finding that there is not threat to the public health and safety.
- G. Cultivation area shall not exceed that authorized by license issued by the State of California. Notwithstanding, the Director may, in his or her sole discretion, reasonably limit the cultivation area otherwise permitted by license issued by the State of California.

**Section 6.12.380 Retail Sales Prohibited.**

It is unlawful and a public nuisance for any person to sell cannabis goods unless that person has been issued all applicable valid and unexpired licenses for cannabis retail sale by the State of California and the City of Redding.

**Section 6.12.390 Number of Cannabis Retailers Licensed.**

- A. No more than ten (10) retailers of adult use cannabis and/or medical cannabis businesses shall be licensed or allowed to operate within the jurisdictional limits of the City of Redding. For purposes of this subsection, a premises offering commercial sale of both adult use and medical cannabis shall be considered as one cannabis business.
- B. The City Manager is hereby given discretion to authorize fewer than ten (10) retail adult use cannabis and/or medical cannabis businesses as he/she determines necessary to protect the public health, safety and welfare.
- C. There shall be no limit on the number of commercial cultivators, manufacturers, processors, distributors, testing laboratories, storage facilities or deliverers of cannabis.

**Section 6.12.400 Award of Cannabis Retailer License.**

- A. Selection of cannabis retailers for licensure shall be made by means of a competitive selection process. The City Manager shall establish and apply neutral criteria by which applications shall be assessed.
- B. Selection of cannabis retailers for licensure shall be made by the City Manager. In the alternative, the City Manager may consider applications for cannabis retailers by means of a selection committee in which case, reference in this Section to the City Manager shall mean the City Manager's selection committee.
- C. Notice of the opportunity to apply for a cannabis retail business license shall be published by means determined by the City Manager as reasonably calculated to provide public notice of the opportunity to apply.

- D. The City Manager may designate periods of time for consideration of applications for retail cannabis business licenses as deemed necessary and prudent, and, in his/her sole discretion, may decline to receive applications for a retail cannabis business license outside of the designated time period.
- E. After receipt of an application that is submitted in compliance with Section 6.12.080, the application shall be placed into a pool of applicants for further review and selection shall be made on merit. Applications that do not meet the requirements of Section 6.12.080 or are submitted outside of the designated application period shall be denied, and the City Manager shall notify the applicant in writing of the basis for the denial.
- F. In addition to the information required of cannabis business applicants by Section 6.12.080, applicants for a retail license shall submit information sufficient to inform the City Manager on the following criteria:
  - 1. Ability to operate a business, including but not limited to education, knowledge, and experience with:
    - A. Regulated industries;
    - B. Agriculture or horticulture;
    - C. Commercial manufacturing;
    - D. Pharmaceutical companies;
    - E. Owning, operating or working in a medical or retail cannabis business;
    - F. Creating and implementing a business plan, including a timeline for opening a business;
    - G. Creating and implementing a financial plan;
    - H. Retail sales;
    - I. Secure inventory tracking and control;
    - J. Owning or managing a business that required twenty-four (24) hour security monitoring;
    - K. Any other experience the applicant considers relevant.
  - 2. Plan for operating a cannabis retail business including, but not limited to, a timeline for opening a retail location;
  - 3. Proof of financial stability and access to financial resources, including, but not limited to:



- A. Legal sources of finances immediately available to begin operating a retail cannabis business;
  - B. A summary of financial statements in businesses previously or currently owned or operated by the applicant;
  - C. A financial plan for operating a retail cannabis business in the City of Redding;
  - D. Good credit history; and
  - E. History of bankruptcy by the applicant or entities owned or operated by the applicant.
4. Ability to comply with the operational requirements set forth in this Chapter.
5. Any other information received by an applicant which is probative on the subject of competence to lawfully operate a cannabis retail business.
- G. The City Manager may undertake oral interviews with applicants should he/she determine that interviews will assist in the selection process.
- H. Cannabis retail business applicants may supplement the information required by Section 6.12.080 and this Section with any information the applicant believes probative to demonstrate its competence to operate a cannabis retail business.
- I. The City Manager may establish deadlines for the submission of information by a cannabis retail business applicant. If such deadlines are established, no additional materials or information may be submitted by an applicant once the time period for applications has ended.
- J. The City Manager shall award a cannabis retailer license to the highest ranking applicant or applicants without preference as to whether the cannabis retailer is a storefront retailer or delivery-only retailer, and shall notify each of the applicants of their respective score and/or ranking. Notwithstanding the preceding, the City Manager may, in lieu of scoring, opt to use a system of forced ranking to rank applicants.
- K. The City Manager may, but is not required to, hold applications in reserve to offer cannabis retail business licenses to the next highest ranked applicants if an applicant who has been awarded a license fails to pay the license fee, commence business operations as required in Section 6.12.410 or whose license has been revoked pursuant to Section 6.12.610. In the alternative, and if there remain opportunities for award of cannabis retail business licenses, the City Manager may reject all applications placed on hold and determine that the process set forth in this Section shall be re-instituted and another round of applications considered.

- L. The City Manager may establish minimum criteria for qualification for a retail license but shall not be obligated to award a retail cannabis license based on an applicant's satisfaction of said minimum criteria.
- M. With the exception of the material in the application and materials submitted pursuant to this Section that relate to the finances and criminal background of the applicant and its owners, all information required by this Section shall be considered public record subject to disclosure under the California Public Records Act.
- N. Any applicant aggrieved by the decision of the City Manager may obtain review of the within ninety (90) days of notice by filing with the Shasta County Superior Court a petition for review pursuant to California Code of Civil Procedure section 1094.5. For purposes of this Section, notice shall be the date that the decision of the City manager is deposited in the United States mail.

**Section 6.12.410 Failure to Commence Retail Operations and Abandonment.**

- A. If a cannabis retailer has not opened at the approved location and commenced operations within ninety (90) calendar days of being issued a license pursuant to this Chapter, the license shall be deemed expired and void. The City of Redding shall provide written notice to the cannabis retailer that the license has expired and is void. Upon a factual showing of good cause by the cannabis retailer for its failure to commence operations within the required time, the Director may grant extensions of up to one hundred and twenty (120) calendar days to commence operations based upon a finding of good cause for the extension. That determination shall be final.
- B. Notwithstanding Section 18.46.020 of the Redding Municipal Code, any cannabis retailer licensee who surrenders, abandons or quits the licensed premises, or who closes the licensed premises for a period exceeding thirty (30) consecutive calendar days, shall within ten (10) business days after closing, surrendering, quitting or abandoning the licensed premises, surrender its cannabis license to the City of Redding. The City of Redding may seize the cannabis business license of a cannabis retailer who fails to comply with the surrender provisions of this Section and may proceed to revoke the license. Upon a showing of good cause by the cannabis retailer, the Director may grant a one-time only extension of up to ninety (90) calendar days to the cannabis retailer to reestablish operations at the premises of the cannabis business premises. The determination of the Director shall be final.
- C. "Good Cause" includes, but is not limited to, termination of the cannabis business's lease by the property owner; a change in federal, state or local law that now prohibits use of the previously approved location as a cannabis business; foreclosure or sale of the approved location resulting in the cannabis business's inability to enter into a new lease; damage to or deterioration to the building that prevents the safe use and/or occupation of the structure until all required repairs are made. However, if the cannabis business is responsible for the condition, including any non-licensed construction or alteration of the structure or non-licensed electrical, mechanical or plumbing, "good cause" shall not be found.



- D. A determination by the Director that a licensee has failed to commence operations, or has surrendered, abandoned or quit the premises is subject to review pursuant to Section 6.12.620.

**Section 6.12.420 Cannabis Retailer – Delivery Only.**

- A. A cannabis retailer – delivery only licensee shall conduct retail sales exclusively by delivery. The entire premises of such licensee shall be considered a retailer limited-access area within the meaning of Section 6.12.430.
- B. The licensed premises of a non-storefront retailer licensee shall be closed to the public.

**Section 6.12.430 Retailer Limited-Access Areas.**

- A. A cannabis retailer shall comply with all of the requirements set forth in Section 5401 of Title 16 of the California Code of Regulations. Any person who is not an employee of the licensee, but is an authorized visitor within the meaning of Section 5401 of Title 16 of the California Code of Regulations, shall prominently wear a badge issued by the licensee identifying that person as an authorized visitor.
- B. The retailer shall make available to the City of Redding upon request all logs of visitors required by Section 5401 of Title 16 of the California Code of Regulations.

**Section 6.12.440 Retail Area.**

- A. Individuals shall be granted access to the retail area only to purchase cannabis goods after the retailer or an employee of the retailer has verified that the individual is at least twenty-one (21) years of age and has a valid proof of identification, or that the individual is at least eighteen (18) years of age, has valid proof of identification and a valid identification card issued pursuant to Health and Safety Code section 11362.71.
- B. Acceptable forms of identification shall include a document or identification card issued by a governmental entity that contains the name, date of birth, physical description and picture of the person.
- C. The cannabis retailer or its employees shall be physically present in the retail area at all times when individuals who are not employees of the retailer are in the retail area. For purposes of this Section “retail area” shall mean the area of the premises where cannabis goods are displayed for sale or any place where a thing of value is exchanged for a cannabis good.

**Section 6.12.450 Retail Hours of Operation and Daily Limits.**

- A. A cannabis retailer shall sell and/or deliver cannabis goods only between the hours of 8:00 a.m. and 8:00 p.m.
- B. At any time the premises is not open for retail sales, the cannabis retailer shall ensure the following:

1. The premises is securely locked with commercial-grade, non-residential door locks.
  2. The alarm system required by Section 6.12.180(G) shall be activated when the retailer or its employees are not on the licensed premises.
  3. Only employees and contractors of the retailer are allowed on the premises.
- C. A cannabis retailer shall accept shipments of cannabis goods only between the hours of 6:00 a.m. to 10:00 p.m. During business hours shipments of cannabis goods shall not enter the premises through an entrance or exit that is available for public use.
- D. A cannabis retailer shall comply with the limitations with regard to the amounts of cannabis that may be sold in one (1) day to a customer, as set forth in Section 5409 of Title 16 of the California Code of Regulations.

**Section 6.12.460 Retail Customers.**

A cannabis retailer shall only sell adult-use cannabis goods to individuals who are at least twenty-one (21) years of age and medicinal cannabis goods to individuals who are at least (18) years of age and who present an identification card issued pursuant to Health and Safety Code section 11362.71.

**Section 6.12.470 Display of Cannabis Goods.**

- A. Cannabis goods for inspection and sale shall only be displayed in the retail area.
- B. Cannabis goods may be removed from their packaging and placed in containers to allow for customer inspection. The containers shall not be readily accessible to customers without assistance of retailer personnel. A container must be provided to the customer by the retailer or its employees, who shall remain with the customer at all times that the container is being inspected by the customer.
- C. Cannabis goods removed from the packaging for display shall not be sold, shall not be consumed and shall be destroyed pursuant to Section 5054 of Title 16 of the California Code of Regulations.

**Section 6.12.480 Sale and Return of Cannabis Goods – Free Cannabis.**

- A. A cannabis retailer shall not make any cannabis goods available for sale or delivery to customers unless the cannabis goods were received from a distributor licensed by the State of California; the retailer has verified that the cannabis goods have not exceeded their expiration or sell-by date if one is provided; and, in the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and other relevant laws.



- B. A cannabis retailer may accept customer return of cannabis goods but only in accordance with Section 5410 of Title 16 of the California Code of Regulations.
- C. A cannabis retailer shall not provide free cannabis goods to any person except as licensed for medicinal cannabis pursuant to Section 5411 of Title 16 of the California Code of Regulations and as permitted in writing by the Director.

**Section 6.12.490 Inventory Documentation.**

- A. A cannabis retailer shall document its inventory in accordance with Section 5423 of Title 16 of the California Code of Regulations and reconcile its inventory in accordance with Section 5424 of Title 16 of the California Code of Regulations at least once every fourteen (14) days.
- B. Pursuant to Section 6.12.300, all inventory records and records of inventory reconciliation shall be retained for a period of seven (7) years and shall be produced for inspection and copy upon request of the City of Redding.
- C. A retailer shall report in writing a significant discrepancy in inventory within twenty-four (24) hours of discovery to the Director.

**Section 6.12.500 Record of Sales.**

- A. A retailer shall maintain a record of sales for each transaction pursuant to Section 5425 of Title 16 of the California Code of Regulations.
- B. Pursuant to Section 6.12.300, all records of sale shall be kept for a period of seven (7) years after the transaction and shall be made available for inspection and copy by the City of Redding.

**Section 6.12.510 Sale of Non-Cannabis Products on Premises.**

With the exception of alcohol and tobacco, a cannabis retailer may sell non-cannabis products at a licensed premises.

**Section 6.12.520 Retail of Live Plants.**

A cannabis retailer who possesses all valid and unexpired licenses from the City of Redding and the State of California may sell live plants but only under the conditions set forth in Section 5408 of Title 16 of the California Code of Regulations.

**Section 6.12.530 Packaging and Labeling.**

- A. A cannabis retailer shall not accept, possess, or sell cannabis goods that are not packaged as they will be sold at final sale.
- B. A cannabis retailer shall not package or label cannabis goods.

- C. A cannabis retailer shall ensure that its customers do not leave the cannabis retailer's premises unless the cannabis goods are placed in an opaque exit package.
- D. It is unlawful for any person to remove cannabis goods from the opaque packaging while on the retailer premises when such removal is visible from the exterior of the retailer building.

**Section 6.12.540 Delivery.**

- A. It is unlawful to deliver cannabis goods within the jurisdictional limits of the City of Redding unless delivery is made by a cannabis retailer licensed by the City of Redding.
- B. All deliveries shall comply with Sections 5415 through 5421, inclusive, of Title 16 of the California Code of Regulations.
- C. Any motor vehicle used by a retailer to deliver cannabis goods is subject to inspection by City of Redding personnel. Vehicles used to deliver cannabis goods may be stopped and inspected by City of Redding personnel at any licensed premises or during delivery.
- D. Pursuant to Section 6.12.300, the retailer shall retain delivery receipts, as described in Section 5420 of Title 16 of the California Code of Regulations for a period of seven (7) years after delivery. All such receipts are subject to inspection and copy by the City of Redding.
- E. All deliveries shall be accomplished within the hours of operation set forth in Section 6.12.450.

**Section 6.12.550 Distributors.**

- A. No person or entity shall perform the duties of a distributor without having a valid and unexpired license for said activity from the State of California and without having a valid and unexpired license for such activity from the City of Redding.
- B. A distributor shall not store or distribute non-cannabis goods on or from the premises licensed for distribution of cannabis goods.
- C. A distributor may provide cannabis goods storage-only services to a licensed cultivator, manufacturer or another distributor, unrelated to the quality assurance and laboratory testing processes.
- D. Cannabis goods batches for testing shall be stored and labeled in accordance with Section 5302 of Title 16 of the California Code of Regulations.
- E. A distributor may package, re-package, label and re-label cannabis for retail sale.
- F. A distributor shall not package, re-package, label or re-label manufactured cannabis products except for when the distributor also holds a manufacturing license issued by the State of California and a license issued by the City of Redding, and is re-packaging,



labeling or re-labeling its own manufactured cannabis products. Notwithstanding the preceding, if it is determined during laboratory testing that a manufactured product is labeled with the incorrect amount of THC per package but is within the THC limits for sale, the distributor may re-label the package with the accurate THC amount.

- G. After taking physical possession of a cannabis goods batch, the distributor shall contact a testing laboratory and arrange for a laboratory employee to come to the distributor's licensed premises to select a representative sample for laboratory testing. The distributor shall thereafter comply with Section 5305 of Title 16 of the California Code of Regulations.
- H. A distributor shall not transport cannabis goods to a retailer unless the representative batch from the manufacturer or cultivator meets the specifications set forth in Chapter 6 of Title 16 of the California Code of Regulations. The distributor shall conduct a quality-assurance review pursuant to Section 5307 of the California Code of Regulations prior to transport to a retailer.
- I. A distributor shall satisfy the insurance requirements set forth in Section 5308 of the California Code of Regulations.
- J. A distributor shall reconcile all inventories of cannabis goods at least once every fourteen (14) days and shall keep an inventory log which satisfies the requirements set forth in Section 5309 of Title 16 of the California Code of Regulations.
- K. In addition to the records required of a cannabis business, a distributor shall also maintain the records required by Section 5310 of Title 16 of the California Code of Regulations. All such records shall be kept on the site of the licensed premises and shall be subject to examination and copy by the City of Redding.
- L. Transportation of cannabis goods shall be pursuant to the requirements set forth in Section 5311 of the California Code of Regulations. Vehicles and trailers transporting cannabis goods are subject to inspection by the City of Redding at any licensed premises or during transport at any time.
- M. A distributor shall not transport cannabis goods except in the conduct of business activity authorized herein by license. During transport, the distributor shall only travel between licensees shipping or receiving cannabis goods and its own licensed premises. During the transport of cannabis goods, the distributor shall not deviate from its route or stop except as necessary to comply with the law, attend to a safety issue, or attend to the mechanical and fuel needs of the transport vehicle or because road conditions make continued use of the route unsafe, impossible, or impracticable. In all such cases, cannabis goods shall not be left unattended by the driver.
- N. No vehicle shall be used in the transport of cannabis goods unless all transport vehicle information required by Section 5312 of Title 16 of the California Code of Regulations has been supplied to the Director.

- O. No person under the age of twenty-one (21) years of age shall be in a vehicle or trailer transporting cannabis goods and only a licensee or an employee of the distributor shall be in a vehicle while transporting cannabis goods.
- P. The distributor shall maintain shipping manifests pursuant to Section 5314 of Title 16 of the California Code of Regulations. During transport, the shipping manifest shall be with the delivery vehicle. After conclusion of transportation, all shipping manifests shall be stored at the distribution premises for no less than one (1) year after conclusion of transport. The distributor shall permit inspection and copying of all records upon request of the City of Redding.
- Q. An applicant may be licensed for a “distributor – transport” only license upon payment of a fee to be established for all other distributors by resolution of the City Council. In such cases, a distributor who only transports cannabis shall be solely authorized to engage in the transport of cannabis between licensees of the State of California. A distributor – transport only licensee shall not be authorized to transport cannabis goods to the premises of a retailer, except for when the licensee is transporting only immature plants and seeds from a cultivator to a licensed retailer, both of whom must be licensed by the State of California. In all other respects, a distributor – transport only licensee shall comply with Section 5315 of Title 16 of the California Code of Regulations.

**Section 6.12.560 Microbusinesses Prohibited.**

It is unlawful to operate a microbusiness, as defined in Business and Professions Code section 26070(a)(3)(A), within the City of Redding.

**Section 6.12.570 Cannabis Events Prohibited.**

It is unlawful to operate a cannabis event, as described in Sections 5600 through 5603, inclusive, of Title 16 of the California Code of Regulations, within the City of Redding.

**Section 6.12.580 Manufacture of Cannabis Products.**

- A. No person shall manufacture cannabis products unless that person has all applicable valid and unexpired licenses for manufacture issued by the State of California and the City of Redding.
- B. In addition to the information required by Section 6.12.080 with regard to an application for a cannabis business license, any person desiring to apply for a license to manufacture cannabis products shall also provide the following in support of the application:
  - 1. A description of the applicant’s inventory process;
  - 2. A description of its quality control procedures; and
  - 3. A description of its extraction and/or infusion methods.



- C. Manufacture of cannabis products shall not be accomplished by use of volatile substances unless accomplished in accordance with a manufacturer's license issued by the State of California. Notwithstanding the preceding, manufacture of cannabis products shall not be accomplished by the use of butane.
- D. Manufacture of cannabis and cannabis products shall occur only in a detached, fully enclosed building.
- E. No person shall conduct retail sales of goods on or from a licensed cannabis manufacturing site.

**Section 6.12.590 Testing Laboratories and Limited Testing Facilities.**

- A. No person shall establish or operate a cannabis testing laboratory except as provided in this Section.
- B. Testing laboratories shall comply with Sections 5700 through 5739, inclusive, of Title 16 of the California Code of Regulations.
- C. Pursuant to Section 6.12.300, all testing laboratory-specific records required by operation of Sections 5700 through 5739, inclusive, of Title 16 of the California Code of Records shall be retained for a period of seven (7) years and shall be made immediately available for inspection and copy by the City of Redding upon demand.
- D. A testing laboratory licensed by the State of California may operate a satellite location within the City of Redding which has for its sole purpose the testing of cannabis for potency.

**Section 6.12.600 Licensee's Responsibility for Acts of Employees and Agents.**

In construing and enforcing the provisions of this Chapter and Title 18 of the Redding Municipal Code, the act, omission or failure of an agent, officer, representative or other person acting for or employed by a licensee, within the scope of his or her employment or office, shall in every case be deemed the act, omission or failure of the licensee.

**Section 6.12.610 Suspending, Modifying, or Revoking Licenses.**

- A. The Director may suspend, modify, further condition or revoke any license issued to a cannabis business issued pursuant to the provisions of this Chapter for any of the following reasons:
  - 1. One or more of the circumstances upon which a license could be denied, as described in Section 6.12.110, exists or has occurred.
  - 2. The licensee, or any of its owners, has violated a term or condition of its license issued pursuant to this Chapter or a term or condition of a license issued by the State of California.

3. The licensee, or any of its owners, has violated the Redding Municipal Code or the laws of the State of California.
  4. The licensee or any other person performed work as an employee or volunteer or acquired a financial interest in the applicant as an owner without first undergoing fingerprinting and a DOJ/NCIC background check.
  5. The licensee failed to pay a fee, tax, fine, administrative penalty or any amount resulting from a civil judgment when due.
  6. The licensee failed to take reasonable steps, as defined in Section 5808 of Title 16 of the California Code of Regulations, to correct objectionable conditions that constitute a nuisance on the licensed premises, including the immediately adjacent area that is owned, leased, or occupied by the licensee, within a reasonable time after receipt of notice to abate the condition.
  7. The licensee failed to take reasonable steps, as defined in Section 5808 of Title 16 of the California Code of Regulations, to correct objectionable conditions that constitute a nuisance within a reasonable time which occur during operating hours on any public sidewalk within twenty (20) feet of the licensed premises.
  8. The licensee knowingly engaged in the illegal sale, or negotiations for the sale, of controlled substances, as defined in Section 5805 of Title 16 of the California Code of Regulations, upon his or her licensed premises. Successive sale, or negotiations for sale, over any continuous period of time shall be deemed evidence of permission.
  9. When required to provide notice to the City of Redding of any term or condition set forth in this Chapter, the licensee or any of its owners made a false or misleading representation or omitted notice when it was required.
- B. A cannabis business licensee whose license has been suspended shall conspicuously display a notice on the exterior of the licensee's premises for the duration of the suspension, and ensure that the notice remains continuously in place for the time specified. The notice shall be in at least twenty-four (24) point type and provide as follows:

**NOTICE OF SUSPENSION**

THE CANNABIS BUSINESS LICENSE  
ISSUED FOR THIS PREMISES HAS BEEN SUSPENDED  
FOR VIOLATION OF THE REDDING MUNICIPAL CODE

- C. A licensee whose license has been revoked shall conspicuously display a notice on the exterior of the licensee's premises indicating that the license has been revoked. The notice shall remain continuously on the licensed premises for at least fifteen (15) calendar days. The notice shall be in at least twenty-four (24) point type and provide as follows:



## NOTICE OF REVOCATION

### THE CANNABIS BUSINESS LICENSE ISSUED FOR THIS PREMISES HAS BEEN REVOKED FOR VIOLATION OF THE REDDING MUNICIPAL CODE

- D. Action taken by the Director with respect to the suspension, modification, or revocation of a cannabis business license shall be final and conclusive. Any licensee aggrieved by the suspension, modification or revocation of a cannabis business license may obtain review of such decision by appeal to the City Manager pursuant to 6.12.620.

#### **Section 6.12.620 Initiation of Discipline and Appeals.**

- A. The Director may initiate suspension or revocation proceedings or impose additional conditions on a license by sending written notice to the licensee of the disciplinary action and grounds for the action by certified mail return receipt requested, to the licensee's business address, as set forth in the license. The notice shall inform the licensee of its right to appeal the determination of the Director by sending written notice of appeal and the grounds for such appeal to the Director no later than fourteen (14) days after the date in which the notice of suspension, revocation or intention to impose additional conditions was mailed. Failure to timely appeal shall result in a forfeiture of the right of appeal, and the determination of the Director shall be final.
- B. Upon receipt of a timely notice of appeal, the Director shall transmit said notice of appeal to the City Clerk for setting of a hearing. Unless continued for good cause demonstrated, appeals shall be heard by the City Manager within thirty (30) calendar days of the date notice of appeal was received by the Director.
- C. After considering all of the testimony and evidence submitted at said hearing, the City Manager shall decide the appeal based upon a preponderance of the evidence and issue written findings of fact no later than ten (10) days after the hearing. Hearings before the City Manager shall not be bound by formal rules of evidence. Hearsay evidence may be received; however, in no event shall a decision be based solely on hearsay evidence. The City Manager may deny, uphold, or modify the discipline imposed by the Director. The findings and decision of the City Manager shall be final and conclusive and not appealable to the City Council.
- D. Any licensee aggrieved by the order of the City Manager may obtain review of the order within ninety (90) days of notice by filing with the Shasta County Superior Court a petition for review pursuant to California Code of Civil Procedure section 1094.5. For purposes of this Section, notice shall be the date that the decision of the City Manager is deposited in the United States mail.

#### **Section 6.12.630 Non-Disciplinary Modification of Cannabis Business License.**

- A. The Director may eliminate, modify or add to any condition imposed on a cannabis business license when he or she deems such action reasonably necessary to protect the health, safety or welfare of the public or to otherwise secure compliance with the requirements set forth in the Redding Municipal Code. The action taken on the license

and the grounds for such action shall be made in writing and sent by certified mail return receipt requested to the licensee's business address, as set forth in the license.

- B. The action by the Director taken pursuant to this Section may be made in conjunction with disciplinary action, in lieu of disciplinary action, or independent of disciplinary action.
- C. Any person aggrieved by the action of the Director may appeal the decision of the Director pursuant to the procedures set forth in Section 6.12.620 relating to suspension and revocation of a license.

**Section 6.12.640 Remedies and Public Nuisance.**

- A. The procedures set forth in this Chapter shall be cumulative and in addition to any other procedure or legal remedy provided for in the Redding Municipal Code or the laws of the State of California. Nothing in this Chapter shall be deemed to prevent the City of Redding from commencing alternative administrative, civil or criminal proceedings.
- B. The City Attorney is authorized to institute administrative action pursuant to Chapters 1.13 through 1.15 of the Redding Municipal Code and to institute civil or criminal action in the Shasta County Superior Court in order to enforce the provisions of this Chapter and those provisions set forth in Title 18 of the Redding Municipal Code relating to land use for cannabis businesses.
- C. This Chapter is cumulative to all other remedies now or hereafter available to abate or otherwise regulate, enforce or prevent public nuisances or to enforce the provisions of the Redding Municipal Code. Any violation of this Chapter may be subject to injunctive relief, revocation of any license issued by the City of Redding, disgorgement and payment to the City of Redding of any and all money unlawfully obtained, costs of abatement, investigation and attorney fees or any other relief or remedy available at law or equity.
- D. A violation of any Section within this Chapter is a public nuisance.

**Section 6.12.650 Joint and Several Liability.**

All cannabis business licensees, owners, and/or responsible parties, as defined in Section 1.14.020, shall be jointly and severally liable for violation of any provision set forth in this Chapter.

**Section 5.** Title 18 (Zoning), Chapter 18.15 (Zoning Exceptions), Section 18.15.030 is amended to read as follows:

**18.15.030 - Standards for which exceptions may be considered.**

An exception may be considered for the following standards. Additional exceptions may be allowed if, in the opinion of the Director, they are of a similar nature or magnitude to those listed below:



- A. Accessory Structure Front Yard Setbacks. Provided that the minimum front yard setback will be maintained and where adjacent residences will not be adversely affected, the director may allow an accessory structure to be located closer to the street than the existing or proposed residence on the site.
- B. Buffer Yards, Alternative. The minimum width of a buffer yard required by Schedule 18.40.020-A: Buffer Yards, may be reduced by up to twenty-five percent (25%) provided that the reduction will not increase the potential for land use impacts between adjoining properties given the circumstances of a particular site.
- C. Building Separation. The Director may authorize a reduction in minimum building separation of up to twenty percent (20%) between buildings if the reduction will maintain compliance with the California Building Code.
- D. Exceptions to Height Limits. Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, monuments, theater scenery lofts and similar structures and mechanical appurtenances covering no more than twenty percent (20%) of the top-floor roof area of the structure to which they are attached may exceed height limits by no more than ten feet (10') with no discretionary review. The director may approve greater height upon making the findings required by Section 18.15.040 (Required findings) of this Chapter.
- E. Fence Height. In any district, the maximum height of any fence, wall, hedge or equivalent screening may be increased by a maximum of two feet (2') where the topography of sloping sites or a difference in grade between adjoining sites warrants such increase in height to maintain a level of privacy or to maintain effectiveness of screening as generally provided by such fence, wall, hedge or screening in similar circumstances.
- F. Front Yard Setback (Increase). In the "RS" and "RE" districts, the Director may increase the maximum front yard setback where it is determined that the increase will not unreasonably affect abutting sites.
- G. Front Yard Setback (Decrease). In any district, the Director may decrease the minimum setback by ten percent (10%) where the decrease will not unreasonably affect abutting sites provided that no exception shall be granted for a garage that is designed to have vehicles back directly out into the street. In addition, the Director is authorized to grant a five percent (5%) reduction in any setback requirements where construction has commenced and a mistake was made in the surveying or plans preparation.
- H. Garage Setback/Sloped Lots. Where the elevation of a lot at a point twenty feet (20') behind the entire frontage of a lot (as measured from the back of curb) is seven feet (7') above or below the level of the curb, a private garage (attached or detached) for a single-family residence may have a minimum front yard setback of ten feet (10') from the front property line of the lot provided that a third open parking space is provided on the site.
- I. Lot Size. In any "RE" or "RS" zone, the Director may authorize a maximum ten percent (10%) reduction in parcel area on parcels created by parcel map if two or more existing parcels within two hundred feet (200') of the proposed parcel map are less than the minimum parcel size.

- J. Multistory Limitations; Transitional Building Height; Skyplane. The Director may reduce the higher or second-story setbacks required by Section 18.31.030 and/or reduce the building height limitations established by Sections 18.32.040 and 18.33.040 and/or skyplane requirements by up to twenty percent (20%) upon determining that any of the following are in evidence:
1. Existing rear or side yard setbacks in the abutting "RE" or "RS" district are sufficient to ensure that the intent of the multistory, transitional height, or skyplane limitations are met.
  2. The difference in existing or proposed finished grade between building sites is such that privacy, height, or bulk impacts to any residential district would not be present if requirements are reduced.
  3. The size or configuration of the developing property is such that it is infeasible to meet the limitations of these sections.
- K. Reserved.
- L. Parking—Space and Aisle-Dimension Reductions. Because of circumstances unique to a property, such as size, shape, topography, location of easements or desirable trees, the Director may authorize up to a ten percent reduction in open parking-space or aisle-width dimension for commercial and multiple-family residential uses with four or more units. Such exception may be allowed only when it is proven that the reduction will not result in a traffic hazard or impact the necessary parking for the use.
- M. Parking—Reduction in Covered Spaces. For single-family residences in existing neighborhoods, one covered parking space may be permitted by zoning exception when at least one additional off-street parking space is provided on the building site, the subject property is an existing, legally created lot the director determines that the predominate off-street parking arrangement in the immediate vicinity is a single covered space, and that granting the exception would not contribute to an existing on-street parking problem.
- N. Recreational Vehicle Storage/Parking.
1. Recreational Vehicle Storage. In the "RE" and "RS" districts, the Director may approve a zoning exception to allow not more than one recreational vehicle, as defined in Schedule 18.31.030-C, Note (8), to be parked within the front or street side yard setback area subject to the following findings and requirements:
    - a. The Director finds that the applicant has submitted an affidavit and related materials that affirm the following:
      - i. There is no physical space available to access and/or store the vehicle within an interior side or rear yard. These site conditions include, but are not limited to, such things as:



- (A) Existing building setbacks and eaves and other building projections (does not include the location of buildings with a size of one hundred twenty square feet or less);
  - (B) Location of mature tree(s);
  - (C) Location of HVAC or similar equipment;
  - (D) Existence of substantial slopes.
- ii. Notices of the zoning exception application shall be sent to all owner(s) of real property sharing a common street frontage within three hundred feet (300') of the applicant's property. Should two (2) or more owners of real property within the notification area object in writing to the approval of the zoning exception or appeal the approval by the Director, the zoning exception shall not be granted.
  - iii. The parking of such vehicles is not prohibited by any conditions, covenants, and restrictions (CC&Rs) applied to the property. The applicant shall provide either: (1) a copy of the CC&Rs applicable to the property; or (2) if no CC&Rs have been recorded, a title report for the subject property sufficiently current to determine whether the property is subject to CC&Rs.
  - iv. The vehicle is operable and is owned by and registered to the occupant of the premises upon which it is parked.

b. Vehicle Parking Conditions.

- i. Vehicles shall be parked generally perpendicular to the front property line.
- ii. Storage shall be allowed only on areas surfaced with all-weather materials, such as concrete, asphalt, brick, stone, gravel, or similar material, and shall not obstruct the ingress or egress to and from existing garage doors. Storage shall not occur within a lawn or other landscaped area.
- iii. The vehicle shall not be parked closer than two feet (2') to a side property line.
- iv. No part of the vehicle may extend more than three feet (3') into the public or private right-of-way or be closer than two feet (2') to a public sidewalk.
- v. Vehicles shall not be occupied for living purposes.

- vi. The vehicles shall be maintained in a clean and inoffensive manner. Offensive includes, but is not limited to, unrepaired collision damage; broken glass; flat tires; discharge of effluent; discarding of litter or other materials; or a general unsightly exterior appearance as exhibited by peeling paint, rust, or attachment of siding materials not original to the recreational vehicle. Covering of the vehicle by tarp or similar material is not allowed. The use of custom covers made specifically for the type and size of vehicle are permitted.
  - vii. The zoning exception shall not be transferable to a subsequent owner of the property.
  - viii. Registration shall remain current throughout the term of the zoning exception. (Note: Vehicles registered with the department of motor vehicles as "Non-Op" are not considered to be registered vehicles for the purpose of this section.)
  - ix. Zoning exceptions shall be valid for a period not to exceed three (3) years. Upon application, the Director may grant one or more renewals not to exceed a time period of three (3) years for each renewal. Noticing, property owner objection/appeal, and other provisions and requirements pertaining to the original approval shall apply to renewal requests.
2. Parking for Affordable or Disabled Housing Projects. The requirement to provide parking for recreational vehicles for multiple-family units may be waived; provided that the project qualifies as an affordable housing project as defined by the State Government Code and provided that the necessary area for providing the required spaces is set aside and maintained in landscape to allow conversion to parking should the use convert from affordable or disabled housing to standard multiple-family use.
- O. Reversing the Frontage of a Corner Lot. The front yard and street side yard setbacks on a corner lot that were established at the time of issuance of a building permit for the original structure may be reversed for the purpose of establishing yard requirements provided that: (1) the reversal will not result in the placement of structures that are inconsistent with the general nature of the neighborhood and (2) vehicular and pedestrian safety will not be jeopardized.
- P. Roof-Mounted Heating and Air Conditioning Equipment. The Director may approve installation of roof-mounted residential heating and air-conditioning equipment provided that the equipment cannot be seen from any existing or future public street, park, school, open-space or other public area for a distance of at least six hundred feet (600'). In making such a determination, the Director shall consider such factors as the method of screening proposed, topography of the site and surrounding sites, and allowable height of existing and future buildings within six hundred feet (600') of the proposed equipment.



- Q. Accessory Dwelling Units. *Size Increase* - The Director may authorize up to a twenty percent (20%) increase in the allowable size of an accessory dwelling unit provided that the Director determines that the exception is necessary to provide for the reasonable accommodation for one or more disabled persons who will reside in the accessory dwelling unit. *Lot Size Reduction* - The Director may authorize an accessory dwelling unit to be constructed on a lot less than six thousand (6,000) square feet in size, provided that the Director determines that the floor area will not exceed five hundred (500) square feet and that the occupancy of the accessory dwelling unit is intended solely to house one or more family members as defined by this code. The accessory dwelling unit shall not be rented, and this stipulation shall be included in the deed restriction required by subsection 18.43.140.D.
- R. Shade Trees in Parking Lot. The Director may authorize a maximum twenty-five percent (25%) reduction in the number of shade trees required in a parking lot provided that the total number of trees required is provided in alternate locations on the site adjacent to the parking area.
- S. Side Yard and Rear Yard Setbacks. In any district, the Director may decrease the minimum setback by not more than twenty percent (20%) where the proposed setback area or yard is in character with the surrounding neighborhood and is not required as an essential open-space or recreational amenity to the use of the site, where such decrease will not unreasonably affect abutting sites. In the "GO" district, one side yard other than a street side yard may be decreased to that established for an adjacent existing building provided that one side yard has a minimum setback of ten feet (10'), (fifteen feet (15') if adjacent to an "R" district).
- T. Sign Height, Increased. The Director may authorize an increase in pole sign height not to exceed thirty-five feet (35') when necessary for sign visibility due to topography; surrounding buildings; existing trees to be preserved, except city street trees; or similar circumstances. The Director shall consider, in addition to visibility or sight obstructions, vehicle speed, visibility/readability from freeway off-ramp locations, or other factors which may negate the benefit otherwise gained by increased sign height.
- U. Surfacing. The requirement for paving driveways over one hundred fifty feet (150') in length may be waived provided that: (1) the first thirty feet (30') from the paved street or back of the sidewalk shall be paved, (2) the driveway-surfacing requirements of the fire marshal shall be met, and (3) the driveway is not located within seventy-five feet (75') of an existing or future residence.
- V. Unique Parking Demand Uses. The Director may authorize up to a ten percent (10%) reduction in the off-street parking requirement upon an adequate showing that parking demand for a use is less than that required by Chapter 18.41 (Off-Street Parking and Loading) of this title.

**Section 6.** Title 18 (Zoning), Chapter 18.17 (Temporary Use Permits), Section 18.17.030 is amended to read in its entirety as follows:

### **18.17.030 - Temporary uses requiring permits.**

The following temporary uses may be allowed on commercially zoned properties, or as otherwise noted below, subject to the issuance of a temporary use permit. Uses that do not fall within the categories defined below shall comply with the use and development regulations and entitlement review provisions that otherwise apply to the property. A temporary use permit will not be issued for a use that is not permitted within the zoning district for the site on which the use is proposed.

- A. Events. Carnivals, circuses, outdoor concerts, fairs, farmers' markets, festivals, flea markets, food concessions, outdoor entertainment/sporting events, off-site vehicle sales, parking lot/outdoor sales not associated with a lawful permanent business on-site, rummage sales, secondhand sales, swap meets and other similar events or activities.
- B. Temporary Real Estate Sales Offices. An office, including a manufactured or mobile unit, for the marketing, sales, or rental of residential, commercial or industrial development.
- C. Community Gardens. Non-commercial community gardens within any zoning district. The cultivation and storage of cannabis within a community garden is prohibited.
- D. Time Limitations. Unless otherwise regulated by subsection E of this section, time limits on the event duration shall be established by the temporary use permit.
- E. Standards and Time Limits for Specific Events.
  - 1. Carnivals, circuses, fairs, festivals and outdoor entertainment/sporting events shall be limited to ten (10) calendar days per event and no more than four events of any one type per property per year.
  - 2. Outdoor concerts, flea markets, rummage sales, secondhand sales and swap meets shall be limited to four (4) calendar days per event.
  - 3. Off-site vehicle sales (including boats and RV's) may be permitted for no more than five (5) days per event and no more than two annual events on the same property per dealer.
  - 4. Farmer's markets shall be limited to three days per site per week.
  - 5. Parking lot/outdoor sales not associated with a lawful permanent business on-site may be permitted for no more than five (5) days per event. No more than ten percent (10%) of the parking spaces on-site shall be used for the event.
  - 6. Food concessions, including hot dog stands, may be permitted when located adjacent to an existing retail building.

**Section 7.** Title 18 (Zoning), Chapter 18.30 (Rural Lands District), Schedule 18.30.020-A is amended to read in its entirety as follows:



**Schedule 18.30.020-A: Use Regulations—"Rural Lands" District**

<b>Use Classifications</b>	<b>"RL"</b>	<b>Additional Regulations</b>
<i>Residential Uses</i>		
Single Family	P	
Family Day Care, 6 or fewer	P	
Residential Care, Limited	P	
Supportive Housing Facilities	P	
Transitional Housing Facilities	P	
Residential Cannabis Cultivation	L19 P	See Chapter 6.12
<i>Public and Semipublic Uses</i>		
Cemetery	U	
Park & Recreation Facilities	S	
Public Safety Facilities	S	
Religious Facilities	S	Use permit required if over 10,000 sq. ft.
Residential Care, Senior	S	Must demonstrate provision of high level of care and services
Residential Care, General	S	Must demonstrate provision of high level of care and services
Schools, Public or Private	U	
<i>Commercial Uses</i>		
Bed and Breakfast Establishments	Sd	See Section 18.43.060
Commercial Recreation	U	
Utilities, Major	U	
Utilities, Minor	P	
Retail Cannabis Sales	--	Not permitted
Commercial Cannabis Cultivation	--	Not permitted
<i>Industrial Uses</i>		
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	--	Not permitted
<i>Agriculture and Extractive Uses</i>		
Crop and Animal Raising	Sd	
Mining and Quarrying	U	See Chapter 18.44
Nurseries	Sd	

Accessory Uses and Structures	See Section 18.43.020
Temporary Uses	See Chapter 18.17
Nonconforming Uses	See Chapter 18.46
L19 Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.	

**Section 8.** Title 18 (Zoning), Chapter 18.31 (Residential Districts: “RE” Residential Estate, “RS” Residential Single-Family, and “RM” Residential Multiple Family), Schedule 18.31.020-A is amended to read in its entirety as follows:

**Schedule 18.31.020-A: Use Regulations—Other “Residential” Districts**

Use Classifications	"RE"	"RS"	"RM"	Additional Regulations
<i>Residential Uses</i>				
Single Family	P	P	P	(4)
Two-Family Dwelling	—	L1	P	(3), (6)
Residential Condominium and Condominium Conversions	—	—	P	(9)
Manufactured Home Park	—	—	U	RM-6 through RM-10 Districts only
Multiple Family (Apartments)	—	—	P	Site development permit required for 5 or more dwelling units on a parcel. See Schedule 18.31.030-B for maximum allowable densities. (3), (6)
Dwelling Group	—	—	S	
Group Residential	—	—	S	
Family Day Care, 6 or fewer	P	P	P	
Family Day Care, 7-14	P	P	P	
Accessory Dwelling Units	P	P	P	See Section 18.43.140



Residential Care, Limited	P	P	P	
Supportive Housing Facilities	P	P	P	(8)
Transitional Housing Facilities	P	P	P	(8)
Residential Cannabis Cultivation	L19 P	L19 P	L19 P	See Chapter 6.12
<i>Public and Semipublic Uses</i>				
Clubs & Lodges	—	—	S	
Community Centers	—	S	S	
Day Care Center (15 or more)	U	U	S	See Section 18.43.070
Park & Recreation Facilities	S	S	S	
Parking Lots	S	S	S	For adjacent office or commercial use only; covered parking must be at a residential scale.
Public Safety Facilities	U	U	S	
Religious Facilities	S	S	S	
Residential Care, General	S	S	S	(1), (2)
Residential Care, Senior	S	S	S	(1), (2)
Schools, Public or Private	U	U	U	
<i>Commercial Uses</i>				
Bed and Breakfast Establishments	Sd	Sd	Sd	See Section 18.43.060
Commercial Recreation	L2	L2	—	
Food and Beverage Sales	U	U	U	Not to exceed 3,500 sq. ft.; no gasoline sales or

				liquor stores
Offices, Business & Professional	—	—	S	(5) (7)
Retail Cannabis Sales	—	—	—	Not permitted
Commercial Cannabis Cultivation	—	—	—	Not permitted
<i>Transportation, Communication, and Utilities Uses</i>				
Utilities, Minor	P	P	P	
<i>Industrial Uses</i>				
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	--	--	--	Not permitted
<i>Accessory Uses and Structures</i>			<i>See Section 18.43.020</i>	
<i>Temporary Uses</i>			<i>See Chapter 18.17</i>	
<i>Nonconforming Uses</i>			<i>See Chapter 18.46</i>	
<i>Specific Limitations</i>				
L1 Only in RS-3.5 and RS-4 with approval of a site development permit and when in character with the existing or proposed neighborhood.				
L2 Golf courses, racquet clubs, health and fitness clubs (public and private) allowed in these residential districts on parcels five acres and larger with approval of a use permit.				
L19 Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.				

- (1) Residential Care Facilities in the "RE" and "RS" Districts shall not exceed the population density that would otherwise result from typical residential development based on the standard of 2.47 persons per household. For example, a 2-acre parcel in an "RS-3" District would be limited to 15 persons receiving care (2x3x2.47=15 persons).
- (2) In the "RE" and "RS" Districts, any facility over 5,000 square feet shall be developed in accordance with the "RM-10" District, except that building height shall not exceed 35 feet.



- (3) Site development permit issued by the Director shall be required for development on all parcels within an "RM" District where said parcel was created by a subdivision of 5 or more parcels.
- (4) Single-family prohibited in "RM" District on lots created after adoption of this section except in a "PD" Planned Development District and for small-lot subdivisions.
- (5) The Director may require buffer yards on side and rear property lines of the office development as specified in Section 18.40.020.
- (6) Site development permit issued by the Director shall be required for construction of any units on a parcel without public-street access.
- (7) Size limit: 5,000 square feet. Limited to conversion of existing structures in "RM-12" through "RM-30" Districts; new construction is allowed in "RM-6" through "RM-10" Districts.
- (8) Permitted use subject to consistency with the definition of the use contained in Chapter 18.60. Proposed transitional and supportive facilities that are inconsistent with Chapter 18.60 may be allowed only in the "RM" District subject to first obtaining a site development permit approved by the Board of Administrative Review.
- (9) Permitted use subject to the requirements of Section 18.43.170 and the condominium subdivision requirements of Chapters 17.30 and 17.34; see Schedule 18.31.030-B for maximum allowable densities.

**Section 9.** Title 18 (Zoning), Chapter 18.32 (Office Districts: "LO" Limited Office and "GO" General Office), Schedule 18.32.020-A is amended to is amended to read in its entirety as follows:

**Schedule 18.32.020-A: Use Regulations—"Limited Office" and "General Office" Districts**

<b>Use Classifications</b>	<b>"LO"</b>	<b>"GO"</b>	<b>Additional Regulations</b>
<i>Residential Uses</i>	L7	S	<i>See Section 18.33.050</i>
Residential Cannabis Cultivation	L19 P	L19 P	<i>See Chapter 6.12</i>
<i>Public and Semipublic Uses</i>			
Clinics	Sd	P	
Clubs & Lodges	--	P	
Colleges and Trade Schools, Public or Private	--	P	
Community Centers	--	U	

<b>Use Classifications</b>	<b>"LO"</b>	<b>"GO"</b>	<b>Additional Regulations</b>
Cultural Institutions	--	P	
Day Care Center (14 or more)	S	P	
Government Offices	P	P	
Hospitals (including emergency care)	--	P	
Park & Recreation Facilities	U	U	
Public Safety Facilities	S	S	
Religious Facilities	S	P	
Residential Care, General	S	P	
Residential Care, Senior	S	P	
Schools, Public or Private	S	P	
<i>Commercial Uses</i>			
Ambulance Services	S	S	
Animal Sales and Services	L6	L6	
Banks and Savings & Loans	L3	L4	
Business Services	P	P	
Eating and Drinking Establishments			
Restaurants, Full Service	P	P	
Drive-up/Drive-through Service	--	--	
Hotels and Motels	--	S	
Laboratories	P	P	
Maintenance and Repair Services	--	--	
Offices, Business & Professional	P	P	
Offices, Medical & Dental	P	P	



<b>Use Classifications</b>	<b>"LO"</b>	<b>"GO"</b>	<b>Additional Regulations</b>
Parking, Office	Sd	Sd	
Parking, Structures	U	U	
Personal Services	P	P	
Retail Sales	L5	L5	
Neighborhood Retail	L5	L5	
Community Retail	--	--	
Travel Services	P	P	
Retail Cannabis Sales	--	--	Not permitted
Commercial Cannabis Cultivation	--	--	Not permitted
<i>Transportation, Communication, and Utilities Uses</i>			
Communication Antennae and Transmission Towers	--	U	<i>See Section 18.40.010</i>
Communication Facilities within Buildings	Sd	P	
Utilities, Major	--	U	
Utilities, Minor	P	P	
<i>Industrial Uses</i>			
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	--	--	Not permitted
<i>Accessory Uses and Structures</i>			<i>See Section 18.43.020</i>
<i>Temporary Uses</i>			<i>See Chapter 18.17</i>
<i>Nonconforming Uses</i>			<i>See Chapter 18.46</i>
<i>Specific Limitations:</i>			
L3 No drive-through service.			
L4 Site development permit required for drive-through service.			

Use Classifications	"LO"	"GO"	Additional Regulations
L5			Limited to pharmacies up to 5,000 square feet.
L6			Site development permit required for kennels. Outdoor dog runs are prohibited.
L7			Only as a secondary use with a site development permit.
L19			Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.

**Section 10.** Title 18 (Zoning), Chapter 18.33 (Commercial Districts: “NC” Neighborhood Commercial, “SC” shopping Center, “RC” Regional Commercial, “GC” General Commercial, and “HC” Heaving Commercial), Schedule 18.33.020-A is amended to read in its entirety as follows:

**Schedule 18.33.020-A: Use Regulations—“Commercial” Districts**

Use Classifications	“NC”	“SC”	“RC”	“GC”	“GC-VR”	“HC”	Additional Regulations
<i>Residential Uses</i>							
Single-Family	L7	—	—	L7	—	L6	
Residential Condominium and Condominium Conversions	L7	L7	L7	S	S	—	<i>See Sections 18.33.050 and 18.43.170, and subdivision requirements of Chapters 17.30 and 17.34</i>
Multiple-Family	L7	L7	L7	S	S	—	<i>See Section 18.33.050</i>
Supportive Housing Facilities	—	—	—	S	S	S	Multiple-Family Only
Transitional Housing Facilities	—	—	—	S	S	S	Multiple-Family Only
Residential Cannabis Cultivation	L19 P	L19 P	L19 P	L19 P	L19 P	L19 P	<i>See Chapter 6.12</i>
<i>Public and Semipublic Uses</i>							



Clinics	L8	L8	P	P	Sd	P	
Clubs and Lodges	—	—	—	P	—	—	
Colleges and Trade Schools, Public or Private	—	S	S	P	—	S	
Community Centers	U	U	U	U	—	S	
Community Social Service Facilities	—	—	—	—	—	U	
Cultural Institutions	L8	L8	P	P	Sd	Sd	
Day Care Center (14 or More)	P	P	P	P	—	S	
Government offices	L8	L8	P	P	P	P	
Hospitals	—	—	—	S	—	—	
Park and Recreation Facilities	S	S	S	S	S	—	
Parking, Public	—	S	S	S	S	S	
Public Maintenance and Service Facilities	—	—	—	—	—	S	
Public Safety Facilities	L8	P	L8	P	U	U	
Religious Facilities	S	S	S	P	S	S	

Residential Care, General	S	—	—	Sd	—	—	
Schools, Public or Private	S	S	S	S	—	S	
<i>Commercial Uses</i>							
Adult Business Establishments	—	—	—	—	—	U	<i>See Section 18.43.020</i>
Animal Sales and Services	L8	P	P	P	S	P	Adjacent to an "R" District, outdoor kennels prohibited
Large Animal Veterinary Services	—	—	—	P	—	P	
Banks and Savings and Loans	L4	L4	L4	L4	Sd	L4	
Bed and Breakfast Establishments	—	—	—	Sd	Sd	—	<i>See Section 18.43.060</i>
Building Materials and Services	—	—	S	S	—	P	
Business Services	L8	P	P	P	P	P	
Commercial Recreation	S	S	S	S	S	S	
Commercial Entertainment	—	P	P	P	P	—	
Convenience Gas Mart	S	S	S	S	S	S	<i>See Section 18.43.090</i>
Eating and Drinking Establishments							Site development permit-director required for outdoor seating
Bars/Nightclubs/Lounges	U	S	S	S	S	S	



Restaurants, Full Service	P	P	P	P	P	P	
Drive-Up/Drive-Through Service	L3	Sd	Sd	Sd	Sd	Sd	<i>See Section 18.43.080</i>
Food and Beverage Sales	P	P	P	P	P	P	
Food Preparation	P	P	P	P	P	P	
Funeral Parlors and Mortuaries	—	—	—	P	—	P	
Home Improvement Sales and Services	L8	L8	P	P	—	P	
Homeless Shelters	—	—	—	—	—	P	<i>See Section 18.43.160</i>
Hotels and Motels	—	—	S	S	S	S	
Hotel, Residential	—	—	—	U	U	U	Must meet Calif. Building Code requirement for efficiency dwelling unit
Laboratories	—	P	P	P	P	P	
Maintenance and Repair Services	L9	L9	L9	L9	L9	L9	<i>See Section 18.43.050</i>
Offices, Business and Professional	L8	P	P	P	P	P	
Offices, Medical and Dental	L8	P	P	P	P	P	
Parking Facilities, Commercial	—	S	S	S	S	S	
Personal Improvement Services	P	P	P	P	P	P	

Recreational Vehicle Parks	—	—	—	U	—	U	
Personal Services	P	P	P	P	P	P	
Retail Sales	P	P	P	P	P	P/ L10	<i>See Section 18.43.130</i>
Recycling Station	L7	L7	L7	L7	L7	L7	
Travel Services	P	P	P	P	P	P	
Vehicle Equipment Sales and Services							
Automobile Rentals	—	—	S	Sd	—	Sd	
Automobile/Vehicle Repair, Major	—	—	—	L11	L13	L11	<i>See Section 18.43.050</i>
Automobile/Vehicle Repair, Minor	—	L11	L11	L11	L13	L11	<i>See Section 18.43.050</i>
Automobile/Vehicle Sales and Leasing	—	—	S	Sd	L13	Sd	
Automobile Washing	—	S	S	Sd	L7	Sd	
Heavy Equipment Sales, Service, & Rental	—	—	—	U	—	S	
Large Vehicle Sales, Service, & Rental	—	—	—	S	L13	S	



Vehicle Storage	—	—	—	S	—	S	
Retail Cannabis Sales	--	L20 P	L20 P	L20 P	L20 P	L20 P	<i>See Chapter 6.12</i>
Commercial Cannabis Cultivation	--	--	--	--	--	U	<i>See Chapter 6.12</i>
<i>Industrial Uses</i>							
Contractors' Office & Shop Buildings	—	—	—	—	—	S	
Contractors' Storage Yards	—	—	—	—	—	S	<i>See Section 18.43.130</i>
Handicraft/Custom Manufacturing	—	L8	L8	L8	L8	P	
Industry, General	—	—	—	—	—	U	
Self-Storage Warehouses	—	—	—	S	—	S	<i>See Section 18.43.150</i>
Warehousing and Storage	—	—	—	—	—	S	
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	--	--	--	--	--	--	Not permitted
<i>Transportation, Communication, and Utilities Uses</i>							
Communication Antennae/Transmission Towers	—	U	U	U	U	U	<i>See Section 18.40.010</i>
Communication Facilities Within Buildings	—	Sd	P	P	—	P	

Freight/Truck Terminals and Warehouses	—	—	—	—	—	S	
Transportation Passenger Terminals	S	S	S	S	S	S	
Truck Weigh Stations	—	—	—	—	—	S	
Utilities, Major	—	—	U	U	—	U	
<i>Accessory Uses and Structures</i>							<i>See Section 18.43.020</i>
<i>Temporary Uses</i>							<i>See Chapter 18.17</i>
<i>Nonconforming Uses</i>							<i>See Chapter 18.46</i>
<p><i>Specific Limitations:</i></p> <p>L3 No drive-through service except for establishments not exceeding 150 square feet in developed neighborhood commercial projects exceeding 2 acres in area. Site development permit required.</p> <p>L4 Site development permit required for drive-through.</p> <p>L6 Caretakers' quarters only, not to exceed 1,000 square feet. Site development permit—Director required.</p> <p>L7 Only as an accessory use subject to approval of a site development permit.</p> <p>L8 Small-scale only (5,000 square feet or less).</p> <p>L9 No outdoor storage unless a site development permit is approved by the director.</p> <p>L10 No shopping centers, power centers, or similar uses allowed.</p> <p>L11 Site development permit required if site abuts an "R" district.</p> <p>L12 Reserved.</p> <p>L13 Establishment of new uses is prohibited. Enlargements of existing facilities up to 10 percent are allowed by site development permit issued by the director. Other expansions/enlargements, including expansions affecting more than a single parcel, shall require approval of a use permit. Such expansions shall not be approved if they involve property not owned or legally controlled by the business entity prior to adoption of this section. Proof of compliance shall be submitted at the time of application for the expansion/enlargements. Such intensifications shall be subject to compliance with all adopted site and building design criteria and development standards applicable within the zoning district and such other site and building design elements determined necessary</p>							



by the approving authority to ensure compatibility with surrounding conforming uses.

L19 Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.

L20 Retail sales of cannabis products permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.

**Section 11.** Title 18 (Zoning), Chapter 18.34 (Industrial Districts: “GI” General Industry and “HI” Heavy Industry), Schedule 18.34.020-A is amended to read in its entirety as follows:

**Schedule 18.34.020-A: Use Regulations—“Industrial” Districts**

Use Classifications	"GI"	"HI"	Additional Regulations
<i>Residential Uses</i>			
Single Family	L6	L6	
Residential Cannabis Cultivation	L19 P	L19 P	<i>See Chapter 6.12</i>
<i>Public and Semipublic Uses</i>			
Cultural Institutions	S	—	
Colleges and Trade Schools, Public and Private	S	—	
Public Safety Facilities	S	S	
<i>Commercial Uses</i>			
Commercial Recreation	S	—	
Convenience Gas Mart	S	S	<i>See Section 18.43.090</i>
Eating and Drinking Establishments			
Restaurants, Full Service	Sd	Sd	
Food and Beverage Preparation	P	—	

<b>Use Classifications</b>	<b>"GI"</b>	<b>"HI"</b>	<b>Additional Regulations</b>
Offices, Business & Professional	L17	L17	
Retail Sales	L15	L15	
Vehicle Equipment Sales and Services			
Automobile/Vehicle Repair, Major	P	P	<i>See Section 18.43.050</i>
Automobile/Vehicle Repair, Minor	P	P	<i>See Section 18.43.050</i>
Large Vehicle/Equipment Sales, Service & Rental	P	P	
Vehicle Storage	S	S	
Wholesale, Distributing & Storage	P	P	
Retail Cannabis Sales	L20 P	L20 P	<i>See Chapter 6.12</i>
Commercial Cannabis Cultivation	L19 P	L19 P	<i>See Chapter 6.12</i>
<i>Industrial Uses</i>			
Contractors' Office & Shop Buildings	P	P	<i>See Section 18.43.130</i>
Contractors' Storage Yards	Sd	P	
Industry, Handicraft/Custom	P	P	
Industry, General	P	P	
Industry, Heavy	S	P	
Salvage/Wrecking	L14 S	U	
Warehousing & Storage	P	P	
Self-Storage Warehouses	Sd	—	



<b>Use Classifications</b>	<b>"GI"</b>	<b>"HI"</b>	<b>Additional Regulations</b>
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	L21 P	L21 P	<i>See Chapter 6.12</i>
<i>Transportation, Communication, and Utilities Uses</i>			
Communication Antennae & Transmission Towers	L16	L16	<i>See Section 18.40.010</i>
Communication Facilities within Buildings	P	P	
Freight/Truck Terminals and Warehouses	S	S	
Truck Weigh Stations	P	P	
Utilities, Major	P	P	
Utilities, Minor	P	P	
<i>Agriculture and Extractive Uses</i>			
Mining and Quarrying	U	U	
Nurseries	P	—	
<i>Accessory Uses and Structures</i>			<i>See Section 18.43.020</i>
<i>Temporary Uses</i>			<i>See Chapter 18.17</i>
<i>Nonconforming Uses</i>			<i>See Chapter 18.46</i>
<i>Specific Limitations</i>			
<p>L6 A single caretakers' quarters only, not to exceed 1,000 square feet. Site development permit required.</p> <p>L14 No outdoor storage, dismantling, or similar activities.</p> <p>L15 Retail sales and ancillary uses allowed as accessory uses not to exceed 10 percent of floor area unless a site development permit is first obtained.</p> <p>L16 Use permit required for transmission towers.</p>			

Use Classifications	"GI"	"HI"	Additional Regulations
L17			Offices that support industrial uses, business and office parks, and corporate offices, excluding small-scale offices oriented to individual/personal services.
L19			Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.
L20			Retail sales of cannabis products permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.
L21			Cannabis Distribution, Manufacturing, Processing, Testing, and Storage permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.

**Section 12.** Title 18 (Zoning), Chapter 18.35 (“OS” Open Space District), Schedule 18.35.030-A is amended to read in its entirety as follows:

**Schedule 18.35.030-A: Use Regulations—“Open Space” District**

Use Classifications	“OS”
Buildings	--
Camping	--
Dispersed recreational activities	P
Fences	--
Fire access trails	S
Fire hazard abatement as approved by the Fire Marshal	P
Flood control facilities and projects	L17
Pedestrian and bike trails	S
Gardening	--
Grading/filling	--1
Livestock grazing	L18



Operation of motorized vehicles	--
Passive activities (hiking, walking, bird watching, and similar activities)	P
Public streets	L17
Public utility installations and maintenance	L17
Refuse dumping	--
Storage of materials	--
Trail/interpretive signs	P
Residential Cannabis Cultivation	<u>L19 P</u>
Commercial Cannabis Cultivation	==
Retail Cannabis Sales	==
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	==
<p>L17 Only in RS-3.5 and RS-4 with approval of a site development permit and when in character with the existing or proposed neighborhood.</p> <p>L18 Golf courses, racquet clubs, health and fitness clubs (public and private) allowed in these residential districts on parcels five acres and larger with approval of a use permit.</p> <p>L19 Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.</p> <p><sup>1</sup> Grading for trails, fire prevention, stormwater management, and similar activities is permitted.</p>	

**Section 13.** Title 18 (Zoning), Chapter 18.36 (“PF” Public Facilities District), Schedule 18.36.030-A is amended to read in its entirety as follows:

**Schedule 18.36.030-A: Use Regulations—“Public Facilities” District**

Use Classifications	“PF”	Additional Regulations
<i>Public and Semi-Public Uses</i>		

Cemetery	U	
Clubs and Lodges	S	1
Colleges and Trade Schools, Public or Private	S	1
Commercial Support Uses	S	1
Community Social Service Facilities	U	
Cultural Institutions	S	1
Day Care Centers (14 or more)	S	1
Government Offices	S	1
Hospitals and Clinics (including emergency care)	S	1
Offices of Philanthropic/Nonprofit Organizations	S	1
Park & Recreation Facilities	S	1
Parking, Public	S	1
Public Maintenance and Service Facilities	U	
Public Safety Facilities	S	1
Religious Facilities	S	1
Residential, Public and Not for Profit	S	1
Residential Care, General	S	1
Residential Care, Senior	S	1
Schools, Public or Private	S	1
Supportive Housing Facilities	S	1
Transitional Housing Facilities	S	1



<i>Transportation, Communication, and Utilities Uses</i>		
Airports and Heliports	U	
Communication Antennae and Transmission Towers	U	
Transportation Passenger Terminals	U	
Utilities, Major	U	
Utilities, Minor	P	
<i>Residential Uses</i>		
Residential Cannabis Cultivation	L19 P	See Chapter 6.12
<i>Commercial Uses</i>		
Commercial Cannabis Cultivation	--	Not permitted
Retail Cannabis Sales	--	Not permitted
<i>Industrial Uses</i>		
Cannabis Distribution, Manufacturing, Processing, Testing, and Storage	--	Not permitted
<i>Accessory Uses and Structures</i>	<i>See Section 18.43.020</i>	

L19 Indoor cannabis cultivation permitted in accordance with the provisions of Chapter 6.12, Cannabis Activity.

1 Use permit required if facility exceeds 30,000 square feet or 50 dwelling units.

**Section 14.** Section 18.43.100 (Medical Marijuana Cultivation at Private Residences) of the Redding Municipal Code is hereby repealed.

**Section 15.** Title 18 (Zoning), Chapter 18.43 (Standards for Specific Land Uses), Section 18.43.110 is amended to read in its entirety as follows:

### **18.43.110 - Home occupations.**

The City of Redding recognizes that some citizens may desire to use their places of residence for some limited activity other than as a residence and supports such effort. However, the City believes that the need to protect the character of residential neighborhoods is of paramount concern. To that end, limited commercial-type activities are allowed in any residential dwelling unit only to the extent that, to all outward appearances, neighbors or passersby will not be aware of the activity. Home occupations are permitted within all residential zoning districts subject to obtaining the appropriate business license; they also shall meet the following standards:

#### **A. Standards.**

1. The activity is one that is consistent with the use of the premises as a dwelling.
2. There shall not be any exterior evidence of the conduct of a home occupation.
3. A home occupation shall be conducted only within an enclosed living area of the dwelling unit or the garage and shall not occupy more than twenty-five percent (25%) of the gross floor area of the dwelling. A home occupation shall not be permitted out-of-doors on the property or in any accessory structure utilized to satisfy the off-street parking requirements of Chapter 18.41 (Off-Street Parking and Loading) of this title.
4. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers, or causes fluctuation in line voltage outside the dwelling unit, or which creates noise not normally associated with residential uses shall be prohibited.
5. No equipment or process shall be used in home occupations which create uncustomary noise, vibration, glare, or odors such that they are detectable to normal senses off the lot.
6. Except for a cottage food operation, only the actual residents of the dwelling unit shall engage in the home occupation; no employees shall be permitted on the premises in connection with the home occupation except those who are residents of the property. Pursuant to Section 113758 of the Health and Safety Code, a cottage food operation may employ one nonhousehold member as an employee.
7. Customers or clients shall not be permitted at the residence except to receive educational, therapeutic, or counseling services where not more than two clients shall receive service at any one time, or for a cottage food operation. Pursuant to Section 113758 of the Health and Safety Code, direct sales may occur from a cottage food operation.
8. The conduct of any home occupation shall not reduce or render unusable areas provided for the required off-street parking or prevent the number of cars designated to be parked in a garage from doing so.



9. A home occupation shall not create greater vehicular or pedestrian traffic beyond that which is normal in a residential district nor in any case require the parking of more than one additional vehicle at any one time.
  10. Storage and use of a limited amount of materials, goods, supplies or equipment related to the operation of the home occupation is permitted provided that the limitations delineated in subsections (A)(3) and (A)(5) of this section shall not be exceeded. The display of goods or storage of uncustomary amounts of flammable materials shall be prohibited.
  11. Not more than one commercial motor vehicle, together with equipment, tools and stock-in-trade maintained therein, is permitted where such motor vehicle is used as the owner's means of transportation. Commercial vehicles exceeding the rated capacity stated in Chapter 11.24 of this code are prohibited.
  12. On-site storage/parking of oversized or specialized commercial vehicles and the storage of materials in excess of the space limitation provided herein is prohibited.
  13. Advertising on the site of a home occupation is prohibited except that a commercial vehicle permitted herein may have signs affixed which identifies the business name only and does not identify the address of the business.
  14. On-site training for promotional sales shall not be permitted.
  15. Any deliveries shall be by standard mail or package carrier.
  16. The cultivation, distribution, manufacturing, processing, testing and storage of cannabis and products containing cannabis for commercial purposes shall not be permitted.
- B. **Special Review.** Persons with demonstrated physical handicaps may be permitted special review by the Development Services Director. A resident may request waiving one or more, or a portion thereof, of the requirements of subsections (A)(1) through (A)(15) of this section by seeking a zoning exception pursuant to Chapter 18.15 of this title. Notification of the request shall be made to property owners within one hundred feet of the subject property. In reviewing the request, the Director shall consider the applicant's physical inability to function within the requirements of subsections (A)(1) through (A)(15) of this section. Determinations made by the Director may be appealed to the Board of Administrative Review as provided for in Chapter 18.11 (Common Procedures) of this code.
- C. **Enforcement.** Enforcement of the provisions of this Chapter may include the issuance of a citation and fine, or other legal remedy as provided for in Title 1 of this code. If a business is operating in violation of this code, it must terminate immediately.
- D. **Duration of Home Occupation.**

1. Home occupations may be conducted unless one or more of the following occur(s):
    - a. The home occupation does not commence within one year of receipt of the business license;
    - b. The use ceases for a period greater than six months;
    - c. The original business license holder moves from the approved location;
    - d. There is a violation of the home occupation performance criteria;
    - e. There is a violation of any law or ordinance in connection with the home occupation.
  2. In the event a home occupation changes, a new business license shall be obtained.
- E. Inspections. Applicants for home occupations shall permit a reasonable inspection of the premises by appropriate City staff to determine compliance with this Chapter.
- F. Home Occupation Affidavit. Prior to issuance of a business license by the City Clerk, the applicant shall attest that he/she understands the above requirements by signing the home occupation affidavit available at the Development Services Department.
- G. Cottage Food Operation. A cottage food operation, as defined and as limited in Section 113758 of the Health and Safety Code, is an allowable home occupation subject to the standards set forth in this section.

**Section 16.** Title 18 (Zoning), Chapter 18.46 (Nonconforming Uses, Structures, Sites and Parcels), Section 18.46.120 is amended to read in its entirety as follows:

**18.46.120 - Nuisance abatement.**

In the event that a legal nonconforming structure or use is found to constitute a public nuisance or has been legislatively determined by the City Council to constitute a public nuisance, the public nuisance may be abated by civil, criminal or administrative action without restriction as to remedy.

**Section 17.** Title 18 (Zoning), Chapter 18.61 (List of Terms and Definitions), Section 18.61.020 as amended as follows:

Delete the definition of “Medical Marijuana Cooperative or Collective” in its entirety.

Delete the definition of “Qualified Patient” in its entirety.

**Section 18.** Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council of the City of Redding hereby declares that it would have passed



this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

**Section 19.** The passage of this Ordinance is not a “project” according to the definition in the California Environmental Quality Act (“CEQA”), and therefore is not subject to the provisions requiring environmental review. Pursuant to the Statutory Exemption set forth in subdivision (h) of Business and Professions Code section 26055, this Ordinance is exempt from the provisions requiring environmental review because it requires discretionary review under CEQA to approve licenses to engage in commercial cannabis activity within the jurisdictional limits of the City of Redding.

**Section 20.** This Ordinance shall take effect thirty (30) days after the date of its adoption, and the City Clerk shall certify to the adoption thereof and cause its publication according to law.

**I HEREBY CERTIFY** that the foregoing ordinance was introduced and read by the City Council of the City of Redding at a regular meeting on the 6th day of March, 2018, and was duly read and adopted at a regular meeting on the 20th day of March, 2018, by the following vote:

<b>AYES:</b>	<b>COUNCIL MEMBERS: McElvain, Sullivan, Winter, &amp; Schreder</b>
<b>NOES:</b>	<b>COUNCIL MEMBERS: Weaver</b>
<b>ABSENT:</b>	<b>COUNCIL MEMBERS: None</b>
<b>ABSTAIN:</b>	<b>COUNCIL MEMBERS: None</b>

  
\_\_\_\_\_  
**KRISTEN SCHREDER, Mayor**

**ATTEST:**

**FORM APPROVED:**

  
\_\_\_\_\_  
**PAMELA MIZE, City Clerk**

  
\_\_\_\_\_  
**BARRY E. DeWALT, City Attorney**