

PC 8/8/13
#10



Medical Marijuana Public Meeting Notices

Maddy Restaino <mrestaino@comcast.net>

Tue, Jul 30, 2013 at 9:09 AM

To: Char Tim <charlene.tim@edcgov.us>

Cc: bosfour@edcgov.us, bosthree@edcgov.us

Thanks for the information on the medical marijuana ordinance.

We have the following comments on the proposed language:

B Definitions Including School Bus Stops is very important

D1a Cultivation Standards-Size of Cultivation 200 sq ft should be 100 sq ft or less

D3 Distance 1000 ft is the minimum acceptable

D4 Setback 50 ft is the minimum acceptable

D6 Property Owner Authorization should add property owner responsibility for violations

E Collective Collective growing should not be allowed on R1 thru SA 10 parcels (a and b descriptions)

H1 Admin Relief Should include statements from all adjacent parcel owners/residents

[Quoted text hidden]

[Quoted text hidden]

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Thank you.

<20130808_MedMarij-OutdoorCultivationOrd.pdf><20130822_MedMarij-DistributionFacilityOrd.pdf>

13 JUL 30 AM 9:36
RECEIVED
PLANNING DEPARTMENT

PC 8/22/13
#9.6

Fwd: Medical Marijuana Ordinances

Peter Maurer <peter.maurer@edcgov.us>
To: Charlene M Tim <charlene.tim@edcgov.us>

Tue, Aug 20, 2013 at 5:01 PM

Please forward to PC members. Thanks. - Peter

----- Forwarded message -----

From: **Cool Medical Clinic** <coolmedicalclinic@gmail.com>

Date: Tue, Aug 20, 2013 at 4:36 PM

Subject: Medical Marijuana Ordinances

To: peter.maurer@edcgov.us, david.livingston@edcgov.us, john.dagostini@edcgov.us, Vern Pierson <nancy.anderson@edcgov.us>

Cc: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, bosfive@edcgov.us

Dear All,

We first would like to thank you for inviting us to be a part of the Board's advisory committee organized to discuss these medical marijuana ordinances. Overall we think that the Planning Commission has done a good job. We would however like to address a few concerns.

To begin with, the reasons for initializing this process were to give the Sheriff some necessary tools to deal with the "bad guys" and the resultant bad behavior that was having a negative impact on some of our neighbors. We don't believe that it was anyone's intention that these ordinances be punitive with regard to legal medical marijuana patient's in El Dorado County.

In light of the fact that the County is going to ban all dispensary's that don't have legal standing, we would like all involved to consider amending the guidelines that have been put forth with regard to the size of the membership and the square footage of a collective garden. In other words, a five acre parcel (217,800 sq.ft.) or a ten acre parcel (435,600 sq. ft.) should be able to sustain a 600 sq. ft. garden provided it is compliant with all other provisions of the cultivation ordinance. There are a large number of five and ten acre parcel owners who have never caused any problems for their neighbors or the Sheriff who will be negatively impacted should the ordinance go through as presently written.

With the closing of the dispensaries, there will be a greater need to accommodate patient's to collectively cultivate. We feel that the number of patients allowed to collectively cultivate should be increased to 10 as we are still limiting the size of the garden to 600 sq. ft. This allows the Sheriff the tools he had requested to go after the big illegal grows. There are some patients who require more than others. A 600 sq. ft. garden may only accommodate 3 patients based on condition but there are many patients who use much less, so it is easily conceivable that more than three people could be provided for without increasing the size of the garden.

Restricting legitimate patients, taxpayers and property owners the right to grow their medicine in the privacy of their own property, if compliant with the visual restraints, is going too far and not what we feel the original intent of the Board was when this process began. If patients own property they should be protected by these ordinances and not merely penalized.

Please take these changes into consideration and amend the ordinances to allow for these changes. They will greatly benefit the patients, property owners and taxpayers who still support Proposition 215 and the rights of Californian's to use medical marijuana while preserving public safety and welfare in El Dorado County.

Sincerely,

Bobby Eisenberg, Dave Bishop and Mitch Fadel

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Thank you.

(Handed out at hearing
by Richard Ross)

PC 8/22/13
#9.6

ZONING ORDINANCE; GROWING MEDICAL MARIJUANA

PART D.

1. Cultivation- includes storage. Does cultivation include Marijuana not grown on the location where it is being stored? [See #1]

2. Does 'outdoor cultivation' consequently permit unlimited growing of marijuana in a building (indoors)? [See #3]

3. Contiguous premises. [See #5, Residency] Does this allow for the minimum square footage for each lot in the contiguous premises as long as each lot contains a permitted dwelling?

8. What is the legal means of disposing of marijuana waste?

Part E.

2. Identification of the persons connected with the grow should contain a photographic identification; such as a copy of DL, Cal Identification card, Passport, etc. that is linked to the property location in question and declaratory of residency in the county.

H. 1. Administrative Relief

The written request for administrative relief should contain documentation of the requestor's efforts to mitigate the hardship; find alternative solutions through cooperative growing and/or lack of other properties upon which to grow marijuana in accordance with the ordinance.

2. Notice of action; notice should be given beyond the 'adjacent' property owners such as within 500 feet from the boundaries of the property in question. Given the noxious odors and potential increased risk as well as the likely unanticipated growing of marijuana, etc. notice should be liberally construed.

J. No Duty to Enforce. Sheriff has no duty to enforce? What is the intent of this language?

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