

Public Comment #16  
BoS Acvd. 10-16-23

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**From:** lee.tannenbaum@gmail.com  
**Sent:** Friday, October 13, 2023 4:16 PM  
**To:** BOS-Clerk of the Board  
**Cc:** BOS-District I; BOS-District II; BOS-District III; BOS-District IV; BOS-District V; 'Jim Brunello'; 'Ali Jones'; 'Michael Pinette'; kevinwmccarty@pm.me; 'Scott Martin'; mcewan31562@yahoo.com; 'Robert Sandie'; lina@majlabor.com; lee.tannenbaum@gmail.com  
**Subject:** October 17th BoS meeting Agenda item 23-1817  
**Attachments:** Summary list - Low hanging fruit and long term - Google Docs.pdf

Dear Supervisors,

Please find the attached for our meeting re the Cannabis Hearing on October 17th.

Thank you for your consideration.

Lee

Lee Tannenbaum  
CEO, Cybele Holdings  
President, El Dorado County Growers Alliance  
650.515.2484

Supervisors,

When we all met on September 12th, 2023, this Board unanimously voted to make short term and long term changes to the cannabis ordinance. There was the term 'low-hanging fruit' items (or easy and fast changes) which comes before you on October 17th and we are waiting on a date from Planning as to when a date for the longer term discussions will happen. I would like to thank you for making the short term changes so quickly.

What was not discussed at the September 12th meeting were all of the specific changes for both the short and long term. This board was spoon fed a short list for simplicity and unfortunately we did not have the opportunity to go over all items discussed at the Planning Commission for the 'low-hanging fruit'.

The below list is what was discussed at the PC at our two study sessions. The differences in what this Board saw on September 12th and what was discussed at the PC with staff in agreement are in the below lists. What I'd like to ask this Board to consider for the October 17th hearing are two things:

- 1) Pull item 23-1817 from the consent calendar to discuss the below 'low-hanging' fruit items not included in the initial staff report/ROI.
- 2) Direct Staff to prepare the full easy/low hanging fruit as part of the near term ROI as noted below
- 3) Direct Staff to set a date with the PC to discuss the other long term changes to the existing ordinance.

While the September 12th hearing was a bit confusing, the decision was made by this Board to do the low hanging fruit. We offer this data for your review, and hope this Board will keep its commitment to allow for all of the low hanging fruit to be encapsulated in the October 17th ROI discussion.

Low hanging fruit - No CEQA issues and Definitions and already in the ROI.

- Annual fees to start when conditions are completed or allow for operations to begin while conditions are completed - already in the ROI
- Remove need to resubmit entire package each year - already in the ROI
- Background check, change ownership definition to conform to state definition - already in the ROI - definitions
- Square foot tax needs to be changed to gross sales - already in ROI
- Multi-year licenses - An add to the ordinance - already in the ROI

Low hanging fruit that is not in this ROI but could easily be. Non-CEQA impacting

- Mixed light definition needs to be changed - per state changes - Definitions Section
- Premises and parcel need to be distinct, not the same - Definitions Section
- Remove setback waiver language re November, 2018 date - A remove from the ordinance and all agreed was initially used to prevent a 'Green Rush' that never happened.

- Lighting. Under 25 watts per sq/ft for mixed light. Over 25 watts per sq/ft for indoor. - Definitions Section and conforms to state regulations
- Change definition of Indoor cultivation to allow for propagation (the ability to grow for seeds or clones for business use) - Definitions Section
- Allow porta potties - ordinance add and typical for farming operations

PC discussion - To be scheduled and longer term

- Agriculture not commercial
- Potential DTC and on site consumption
- Speed, or lack thereof to complete process
- Specialty cottage license
- Manufacture and process/processing have same definitions
- Remove seeds from cannabis definitions. No tax and feds consider hemp
- CEQA individual or county EIR. Goes to Ag Discussion
- Site plan to show propagation areas
- County cannot control crop size/water restrictions as there are other issues with EID rates
- Background checks to be objective. Follow state guidelines.
- 2 hours to be available for inspection is unreasonable. Vacations, travel, etc. designated local contact
- Transfer of ownership needs to be fixed
- Fines. Need to be enforced by code enforcement and not sheriff
- Revocation for flagrant violations, not small ones. Growing pains for all.
- Neighbor continual notification is not needed and no other business is required to do this
- Grow sizes. Emulate state regs
- Change setbacks to be more in line with the state and other counties. Setbacks are significantly more than any other county
- Odor testing by qualified folks
- Allow indoor, manufacturing, distribution for outdoor cultivation. Public safety issue. Think vineyard. Verticalization.

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**From:** Lee Tannenbaum <lee.tannenbaum@gmail.com>  
**Sent:** Monday, October 16, 2023 9:53 AM  
**To:** BOS-Clerk of the Board  
**Subject:** October 17, 2023 agenda item 23-1817. Please attach to public comments for this item.

Dear Supervisors,

Please accept my apologies for my previous email on this topic. I incorrectly requested this item be removed from the consent calendar. I misread the document and see it is actually up for discussion. The rest of the document sent and its contents are still valid for the discussion tomorrow. This would be item 1 in my request which requests this item be removed from the consent calendar. Thank you for your consideration.

I look forward to seeing you all tomorrow.

lee

Lee Tannenbaum  
CEO Cybele Holdings, Inc.  
President El Dorado County Growers Alliance  
650.515.2484

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**From:** David Harde <davidharde123@gmail.com>  
**Sent:** Monday, October 16, 2023 2:33 PM  
**To:** BOS-Clerk of the Board  
**Cc:** BOS-District I; BOS-District II; BOS-District III; BOS-District IV; BOS-District V  
**Subject:** EDC BOS Regular Meeting, October 17, 2023

To The Clerk of The Board: Re: File # 23-1817

I respectfully request the addition of an item reviewed, unanimously voted on by the Planning Commission and requested by them to be included in today's meeting discussions. In addition to their recommendation of expanding cannabis canopy limits, the Planning Commission voted 5 to 0 to split out the reexamination and clarification of the county's cannabis definition and application of "parcel and premise". The version 1, File # 23-18117, glaringly omits this important and relevant discussion item. Critical to the success for the changes to the County Cannabis Code Regulations, I cannot imagine who or why this is absent. Please add this topic to the discussion at tomorrow's regular Board meeting.

In addition, I request item # 23-1817 be removed from a Consent Item to an a regular item for the full and complete consideration by the Board.

Sincerely,

David Harde