

PC 4/27/2023  
ITEM # 4  
3 PAGES

Item #23-0603 - Planning Commission Meeting 4/27/2023

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Wed 4/26/2023 2:17 PM

To: Planning Department <planning@edcgov.us>

Cc: Jon X. Vegna <JVegna@edcgov.us>; Kris X. Payne <KPayne@edcgov.us>; Lexi Boeger <Lexi.Boeger@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Daniel Harkin <Daniel.Harkin@edcgov.us>; PL-ombudsman <ombudsman@edcgov.us>

📎 1 attachments (3 MB)

Archon Farms Inc - Public Comment - Planning Commission Agenda Item 23-0603 - 04.26.2023 - Signed.pdf;

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ATTN: El Dorado County, Planning Commission Staff:

Attached is a letter submitted as a public comment on Agenda Item #4, file #23-0603, regarding Chair Nevis' request to consider future workshops and recommendations to the Board of Supervisors.

Please ensure this public comment is added to the record and included for consideration during the Planning Commission meeting set for tomorrow, April 27<sup>th</sup>, 2023.

Regards,

**Kevin McCarty**  
CEO / Managing Member



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Sacramento, CA 95814

April 26, 2023

El Dorado County  
Planning Commission  
2850 Fairlane Court, Building C  
Placerville, CA 95667

ATTN: El Dorado County, Planning Commissioners:

My name is Kevin McCarty, and I am a landowner in El Dorado County as well as President / CEO of Archon Farms Inc. This message is regarding Agenda Item #23-0603 related to Chair Nevis' request for the Commission to consider future workshops and actions to recommend improvements to the Board of Supervisors.

I strongly support the points and sentiments provided by Mr. Tannenbaum in his public comment on this item submitted on March 16<sup>th</sup>, 2023, and we agree that venues such as public workshops are desperately needed in order to address the substantial deficiencies and unreasonable standards in the current County cannabis ordinance.

The people of El Dorado County approved commercial cannabis legalization in the 2018 election and the Board of Supervisors enacted Ordinance 5109 in September 2019, over three and a half years ago.

We applied for a commercial cannabis use and operating permit in November 2021 and have received minimal communication from Planning Department staff since that time, with no contact whatsoever from an assigned planner over the course of the last eighteen months. Despite assurances in our original pre-application meeting that most of the challenges faced by early applicants (such as Mr. Tannenbaum) had been resolved and the review process streamlined since then, we can confirm that the current permitting process remains broken and requires urgent remedial action by the Commission and the Board.

In the minds of many El Dorado County residents, much of the blame for such delays resides with the Sheriff's office, however in our case we have completed the extensive background check process and received recommendations for approval from Sheriff Leikauf, yet the Planning Department has maintained its radio silence and a promised meeting with an assigned planner for our project has yet to materialize.

We are strong supporters of Sheriff Leikauf, the Sheriff's Deputies and the entire EDSO staff, and despite the significant costs and hurdles associated with the interim background check process, we can at least confirm that the Sheriff's office has been responsive to our email correspondence and in regard to our commercial cannabis application EDSO staff have performed their fiduciary duties to the citizens of El Dorado County in accordance with current County ordinance and California State law.

For context, I have lived in the Lake Tahoe area since 1991 and have been a resident of El Dorado County since 2018. I commute to Sacramento where my primary occupation is Director of Licensing and Compliance for a portfolio of licensed cannabis businesses in the greater Sacramento region, wherein I personally am responsible for ensuring that each of the 30+ facilities under my supervision achieve and maintain compliance with all applicable regulations at the local, County, and California State level. I have facilitated the approval and ongoing compliant operations of licensed cannabis operators in Counties ranging from San Francisco to Yolo to Calaveras, and I can state with certainty that the present condition of El Dorado County's cannabis office is in a state of total disarray.

The net effect of this lack of organization is that, despite the mandate of the voters and the Ordinance established by the Board, El Dorado County remains inaccessible to cannabis entrepreneurs and substantial tax revenue is going unrealized while good-faith operators are left in a state of purgatory waiting endlessly for responses from County staff, unable to properly plan their business operations or provide results for the friends and family who invested their hard-earned money in a start-up enterprise.

In summary, we strongly urge the Commission to establish a date and time for a public community workshop to address potential revisions to Ordinance 5109 and overhaul the Planning Department process for reviewing commercial cannabis applications, at the earliest available opportunity.

Thank you for your time and consideration.

Regards,



Kevin W. McCarty  
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Member, El Dorado County Growers Alliance  
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