



PLANNING AND BUILDING DEPARTMENT

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March 5, 2021

**RE: Notification Letter - Meyers Commercial Cannabis Retail Selection – Merit Based Review & Scoring
Application Number's CCPA20-0011, CCPA20-0012, & CCPA20-0013**

To whom it may concern:

El Dorado County's Planning and Building Department has completed review of the Meyers Commercial Cannabis Retail Selection & Award Procedures – Merit Based Review & Scoring. On May 12, 2020, the El Dorado County Board of Supervisors adopted Ordinance amendments to County Code Section 130.41.300 – Retail Sale, Distribution, Indoor Cultivation, Laboratory Testing, and Manufacturing of Commercial Cannabis. The Ordinance amendments allowed for the addition of one (1) commercial cannabis retail storefront in Meyers in the Lake Tahoe Basin. In order to determine which applicant could submit a formal application for that retail storefront permit, El Dorado County staff established a scoring system to rank potential applicants to select the highest scoring applicant to go through the Conditional Use Permit process.

Staff was unable to meet the initial October 1, 2020 scoring release goal due to a number of factors, including wanting to ensure a fair, inclusive process. Delays in obtaining the necessary federal approvals to perform Livescan background checks also required an adjustment to the background check process, requiring the need for additional staff time to review materials and determine scores.

The information disclosed as part of this pre-application background scoring process will be verified during formal application, and any failure to disclose information for purposes of scoring may be grounds for disqualification. Pre-Applications were reviewed by County staff with expertise in the corresponding fields and numerically scored by a multi-departmental panel based on the following equally-rated criteria:

- Distance to a Residence
- Security Plan
- Odor Control Plan
- Background Check
- Plan to prevent theft and access to cannabis and cannabis products by individuals under the age of 21 unless they have a valid medical cannabis card

On a spectrum from 1 to 5, with 1 being the lowest score and 5 being the highest score, applications were scored in each of the above criteria areas based on their completeness, thoughtfulness, creativity, and ability to meet and/or exceed the standards outlined in the County's application forms. The scores from the five criteria above were then added together and the applicant that received the maximum score out of a possible 25 points is selected to submit a full application for the commercial cannabis retail location in Meyers.

Applications were independently scored by the departments with expertise in the corresponding fields and the individual category scores were not shared or discussed between departments during the scoring process. The scoring criteria are generally described as follows, with more refined criteria for each category that may be viewed on Planning's website:

1. A score of 1 barely meets the minimum standards to be considered complete
2. A score of 2 marginally goes beyond minimum standards

3. A score of 3 exceeds minimum standards but is still an average plan
4. A score of 4 is greater than average but less than the best plan
5. A score of 5 is the best possible submittal

A ranked list of applicants based upon total scores has been established.

Pre-app File #	Applicant	Distance to a Residence	Security Plan	Odor Control Plan	Background Check	Plan to Prevent Theft and Access	Total
CCPA20-0011	Tahoe Honey Company	3	4	4	1	4	16
CCPA20-0012	Charles Boldwyn	1	5	3	5	5	19
CCPA20-0013	Embarc	2	4	5	5	4	20

The applicant with the highest total score must submit a full Commercial Cannabis Retail Application and the associated application fee within 5 business days of the date of this letter.

If the selected applicant fails to submit a complete Application and applicable payment within 5 business days of the date of this letter, that applicant will be disqualified and the applicant that scored second will be given the opportunity to submit a full application and payment within 5 business days of notification. Similarly, if the applicant that scored second does not submit a full application within 5 business days of notification, the applicant scored third will be given the opportunity to submit a full application and payment within 5 days of notification.

After the full application has been deemed complete by the County, the applicant will follow the outlined Conditional Use Permit process. All information submitted as part of this scoring process must be included in the full application. Compliance with the Security Plan, Odor Control Plan, and Plan to Prevent Theft and Access submitted for this scoring process will be included as conditions in any permit granted. Changes in the project or plans that negatively impact or reduce key components of those plans may be grounds for disqualification given the reliance on those plans during the scoring process.

In the event that no qualified applicants are selected during the first submittal period or all three applications are disqualified, a second 30-day application submittal window will be opened by the County to allow for a second round of merit based review and scoring.

Appeals – any applicant that submitted a timely and complete pre-application may file a written appeal to the El Dorado County Planning Commission to challenge the scoring decision made by the Planning & Building Department within 10 business days of the notification of scoring results. The burden of establishing by satisfactory factual proof the applicability and elements of a challenge to the application process or decision shall be on the applicant. The applicant must submit full information in support of their appeal. Failure to raise each and every issue that is contested in the written appeal and provide appropriate support evidence will be grounds to deny the appeal and will also preclude the applicant from raising such issues in court. Failure to file a timely appeal shall constitute a failure to exhaust administrative remedies that shall preclude such person from challenging the application process or decision in court.

If you have questions or need additional information, please call the Planning Services office at (530) 621-5355 or email cannabisinfo@edcgov.us.

TIFFANY SCHMID, Director
 Planning and Building Department
 COUNTY OF EL DORADO

cc: Applicants