

**CALIFORNIA COASTAL COMMISSION**

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# W12b

## ADDENDUM

February 6, 2023

TO: Coastal Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: **Addendum to Item W12b, County of Santa Barbara Appeal No. A-4-STB-22-0065 (Pat and Maire Radis) For the Commission Meeting of Wednesday, February 8, 2023**

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The purpose of this addendum is to address correspondence received since publication of the staff report. Staff received several letters from the appellants' representative and several members of the public that oppose the project and express opposition to the staff's recommendation to find no substantial issue. Additionally, several letters were received from members of the public that support the project and state that the appeal raises no substantial issue. The letters discussed herein are available in the Correspondence tab for the subject item on the Commission's website. The letters in opposition to staff's recommendation raise concerns related to neighborhood impacts, traffic, public parking for beach access, and the County's CEQA process, that have already been addressed in the staff report for the Appeal, dated January 26, 2023, but additional response is provided below.

Correspondence was received from Jana Zimmer, the Appellants' representative, on January 31, 2023, that included a letter to Commissioners with attached exhibits, a separate letter addressed to Commissioner Turnbull-Sanders regarding environmental justice concerns, and a letter that was already provided prior to the publication of the staff report (which is dated January 3, 2023, and is included in Exhibit 6c of the staff report). These letters state the appellant's arguments opposing the staff recommendation and requesting that the Commission find that the appeal does raise a substantial issue. The issues raised by Ms. Zimmer in these letters primarily reiterate those raised in the Appellants' appeal and supplemental appeal information provided prior to the publication of the staff report, with the addition of a couple points addressed below.

- 1) Ms. Zimmer's correspondence states that the majority of off-street parking spaces will be used by employees of the subject uses leaving only one space available for customers. The correspondence further states that the applicant's Site

Transportation Demand Management Plan (STDMP) for the project estimates that this single parking space will need to serve up to 30 customer visits in the afternoon hours and peak hours on weekend beach days.

Commission response: The STDMP includes a table for estimated hourly parking demands on weekdays and weekends showing approximately 30 customers per hour visiting the subject retail store, in at least one instance for weekend hours. However, that table also uses that estimate to calculate a demand estimate of 3.8 customer parking spaces per hour for that particular weekend hour (based on a parking space calculation that assumes 90% of customers are returning and average 7 minutes for their transaction and 10% of customers are returning customers averaging 12.5 minutes per transaction). The highest number of weekend customer parking spaces presented in that table is 4.7 spaces per hour, which, when combined with the employee parking demand for the site (5) for that particular weekend hour, results in an estimated average demand of 10 parking spaces for that hour. This is less than the 12 parking spaces provided at the project site, as required by the LCP parking standards for the site. The County's approval indicates that there will be a maximum of five (5) staff members on-site at any given time, and the project includes 12 on-site parking spaces, six (6) of which will be dedicated by signage to employees and customers of the cannabis retail store. The remaining six (6) of the 12 total required spaces would be for all uses on-site shared by the cannabis retail delivery drivers and customers, as well as employees and customers of the other site uses. Not all 12 of the required parking spaces for the existing commercial/office building are conditioned to be designated for the cannabis retail store to provide flexibility for parking associated with the other existing commercial uses on-site. Even at peak parking demand hours on weekends, it is estimated that the 12 required parking spaces will be adequate for site commercial retail and office uses. Since the project is not expected to result in adverse impacts to coastal access and recreation in the area, the environmental justice issues raised by Ms. Zimmer related to public access are not relevant in this case.

- 2) Ms. Zimmer's correspondence also states that the County wrongly assumed that the Santa Claus Lane Beach Access and Streetscape Improvements Project would address existing beach access parking deficiencies and that the County did not consider either the Coastal Commission and State Lands Commission's ongoing demands for a new vertical access at the east end of Santa Claus Lane at Sand Point Road, or the potential impact of beachgoers seeking parking at the west end of Santa Claus Lane for the Padaro Lane vertical access easement.

Commission response: While coastal public access will be enhanced in the Santa Claus Lane area with eventual construction of the approved Santa Claus Lane Beach Access and Streetscape Improvements Project, the County appropriately analyzed the subject cannabis retail project relative to existing site conditions. There is an existing vertical access easement at 3443 Padaro Lane that the County has accepted and plans to formally open in the near term. However, this vertical access easement is located about a half mile upcoast of Santa Claus Lane and is not expected to generate additional parking demands on Santa Claus Lane given the distance and available roadside parking along Padaro Lane near the easement. In addition, Commission Enforcement Staff has been exploring options for public access improvements, including a potential vertical accessway, near the gated residential area ("Casablanca") off Sand Point Road southeast of Santa Claus Lane as part of ongoing negotiations related to a lateral public beach access violation at Casablanca. However, the County appropriately analyzed the subject cannabis retail project relative to existing and known future site conditions. The ultimate resolution of

access at Casablanca is speculative at this point in time but any future public access along or through the Casablanca area would enhance ways the public can reach more beach area from this segment of the Coastal Trail.

- 3) Additionally, Ms. Zimmer's correspondence refers to two other appeals to the Coastal Commission for projects in Venice, A-5-VEN-15-0038 (Dunes) and A-5-VEN-21-0063 (Sutter), where the Commission found substantial issue related to parking and potential conflicts with beach access and recreation.

Commission response: Appeal No. A-5-VEN-15-0038 (Dunes) considered a City of Los Angeles Local CDP for a change of use and addition to a 1,658 sq. ft. structure from commercial retail space and take-out restaurant to a 2,831 sq. ft. sit-down restaurant, including construction of a new second story and an elevator with a subterranean housing unit with no existing or proposed on-site parking. That project did not propose creation of any physical parking spaces and the Commission determined that the proposed development was not consistent with the parking requirements set forth in the certified Venice LUP. A de novo permit was eventually granted by the Commission for a revised version of that project which included a parking program.

Appeal No. A-5-VEN-21-0063 (Sutter) considered a City of Los Angeles Local CDP for demolition of three detached structures with nine dwelling units, consolidation of the two lots, and construction of a new, three-story over basement, 39-ft. tall, 13,412 sq. ft., mixed-use development including nine dwelling units, a 1,568 sq. ft. restaurant, and 27 parking spaces on two ocean-fronting lots. The Commission determined that the proposed project did not provide enough parking to satisfy the number of spaces required by the Venice LUP, and found substantial issue.

These two referenced appeals where the Commission found substantial issue was raised with regard to consistency with public access and recreation policies dealt with different cases in which the projects did not satisfy the minimum parking standards of the Venice Land Use Plan and therefore would impact on-street parking available for public access. In this case, the proposed project satisfies the parking requirements of the County of Santa Barbara's LCP, and the cited Venice appeals are not relevant to analysis of this project.