

## **CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
FAX (415) 904-5400  
TDD (415) 597-5885



# **W12b**

**A-4-STB-22-0065 (Pat and Maire Radis)**

**FEBRUARY 8, 2023**

**CORRESPONDENCE**

**From:** [Jana Zimmer](#)  
**To:** [Brownsey, Donne@Coastal](#)  
**Cc:** [Hudson, Steve@Coastal](#); [Deppe, Walt@Coastal](#); [Turnbull-Sanders, Effie@Coastal](#); [Bochco, Dayna@Coastal](#); [Wilson, Mike@Coastal](#); [Uranga, Roberto@Coastal](#); [Hart, Caryl@Coastal](#); [Aminzadeh, Sara@Coastal](#); [Escalante, Linda@Coastal](#); [Rice, Katie@Coastal](#); [Harmon, Meagan@Coastal](#); [Mann, Zahirah@Coastal](#); [Faustinos, Belinda@Coastal](#); [Rivas, Rick@Coastal](#); [Huckelbridge, Kate@Coastal](#)  
**Subject:** Fwd: Appeal A-4-STB-22-0065 Cannabis Dispensary 3823 Santa Claus Lane Item W12b 2/8/2023  
**Date:** Tuesday, January 31, 2023 8:57:48 PM  
**Attachments:** [Letter re EJ 1.31.2023.pdf](#)  
[Letter to staff re Substantial Issue 1.3.2023.pdf](#)  
[Letter to Commissioners 1.31.2023 Appeal of Cannabis Dispensary 3823 Santa Claus Lane.pdf](#)  
[A-D.pdf](#)

---

Donne Brownsey, Chair  
California Coastal Commission  
89 S. California Street  
Ventura, CA.

**By: e-mail**

Dear Chair Brownsey and Commissioners:

I represent the Appellants Steven Kent and Nancy Rikalo in the above matter. Contrary to representations made by the applicants' representatives, my clients are not "wealthy nimby neighbors". They are the landlords of several commercial properties on Santa Claus Lane, which they have been working for over twenty years to improve with visitor serving, coastal recreation businesses, including a surf school and a surf shop, and indoor/outdoor family oriented restaurants.

We respectfully disagree with staff's recommendation that the Commission find No Substantial Issue in this case. The Coastal Act establishes a *presumption* that substantial issue exists (Pub. Res. Code Section 30625(b) ("the Commission *shall hear an appeal unless...*") As demonstrated in the appeal, the attached Statements to the Commission and to your Environmental Justice Commissioner, Appellants' Exhibits 1-180, Supp Exh A-D, and Letter of January 3, 2023, there is no credible or relevant evidence to rebut this presumption. Each and all of the substantial issue factors are present and overwhelmingly supported by the evidence, as well as the Commission's consistent treatment of identical issues in past cases.

**Summary:**

**1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the certified LCP;**

The location of this cannabis dispensary **adjacent to the public beach** is inconsistent with the public access policies of the Coastal Act and the certified LCP. Appellants submitted site specific traffic counts and expert analysis, demonstrating conflicts with public access (parking) and circulation, which the County ignored. The County refused and failed to analyze the increase in intensity of use as required by PRC 30106 and failed to respect Coastal Commission "precedent" pertaining to parking deficiencies and conflicts which impair public access, Pub. Res. Code Section 30212-4, 30253. The County failed to make adequate (or any) findings on these issues. The County required only 6 (six) parking spaces on site, five of which will serve only the employees of the dispensary. There is no provision for a designated delivery space, *nor are any spaces on site provided for customers*. **The applicant's own exhibit, (Exhibit D attached, Table 2) specifically acknowledges that an average of 30 customer vehicles per hour on weekend days will compete for on street parking with the beach going public. There was therefore no factual or legal support for the County's decision.**

**2. The extent and scope of the development as approved or denied by the local**

## **government;**

The physical changes to the property (some of which were made without benefit of CDP) are not determinative, and are not the only factors which must be considered. The increased intensity of use at this specific and unique location, adjacent to a popular public beach was not analyzed, *at all*, (i.e., the traffic generation **from customers and deliveries** to the only cannabis dispensary between downtown Santa Barbara and the existing dispensaries in Oxnard/Pt. Hueneme, their location immediately off the Highway 101, [50,000ADT], their receipt of deliveries of product from up to 26 separate cultivators within 6 miles, and deliveries serving the City of Carpinteria which does not allow *any* brick and mortar dispensaries). The County did not require *any* designated onsite parking for customers **or** deliveries. The Commission typically considers both direct and indirect impacts on public access to the beach from commercial uses. There is no justification for failing to do so in this case.

### **3. The significance of the coastal resources affected by the decision;**

Public access and recreation, and protection of visitor-serving facilities and recreation are the highest values of the Coastal Act. Santa Claus Lane beach serves tens of thousands of local and disadvantaged communities and families annually. The Commission has consistently considered **both direct and indirect conflicts** with public access to give rise to “substantial issue/significant questions” for Commission review.

### **4. The precedential value of the local government’s decision for future interpretations of its LCP;**

Legal cannabis is entitled to the same review and consideration as other commercial retail, but not preferential treatment. The County has consistently misinterpreted and misapplied its LCP to **privilege** cannabis- related development over the last four years, notwithstanding its unique impacts, which are recognized in its special ordinance regulating cannabis, Article II, Section 35-144U, and has failed to apply the plain language of the Coastal Act and its LCP (for example, **their failure to address intensity of use**, a mandatory consideration under the Coastal Act’s unique definition of development, and where their own program EIR found impacts from retail to be significant and unavoidable is inexcusable; their “reinterpretation” of their own buffer requirements- from schools, and in this case “youth centers” - here a surf school 29 feet from the property, was unlawful; their preemption of consideration of alternative locations in their licensing ordinance rendered the approval of the local CDP process a foregone conclusion.) Few of these cannabis development cases are in the appeals jurisdiction. This case presents a unique opportunity for the Commission to correct the County’s misinterpretations and misapplication of LCP standards. If the Commission does not step up to exercise their legitimate appeal jurisdiction, the County’s misinterpretation of their LCP will continue, to the detriment of coastal resources generally, and to the detriment of the beach-going public.

### **5. Whether the appeal raises local issues, or those of regional or statewide significance.**

The flawed roll-out of cannabis regulations throughout the State is well documented. The County eviscerated their own process in choosing a dispensary site under their separate licensing ordinance, (outside the LCP), contrary to the Commission’s plain intent in certifying their cannabis ordinance. In their zeal for local revenue, the County has consistently applied *lesser* standards to cannabis related development than other agriculture, and in this case, other commercial/retail development, even though the impacts of cannabis are manifestly different, and, in many cases, greater, and particularly in their impact on coastal resources.

The Commission needs to maintain the integrity of its own process and assert appellate jurisdiction to guide local government to assure that the priorities of the Coastal Act are respected. Upon de novo review, the Commission could and should consider whether any feasible conditions exist which could mitigate or ameliorate the obvious conflicts with public access in this location, and should consider alternative locations which have been

established to exist, and which the County summarily rejected. Even more importantly, should the Commission determine that findings can be made to approve the project, it would have direct authority to enforce its conditions, which the County has declined and failed to do in other cases involving cannabis development.

**If you require additional explanation, and are willing to discuss 'ex parte', please do not hesitate to contact me.**

Jana Zimmer

(805) 705-3784

STATEMENT OF CONFIDENTIALITY & DISCLAIMER: The information contained in this email message is attorney privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this email is strictly prohibited. If you have received this email in error, please notify us immediately by calling (805) 705-3784 and delete the message. Thank you.

--

Jana Zimmer

(805)705-3784



**Re: Cannabis Dispensary 3823 Santa Claus Lane, Carpinteria area, Santa Barbara County**

**Appellant Dr. Steve Kent and Dr. Nancy Rikalo Response to Recommendation for No Substantial Issue.**

We respectfully disagree with staff's recommendation that the Commission find No Substantial Issue (NSI) in this case. A full review of the record demonstrates that the *presumption* that SI exists has not been rebutted by relevant or credible evidence. A substantial issue is defined as one that presents a "significant question" as to conformity with the certified local coastal program. ([Cal. Code Regs., tit. 14, § 13115](#).) Significant legal and factual questions have indeed been raised in this appeal, and are supported by overwhelming evidence, both from experts and percipient witnesses. (Appellants' Links 1-180, Staff exhibit 6b). It is for the Commission, in this case as in all others, and not County staff, to exercise their authority to determine the proper interpretation and application of the Coastal Act and the LCP.

**Summary**

First, the County simply failed and refused to require the analysis necessary to allow approval of the *increased intensity of use* of this property, in direct contradiction to a fundamental element of the definition of development under Pub. Res. Code Section 30106, and contrary to 40 years of consistent interpretation by the Commission and the courts. *See, e.g. Stanson v. San Diego Coast Regional Commission* (1980) 101 Cal App 3d 38; *Greene v Coastal Commission* (2019) 40 Cal. App. 5<sup>th</sup> 1227. Moreover, the County has failed to support its decision with legally sufficient findings to justify consistency determinations under the Coastal Act and its own LCP provisions supporting public access and recreation, which are the lynchpin of the coastal program. **Third, the County has proposed to site this cannabis dispensary 29 feet from a Surf school, which caters to minors 5-17 years old.** To accomplish this, the County has unilaterally and unlawfully changed the definition of a "youth center", which requires a 750 foot buffer, as referenced in Section 35-144U of their implementation plan, and as certified in 2018 by your Commission. Under the statutory definition in effect at the time of certification of the County's cannabis ordinance, a cannabis dispensary is absolutely precluded at this location as completely incompatible with Surf Happens. It is also incompatible with the visitor serving recreational businesses at this beachside location: the A-Frame Surf shop, the outdoor Padaro Grill and other family oriented restaurants on Santa Claus Lane.

Commission staff has consistently recommended that SI be found in cases **where a new use poses potential conflicts with beach access and recreation, resulting in increased competition for public parking.** *See, e.g. [A-5-VEN-15-0038], restaurant a mile from the beach on Abbott Kinney Boulevard, [A-VEN-21-0063, project offered only 27 of 35 required parking spaces].* Cannabis dispensaries are not 'just another retail use', they are separately regulated, because of their unique and special impacts, under the LCP, Article II, Chapter 35 Section 35-144U. At a minimum, the legalization of cannabis should not result in *less* protection of coastal access than other commercial/retail development, and less rigorous standards than in the inland areas. This is exactly what the County has done, especially in the coastal zone in the Carpinteria Valley, and this case presents the first real opportunity for the Commission to correct the County's persistent errors of fact and law.<sup>1</sup>

---

<sup>1</sup> Please review Appellants' supplemental letter of January 3, 2023 to Deputy Director Hudson, which sets forth in detail the unique impacts of the location adjacent to Santa Claus Lane beach.

While the Commission would be free to consider, in a *de novo* hearing, whether conditions or mitigations exist which can eliminate the obvious conflicts with public access and recreation presented by this proposed use, the SI factors are clearly present. Importantly, because the County has developed a pattern and practice of failing and refusing to enforce its ordinance against illegal expansion of medical cannabis uses, since 2019, it is critical that the Commission take jurisdiction over this permit, so that it has direct enforcement authority over any CDP it may approve in the future, even assuming findings for approval can be made. The County's analysis and findings completely disregard the evidence and the most fundamental policies of the Coastal Act and the LCP, which require full mitigation of any project impacts to prevent impairment of public access to the beach. The County failed to make **any** specific findings of consistency with Coastal Act access policies Section 30212 and 30214. The County wrongly asserted that Section 30213 (protection of visitor serving uses and recreation) and 30253(e) (protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses) are simply inapplicable.

**Substantial Issues are present which require Commission review.**

1. The County failed to require analysis of the increased **intensity of use** of the site and failed to consider the Coastal Act definition of development under Section 30106, and as consistently required by the courts for 40 years. The County consistently refused to analyze the number of customers likely to access this uniquely located site immediately off Highway 101, [See, e.g. Weedmaps Exh 172] , *between the first public road and the sea*; nor was there any analysis of the number of deliveries from up to 328 cultivation sites, and 26 separate businesses within six miles of the dispensary, [Exh 136] or from the dispensary to customers in the Carpinteria, Toro Canyon, Summerland and Montecito areas. Therefore, the County's erroneous assumption that this application represents a mere change from one "permitted" retail use to another, and their erroneous application of minimum parking requirements for the zone district is fatally flawed.
2. While the initially estimated parking need by the applicant's own traffic engineers was for 22 spaces, (including 10 spaces inappropriately assumed to be available long term on UPRR property)<sup>2</sup>, the applicants failed to provide parking for employees, deliveries and customers. The County required only **six (6)** on- site parking spaces to serve **both** employees and customers, [Condition 31], while it is admitted that the dispensary *plus* the other existing businesses in the building require at least twelve (12) on site spaces, for employees alone, as the minimum code requirement. **Thus, the site will provide only one (1) space for customers and has no designated space for deliveries to and from the dispensary.** However, *their own* (tardy) STDMP- (transportation management plan)- estimates this single space will need to serve up to 30 'customer visits' in the afternoon hours and peak hours on weekend beach days. [Appellants Supp. Exhibit D, p. 3]. Thus, they claim they can serve a customer every two minutes, per weekend hour, which is patently absurd.

---

<sup>2</sup> One of the many ironies of the County's 'pre-determination' of the site selection under their licensing ordinance is that Chapter 50 **did** require adequate provision for customer parking, (which the applicants did **not** demonstrate), while Commission staff apparently assumes that meeting minimum code for employee parking (which does not reference customer parking or deliveries of product to and from the site) is the end of the analysis of impacts from the intensification of use. **This is inconsistent with their prior analysis of the impacts of parking deficiencies on beach access.** This preemption of the LCP by site "selection" under the licensing ordinance is plainly inconsistent with the Commission's intent in *separating* licensing from LCP concerns, in 2018.

3. The County failed to require a full traffic study, despite repeated requests, and never responded to appellants' experts, who provided contemporary summer traffic counts (Exh 97, 138,139,145]. The County's finding only referenced evening peak hour trips (which are irrelevant to day- long beach access conflicts).The very tardy 'evidence' submitted, and last minute comparisons of trip generation from multiple urban dispensaries within a few blocks of each other in Lompoc and Pt. Hueneme is irrelevant, and not predictive of trip generation at this unique location. That said, even the applicants' uncorroborated evidence merely underscores the conflicts: it reflects over 30 customer trips per hour on weekend summer days, all 'sharing' one parking space on site. Thus, the applicants and the County have failed to rebut the presumption that a significant question of consistency with the LCP and Coastal Act access policies incorporated therein does exist.
4. The County refused to consider the impact on beach parking of the **removal** of 15 existing public parking spaces immediately opposite the store by the currently ongoing Streetscape project, exacerbating the existing deficit, despite the fact that the Mitigated Negative Declaration for the Streetscape project explicitly stated that it did not consider or assess impact from any future uses. [Exh 164]. However, the County assumed, with no evidence whatsoever, that existing deficiencies in parking at the east end of Santa Claus Lane will be eliminated through the addition of spaces at the west end, a half mile away. This erroneous assumption did not consider either the Coastal Commission and State Lands Commission's ongoing demands for a new vertical access at the east end (Sandyland), *or* the potential impact of beachgoers seeking parking at the west end (Padaro Lane) [Appellants' Supp Exhibit B – correspondence obtained on 1/27/2023 obtained in response to Appellants' Public Records request]. At the west end, where the 'new' parking will be located, there has been no discussion of the additional need when the accepted easement is opened. The Commission staff recommendation fails to address this conflict and proposes that the Commission blind itself to the loss of existing spaces directly in front of the dispensary, as well as foreseeable future parking conflicts.
5. The County failed to analyze impacts on other lower cost, visitor serving recreational uses on Santa Claus Lane, and stated that Section 30213 is simply **'inapplicable' (County staff report, p. 27)**. There is no evidence whatsoever to support the assumption that the dispensary will not impact beach recreation and visitor serving uses on the lane, which include several outdoor or indoor/outdoor restaurants- Padaro Grill, Smoking Jack's, Garden Market, Thalio's. More egregiously, the County failed to rebut uncontradicted evidence that **Surf Happens**, the surf school which **is located only 29 feet from the dispensary site, and based on undisputed evidence, serves primarily 5-17 year olds for surf instruction as well as skateboard at the site and along Lane**, and the A-Frame Surf shop, which also conducts instruction, is also within the mandatory 750 foot buffer. Whether this unique and specifically regulated cannabis- related development is compatible with the visitor serving and beach uses immediately adjacent clearly poses a significant question of fact and law under the Commission's regulations. See, e.g. *Darby T. Keen v. City of Manhattan Beach* 77 Cal. App. 5th 142 (2022) [new city ban on short term rentals required LCP amendment].
6. Commission staff has ignored the fact that the reference to "youth centers" in the LCP- coastal zoning ordinance Section 35-144 is specific to the definition of the Health and Safety Code, and they ignored the fact that the County staff administratively 'changed' the definition to require them to serve youth 'exclusively'. The evidence in the record is that Surf Happens serves "primarily" youth 5-17, exactly as set forth in the Health and Safety Code. The County staff's additional proposed

‘criteria’, that all Surf Happens activities must be on site ignores the undisputed fact that they provide not only surf lessons at the beach a mere 50 feet outside the mandatory buffer area, but skateboarding lessons which occur along the entire lane. The County’s change of definition could not lawfully be achieved through staff’s undisclosed addition of “criteria” to serve these specific applicants and should have required an LCP amendment which was never pursued. [See, Exh 122,125,147,149]. This represents a dangerous precedent for back room ‘administrative’ amendments to LCPs. See, e.g. *Darby T. Keen v. City of Manhattan Beach* 77 Cal. App. 5th 142 (2022) [new city ban on short term rentals required LCP amendment].

7. Among the many misrepresentations made by the applicants was their assertion, in order to “win” in the licensing process, that they could secure and provide 22 parking spaces on site. Appellants successfully demonstrated **that these spaces were not on the applicant’s property**, but on property belonging to UPRR, under an agreement terminable by the railroad at will. Newly developed Condition 31, which requires cessation of use if the UPRR terminates their lease, is completely unenforceable, does not require notice or public review, and will never be enforced by the County. This is not a conditional use permit. One of the many conditions proposed by the appellants and rejected by the County would have required public notice and review, and re-evaluation of parking conditions if the railroad terminates their lease.
8. There is no evidentiary basis, let alone ‘substantial factual support’ for the assumption of Commission staff that ‘adequate [public] coastal access exists nearby’ now or in the future, given the limitations of the existing private parking lot, the existing conflicts with ingress and egress, which also goes over UPRR property, the removal of 15 existing spaces for the roundabout which is under construction, and the fact that the Commission itself is seeking additional vertical public access at this very location, and has already secured additional vertical access, without any provision for additional public parking, on Padaro Lane immediately to the west of Santa Claus Lane.
9. The staff’s dismissal of the applicants’ failure to provide adequate customer parking because it is alleged that there is no ‘direct’ impact on public access to the beach is unfounded and legally irrelevant. The Coastal Commission does not limit its review to “direct” impacts on access.<sup>3</sup> See, e.g. A-VEN-21-0063 (Sutter) and A-VEN-15-0038 (Dunes) [*“customers and employees of the proposed restaurant would vie for the existing parking in the vicinity of the project, which is already inadequate to meet the demand. In Dunes, the Commission found substantial issue on a restaurant proposal on Abbott Kinney Blvd in Venice, approximately a mile from Venice Beach: “The applicant’s proposal increases the intensity of the use of the site in the evening hours (Starting at 5:00 pm) and offers only six leased parking spaces to mee the increased demand which is inconsistent with the public access and recreation policies of the Coastal Act as well as the parking requirements and public access policies of the LUP.” This appeal is no different, except for the fact that the use is immediately adjacent to the beach, and their customers will directly compete with public access parking to the beach. In their relentless pursuit of failed policies, the County Board of Supervisors has, in this case as in others, consistently applied less restrictive standards to cannabis-related development than to other classes of development.*

---

<sup>3</sup> This, to our knowledge is also an unprecedented assertion. If this were the case, the placement of fake No Parking signs on a public street, and innumerable other strategies to discourage public access would constitute excusable ‘indirect’ impairments of access.

There is no legal or policy justification for this different treatment, especially where the proposed use is located between the first public road and the sea. Commission staff has disregarded this evidence entirely and has failed to distinguish or even consider their own prior recommendations. [See, Appellant's letter of January 3, 2023 to staff]

10. There is no relevant or credible evidence to support the county's findings of consistency with LCP Policies 7-31. While the Commission staff report acknowledges the existence of the related Streetscape, Bike Lane and Caltrans projects, neither the County nor the Commission staff reference any evidence or provide analysis to support their proposed finding of consistency with LCP Policy 7-31 (which the County failed to analyze in their staff report, at all.)<sup>4</sup> There is substantial overlap between the Streetscape project and the CalTrans project, which is under construction. The MND for the Streetscape project did not analyze any new development, let alone the extraordinary traffic for the cannabis dispensary, as documented by the *specific* ITE trip generation rate for cannabis dispensaries. [Exh 78] The undisputed facts are: (1) the existing parking is deficient; (2) the Streetscape project has or will eliminate 15 existing spaces directly across from the proposed dispensary; (3) there has been no analysis of the impacts of dispensary related traffic/ingress egress and conflicts with bike lane traffic in front of the dispensary; (4) there has been no analysis of the additional parking needs generated by the new vertical access on Padaro Lane immediately to the west of Santa Claus Lane Beach; (5) there has been no site specific analysis of the unique traffic impacts of the only coastal, freeway- adjacent dispensary between downtown Santa Barbara and the Ventura County line, or (6) the impacts of deliveries from up to 26 cannabis cultivators within six miles, or to customers in the adjacent City of Carpinteria, which prohibits brick and mortar dispensaries within city limits.
11. The staff report mischaracterizes the regulations pertaining to EDNR (existing developed rural neighborhoods), which include the residential neighborhoods immediately adjacent to Santa Claus Lane. The fact is that the County Board of Supervisors took action to prohibit all cannabis related development, including retail, in EDNR which was applicable both in and outside of the Coastal zone. [Exh 1, 135]. Then, without notice or discussion the Board of Supervisors modified that prohibition to exclude the coastal zone in Carpinteria, and thereby established a less restrictive standard in the coastal zone than in the inland areas.<sup>5</sup>
12. The appeal raises issues of statewide concern pertaining to the newly legalized cannabis industry. Legal cannabis is entitled to equal treatment, but not preferential treatment. The County has systematically privileged cannabis over any and all policy, particularly in the Carpinteria area/First Supervisorial District, ignoring well established LCP and Coastal Act standards: in treating cannabis retail as no different from other 'permitted' uses, even though their LCP at Article II Chapter 35-144U establishes specific and different standards for cannabis, and in failing and refusing to analyze increases in intensity of use, or alternative locations, in

---

<sup>4</sup> Staff's assertion, without reference to any evidence, that the County's determinations were "reasonable" is not the correct test under the regulations. The test is whether, on the evidence, a "significant question" is posed. This blanket deference to local government's irrational pursuit of revenue regardless of cost to the coast and its resources, presents a dangerous precedent for the future exercise of the Commission's jurisdiction and authority, especially as it relates to their key policy objectives.

<sup>5</sup> Supervisors attempted to justify this unequal treatment by claiming the process of amending their LCP would be too onerous. This was both insulting and wrong: the fact is that they discovered after approving the amendment that it would have eliminated most of the ongoing cultivation in the Carpinteria Valley, which has multiple EDNR, in addition to the two immediately adjacent to the Santa Claus Lane dispensary.

allowing the Administrative office to pre-select appropriate locations under the licensing ordinance, and in eviscerating their own Planning Commission, the County has turned a fully discretionary coastal development permit into a ministerial one, rendering their planning review a nullity.

13. Staff asserts that several of the Appellants' grounds for appeal are not "appropriate". Just as staff has failed to consider environmental justice policy, which is not explicitly set forth in the County LCP (please see accompanying letter to Commissioner Turnbull-Saunders, EJ Commissioner) staff asserts that the Commission will not consider an appeal where the LCP does not *contain a specific policy* requiring a fair hearing the local level. This case represents a textbook example of the reasons that the Coastal Commission must rigorously guard, retain and exercise its legitimate appellate jurisdiction. Over the past four years, the County has completely undermined their own planning process, and disregarded their own standards in their zeal to pursue revenue from cannabis. As we have pointed out, repeatedly, the expectation of local revenue generation (which has not materialized, here), or the political goals of local politicians are not a basis to override coastal policy. If they were, the policies of the Coastal Act would cease to have any purpose, at all. See, e.g. Pub. Res. Section 30007.5.

Ironically, if the final administrative decision in this case had been the County's to make, the public's recourse would be directly to the courts in administrative mandate under CCP Section 1094.5 which is explicit that a land use decision can/must be overturned if the local agency failed to grant a fair hearing. In the coastal zone, recourse cannot be sought from the courts unless all administrative remedies- here, appeal to the Coastal Commission- are first exhausted. But if the Coastal Commission cannot consider the fundamental unfairness to the public of the County's process, in an appeal to the Coastal Commission, there is no remedy for these due process violations, at all. See, Pub. Res. Code Section 30006. In this case, the public, and the appellants, have been denied a fair hearing because, (among other reasons set forth in our appeal letter) in 2020, on the recommendation of the then Deputy County Administrator, and now cannabis consultant, the Board of Supervisors predetermined the location for a cannabis dispensary in the First District, in a process which did not allow for any public hearing or appeal. The approval of the CDP was a foregone conclusion, and the Coastal Commission is the only, and last administrative agency that can correct these errors.

Based on the foregoing, we request, at a minimum, that the Commission find substantial issue, direct staff to perform a full required analysis, which the County failed to do, and return with a recommendation on a 'de novo' permit at a future hearing.

Respectfully submitted,

Jana Zimmer  
Attorney for Appellants, Dr. Steve Kent and Dr. Nancy Rikalo

**Re: Appeal of Cannabis Dispensary at 3823 Santa Claus Lane, Carpinteria area, Santa Barbara County**  
**A-4-STB-22-0065**

Dear Commissioner Turnbull-Sanders:

I represent Dr. Steve Kent and Dr. Nancy Rikalo, in their appeal of the County of Santa Barbara's approval of a coastal development permit for a cannabis dispensary at 3823 Santa Claus Lane, Carpinteria area, Santa Barbara County. I am directing this communication to you as the Environmental Justice Commissioner to elaborate on specific issues of concern which have not been addressed either by the County or by your staff.

We are providing separately our response and objections to the recommendation that the Commission find No Substantial Issue, as well as our letter of January 3, 2023, which demonstrates that your staff recommendation ignores Commission "precedent" (e.g. A-5-VEN-21-0063 (Sutter) and A-5 VEN-15-0038 (Dunes), and which identifies the specific unanalyzed conflicts of this proposed new use with coastal access and recreation at Santa Claus Lane beach- which is used by tens of thousands of lower income people and people of color annually, residing in the Carpinteria area.

The staff report in this case takes an impermissibly narrow view of the impacts of this particular location for a dispensary, asserting without basis in fact that the project would have no 'direct' impact to public access. The County findings fail to specifically consider the public access policies (Pub. Res. Code Section 30212-30214), which are directly incorporated into the County's LCP, Policy 1-1 to 1-4, fail to consider the status of Santa Claus Lane, as recognized in the Toro Plan, and as a matter of *fact* as a special neighborhood within the meaning of Pub. Res. Code Section 30253, and completely fail to address the environmental justice implications of approval of a CDP at this location.

The Commission's adopted Environmental Justice Policy, which is derived from Article X of the California Constitution states:

"Understanding that even nominal costs can be barriers to access preserving and providing for lower-cost recreational facilities is also an environmental justice imperative. This includes recreational opportunities such as parks, trails, surf spots, beach barbecue and fire pits, safe swimming beaches, fishing piers, campgrounds, and associated free or low-cost parking areas. The conversion of lower-cost visitor-serving facilities to high-cost facilities is also a barrier to access for those with limited income, and contributes to increased coastal inequality. The Commission will strive for a no-net-loss of lower-cost facilities in the coastal zone, while implementing a longer-term strategy to increase the number and variety of new lower-cost opportunities. **Where a local government fails to consider environmental justice when evaluating a proposed development that has the potential to adversely or disproportionately affect a historically disadvantaged group's ability to reach and enjoy the coast, that failure may be the basis for an appeal to the Coastal Commission.**" EJ Policy, p. 7"

The staff report recommending No Substantial Issue fails to address, at all, *the negative environmental justice consequences – specifically, the impairment of free public access attributable to the exacerbation of deficient public beach parking - of the County's pre-selection of this particular location in the First*

*District for a dispensary.* The negative effects on public access to the beach from lack of free public parking have been duly documented not only in the Coastal Commission's own adopted Environmental Justice Policy document, but in studies by experts recognized by Commission staff, such as Dr. Phil King, which we have provided (UCLA, Exhibit **163**). The fact is that the County failed to analyze, let alone require mitigation of the specific negative impacts to public access *at this location*, and the Commission staff failed to address them. These concerns present significant questions under the Commission's regulations and consistent interpretations, and provide independent grounds for the Commission, at the very least, to hear the case "de novo" to consider whether feasible conditions exist to approve a CDP at this location. On its face, the Commission's EJ policy does not limit review only to cases where local government has adopted a specific EJ policy.

The additional purpose of this letter, is to respond, specifically, to certain false implications made by the applicants and their lobbyists, in correspondence and in the local press, which continue to imply that I, and my clients and others affected by the project have acted out of racial or 'class' animus, [ see, e.g. e-mail of Dennis Bozanich<sup>1</sup> to CCC staff dated January 8, 2023 Supp Exh C], and, more importantly, to correct their false claims regarding the environmental justice "benefits" of this location for a dispensary.

By way of background, we are cognizant and respectful of the State's intention to provide people of color and other disadvantaged communities an opportunity to share in the putative economic 'benefits' of a well-regulated legal cannabis market. Apart from the fact that the implementation of this particular goal has fallen well short of the State's intention, in every respect, (see, e.g. LA Times series, most recently 1.29.2023), the *fact* is that the direct and immediate beneficiaries of anticipated profits from this particular beachside location, who own the property to be rented, at \$12,000 per month (two and a half times commercial rents in the area) are white and have resided for decades in a multi-million dollar home in Toro Canyon.

Furthermore, while the project has been represented at local hearings by employees with Latinx sounding surnames, and the lobbyists have repeatedly represented that the business is or will be minority-owned, the ***fact is that immediately after the Zoning Administrator hearing in this matter, the applicants filed documents with the State deleting each and every Hispanic surnamed "partner" from their LLC, leaving the business entirely owned by the Radis.*** [Supp Exhibit D ] The staff report does not address this issue. Thus, the Commissioners should not be misled by the "public faces" of the project.

It is also important to unmask the County's misguided choices, in their licensing "process" which guaranteed, *a priori*, that the dispensary would be located on Santa Claus Lane adjacent to a popular public beach. As we pointed out to the Planning Commission, the County summarily rejected an appropriately zoned site in the Montecito Planning Area- the whitest, wealthiest demographic in the County, and they summarily rejected an appropriately zoned site in the Summerland Planning area,

---

<sup>1</sup> Mr. Bozanich is currently self employed as a cannabis lobbyist. As a Deputy CAO in the County, up to January 2020, **he was the primary architect of the County's cannabis "program" and, in that role, he pre-selected Santa Claus Lane as the site for a cannabis dispensary.** Had he been an equivalently high-ranking Coastal Commission official, he would have been precluded, for life, under the Political Reform Act from participating in this approval process. The First District Supervisor met with him or his 'colleague' at least three times on this project, but that same Supervisor *refused* to meet with my clients or me. Commission staff does not see this as an 'appeal issue'.



which located on the north side of the 101 freeway. Since the site was “pre-selected”, no consideration was given to alternatives in the CDP process.

Thus, we are urging your vote to find substantial issue so that the Commission can evaluate, on appeal and ‘de novo’, whether, where and under what conditions a CDP for a dispensary may be sited in the First Supervisorial District, consistent with the State’s Environmental Justice policy.

Very Truly Yours,

/s/

Jana Zimmer

Attorney for Appellants, Dr. Steve Kent and Dr. Nancy Rikalo

APPELLANTS' SUPPLEMENTAL EXHIBITS A-D RE: Substantial Issue

- A. Applicants' Traffic Chart
- B. Padaro Lane Vertical Access
- C. Dennis Bozanich email to staff referencing "90 years of bias"
- D. Email and evidence re: deletion of names from the LLC

# Site Transportation Demand Management Plan

## Site Access

Access to the 3823 Santa Claus Lane site is provided directly from Santa Claus Lane with vehicular parking available in the rear of the building. Transit access to the site is facilitated by the Santa Barbara Metropolitan Transit District with Route 20 operating along Via Real and the closest stop to the project site being ½ mile away at Via Real and Padaro Lane. The recently initiated Santa Claus Lane Beach Access and Streetscape Improvements will increase accessibility to all users along the corridor including both the beach area and commercial area with a continuous sidewalk, crosswalks and a multi-use path. The multi-use path will connect with the proposed Santa Claus Lane Bikeway in early 2023. See Figure 1.

**Figure 1: Site Location**



## Parking Supply

Twelve off-street parking spots are required for the project as has been reviewed by the South County Board of Architectural Review on February 18, 2022 and the Zoning Administrator on May 23, 2022. The off-street parking requirement is based on the County's commercial parking standards. No change to the square footage is proposed for this project.

**Table 1: Parking Requirement Calculations**

First Floor	Actual Square footage	County Standard	Parking required
Boutique Retail	1069	500	2.14
Office	135	300	0.45



- B. Number of Employees: The Roots Carpinteria will have a maximum of five (5) employees on site at any given time. Other commercial uses on the property including the architect's office and currently vacant retail space will have a total of two (2) employees on site.
- C. Deliveries: The store will be open for deliveries from our distributors at 8:00 am PT each day, one hour before the store opens to customers. Shipments of cannabis goods will be scheduled with our licensed distributors. Delivery dates and times will not be provided to employees until the day that the delivery is scheduled to arrive.
- D. Without any incentives and using [ITE trip generation by hour data](#), The Roots Carpinteria can estimate the following total parking demand, prior to offering incentives. See Table 2.

**Table 2: Estimated hourly parking demand weekday and weekend**

Hours	Weekday Customers per hour	Weekend Customers per hour	Weekday Customer parking spots per hour*	Weekend Customer parking spots per hour*	All employee parking - Weekday	All employee parking - Weekend	Average Used - Weekday	Average Used - Weekend
8:00 AM	0	0	0	0.0	2	2	2	2
9:00 AM	0	0	0	0.0	2	2	4	2
10:00 AM	16	29	2.0	3.7	7	5	9	9
11:00 AM	16	26	2.0	3.3	7	5	9	8
12:00 PM	18	32	2.3	4.1	7	5	9	9
1:00 PM	16	27	2.0	3.4	7	5	9	8
2:00 PM	18	31	2.2	3.9	7	5	9	9
3:00 PM	19	31	2.5	3.9	7	5	9	9
4:00 PM	23	30	2.9	3.8	7	5	10	9
5:00 PM	25	38	3.1	4.7	5	5	8	10
6:00 PM	27	30	3.4	3.8	5	5	8	9
7:00 PM	2	3	0.2	0.4	5	5	5	5

- Parking spot calculation assumes 90% of customers are returning and average 7 minutes for their transaction and 10% are returning customers averaging 12.5 minutes per transaction.

The management of on-site pedestrian traffic by store employees will prevent neighborhood complaints. The location of the required parking behind the building is designed to direct pedestrians off Santa Claus Lane to the rear portion of the building and keep them safe. Marked pedestrian walkways will allow pedestrians to enter the facility efficiently and safely. This will also prevent traffic build-up. Employees and security personnel will help manage customers to prevent spill-over onto the sidewalk and surrounding businesses. Loitering on or near our premises, including our parking lot, is strictly prohibited, and enforced by store employees and local law enforcement, if required.

### **Incentive plans**

The Roots Carpinteria will provide a series of measures to reduce traffic and parking overflow.

#### **A. Employee incentives:**

- Carpooling will result in an additional employee discount of products
- Employees will Earn "Roots Bucks" that could be redeemed in store.

- Free monthly bus passes
- Electric bike purchase assistance plus charging station
- Parking partnerships with other cannabis related business with shuttle service to Santa Claus Lane location

B. Customer incentives:

- Advertise non-auto-based transportation options including providing a 10% discount to customers who can show proof of public transportation use to the store.
- Non-peak hour product discounts provide an incentive to visit the store during non-peak hours (peak is generally 4:00PM to 7:00PM)
- Non-peak day product specials provide an incentive to avoid summer weekends and Fridays year-round.
- Discounts offered to use delivery or express checkout during peak hours.

## RE: Padaro lane - County of SB Coastal Access Projects (sign location/number)

?

**DCDoolittle, Chris <cdoolit@countyofsb.org>**

To:

- Locklin, Linda@Coastal;
- Couch, Rachel@SCC

+2 others

Cc:

- Christensen, Deanna@Coastal;
- Kubran, Michelle@Coastal

Mon 9/19/2022 7:46 PM

Hi Linda,

Not yet. We anticipate advertising the project in the next week or so. Once I have received bids, and scheduled our Contract Award at the County Board of Supervisors, we will have a better idea. I can reach out to you and let you know once we reach that point, and once we have a construction schedule from the awarded contractor.

We believe that Construction will begin in Spring 2023.

Thanks.

Sincerely,

*Chris*

Christian Doolittle, P.G., C.E.G.  
Project Manager / Engineering Geologist

County of Santa Barbara - Public Works Department  
Transportation Division - Engineering Section  
Email1: [cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)  
Email2: [doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)  
Office: (805) 803-8777  
Cell: (805) 331-3502

**From:** Locklin, Linda@Coastal <Linda.Locklin@coastal.ca.gov>

**Sent:** Monday, September 19, 2022 4:35 PM

**To:** Doolittle, Chris <cdoolit@countyofsb.org>; Couch, Rachel@SCC <Rachel.Couch@scc.ca.gov>; Wiley, Brianna <bwiley@countyofsb.org>; fluna@sbcag.org

**Cc:** Christensen, Deanna@Coastal <Deanna.Christensen@coastal.ca.gov>; Kubran, Michelle@Coastal <Michelle.Kubran@coastal.ca.gov>

**Subject:** RE: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Hi Chris

Just checking in to see if you a construction schedule identified??

Linda

Linda Locklin  
California Coastal Commission  
Coastal Access Program Manager  
831-427-4875

**From:** Locklin, Linda@Coastal  
**Sent:** Monday, July 25, 2022 4:28 PM  
**To:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>; Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>; Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>; [fluna@sbcag.org](mailto:fluna@sbcag.org)  
**Cc:** Christensen, Deanna@Coastal <[Deanna.Christensen@coastal.ca.gov](mailto:Deanna.Christensen@coastal.ca.gov)>; Kubran, Michelle@Coastal <[Michelle.Kubran@coastal.ca.gov](mailto:Michelle.Kubran@coastal.ca.gov)>  
**Subject:** RE: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Thanks Chris-  
You are on it!  
Linda

**From:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>  
**Sent:** Monday, July 25, 2022 4:13 PM  
**To:** Locklin, Linda@Coastal <[Linda.Locklin@coastal.ca.gov](mailto:Linda.Locklin@coastal.ca.gov)>; Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>; Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>; [fluna@sbcag.org](mailto:fluna@sbcag.org)  
**Cc:** Christensen, Deanna@Coastal <[Deanna.Christensen@coastal.ca.gov](mailto:Deanna.Christensen@coastal.ca.gov)>; Kubran, Michelle@Coastal <[Michelle.Kubran@coastal.ca.gov](mailto:Michelle.Kubran@coastal.ca.gov)>  
**Subject:** RE: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Hi Linda,

- I will look into whether we can post a sign at the beach. I am not sure if we included this in our project study area (enviro doc/permits), but if able to, we will put in a sign to alert beach users of the coastal path from the beach.
- We will definitely be taking pre-con, and post-con photos.
- Our first intent is to get the signs installed.
- County has a 50 FT wide easement along Padaro in this area.
- Then we will see what other private improvements/obstructions within the public right of way can be removed to allow for increased public use/access/parking. The property owners on Padaro Lane are quick to obstruct by planting/installing items in the shoulder, or posting "no parking" signs

See snips below:  
Thanks.

Sincerely,  
*Chris*  
Christian Doolittle, P.G., C.E.G.  
Project Manager / Engineering Geologist



County of Santa Barbara - Public Works Department  
Transportation Division - Engineering Section  
Email1: [cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)  
Email2: [doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)  
Office: (805) 803-8777  
Cell: (805) 331-3502

**From:** Locklin, Linda@Coastal <[Linda.Locklin@coastal.ca.gov](mailto:Linda.Locklin@coastal.ca.gov)>

**Sent:** Monday, July 25, 2022 2:38 PM

**To:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>; Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>; Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>; [fluna@sbcag.org](mailto:fluna@sbcag.org)

**Cc:** Christensen, Deanna@Coastal <[Deanna.Christensen@coastal.ca.gov](mailto:Deanna.Christensen@coastal.ca.gov)>; Kubran, Michelle@Coastal <[Michelle.Kubran@coastal.ca.gov](mailto:Michelle.Kubran@coastal.ca.gov)>

**Subject:** FW: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Chris and all –

This is **super** exciting news! Ever since the County accepted the OTD in 1998, we have been waiting for the day that the pathway would be opened for public use. The short history of this site is that the CCC approved a 4 lot subdivision in 1986 and required the developer to record a Public Access OTD from Padaro Lane to the beach. After the County accepted the OTD (along with 71 other OTDs on that same agenda), the property owners sued the County for taking this action. The County prevailed in that lawsuit in 2002. Then the Board asked that the issue of opening this Easement be included in the updated Toro Canyon Plan, which was adopted in 2004 and includes a specific policy for opening this Easement.

So – here we are in 2022 and soon the public will be able to walk down the path and enjoy Padaro Beach – Thanks to all who made this happen!

Two things:

- I suggest adding a “To Padaro Lane” sign (use same color and font as the Beach Access sign) at the seaward end of the Easement (inland of the sand area) to alert beach goers how to get back to Padaro Lane. It can sometimes be hard to locate the actual beach path after strolling along the sand viewing dozens of beach homes. This would help visitors locate the correct (legal) way to return and not inadvertently cross onto private property.
- Prior to construction of the project, I suggest taking photos of the nearby ROW where cars are currently able to park. We often find that after an accessway is opened, nearby public parking is obstructed through newly installed private encroachments and non permitted signage that discourages the public from parking. Documenting pre-opening public parking options will establish the baseline.

Last, if someone has former County planner Greg Mohr’s email (I have lost it), please let him know that this is happening. He worked so hard to ensure that this Easement was protected for this very important public use – Public Access to the coast!

Cheers and please keep me informed of the sign progress and if there is an official Grand Opening!

Linda

*Linda Locklin*

California Coastal Commission  
Coastal Access Program Manager  
831-427-4875

**From:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>  
**Sent:** Monday, July 25, 2022 1:08 PM  
**To:** Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>; Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>; [fluna@sbccag.org](mailto:fluna@sbccag.org)  
**Cc:** Locklin, Linda@Coastal <[Linda.Locklin@coastal.ca.gov](mailto:Linda.Locklin@coastal.ca.gov)>  
**Subject:** RE: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Hi Rachel,

Yes, our project is addressing this coastal access location near 3443 Padaro Lane.  
Snip below from Google Street View:

- Pathway with arrows, and 1 of the proposed sign locations.

Snip below from our County GIS system:

- Red line is path to beach
- Blue circles are sign locations
- Also attached are the current set of plans, which show the sign locations of coastal access signs proposed for placement.
- I also included an exhibit that shows the locations of signs to be provided.
- I am not very aware of the OTD that established this access. We are being directed to sign the access point. I have gone to the site, and the gate lock is non-functional (not lockable). I understand that the access point has been confirmed, and owner is aware of signs going up in public ROW.

Thanks.

Sincerely,

*Chris*

Christian Doolittle, P.G., C.E.G.  
Project Manager / Engineering Geologist

County of Santa Barbara - Public Works Department  
Transportation Division - Engineering Section

**From:** Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>  
**Sent:** Monday, July 25, 2022 12:06 PM  
**To:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>; Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>; [fluna@sbccag.org](mailto:fluna@sbccag.org)  
**Cc:** Locklin, Linda@Coastal <[Linda.Locklin@coastal.ca.gov](mailto:Linda.Locklin@coastal.ca.gov)>  
**Subject:** FW: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Hi all,

My name is Rachel Couch. I work for the State Coastal Conservancy and am based in Santa Barbara. My manager Trish Chapman shared with me the email correspondence about CCT and coastal access signage the County is installing in the Summerland and Carpinteria area.

Curious to know if one or more of the signs you are lining up to install will be used for the coastal accessway path to the beach that is near 3447 Padaro Lane, just west of the creek outfall. As you may know, this is an old Offer To Dedicate (OTD) that the County accepted but had not to my knowledge been formally opened. From your map, and my photos and google maps investigation, it sure looks like the same location.

If you are signing this accessway, can you please send any updates or information about this OTD. I think it is called Johnson. We would like to have it for our records. I am also cc'ing Linda Locklin, the access manager for the Coastal Commission, who I am sure will want to know the latest on this as well.

I will next forward some photos from my reconnaissance trip to this accessway a couple years ago.

Thanks,  
Rachel

Rachel Couch, Project Manager  
Central Coast Program  
State Coastal Conservancy  
(805)845-8853 office  
[rachel.couch@scc.ca.gov](mailto:rachel.couch@scc.ca.gov)

**From:** Chapman, Trish@SCC  
**Sent:** Wednesday, July 06, 2022 3:29 PM  
**To:** Couch, Rachel@SCC <[Rachel.Couch@scc.ca.gov](mailto:Rachel.Couch@scc.ca.gov)>  
**Subject:** FW: Padaro lane - County of SB Coastal Access Projects (sign location/number)

Fyi

**From:** Doolittle, Chris <[cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)>  
**Sent:** Tuesday, July 5, 2022 4:15 PM  
**To:** Chapman, Trish@SCC <[Trish.Chapman@scc.ca.gov](mailto:Trish.Chapman@scc.ca.gov)>  
**Cc:** Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>  
**Subject:** FW: Padaro lane - County of SB Coastal Access Projects (sign location/number)

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Trish,

It was good to talk to you, today. The County of Santa Barbara is working on providing coastal access and coastal trail signs for a project in Summerland, CA (just south of Santa Barbara).

I have attached a couple items, for your info, and what we are looking for is:

1. Digital Image of Coastal Trail Sign emblem, for use in having signs created
2. Any specifications on the signs (color, size, etc.) that we should put in for along the roadway (visible to motorists travelling at 35 MPH).

Thanks, Trish. I have Cc'd Brianna Wiley, who is the primary designer on this Padaro Lane Coastal Access Improvements Project.

Sincerely,

*Chris*

Christian Doolittle, P.G., C.E.G.  
Project Manager / Engineering Geologist

County of Santa Barbara - Public Works Department  
Transportation Division - Engineering Section  
Email1: [cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)  
Email2: [doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)  
Office: (805) 803-8777  
Cell: (805) 331-3502

**From:** Doolittle, Chris <>

**Sent:** Tuesday, July 5, 2022 3:47 PM

**To:** Jaquelin Mata ([JMata@sbcag.org](mailto:JMata@sbcag.org)) <[JMata@sbcag.org](mailto:JMata@sbcag.org)>; 'fluna@sbcag.org' <[fluna@sbcag.org](mailto:fluna@sbcag.org)>

**Cc:** Wiley, Brianna <[bwiley@countyofsb.org](mailto:bwiley@countyofsb.org)>

**Subject:** Padaro lane - County of SB Coastal Access Projects (sign location/number)

Hi Jackie and Fred,

We were hoping we could get some additional info on the Coastal Access Trail Signs, confirming number and location required. Please see attached marked up exhibit. We were able to find Specs for the Coastal Access Sign, but not too much info for the CA Coastal Trail signs. Please see attached.

If we can get some guidance on the following, that would be helpful:

- Is 30" x 30" Coastal Access Sign ok (vs. 48" x 48")
- We are having trouble finding a Spec sheet on the California Coastal Trail sign (to add to PSE package)
- Review of attached "markup" version of the Padaro Ln Coastal Access Signs v2 exhibit, regarding number/location of signs to install.

Thanks to you both.

Sincerely,

*Chris*

Christian Doolittle, P.G., C.E.G.  
Project Manager / Engineering Geologist

County of Santa Barbara - Public Works Department  
Transportation Division - Engineering Section

Email1: [cdoolit@countyofsb.org](mailto:cdoolit@countyofsb.org)  
Email2: [doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)  
Office: (805) 803-8777  
Cell: (805) 331-3502

**From:** Jaquelin Mata <[JMata@sbccag.org](mailto:JMata@sbccag.org)>

**Sent:** Wednesday, May 13, 2020 3:27 PM

**To:** Fred Luna <[FLuna@sbccag.org](mailto:FLuna@sbccag.org)>; Scott Eades <[scott.eades@dot.ca.gov](mailto:scott.eades@dot.ca.gov)>; Friedlander, Mark <[mfriedlander@co.santa-barbara.ca.us](mailto:mfriedlander@co.santa-barbara.ca.us)>; David Emerson <[david.emerson@dot.ca.gov](mailto:david.emerson@dot.ca.gov)>; Tuttle, Alex <[Atuttle@co.santa-barbara.ca.us](mailto:Atuttle@co.santa-barbara.ca.us)>; Lieu, Nicole <[nlieu@co.santa-barbara.ca.us](mailto:nlieu@co.santa-barbara.ca.us)>; Sneddon, Chris <[csneddo@cosbpw.net](mailto:csneddo@cosbpw.net)>; Jones, Morgan <[Mmjones@cosbpw.net](mailto:Mmjones@cosbpw.net)>; Wiley, Brianna <[BWiley@cosbpw.net](mailto:BWiley@cosbpw.net)>; 'Joseph Arnold' <[joseph.arnold@dot.ca.gov](mailto:joseph.arnold@dot.ca.gov)>; Doolittle, Chris <[doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)>; Doolittle, Chris <[doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)>; Rubalcava, Walter <[Wrubalc@cosbpw.net](mailto:Wrubalc@cosbpw.net)>

**Subject:** RE: County of SB Coastal Access Projects

**Caution:** This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Attached is the updated exhibit for Item NP2-1 Padaro Lane coastal access signs.

Thanks,  
Jacky

## Jaquelin Mata

Transportation Planner I

Santa Barbara County Association of Governments

[www.sbccag.org](http://www.sbccag.org) | 805.961.8904 | 805.816.3555 (cell)

**From:** Jaquelin Mata

**Sent:** Monday, April 13, 2020 2:07 PM

**To:** Fred Luna <[FLuna@sbccag.org](mailto:FLuna@sbccag.org)>; Scott Eades <[scott.eades@dot.ca.gov](mailto:scott.eades@dot.ca.gov)>; Friedlander, Mark <[mfriedlander@co.santa-barbara.ca.us](mailto:mfriedlander@co.santa-barbara.ca.us)>; David Emerson <[david.emerson@dot.ca.gov](mailto:david.emerson@dot.ca.gov)>; [atuttle@co.santa-barbara.ca.us](mailto:atuttle@co.santa-barbara.ca.us); Lieu, Nicole <[nlieu@co.santa-barbara.ca.us](mailto:nlieu@co.santa-barbara.ca.us)>; Chris Sneddon - County of Santa Barbara, Public Works Dept ([csneddo@cosbpw.net](mailto:csneddo@cosbpw.net)) <[csneddo@cosbpw.net](mailto:csneddo@cosbpw.net)>; Jones, Morgan <[Mmjones@cosbpw.net](mailto:Mmjones@cosbpw.net)>; Brianna Wiley <[BWiley@cosbpw.net](mailto:BWiley@cosbpw.net)>; 'Joseph Arnold' <[joseph.arnold@dot.ca.gov](mailto:joseph.arnold@dot.ca.gov)>; Chris Doolittle <[Cdoolit@cosbpw.net](mailto:Cdoolit@cosbpw.net)>; Doolittle, Chris <[doolittle@cosbpw.net](mailto:doolittle@cosbpw.net)>; 'Rubalcava, Walter ([Wrubalc@cosbpw.net](mailto:Wrubalc@cosbpw.net))' <[Wrubalc@cosbpw.net](mailto:Wrubalc@cosbpw.net)>

**Subject:** County of SB Coastal Access Projects

Hi everyone,

Attached is the updated action log from our phone conference last week. As well as, the updated exhibit for Item NP2-1.

Thanks,  
Jacky

**Jaquelin Mata**

Transportation Planner I

Santa Barbara County Association of Governments

[www.sbcag.org](http://www.sbcag.org) | 805.961.8904 | 805.816.3555 (cell)

 Reply

 Reply all

 Forward

**From:** Dennis Bozanich <[dennis.bozanich@praxispublicpolicy.com](mailto:dennis.bozanich@praxispublicpolicy.com)>

**Sent:** Wednesday, January 4, 2023 4:04 PM

**To:** Deppe, Walt@Coastal <[walt.deppe@coastal.ca.gov](mailto:walt.deppe@coastal.ca.gov)>

**Cc:** Harmon, Meagan@Coastal <[meagan.harmon@coastal.ca.gov](mailto:meagan.harmon@coastal.ca.gov)>; Patrick Radis <[patradis@gmail.com](mailto:patradis@gmail.com)>; maire radis <[maireradis@gmail.com](mailto:maireradis@gmail.com)>; luis <[luis@therootsdispensary.com](mailto:luis@therootsdispensary.com)>; Joe Armendariz <[joe@armendarizpartners.com](mailto:joe@armendarizpartners.com)>

**Subject:** Applicant response to Appeal - Coastal Commission Appeal # A-4-STB-22-0065

Dear Mr. Deppe:

We are submitting the attached Applicant response document for your consideration in making a substantial issue determination on Commission Appeal # A-4-STB-22-0065. The project applicant feels strongly that the administrative record, particularly the County staff's reports, presents all the facts needed for the Commission to uphold the County's approval of the Coastal Development Permit for this project, the chaotic nature of the appeal submission would demand a highly summarized set of responses.

The Coastal Commission certified the County of Santa Barbara cannabis amendments to the coastal zoning ordinance (Article II) in 2018. Included in those certified amendments was zoning and development standards for cannabis retail in the coastal zone. We know that Commission staff reviewed thoroughly those amendments including for cannabis retail because they made simple edits to clarify the permit requirements. At that time, the Commission staff offered no further recommendations to restrict, reduce, limit or prohibit cannabis retail permits in the coastal zone of the unincorporated area of Santa Barbara County. The zoning and development standards certified by the Coastal Commission in 2018 are in full effect on this project.

Given the administrative record of County staff analysis and recommendations followed by approval by multiple discretionary decision makers, including the coastal zoning ordinance amendments certified by the Coastal Commission in 2018 and the lack of credible evidence of substantial issues raised by the appellant, the Project applicant requests a determination of no significant issues.

The Project team recognizes that 90 years of cannabis prohibition has led to public confusion and angst about efforts to permit cannabis facilities and license cannabis operators. Overcoming the racial and economic biases associated with cannabis businesses will take time. The best way to help overcome that 90 years of bias driven prohibition and to begin to eliminate the unsafe illegal cannabis market is to allow great operators the opportunity to receive land use permits, state and local business licenses and then allow them to prove their ability to contribute to their community.

Thank you for your consideration of our response to this appeal. At your earliest convenience, please confirm receipt of this email and the two attached documents.

Dennis Bozanich  
Representative, The Roots Carpinteria  
805-403-1386 - cell



BA20220406760

B0850-8948 06/21/2022 4:15 PM Received by California Secretary of State



**STATE OF CALIFORNIA**  
*Office of the Secretary of State*  
**STATEMENT OF INFORMATION**  
**LIMITED LIABILITY COMPANY**

California Secretary of State  
1500 11th Street  
Sacramento, California 95814  
(916) 653-3516

For Office Use Only

**-FILED-**

File No.: BA20220406760

Date Filed: 6/21/2022

**EXHIBIT D**

Entity Details	
Limited Liability Company Name	3823 SCL, LLC
Entity No.	202024110571
Formed In	CALIFORNIA
Street Address of Principal Office of LLC	
Principal Address	3823 SANTA CLAUS LANE CARPINTERIA, CA 93013
Mailing Address of LLC	
Mailing Address	POST OFFICE BOX 1358 SUMMERLAND, CA 93067
Attention	
Street Address of California Office of LLC	
Street Address of California Office	3823 SANTA CLAUS LANE CARPINTERIA, CA 93013
Manager(s) or Member(s)	
Manager or Member Name	Manager or Member Address
<input checked="" type="checkbox"/> Maire Radis	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> Patrick Radis	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> Victor Sanchez	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> Luis Castaneda	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> David Garcia	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> Beth Thuna	Post Office Box 1358 Summerland, CA 93067
<input checked="" type="checkbox"/> Maire Radis	3823 SANTA CLAUS LANE CARPINTERIA, CA 93013
<input checked="" type="checkbox"/> Patrick Radis	3823 SANTA CLAUS LANE CARPINTERIA, CA 93013
Agent for Service of Process	
California Registered Corporate Agent (1505)	PARACORP INCORPORATED Registered Corporate 1505 Agent
Type of Business	
Type of Business	COMMERCIAL RETAIL
Email Notifications	
Opt-in Email Notifications	Yes, I opt-in to receive entity notifications via email.
Chief Executive Officer (CEO)	
CEO Name	CEO Address



None Entered
<p>Labor Judgment</p> <p>No Manager or Member of this Limited Liability Company has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal therefrom is pending, for the violation of any wage order or provision of the Labor Code.</p>
<p>Electronic Signature</p> <p><input checked="" type="checkbox"/> By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p><u>Maire Radis</u></p> <p>Signature</p> </div> <div style="width: 45%;"> <p><u>06/21/2022</u></p> <p>Date</p> </div> </div>

**Jana Zimmer**  
**Attorney-at-Law**  
**2640 Las Encinas Lane**  
**Santa Barbara, CA. 93105**  
**(805) 705-3784**  
**e-mail:zimmerccc@gmail.com**

Steve Hudson, District Director  
Barbara Carey, District Manager  
California Coastal Commission  
89 California St.  
Ventura, California

January 3, 2023

**By e-mail:   steve.hudson@coastal.ca.gov;barbara.carey@coastal.ca.gov**

**Re: Appeal of Cannabis Dispensary 3823 Santa Claus Lane, Carpinteria area, Santa Barbara County**

The following materials are respectfully submitted as a supplement to the Kent/Rikalo appeal, and are particularly relevant to the determination of whether this appeal presents a “substantial issue” which merits the Coastal Commission’s *de novo* review. Based on our review of the Commission’s prior decisions in analogous cases, we believe such a recommendation is warranted, if not mandated.

In A-5-VEN-21-0063 (Sutter) Staff recommended substantial issue where project offered only 27 of 35 required on site parking spaces. As is amply demonstrated in the County’s record, and as summarized below, the evidence in our case does not establish that the number of on-site parking spaces will be adequate.<sup>1</sup> However, compliance with minimum code requirements is not enough to meet Coastal Act/LCP requirements: in A-5-VEN-15-0038 (Dunes) staff recommended that the Commission find substantial issue because,

“[T]he project is not consistent with the parking requirements of the certified Land Use Plan (LUP) and, as such, it will adversely affect the public’s ability to access the coast because the additional parking demand generated by this project (and others) are not adequately mitigated, thereby resulting in increased competition for the limited supply of public parking”<sup>2</sup>

---

<sup>1</sup> The County’s only applicable finding pertains to “peak hour” trips, which is not dispositive, or even relevant to conflicts with beach parking throughout the twelve hours per day that the dispensary would be open. The Commission has consistently applied the following principles: (1) that there is a **presumption** that substantial issue exists, which has not been rebutted by any credible evidence in this case, (2) that it is the **applicant’s burden** to prove entitlement to a coastal development permit, and (3) that the Commission staff has recommended, consistently, that the Commission find substantial issue in cases where there is a potential for unmitigated impacts to public access and recreation, specifically from parking and circulation conflicts.

In our case, the issues are more acute, because the project site is located **between the beach and the first public road**. In Dunes, the project site was located “three blocks from the beach and boardwalk in an area where the demand for parking far exceeds the parking supply. The competition for the limited amount of public parking in the vicinity of the project site has led to numerous requests for restricted “resident only” permit parking, and the cost of parking for a day at the beach can exceed twenty dollars. ... **Similarly, customers and employees of the proposed restaurant would vie for the existing parking in the vicinity of the project, which is already inadequate to meet the demand. The applicant’s proposal increases the intensity of the use of the site in the evening hours (starting at 5:00 p.m.) and offers only six leased parking spaces to meet the increased demand, which is inconsistent with the public access and recreation policies of the Coastal Act as well as the parking requirements and public access policies of the certified LUP,...**”.

The Commission found substantial issue, and then staff recommended approval of a ‘de novo’ permit, subject to conditions to address the competition for parking. This is exactly the conflict in our case. Respectfully, the beach- going public and the recreation and visitor -serving uses along Santa Claus Lane, immediately adjacent to the public beach, deserve no less consideration than members of the public seeking beach access in highly urbanized commercial areas of Los Angeles.<sup>3</sup> And,- importantly- there is no basis to apply less stringent standards to cannabis- related development in the coastal zone than other development, as the County has consistently done in this case.

Moreover, in this case, the County made a fundamental legal error in dismissing the impacts of this new use as “retail just like any other retail.”<sup>4</sup> Whether a use is an ‘allowed use’ under the coastal zoning ordinance is irrelevant to this substantial issue determination. The County should have analyzed the increased intensity of use of the property by the particular business, and its specific, foreseeable impacts on beach access and recreation, - the highest priority of the Coastal Act- and they failed to do so. They have ignored the plain language of Pub. Res. Section 30106, (definition of development in the coastal zone), and forty (40) years of legal precedent. The County’s findings are inadequate, (if not completely irrelevant), and neither the applicant nor County staff produced any relevant, or credible evidence to support approval of a permit.

Despite the everchanging “facts” and rationale, allowing this particular use at this particular location will result in **conflicts with public beach access and public recreation** because:

---

<sup>3</sup> Please see, Appellant’s proposed conditions –(Attachment B to the Coastal Commission appeal )- which were narrowly tailored to address the specific impacts of the proposed dispensary use at this location, and which the applicant rejected out of hand, and the County refused to consider. After a determination of substantial issue, the Coastal Commission would be free (after appropriate analysis of the true intensity of use) to apply such conditions as they find adequate, feasible and enforceable to approve their own permit, or deny a permit if such conditions are infeasible. Please bear in mind that in providing the information in this letter, appellants are not waiving their other grounds for appeal, and specifically **the County’s failure to apply the mandatory 750 foot buffer under Article II Chapter 35-144U, from youth oriented recreational uses at the two surf schools/camps on Santa Claus Lane**. Appellants maintain that this use is fundamentally incompatible with the visitor serving, recreational uses on the lane.

<sup>4</sup> The County persisted in this fundamental error from the beginning of the permit process (Public Works testimony at the SEPTEMBER 2021 S-BAR and SDRC meetings, **ATTACHMENT D TO CCC APPEAL**, to the end (P&D Director testimony after the close of public hearing at the Planning Commission appeal).

1. the public parking along the public right of way on Santa Claus Lane at this location is inadequate, now. [Exhs 51 & 163]<sup>5</sup>;
2. there will be up to **15 less** public parking spaces directly opposite the store after the completion of the County's Streetscape project<sup>6</sup>; [Exh 164 ] and
3. public beach parking will remain inadequate after completion of the Streetscape project, *at this location*, and *especially* if the Coastal Commission and the State Lands Commission continue to propose or accept a new vertical access to the beach at Sandyland immediately to the east of the subject property<sup>7</sup>;
4. the parking that is proposed for the project is *inadequate* to meet requirements because:
  - 4.1 The County failed to require adequate onsite parking for the number of customers and employees the applicants identified.<sup>8</sup>
  - 4.2 The County failed to require an enforceable agreement for long term parking on UP railroad property, or any other nearby property. Therefore, the repeated claim that the project will (reliably) provide 22 spaces on site is and was false<sup>9</sup>.
  - 4.3 The County *failed to identify*, let alone require the correct number of necessary **customer** parking spaces to be located on the property.
  - 4.4 The County failed to provide for a specific delivery vehicle parking and maneuvering area.
  - 4.5 Apart from the fact that the County never analyzed the potential impacts on public beach access and parking from this particular location, the Conditions imposed by the County at the end of the process either do not mitigate for the parking and circulation conflicts, or are irrelevant, or are completely unenforceable.<sup>10</sup>

The numbers of employees, parking spaces and the new or remodeled square footage associated with the Roots Cannabis Dispensary at Santa Claus Lane have all been moving targets throughout this process. Beginning with the initial Chapter 50 application submitted in October 2020,<sup>11</sup> and continuing through the November 1, 2022 Appeal of the coastal development permit at the Board of Supervisors, the applicants have provided varying numbers of dedicated parking spots for customers or employees or both. The applicants have repeatedly changed the square footage proposed for the dispensary use. It is

---

<sup>5</sup> Numerical references are to Appellants' Exhibits 1-180

<sup>6</sup> It is astonishing that for two years County Public Works staff maintained the position that the post-Streetscape condition (the loss of 15 spaces) was irrelevant, but the Board declared, with **no evidence whatsoever**, that post Streetscape, all parking and circulation issues would miraculously dissolve.

<sup>7</sup> See, State Lands Commission staff report and recommendations on proposed lease, December 9, 2022 Agenda Item # 70.

<sup>8</sup> The applicants' **last minute** comparisons to trip generation from dispensaries in Pt. Hueneme and Lompoc- both located in urban areas and within a mile of numerous other dispensaries are wholly inappropriate if not irrelevant. The Santa Claus Lane site is unique in its location: between the first public road and the sea, immediately off the 101- which carries 50,000 ADT, and would be the only coastal zone dispensary between Santa Barbara and Oxnard/Hueneme, and the only dispensary adjacent to the City of Carpinteria, which does not allow them, at all. An independent traffic study addressing these unique conditions was never performed.

<sup>9</sup> The last minute addition of a condition requiring closure if the UPRR withdraws their 'at will' lease is completely illusory. The County will never revoke the permit.

<sup>10</sup> 11-1-22 BOS [CDH with CONDITIONS OF APPROVAL](#)

<sup>11</sup> Roots Cannabis Retail Application

Materials <https://cosantabarbara.app.box.com/s/ge0j6w2aad1v0g3kcyzqynsgfsa4aym9>

currently claimed to be approximately over 4500 square feet, far more than the 1660 square feet identified in the Chapter 50 licensing process.

The County's Ch 50 application packet consisted of multiple sections including a requirement for a "Parking Plan". Specifically, the applicants were required to provide *"a detailed plan that demonstrates, **in addition to requirements of the zoning ordinance parking standards**, that the site will have adequate parking to accommodate **employees and visitors and will not disrupt the neighborhood in which the proposed business will be located.**"*

<https://cosantabarbara.app.box.com/s/ge0j6w2aad1v0g3kcyzqynsgfsa4aym9/file/828238437384> Pg 8

As a matter of law, even if the representations as to square footage had been correct, - and they were not- the County has completely failed to adequately analyze or consider the needs for parking for visitors/customers in the coastal development permit review process. Thus, the Coastal Commission's intent in separating the Chapter 50 process from the CDP process in its 2018 certification of the County's cannabis ordinance has been completely undermined: Not only did the County fail to require a specific finding in the Chapter 50 process that parking would be sufficient to serve employees and visitors (customers), or that it would not disrupt the neighborhood, (which is an EDRN, entitled to greater protection under the certified LCP), it then insisted that the Chapter 50 "findings" preempted the CDP process.

In fact, throughout the CDP entitlement process, County staff repeatedly and solely referred to the zoning ordinance parking requirement, which is based upon building square footage, as the **only** parking requirement.<sup>12</sup> This misstatement was repeated in direction to the Planning Commission who were led to believe they could only apply the zoning requirements for parking. The clearly stated "Parking Plan" requirements of Santa Barbara County Chapter 50, which specifically addresses this issue, were completely ignored because it was and is clear that the 3823 Santa Claus Lane location cannot meet these "Parking Plan" requirements, now or in the future. Planning staff repeatedly advised the decision-makers (i.e. the SDRC, the S-BAR, and the Planning Commission) that decisions made in the Chapter 50 process were not in their 'purview' and could not be revisited. There was no appeal authorized from the Chapter 50 determination.<sup>13</sup>

In their Chapter 50 Parking Plan submission<sup>14</sup>, the applicants did not address the issue of *employee* parking at all, despite the explicit direction in the application to do so. Instead, the plans

---

<sup>12</sup> The Commission should take note of the fact that, while the EIR for the cannabis program which the Commission considered in 2018 concluded that impacts from **retail would be significant and unavoidable**, no "mitigation measures" specifically applicable to retail were included in the amended ordinance. Historically, where there is a finding of significant and unavoidable impacts under CEQA, there can be no finding of consistency with Coastal Act/LCP policy. Yet, in this case, the County failed and refused to require site specific review under CEQA based on their erroneous determination that this project could be exempt. Then they failed and refused to consider specific conditions to address or mitigate the policy inconsistency.

<sup>13</sup> Appellants repeatedly urged the Board of Supervisors from April of 2021 to exercise their legal authority to revoke the Chapter 50 determination based on misrepresentations of fact by the applicant. They refused to do so.

<sup>14</sup> Roots Parking Plan October

2020 <https://cosantabarbara.app.box.com/s/ge0j6w2aad1v0g3kcyzqynsgfsa4aym9/file/828238416984> Appellants maintain, as a fundamental and separate ground for appeal, that the County has unlawfully enabled the determinations made in their Chapter 50 licensing process to prejudice and effectively preempt their coastal

boasted of “22 dedicated spaces” for “customers of the proposed store” - without mentioning that three other businesses were occupying that site and were not included in the discussion. The 22 parking spaces were identified in the site layout as within the entire rear parking lot. The applicants also failed to mention anywhere in the application packet that half of those proposed 22 parking spots would actually be within Union Pacific Railroad property leased by the applicant. The report also mentioned a “shared pool of 15 spaces” in the public right of way/ roadway, without mentioning that some of those angled public parking spaces will be removed with the SCL streetscape improvements, and would not be on the property of the proposed cannabis store at 3823 Santa Claus Lane in any case.<sup>15</sup> **Finally, the Parking Plan represented that the square footage of the “proposed store” would be only 1666 square feet. [Please see Attachment 1 hereto, a photo taken by the undersigned on January 1, 2023 showing the proposed development at 4,235 square feet].**

The initial application packet and submission was also vague as to number of employees at any given time. In Section A1 of the Chapter 50 application, various employee positions are mentioned including security guard, General manager, inventory manager, five retail employees, receptionist. The application also asserts that “Roots will ensure a constant two-to-one customer-to-employee ratio in the retail area”.

This was proposed in addition to delivery drivers, and shipment and distribution personnel. Again, it is extremely important that the Commission consider the unique context of this proposed site: not only will it be located between the first public road and the sea, and compete directly for beach parking, but the *intensity of use* of the site may be unique as well: it is likely to receive product from up to 370 licensees at dozens of facilities approved in the coastal zone in the Carpinteria Valley. Through apps such as “Weedmaps”, it will provide a convenient location immediately off the Highway 101, which carries up to 50,000 ADT in this location.

The initial application also mentioned that “Roots will designate an unblocked area restricted to distributor vehicles. This space will be in the nearest possible proximity to the exterior door used for receiving”. Such a designated delivery area or parking spot does not appear in any of the applicant’s submissions. Nor has the County identified the *number* of deliveries each day, either the vans which deliver product, or the delivery vehicles going to customers, 12 hours a day, seven days a week.

Following submission of a CDP application, the applicant submitted plans in July 2021 for the Board of Architectural Review (SBAR) conceptual hearing. Those plans referenced **20 spaces** [19+1 accessible] and relied upon the UPRR- owned area. Appellants objected to the assumed use of UPRR leased area for parking, and, County Counsel agreed that applicants could not rely upon UPRR area to meet parking requirements. This is when the “project description”, -the proposed size of the cannabis space and the number of employees- began to be seriously misrepresented.

---

development permit process, in direct contradiction to the Commission’s modifications to their cannabis ordinance in 2018.

<sup>15</sup>In other cases- **in the inland area**- the County has imposed stricter parking requirements than in the coastal zone. [See, e.g. **Exh 61** Greenthumbs Dispensary], requiring long term agreements to provide off- site parking.

Roots' SBAR submission referred to "**8-12 employees on site at any one time....Employees will have the ability to park on site**". An 11/22/21 Memo from Roots representative asserted "*We estimate having 24 full time employees and 10 part time. Out of the 34 employees 28 will be dedicated to the retail store front and 6 will be dedicated to delivery. We anticipate 8-10 employees working at any given time.*"

The November 2021 architectural plans did not rely upon the UPRR portion of the parking lot to meet requirements. The plans provided only 12 spaces for employees all squeezed (now totally disregarding any customer parking requirement on the proposed property), into one side of the parking lot. There was no "dedicated delivery space" marked. While the parking spaces were removed from the UPRR portion of the lot, Roots' memo asserted, "*We have redesigned the parking layout to not park in the railroad lease area. We have studied numerous layouts and parking circulation options, but feel the proposed layout **utilizing the railroad lease area for maneuvering** is the safest for all tenants and patrons*". In fact, separate from the actual parking space issue, Appellants have pointed out, repeatedly, [testimony of Dr. Steven Kent] that there is not enough room or clearance on the side of the building for the necessary ingress/egress of vehicles without using, again, the leased land owned by the Union Pacific railroad. This fact should negate any presumed parking use behind the building. It has never been adequately addressed by the applicant, or Santa Barbara County staff.

On February 2, 2022, applicant submitted a revised explanation in response to the County's second "incomplete" letter requesting a more detailed analysis. This provided **no new information and continued to assert that the "12 dedicated spaces" in the rear of the building would adequately serve the new cannabis retail store** with no mention made of the other commercial uses on the same site. Appellant's expert submitted a review of the project at that time and noted:

***"The [applicant's] analysis evaluates a smaller project description and larger parking supply than is currently proposed and ignores parking demand generated by other tenants on the site. The parking demand study should identify employee and customer parking demand for all uses on the site and develop appropriate measures to ensure employees do not park on the street" [Exh 10 ]***

The applicant's submissions, and staff analysis, repeatedly ignored this expert testimony as well as the plain language on Pg 81 of the **Toro Canyon Plan** which appellant provided in the above analysis and which clearly states:

***"..additional businesses on Santa Claus Lane should provide on-site parking to accommodate the additional parking demand generated by the development".***

The 9/7/22 County Staff report for the Planning Commission Appeal noted: "There will be approximately **8 to 10 employees working during any given shift**. The property includes 12 on-site parking spaces. Four parking spaces will be dedicated (by signage posted on site) to on site Roots employees," The Planning Commission modified that condition to require that SIX of the parking spaces be dedicated to Roots employees or customers. This condition remains inadequate as to the number of employees expected "during any given shift". And it fails to address deliveries, or customer parking, at all. There is no mechanism for this condition to be monitored. Without a full-time monitor in the parking area, the condition is meaningless.

At the suggestion of County staff, at the 11<sup>th</sup> hour, -and again without any attempt to quantify the actual traffic impacts unique to the project location- the applicant produced an STDMP and proposed “employee incentives to reduce traffic and parking overflow” – including “Roots bucks” for in-store purchases of cannabis, and “free monthly bus passes”. However, this **condition is completely illusory**: the appellant submitted evidence that the nearest bus stop is over ½ mile from the Roots location, on the opposite side of 101, with limited stops and hours, and only travels to the downtown Santa Barbara transit center [See pg 13 appellants presentation to BOS: [Presentation - Appellant](#)] In his 10/26/22 review of this late submission, submitted as Exhibit 179, Appellant’s expert, Joe Fernandez/CCTC, stated:

“The STDMP parking demand estimates are inconsistent with the prior estimates”. Further, the applicant’s reliance on Pt Hueneme and Lompoc fails to take into account that there are several stores within a several block radius, while here, Roots would be the only store between SB and (for now) Hueneme/Oxnard, with immediate access to and from Highway 101. Further, the County’s findings, contained in the 2019 SCL Streetscape MND [Exhibit 101] only referenced peak hour trips. Mr. Fernandez concluded that the site as a whole needs to provide- without consideration of the extraordinary features of the location- (at least) 22 spaces total to address employee and customer demands. [Exhibit 179, Table I]

In the Board letter for the 11/1/22 BOS hearing, a new employee count was unveiled, with the statement: “*There will be approximately 8 to 10 employees working during any given shift, with a **maximum of five staff members** on-site at any given time.* This is the first mention of only FIVE staff members onsite. It is unclear where the other 5-7 employees will be, or the effect of this maximum on the so called 2:1 employee customer ratio. Previously, as noted above, the number of 8-12 or 8-10 employees at any one time was used. And, there is no condition which limits the number of employees on site at any time.

Despite all of the evidence presented, including expert testimony from Mr. Fernandez, the County imposed only two conditions, #30 and #31 that purport to address the impacts of the use of this particular location for a dispensary. First, with regard to the UP property, after appellants exposed the fact that the applicants did not and do not own the property on which at least half of the parking spaces they represented to be available for parking and ingress/egress are located, the County imposed a condition, #31 which purports to assure the long-term availability of the spaces. The Condition is not effective because it does not provide for any public review or further discretionary action. There is no assurance, especially given the history of this application, that the applicants/owners will in fact notify the County of changes to the lease, and there is no provision for **public notice or review** of any **determination by staff or County Counsel as to the adequacy of any alternative measures**. There is no provision mandating that in the absence of feasible enforceable alternative parking, the CDP will be revoked, nor any time frame for this to occur. The entire licensing process has been ‘effectively’ conducted behind closed doors by the County administration, up to and including the selection of Santa Claus Lane as an appropriate location for a dispensary. Any CDP must include feasible conditions which are enforceable in a transparent process.

Second, even with the increase from five (5) to six (6) spaces for employees, the conditions do not require that even the minimum number of employees represented by applicants will be accommodated with designated on-site parking. And, there is no provision for monitoring or enforcement of this requirement.



Third, as we have already demonstrated, the hastily produced parking management program will be completely ineffectual: the bus stop is too far away, and the bus route to downtown Santa Barbara is not an effective alternative. Payment to employees in cannabis discounts for taking a bus that does not exist is a fantasy.

**Thus, even with the last-minute staff-proposed “mitigations” it is clear that the project as approved does not include adequate, enforceable conditions to address the existing and future parking deficiencies from this particular use at this particular location, or their impacts. As the Coastal Commission has repeatedly recognized in cases from Venice to San Luis Obispo where a “de novo” hearing, at a minimum, was mandated, it is self-evident that the pressures and impediments to public parking for beach access and recreation will be exacerbated.**

It must also be brought to the Commission’s attention that the County’s enforcement of its parking “requirements” on Santa Claus Lane has been both discriminatory and fundamentally unfair. In fact, the day of the Board of Supervisors hearing, Nov. 1, with no warning, the County mailed a Notice of Violation to the Appellants herein, which contained grossly inaccurate allegations regarding the parcels they own on Santa Claus Lane. The County has now withdrawn the only serious allegation: that of an illegal change of use from restaurant to retail. In fact, the County has *conceded that this retail use was expressly permitted by the County* in the Appellants’ approved Development Plan and Coastal Development permit in 2005.<sup>16</sup> . While the County has failed to turn over pertinent documents under the Public Records Act, timely, or at all, it has nevertheless been established that these complaints of violation came from representatives of the applicants, (e.g., Joe Armendariz, and/or Dennis Bozanich).

The County has also filed or threatened to file Notices of Violation against virtually every opponent of the cannabis project doing business on the lane who has participated in the process, while they have failed and refused to pursue violations alleged against Roots/Radis, who undisputably performed interior improvements on their property in July of 2021, in anticipation of renovations for Roots, before they even filed their CDP application.

To be clear: the Appellants have no objection to strict enforcement of the coastal zoning ordinance. However, they, and other members of the public are entitled to have *equally* strict enforcement and application of Coastal Act standards in cases involving cannabis as in non-cannabis related development. The County has systematically privileged cannabis cultivation, cannabis processing and retail over any other use, especially in the First Supervisorial District, including over recreation and visitor serving uses on Santa Claus Lane, and over the public’s right to access the public beach. The Coastal Commission is the only agency with authority to insist that the County apply equally strict standards to cannabis in and outside of the coastal zone. In this case, the remedy is clear: the Commission should take jurisdiction over the permit and consider the matter ‘de novo’. The burden is and should be on the applicant to

---

<sup>16</sup> Of course, this concession came too late: **unknownst** to Appellants, or the public, the Board of Supervisors was informed, ex parte, of the complaint filed by Planning staff and initiated by Roots/Radis representatives of the alleged ‘pending’ violation prior to the hearing of Nov. 1. The Board- or at least the First District Supervisor’s bias against the appellants was palpable. While the other allegations: failure to paint a single white line to clearly indicate one of the spaces on their property, and the placement of two storage containers at the back of their property by one of their tenants have been ‘abated’, the County has failed to investigate, let alone pursue allegations of violation against the applicant for work which clearly required building and coastal development permits because it changed the use/intensity of use of their building.

prove their entitlement to a permit which meets the Commission's rigorous standards and is subject to the Commission's enforcement authority.

Finally, please note that our client has provided draft conditions to the County, which the applicants ridiculed, and which the County refused to consider, in their own 'mediation' process. In addition, our client has offered to work with the County to address the long standing parking and circulation conflicts on Santa Claus Lane and has suggested that competition for public parking in the road right of way should be addressed comprehensively by the County, through an application by their Public Works department for a Coastal Development permit for a parking program that clearly establishes a fair and appropriate allocation of available spaces to serve the beach going public, as well as the visitor serving and recreational businesses on the lane. We have had no response. Absent such a program, the absolute worst thing that the agencies can do is perpetuate existing problems by adding a new use- a cannabis dispensary- without rigorous analysis of their impacts and imposition of strict enforceable conditions on their operation.

Very Truly Yours,

/s/

Jana Zimmer

Attorney for Appellants

cc: Kate Huckelbridge, Executive Director

Meagan Harmon, Commissioner

Steve Kent and Nancy Rikalo



The image shows a white sign with a red border posted outdoors. The sign is titled "Notice of Proposed Development" and features the County of Santa Barbara logo. It contains handwritten information about a proposed cannabis dispensary project. The sign is placed in front of a grey fence and green foliage, with blue stones visible at the bottom.

**Notice of Proposed Development**

 **COUNTY OF SANTA BARBARA**  
**Planning and Development** www.sbcountyplanning.org

Case Name: THE ROOTS DISPENSARY Case #: 21CDH-00000-00029

Applicant: ED DE VINCENTE, AGENT Date Filed: 7-27-21

Address: 3823 SANTA CLAU LN APN: 005-450-012

Proposal: COASTAL DEVELOPMENT PERMIT TO ALLOW A CANNABIS STOREFRONT RETAIL  
KNOWN AS THE ROOTS. INTERIOR & MINOR EXTERIOR IMPROVEMENTS 4,235 s.f.

Case Planner: STEVE CONNER Phone #: 805-568-2081

Please check frequently for project status updates on our website at [www.sbcountyplanning.org](http://www.sbcountyplanning.org)

**From:** [Hudson, Steve@Coastal](mailto:Hudson.Steve@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe.Walt@Coastal); [Carey, Barbara@Coastal](mailto:Carey.Barbara@Coastal); [Christensen, Deanna@Coastal](mailto:Christensen.Deanna@Coastal)  
**Subject:** FW: Final Comment Letter - Item W12b - Roots Dispensary, Santa Claus Lane, Appeal # A-4-STB-22-0065 - OPPOSE Staff Recommendation of No Substantial Issue  
**Date:** Wednesday, February 1, 2023 5:09:38 PM  
**Attachments:** [Final CCPN SI Letter 13123.pdf](#)  
[SB County - Case Study.pdf](#)

---

---

**From:** Susan Jordan <[sjordan@coastaladvocates.com](mailto:sjordan@coastaladvocates.com)>

**Sent:** Wednesday, February 1, 2023 5:06 PM

**To:** Brownsey, Donne@Coastal <[donne.brownsey@coastal.ca.gov](mailto:donne.brownsey@coastal.ca.gov)>; Turnbull-Sanders, Effie@Coastal <[effie.turnbull-sanders@coastal.ca.gov](mailto:effie.turnbull-sanders@coastal.ca.gov)>; Bochco, Dayna@Coastal <[dayna.bochco@coastal.ca.gov](mailto:dayna.bochco@coastal.ca.gov)>; Wilson, Mike@Coastal <[mike.wilson@coastal.ca.gov](mailto:mike.wilson@coastal.ca.gov)>; Uranga, Roberto@Coastal <[roberto.uranga@coastal.ca.gov](mailto:roberto.uranga@coastal.ca.gov)>; Hart, Caryl@Coastal <[caryl.hart@coastal.ca.gov](mailto:caryl.hart@coastal.ca.gov)>; Aminzadeh, Sara@Coastal <[sara.aminzadeh@coastal.ca.gov](mailto:sara.aminzadeh@coastal.ca.gov)>; Rice, Katie@Coastal <[katie.rice@coastal.ca.gov](mailto:katie.rice@coastal.ca.gov)>; Harmon, Meagan@Coastal <[meagan.harmon@coastal.ca.gov](mailto:meagan.harmon@coastal.ca.gov)>; Escalante, Linda@Coastal <[linda.escalante@coastal.ca.gov](mailto:linda.escalante@coastal.ca.gov)>

**Cc:** Huckelbridge, Kate@Coastal <[Kate.Huckelbridge@coastal.ca.gov](mailto:Kate.Huckelbridge@coastal.ca.gov)>; Hudson, Steve@Coastal <[Steve.Hudson@coastal.ca.gov](mailto:Steve.Hudson@coastal.ca.gov)>; Susan Jordan <[sjordan@coastaladvocates.com](mailto:sjordan@coastaladvocates.com)>

**Subject:** Final Comment Letter - Item W12b - Roots Dispensary, Santa Claus Lane, Appeal # A-4-STB-22-0065 - OPPOSE Staff Recommendation of No Substantial Issue

Dear Chair Brownsey and Honorable Commissioners,

Please find the California Coastal Protection Network's final comment letter in opposition to the Staff Recommendation on No Substantial Issue for the Roots Cannabis Dispensary proposed for Santa Claus Lane - a highly popular beach access location with limited legal parking. I have also provided Attachment A that describes the flawed CEQA review process in Santa Barbara County. I included this as background information as it is difficult to understand how this inadequate process came to pass, especially since Santa Barbara is the ONLY county in CA that handled the introduction to cannabis after the passage of the AUMA in this manner.

I should also note that I have lived in Santa Barbara for 22 years, have frequented this location (when I could find a parking spot!), and am very familiar with the situation on the ground. I also voted for the AUMA and support cannabis legalization both in CA and at the federal level. Finally, given the unique and unfortunate permitting process in Santa Barbara County that has encouraged the proliferation of large-scale corporate grows, I have worked on state legislation since 2019 to increase protections and support for smaller scale legacy growers who were supposed to be the 'first-out-of the gate' under the AUMA, but who were largely shut out once the state allowed 'stacking' of licenses.

Should you have any questions, I am happy to answer them prior to the hearing since there is no provision for CCPN to testify.

Sincerely,

Susan Jordan

1. CCPN Final Comment Letter

2. Attachment A

***Susan Jordan, Executive Director***

California Coastal Protection Network  
2920 Ventura Drive  
Santa Barbara, CA 93105

Ph: 805-637-3037

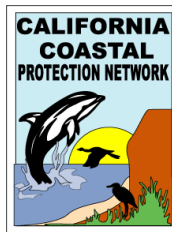
[Email:sjordan@coastaladvocates.com](mailto:sjordan@coastaladvocates.com)

[www.coastaladvocates.com](http://www.coastaladvocates.com)

*"Our lives begin to end the day we become silent about things that matter."*

*- Martin Luther King, Jr.*

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system. Thank you.



January 31, 2023

California Coastal Commission  
89 S. California Street, Suite 2000  
Ventura, CA 93001

**RE: Letter in Support of Finding of Substantial Issue, Roots Cannabis Dispensary – Item W12B, Appeal Number A-4-STB-22-0065, 3823 Santa Claus Lane, Santa Barbara, CA.**

Dear Chair Brownsey and Honorable Commissioners,

I am writing on behalf of the California Coastal Protection Network (CCPN) to strongly encourage the Coastal Commission to **reject** staff's recommendation of **No Substantial Issue** for the Appeal of the Roots Cannabis Dispensary proposed for Santa Claus Lane and to **Find Substantial Issue** does indeed exist.

To point, Staff's concurrence with the County's position that the provision of only 6 parking spots (not 12 parking spots as implied in the Project Description<sup>1</sup>) for six employees and 'customers' at this constrained location – a location which will provide not only on-site retail sales, but deliveries to customers, *and* receipt of deliveries from nearby cultivators, that is adjacent to a Highway 101 exit/on-ramp to attract highway/out of area visitors - will not adversely impact highly limited existing informal public access parking on Santa Claus Lane is hard to comprehend, especially by anyone who has visited and attempted to recreate at this location as I have over my 22 year residency in Santa Barbara. And given that **legal** public access along this stretch of coast on both to the north and south of Santa Claus Lane is practically non-existent, it is imperative that what little access does exist be protected and enhanced.

To truly understand why the idea of placing a cannabis dispensary in this prime **beach access** location is highly problematic and why the community is so opposed to it, especially when other appropriate commercial locations in nearby Montecito and Summerland **were not even considered** by the Board of Supervisors, it is critical to understand how Santa Barbara County has been transformed, in just five short years, into the legal cannabis capital of California<sup>2</sup> and how the small, sleepy city of Carpinteria, located almost entirely in the Coastal Zone, became the ultimate sacrifice zone.

CCPN first expressed concern regarding the impacts of Santa Barbara County's Cannabis Ordinance to the Coastal Commission and its staff as far back as 2019 describing the alarming unfettered proliferation of cannabis cultivation sites in Carpinteria in the Coastal Zone and urging the Commission to step in and protect the resources within its jurisdiction. While I understand the funding constraints that limit staff's ability to take on all issues, it pains me to say that staff did not respond to those concerns and has since assumed a largely hands off posture that has left residents within the

---

<sup>1</sup> The Project Description on p.1 of the Staff Report is somewhat misleading in characterizing the parking situation. To clarify, the proposed dispensary is located within a larger commercial building that contains other lease spaces including an architect's office and a clothing store. The Project Description on p.8 indicates that there will be 8-10 employees working during any given shift with a maximum of 5 on-site at any time. While it is unclear how that 'works,' with only 6 dedicated spaces, employees could easily occupy 5, leaving 1 parking space for customers.

<sup>2</sup> [The world's largest pot farms, and how Santa Barbara opened the door](#), Los Angeles Times, June 12, 2019, p.1

Carpinteria Coastal Zone at the mercy of the County who has uniformly rejected almost every appeal brought before it. However, what distinguishes **this** appeal is that it is the **first project** approved by the County that creates significant **conflicts with public access to the beach and the provision/protection of lower cost recreation**, which are primary goals of the Coastal Act. If there is any time the Commission must act to ensure these resources are protected, it is now. And it can only do so by finding Substantial Issue and holding a De Novo hearing.

At numerous points in the staff report, staff relies on the County's 'CEQA process', defers to the County's assertions of 'adequate' CEQA review' or relies on the County's 'analyses.' In CCPN's estimation, this is an error in judgement given that Santa Barbara County has become the well-known poster child for adopting a deeply flawed and inadequate Programmatic EIR that found 12 Significant and Unavoidable Class 1 Impacts that were ignored via a Statement of Overriding Considerations. The Overriding Consideration cited was driven by the Programmatic EIR's **sole** goal *"to develop a robust and economically viable legal cannabis industry to ensure production and availability of high-quality cannabis products to help meet local demands, and, as a public benefit to improve the County's tax base."*

This narrow rationale combined with the unusual and unorthodox approach Santa Barbara County took (See Attachment A) in issuing thousands of provisional licenses resulted in:

- A lengthy investigative series in the Los Angeles Times:
  - o [The world's largest pot farms, and how Santa Barbara opened the door - Los Angeles Times](#)
  - o [Weed, and marijuana money, are dividing this seaside town - Los Angeles Times](#)
  - o [Grand jury slams Santa Barbara supervisors over cannabis grows - Los Angeles Times](#)
  - o [Cannabis farm was a model for California's legal industry. Then came a sheriff's raid - Los Angeles Times](#)
- [A Santa Barbara County Grand Jury Report](#) that condemned the County's process and called for extensive modifications to the County's ordinance.
  - o In addition to numerous concerns identified in the Report, the Grand Jury called out the inappropriate preparation of a Program EIR that "allowed for a more cursory analysis rather than the Project level as was performed in other counties. When considering the EIR was "cranked out in less than thirty days" by the P&D staff, the use of a Program EIR becomes telling."<sup>3</sup>
- Numerous appeals and nuisance complaints by local residents seeking appropriate environmental protections from cascading impacts from projects situated in proximity to sensitive receptors including schools, health facilities, etc.
  - o See [news articles](#) by Melinda Burns for the Santa Barbara Independent for in-depth descriptions of numerous appeals and overrides to citizen concerns.
- The filing of [dozens of criminal complaints](#) by the Santa Barbara County District Attorney since the Board of Supervisors approved the Programmatic EIR and permissive ordinance in 2018.

The appeal submitted to your staff by attorney and former Coastal Commissioner Jana Zimmer on behalf of her clients presents clear issues of inconsistency that should be taken seriously by the Commission.

But, from CCPN's experience, what distinguishes this appeal from all others is the singular fact that it has the potential to adversely impact public access in an area where access is already constrained and safety issues already exist. Logically speaking, does anybody really believe that when customers, or delivery people pull up to this dispensary and the 6 designated parking spaces behind the building are occupied by the 5 on-site employees that they will just drive away and come back another time? And what is there to prevent customers and delivery drivers from parking in the highly

---

<sup>3</sup> Santa Barbara County Grand Jury Report, 2019-2020, See pages 5-6, <https://sbcgj.org/wp-content/uploads/2022/02/Cannabis.pdf>

coveted and limited beach parking spaces? Is there signage fining them if they do? No. Are the incentives<sup>4</sup> the applicant says it will offer to customers and employees to reduce parking 'overflow' enforceable or a condition of the CDP? No, they are not. The County had the opportunity to address these issues before this Appeal was filed, but they declined to, which makes it imperative that the Commission step in, do their own independent analysis of impacts, and impose conditions that will protect what little access currently exists.

Finding 'Substantial Issue' does not mean that the Roots Dispensary that is proposed to be located in this prime oceanfront public access location will not be built. It does mean that any approval that may be forthcoming will be protective of the general public's right to access the beach and ensure that the assertions and promises made by the County are actually delivered upon.

CCPN realizes that cannabis cultivation, processing and retail operations in the Coastal Zone are a relatively new phenomenon and that policy is being made 'as it happens.' Had we known the dangers of the path that Santa Barbara County, unlike other counties in CA, embarked on back in 2018, we would have been able to ensure that protective policies were in place to guide all forms of cannabis development in a sustainable manner that implemented the intent of the Adult Use of Marijuana Act approved in 2016. That being said, it is critical that the Commission be able to review this project to evaluate the conflicts with its primary mission under the Coastal Act – the preservation and enhancement of coastal access and recreation.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Jordan", with a stylized flourish at the end.

Susan Jordan, Executive Director  
California Coastal Protection Network

---

<sup>4</sup> CCC Staff Report, P.27, paragraph 2 references incentives for customers and employees to reduce traffic and parking overflow, but states that these are "not required by special conditions of the subject CDP."



## **ATTACHMENT A**

~ Data current as of 7/22/2022~

### **Case Study: How Santa Barbara County compromised the Adult Use of Marijuana Act (AUMA) and undermined CEQA review on large scale cannabis operations**

Shortly after the AUMA became effective in 2016 with its lofty promises of environmental protection, Santa Barbara County – unlike any other County in California – embarked on an ambitious scheme to usher in the cannabis industry. The 2019 LA Times [investigative series](#) documented how it worked:

*“Lobbied heavily by the marijuana industry, Santa Barbara County officials opened the door to big cannabis interests in the last two years like no other county in the nation, setting off a largely unregulated rush of planting in a region not previously known for the crop. County supervisors voted not to limit the size and number of marijuana grows. They chose not to vet growers’ applications for licenses or conduct site inspections.”*

How the County’s unique scheme worked is outlined below:

**Acceptance of Unverified Affidavits:** SB County allowed anyone who stated that they were growing medical marijuana in compliance with the Compassionate Care Act on or before January 2016 to sign one-page ‘affidavits’ which were accepted at face value without verification. The limit at the time was for 6 plants. Over 250 affidavits were accepted and approved with multiples coming from the same individuals despite their clear inconsistency with the limits for medical grows.

**Unverified Affidavits Designated by the County as Legal Non-Conforming Use:** The County then proclaimed, again without verification, that these affidavits constituted a ‘legal, non-conforming use’. These ‘affidavits’ then became a self-identified Cannabis Registry of supposedly legal cannabis cultivators in SB County.

**Unverified Affidavits Accepted by the State who issued Temporary Licenses:** The County forwarded the affidavits with a letter of authorization to the State who issued the holders temporary licenses – again without any verification. Multiple temporary licenses – some well over a hundred - were issued to individual operators.

**Approval of an Inadequate Programmatic EIR based on Overriding Considerations:** The County then prepared a Programmatic EIR whose sole goal was: “to develop a robust and economically viable legal cannabis industry to ensure production and availability of high quality cannabis products to help meet local demands, and, as a public benefit improve the County’s tax base.”

Despite the PEIR finding 12 Significant and Unavoidable Class 1 impacts to Prime Agricultural Resources, Air Quality, Noise and Traffic, the County Supervisors certified

the PEIR on the basis of over-riding considerations. As a result, the County cannot limit the size of an operation, require odor control technologies, require larger setbacks from sensitive receptors like schools, etc.

**No Site Specific CEQA Review Conducted at the Local Level:** Because of the certification of the Programmatic EIR, no site-specific environmental review is conducted on cannabis land-use applications. Instead, County planners work with applicants on a 'checklist' to determine if the operator is in compliance with zoning, etc. There are no stringent odor control regulations, no limits on parcel size, no limits on the percent of acreage on a parcel that is allowed for cultivation by an operator, etc.

**Subsequent Appeals of Project Approvals Routinely Denied Based on Consistency with an Inadequate PEIR:** Residents, legacy vintners, schools, and community organizations have filed numerous appeals of project approvals which are routinely denied on the basis of the inadequate programmatic EIR certified by the County. Similarly, residents who have filed over 2,340 odor complaints since mid-2018 are routinely ignored by County Staff and Supervisors who claim they cannot address or control the odor because they cannot identify which cannabis operation is causing them.

**As a result of Santa Barbara County's inadequate Programmatic EIR and permissive cannabis ordinance, Santa Barbara remains ahead of both Humboldt and Mendocino counties in number of provisional licenses and, in CCPN's opinion, has done more than its fair share of adding to the glut of cannabis in CA, the depression of cannabis pricing and the decline of cannabis tax revenue.**

According to CCPN's review of outstanding provisional licenses listed on the Department of Cannabis Control's website (as of 7/22/2022), the breakdown shows that Santa Barbara holds 11% of all active provisional licenses (940) in California after Los Angeles County (1509), however it should be noted that most of LA County's licenses are for manufacturing and retail outlets. In contrast, Humboldt County which is considered the 'birthplace' of cannabis cultivation is third **behind** Santa Barbara with 888 active provisional licenses, followed by Mendocino County (814).

Active Provisional Licenses	Total Number	Total Percent
All Counties	8350	100%
Los Angeles	1509	18%
<b>Santa Barbara</b>	<b>940</b>	<b>11%</b>
Humboldt	888	11%
Mendocino County	814	10%
Monterey County	520	6%
San Luis Obispo	37	.04%
San Mateo	19	.02%

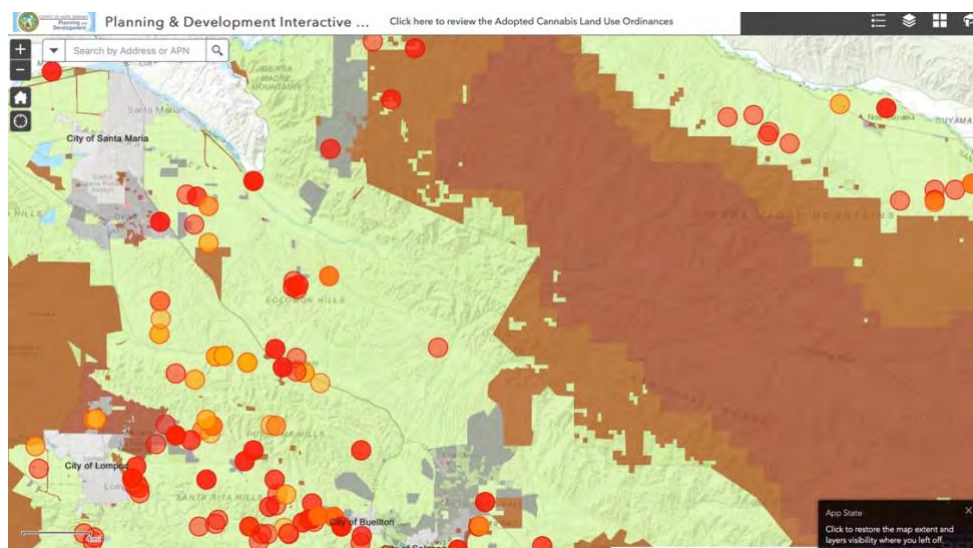
Further, an examination of who holds these provisional licenses is illustrative. In Santa Barbara County, single corporate owners control hundreds of these active provisional licenses enabling large scale corporate grows to dominate the landscape; more than half (56%) of all active provisional licenses in the County are controlled by just six entities as detailed below.

<b>Top 5 Active Provisional License Holders in Santa Barbara County</b>	<b>Total Number</b>	<b>Total Percent</b>
Total	940	100%
Heirloom Valley	171	18%
Central Coast Ag Farming	134	14%
Ag Roots LLC	104	11%
Gypsy Canyon	43	4%
Valley Crest	41	4%
Ceres	37	4%
<b>Top 5 Provisional License Holders Control</b>	<b>530 active provisional licenses</b>	<b>56% of active provisional licenses</b>

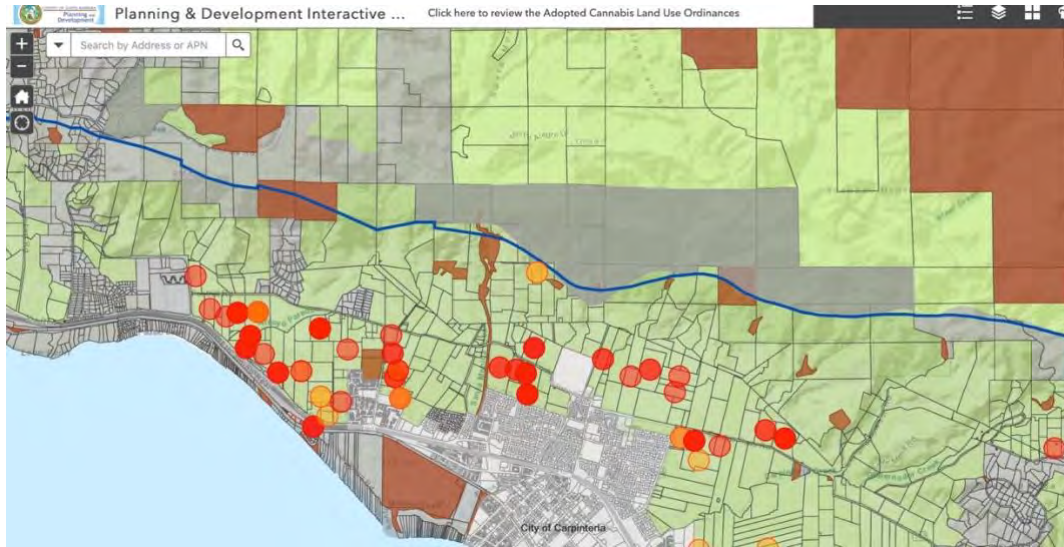
As indicated earlier, because of the adoption of a permissive “Programmatic EIR”, **no site-specific** environmental review is conducted on cannabis land use applications. The vast majority of applicants have been growing continuously since being allowed to self-attest in December of 2017 in order to receive their State temporary and then provisional licenses.

**As reflected on the County CEO website, only 20 of the 60 inland projects have completed local permitting and licensing; 12 of the 35 listed cultivation sites in the Carpinteria overlay have completed local permitting and licensing.**

Below is a map of the Northern and Central parts of Santa Barbara County- historically agriculture and wine country—each red dot signifies unpermitted and/or unlicensed grow



Below is a map of the Carpinteria Valley—each red dot signifies a cultivation site whose permitting & licensing is incomplete.



### **Conclusion:**

As detailed above, Santa Barbara County is a prime example of how CEQA review at the local level may be entirely inadequate to ensure adequate protection from impacts.

~ Data Current as of 7/22/2022~

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065  
**Date:** Thursday, February 2, 2023 12:42:10 PM

---

---

**From:** Surf Happens <info@surfhappens.com>  
**Sent:** Thursday, February 2, 2023 11:24 AM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Cc:** rikalokent <rikalokent@cox.net>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065

To whom it may concern,

Surf Happens would be the closest business to the proposed cannabis store on Santa Claus Lane. We are a youth based business and oppose this location 100%. Santa Claus Lane is a family oriented retail area and anyone that comes here knows it's no place for a Cannabis store.

Please reconsider this location.

Aloha,



**Jenny Keet**

3825 Santa Claus Lane,  
Carpinteria 93013

e: [jenny@surfhappens.com](mailto:jenny@surfhappens.com)

t: [805-966-3613](tel:805-966-3613)

m: [805-235-8783](tel:805-235-8783)

w: [surfhappens.com](http://surfhappens.com)

---

**From:** jstassinios@aol.com <jstassinios@aol.com>

**Sent:** Friday, February 3, 2023 4:30 PM

**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>

**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

To the Calif. Coastal Commissioners,

Please allow a fair, de novo permit appeal hearing to go forward due to the fact that there are substantial issues with the Roots Cannabis Retail Project at Santa Claus Lane.

The change of use to a cannabis retail shop will impact coastal access on Santa Claus Lane which has narrow road access and not enough street parking for the current retail stores, restaurants and beach access.

Santa Claus Lane has long been a location for families to visit and enjoy the beach and shops. Also, during the summer time many surf camps for kids are located there. Having a "Pot Shop" there will discourage families from visiting the area. As long time residents of Carpinteria, my husband and I often enjoy dining at the Garden Market on Santa Claus Lane and wandering around the retail stores located there. Having a cannabis store on Santa Claus Lane will discourage us from dining there.

If permitted the Roots Cannabis Retail Project at Santa Claus Lane will be the Only neighborhood commercial cannabis store, in the coastal area, in unincorporated Carpinteria-Toro Canyon. The City of Carpinteria has Banned all commercial cannabis and Santa Barbara County allows Bans in other areas ie. Summerland, Montecito, Vandenberg Village etc. when those communities objected. Therefore, it is Unfair that the residents of Carpinteria are being forced to have a cannabis retail store, that they are opposed to, located in their community.

Please take into consideration the locals concerns related to having a cannabis retail shop located on Santa Claus Lane.

Thank you for your time and consideration,  
Jill Stassinios





February 3<sup>rd</sup>, 2023

RE: The Roots Carpinteria Dispensary Appeal #8-4 STB-22-0065

Dear Coastal Commission:

Thank you for the opportunity to express my support for the proposed dispensary on Santa Claus Lane and I urge you to follow the recommendation of your staff by making the determination of NSI.

I am the CFO and co-owner of Autumn Brands, a sustainable cannabis farm in Carpinteria. We focus on growing high-quality cannabis that uses zero pesticides, which means not even organic pesticides. We re-use and recycle all our irrigation water and have all organic waste turned to compost. We are a women owned and multi-family owned business that cares deeply for this community and our environment.

This exemplary and well thought out retail cannabis project has the potential to bring much needed economic vitality to the region, and to generate significant tax revenue for state initiatives and priorities including the environment, law enforcement, youth diversion programs, and public safety.

This location has historically been used for retail and wouldn't provide any change in environmental impacts to our Santa Barbara Coastline. The adult residents of Carpinteria, Summerland and Montecito deserve local access to a regulated and licensed cannabis dispensary. This will also increase tourism and tax dollars as tourists learn and visit licensed cannabis farms in Carpinteria and then immediately drive over to The Roots Dispensary on Santa Claus Lane to purchase the local brands.

Maire and Pat Radis have owned and responsibly taken care of this property for many years. We have personally worked with The Roots Dispensary in Lompoc for many years now. I hold a great amount of respect for the Radis's and the Roots team. They have always been professional, reliable, and community driven.

Please approve this project!

Yours truly,

Autumn Shelton  
CFO/ co-owner

# SANTA BARBARA COUNTY TAXPAYERS ASSOCIATION

February 3, 2023

455 Market Street,  
Suite 300  
San Francisco, CA 94105

Dear Coastal Commissioners,

I am writing to you today to offer our strong support of your staff's determination of No Substantial Issue regarding the Kent/Rikalo Appeal of the Roots Carpinteria retail store on Santa Claus Lane. There are many reasons to be in support of this project and why your staff's NSI determination should be adopted, but I want to focus on the fiscal angle and how that impacts the quality of life for the residents of Santa Barbara County.

Since 2018, two years after an overwhelming majority of voters in California voted in favor of Prop-64, the County of Santa Barbara has received and put to productive use significant sums of cannabis tax revenue. Indeed, by developing its Cannabis Ordinance, and by permitting cannabis cultivation in select and carefully thought-out areas of the County, the County general fund has received \$29,000,000 in discretionary tax revenue. In the upcoming fiscal year (2022-2023), which began on July 1, 2022, an additional \$11,000,000 in cannabis revenues are projected bringing the cannabis tax revenue total to over \$40,000,000.

There are some who choose to view the very positive fiscal impact to the County from cannabis as a negative. Or irrelevant at best. This includes the appellants. This way of thinking is misguided. The fiscal impact of legal cannabis, and its subsequent social, public safety, and economic impacts are not only important and relevant, it is very important and very relevant.

First, the voters of California, and Santa Barbara County, wanted cannabis to be legal, and taxed, and this was one of the main drivers behind its passage in 2016. Voters wanted cannabis to be legal, but they especially wanted it to be taxed, regulated, and tested, and perhaps more important than all of those things, they wanted the tax revenues to put to good use by their elected representatives. The



voters of California are some of the highest taxed citizens in the United States. Their financial interests are served well by widening the net for collecting taxes at the local, and state level. But it doesn't simply stop there. Meaning this is about much more than just a government accounting exercise.

The programs and services that are funded with local cannabis revenues are some of the most essential services and programs the County delivers to its 400,000+ residents. For example, almost \$9,000,000 has been used for cannabis enforcement costs. As pointed out already, the voters wanted recreational adult use cannabis to be legal, but they also wanted cannabis operators and producers to play by the rules to help mitigate its potential impacts. The revenues the industry generates each day, month, and year, allow the County to have the resources needed to enforce their rules on the cannabis industry. Adequate enforcement of cannabis rules results in a better quality of life for families in Santa Barbara County.

Cannabis revenues are also put to good use by making our local law enforcement capabilities stronger including by paying for body worn cameras and high-tech video equipment in our sheriff patrol vehicles. This helps protect the civil rights and safety of our citizens and our police officers. Other uses include library funding. So far county libraries have received \$2.1 million from cannabis revenues. Another \$785,000 is programmed for the current fiscal year bringing the total since 2018 to just shy of \$3 million. Libraries are a vital part of Santa Barbara County's education, knowledge, and research infrastructure. Before recreational adult use cannabis was legal, County libraries had to compete with other, and what were sometimes considered higher priorities. To be clear, libraries are a high priority.

Cannabis revenues to the County general fund have also helped address infrastructure needs, including for deferred maintenance on County owned buildings and vehicles, needs which are chronically underfunded due to other funding priorities. These types of expenditures are what you might call the meat and potatoes which are often given short shrift when competing with some of the cake and ice cream programs, e.g., alternative energy and other local green energy investments. The Board of Supervisors were also able to use cannabis revenues for the County's Covid-19 response. In fiscal year 2021-2022, \$2 million was programmed and allocated for that purpose. The list goes on but I'm sure you understand the point. However, perhaps you haven't connected these dots to the Appeal before you.

The illicit cannabis market remains ten times larger than the legal market. The havoc the illicit market creates cannot be minimized, nor should it be. It is a crisis that our kids can access cheap and illegal cannabis from criminal enterprises in Santa Barbara County. These unlawful enterprises are thriving today due to the lack of legal retail options in the adult use market in California, and Santa Barbara County. The negative impact on our children is profound. It has been said, and I believe it is true, more legal cannabis begets less illegal cannabis. Including and especially the cannabis marketed to our children. This alone should weigh heavily on the minds of all decision makers when sitting in judgement of well thought out legal retail cannabis projects. These fiscal and public safety issues are inextricably linked.

For these reasons, and many others too, I urge your commission to adopt your staff's recommendation by determining that Appeal No. A-4-STB-22- 0065 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

Sincerely,

Thomas Widroe  
Executive Director,  
Santa Barbara County Taxpayers Association  
Cell: 805.680.7772

February 3, 2023

Dear California Coastal Commission,

I am writing to show my support for the proposed Roots Carpinteria retail cannabis dispensary on Santa Claus Lane. Given the project meets all required guidelines, please approve the dispensary for full permits.

Roots Carpinteria plans to give 2% of its gross receipts to local nonprofits in Santa Barbara County, including numerous environmental organizations in Santa Barbara County like Heal The Ocean.

This commitment to giving back to the Santa Barbara County community is an important factor in my support of this dispensary. These nonprofits provide essential services to the community, and it is commendable that Roots Carpinteria is willing to make such a generous donation.

In addition to the charitable contributions, Roots Carpinteria will also create jobs in Santa Barbara County. This dispensary will create positions for both entry-level and managerial positions, providing job opportunities to people in the community. These jobs will not only provide economic opportunities to the people of Santa Barbara County but will also provide a sense of pride and purpose to those employed by Roots Carpinteria.

The dispensary will also help to reduce the stigma that often surrounds cannabis stores and dispensaries. Roots Carpinteria will be a safe and professional space for customers to purchase their recreational and medicinal cannabis products, and it will be a great example of how cannabis stores can be a positive part of the community.

By showing that these stores can be a positive presence, Roots Carpinteria will help to break down the stereotypes and stigmas that often surround cannabis.

For all these reasons, I am writing to show my support for the proposed Roots Carpinteria retail cannabis dispensary on Santa Claus Lane.

Sincerely,

Jacques Habra  
805.570.6777

February 3, 2023

Dear Coastal Commission,

I am writing to ask you to adopt your staff's determination of no substantial issue (NSI) regarding the Roots Carpinteria project in the Carpinteria Valley.

The dispensary will be an asset to the community, and I believe it should be allowed to open and operate.

Roots Carpinteria will make a positive contribution to the local economy by creating jobs for people just out of college, as well as offering a living wage to employees of all ages. This will enable many people in the area to gain employment and gain experience in the cannabis industry.

Furthermore, Roots Carpinteria will give back to the community by donating a portion of its profits to local nonprofits. This money can be used to fund a variety of programs and initiatives, such as after-school activities, educational resources, and health care services.

In addition, Roots Carpinteria will be an important part of the local cannabis industry by providing a safe, regulated place for customers to purchase cannabis products. Under the leadership of Maire and Pat Radis, the dispensary will be an advocate for responsible cannabis use and will also ensure that all products sold comply with state and local laws.

The Carpinteria Valley hasn't seen a great deal of economic growth in recent years, and I believe Roots Carpinteria will contribute to this needed growth. I urge the Coastal Commission to allow Roots Carpinteria to open and operate on Santa Claus Lane by supporting your staff's NSI determination.

Sincerely,

E'Ana Bordon  
805-325-7313

February 3, 2023

Dear Coastal Commission,

I am writing in support of Roots Carpinteria, the retail cannabis dispensary located on Santa Claus Lane in Carpinteria, California.

I believe this dispensary will be a great asset to the community and I am particularly enthused about its commitment to giving back to the Santa Barbara County community.

Roots Carpinteria has pledged to donate 2% of its gross receipts annually to local nonprofits in Santa Barbara County, including environmental organizations like Surfriders and Heal The Ocean.

As a member of the Santa Barbara County community, I believe that the positive impact of this generous donation should not be overlooked. In addition to the money, Roots Carpinteria's presence in the community could bring about an awareness of the importance of protecting our environment. This awareness is especially important now as our world faces the climate crisis.

The dispensary's commitment to giving back to the environment is a testament to its commitment to making the world a better place. Roots Carpinteria is doing its duty by giving back to the community and setting a good example for others to follow.

In conclusion, I strongly support the presence of Roots Carpinteria in the Carpinteria community. I believe the dispensary will bring great benefit to the community of Santa Barbara County and I trust that the Coastal Commission will recognize this and support its staff's determination of no substantial issue raised by the opponents of the project.

Sincerely,

Tina Frontado  
Carpinteria – 805/637-9699

February 3, 2023

Dear California Coastal Commission,

I am writing to strongly support Appeal NO A-4-STB-22-0065 for a "No Substantial Issue" determination for the Roots Carpinteria dispensary.

Roots Carpinteria is committed to operating with the highest ethical standards and best management practices. This includes providing living wage jobs, ample guest parking, and donating 2% of gross receipts to local charitable groups and nonprofits when the store begins operating.

The dispensary's proposed location is in Carpinteria Valley, a tourist-friendly area that will benefit from Roots Carpinteria's presence. Not only will this dispensary offer a safe and secure environment for cannabis retail, but it will also contribute to the local economy by creating jobs and giving back to the community.

I urge the California Coastal Commission to approve the appeal for a "No Substantial Issue" determination for the Roots Carpinteria dispensary.

Thank you for your consideration.

Sincerely,

Luis Castaneda  
805-757-0031

February 3, 2023

Dear Coastal Commission,

I am a proud and concerned mother of an eleven-year-old son living in Santa Barbara County. As a single parent, I'm sure you can understand my concern with the issue of marijuana use among our youth.

I'm writing to you today to express my support for the Roots Carpinteria cannabis retail dispensary and to urge you to approve the coastal development permit for this business. I believe that by approving the permit for Roots Carpinteria, we can reduce the illicit cannabis market and keep our children safe.

The truth is that the illegal cannabis market is a major source of marijuana for our youth, and it is essential that we do everything we can to crowd this market out. By approving a legal retail store, we can also ensure that the cannabis products being sold are safe and regulated; a much better alternative than buying cannabis through the illegal market.

As Nancy Reagan famously said, "Just say no." I believe that we can work together to reduce the appeal of cannabis among our youth by making sure that the legally available cannabis products are not only of the highest quality and safety standards but are especially out of reach of our kids. Legal dispensaries do not sell cannabis to our under-age youth.

I urge you to approve the permit by denying the appeal for the Roots Carpinteria cannabis retail dispensary and help keep our children safe.

Sincerely,

Serena Plascencia  
804-698-2730

February 3, 2023

Dear Ms. Harmon,

This letter is to present the view to the Coastal Commission that I do not believe there are sufficient grounds to grant the appeal to the Roots Carpinteria retail cannabis project, which, from all accounts, conforms to the County's certified Local Coastal Plan and Coastal Act.

The appellant's criticisms of the project appear to have sources other than a genuine concern that the project is not consistent with existing county policies. For these reasons, I encourage you not to grant the appeal.

Thanks for your consideration and service.

Sincerely,

Lanny Ebenstein  
805-682-9815



---

**From:** Brian Edwards <brian@edwardscommercialinc.com>

**Sent:** Friday, February 3, 2023 3:42 PM

**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>

**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

Dear Coastal Commissioners:

When I was a child, my parents and grandparents took my brother and me to Santa's Village on Santa Claus Lane to ride the train, go to the toy store and eat a burger at Santa's Kitchen. It was a wonderland for kids.

Today, I still go down there to go to the beach and eat with my wife at the Garden Market and Padaro Beach Grill. It is often hard to find a parking spot there, due to all the beachgoers and businesses.

**I can't think of a worse place to put an Adult Cannabis Store.** There isn't one good reason to have it on Santa Claus Lane.

I hope you have the power and the foresight to block this ill-conceived idea.

Thank you for your consideration,

Brian

---

**Brian R. Edwards**

EDWARDS COMMERCIAL, INC.

1999 Avenue of the Stars, Suite 1100

Los Angeles, CA 90067

cell: (213) 361-0949 office: (310) 284-3115

DRE License # 00833356

**From:** SUSAN SORDELLO <[susan.sordello@comcast.net](mailto:susan.sordello@comcast.net)>

**Sent:** Friday, February 3, 2023 2:49 PM

**To:** SouthCentralCoast@Coastal <[SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov)>

**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

Dear Commissioners:

This letter comes to OPPOSE the addition of a cannabis store in Santa Claus beach village in Carpinteria.

We recently purchased a home on Padaro Lane as a long-term family vacation home; it will not be a rental. As such, we looking forward to many, many years on Padaro Lane as our family grows into grandchildren. We are friendly with our neighbors, some who have lived there for 70+ years, others who purchased last year, others who walk everyday with their dog. Our dog even has friends. Everyone we talk to says the same thing – the very reason we bought the house that we did: “Padaro Lane is a very special place.”

The Santa Claus Beach village is a dreamy, charming place to gather, dine and shop for people of all ages! The surf shop is charming; the kids' surf and lifeguard camp is iconic, the freeway is being greatly improved which will allow for easier access to and from the village, and new bike lane is being constructed. Padaro Beach Grill is teeming everyday with kids and young people. Please – let's continue to encourage people to visit the Santa Claus Village to take their kids to the surf camp, to shop the boutiques and dine. Let's not encourage them to use the Santa Claus Beach Village for a stop to buy pot.

Sincerely,  
Susan and Steve Sordello

**From:** kaye padaro.org <[kaye@padaro.org](mailto:kaye@padaro.org)>

**Sent:** Friday, February 3, 2023 2:44 PM

**To:** SouthCentralCoast@Coastal <[SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov)>

**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

**Dear Coastal Commission staff and commissioners:**

I speak on behalf of over 200 residents and homeowners on Padaro Lane, which is adjacent to Santa Claus Lane, and right down the street from the proposed cannabis store. Our neighborhood — along with the neighborhoods of Sand Point, Casa Blanca, Las Conchas, Serena Park and Santa Claus Lane — are overwhelmingly opposed to this location for a busy pot store.

We have been sending letters and speaking at hearings for over 2 years, and the County (in their rush to find a spot for this dispensary) has chosen to ignore our pleas. You are our last hope, and we hope you will listen.

**The public beach community of Santa Claus Lane is a poor location for a cannabis dispensary for the following reasons:**

- **Increased Traffic** on an already overcrowded and busy street. This will be the only cannabis store between Santa Barbara and Oxnard (since all other towns in between have refused them), and the traffic on this little street, where families are off-loading beach chairs, surfboards and kids, will likely double. If you lived in this area you would know how crowded this lane is during the peak season and all sunny beach days.
- **Poor Ingress and Egress** - To make the above traffic problems worse and more unsafe, there is only one way to enter Santa Claus Lane. This means all these cars and the pot delivery truck will be passing the Santa Claus beach access, the surf camps and surf stores, the family restaurants, etc. *twice as much* as they would on a normal 2-way street.
- **Lack of Parking on Santa Claus Lane** - On weekends and busy beach days, it is so hard to find parking on Santa Claus Lane that people are forced to park under the freeway underpass, along the east end of Padaro Lane, and even over on Via Real where they have to walk 1/2 mile. Furthermore, there is talk of opening up more vertical beach access points at Casa Blanca (very near the proposed pot store location) and Padaro Lane. Where will the public park?
- **Susceptible to Crime** - This location is right next to the freeway onramp (within 75 yards?), making it a perfect location for burglaries and crimes. It is a fact that Cannabis Stores are more susceptible to crime than regular retail, and this one has a quick exit onto the freeway. This is why banks make it a point to never locate close to freeway onramps. The A-Frame surf store down the street has already been burglarized. Do we want to attract more crime to this family beach community?

- **Incompatible with Neighborhood** - Dating back to the 1950s when Santa's Village offered a children's train ride, a giant Santa, a toy store, etc., Santa Claus Lane has been a place for families and tourists from all over to come and bring their kids. Today, the Lane boasts 2 surf stores, 2 surf camps, 3 family restaurants, a soon-to-open bike path, and even a skateboard camp located right next door to the proposed location. All of this within the Pacific Coast Trail! Does this sound like an appropriate place for a sophisticated Adult Cannabis Store? It's not that we are against cannabis, as we would not want a liquor store in this location either. When we pleaded with the County about this point, their response was "Neighborhood Compatibility does not have to be addressed for this permit." But shouldn't it be? Perhaps the California Coastal Commission will address it...

The above 5 points are just some of the main reasons the surrounding neighbors do not want a cannabis store on Santa Claus Lane. **A petition opposing this location has been signed by almost 300 residents in the area.** And I imagine if we took the petition statewide, we would receive thousands more signatures from people who have been coming here since they were kids and/or bringing their families here to the beach. (FYI: I spoke with an hispanic couple on Santa Claus Beach about it, and they love bringing their kids here from Santa Paula to experience the ocean. They were shocked they would put a marijuana store here.)

We hope you will listen to us and the public beachgoers, and deny this coastal location for a cannabis store.

**Thank You!**

Kaye

Kaye Walters  
Communications Director  
Padaro Association  
[kaye@padaro.org](mailto:kaye@padaro.org)

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 / Pat & Marie Radis (Santa Barbara County)  
**Date:** Friday, February 3, 2023 12:58:05 PM

---

-----Original Message-----

From: Dan Sarich <dans300@aol.com>  
Sent: Friday, February 3, 2023 12:35 PM  
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
Subject: 12b - Appeal No. A-4-STB-22-0065 / Pat & Marie Radis (Santa Barbara County)

Attn: Commissioners

We are residents of 657 Sandpoint Road. By way of this email we wish to express our opposition to the proposed cannabis store at 3823 Santa Claus Lane. For over 50 years Santa Claus Lane and the adjacent beach has been a destination for family oriented beach fun. During the spring/summer months there can be up to 100-200 children at the beach experiencing the family friendly ambiance.

A cannabis store located at the proposed location would run counter to all the existing Santa Claus Lane beach serving businesses. Furthermore, such a retail establishment would further contribute to traffic and the existing lack of parking.

We strongly urge the Coastal Commission to deny the permitting of the proposed cannabis store for the sake of preserving one of the last family friendly beach/roads in the area.

Respectfully submitted,

Daniel & Belinda Sarich

Sent from my iPad

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe.Walt@Coastal)  
**Subject:** FW: Item 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)  
**Date:** Friday, February 3, 2023 12:57:55 PM

---

---

**From:** Dick Bergmark <rlb.60@outlook.com>  
**Sent:** Friday, February 3, 2023 12:29 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** Item 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

**Request to Deny the Permit for the Retail Cannabis Store on Santa Claus Lane**

February 3, 2023

To The Coastal Commission:

Your decision on where to place a cannabis retail store is clearly a difficult one.

My letter to you today is not to oppose you allowing a cannabis store location, but it is to suggest that the Santa Claus Lane location is the clear example of where one, with a clean slate, would choose not to place a retail cannabis store.

Santa Claus Lane does not provide what a retail cannabis store needs:

A cannabis store should be placed where there is ample parking – we all know the terrible parking problems that exist today on Santa Claus Lane,

A cannabis store should not be placed in a residential area, yet there are homes and families in close proximity to Santa Claus Lane,

A cannabis store should not be anywhere near children, yet on Santa Claus Lane children are at play and are forced to walk along the road because Santa Claus Lane is so overcrowded already during the summer months.

I think you know that the proposed Santa Claus Lane location has none of the attributes making it suitable for a cannabis store. One would think the best location for a retail cannabis store would be a location with attributes that are pretty much the opposite of what the Santa Claus Lane offers. It should be placed in a non-residential area where no children play, and it should have its own parking and not be on a ramp to Hwy 101.

This is a good opportunity for you to reconsider this proposed location and choose instead to place the location well away from children, residences, and a neighborhood that does not support it.

Thank you for your sincere consideration to deny the permit.

Richard Bergmark  
3477 Padaro Lane  
Carpinteria, CA 93013

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: I am a long time property owner on Sand Point and I object !  
**Date:** Friday, February 3, 2023 12:11:25 PM

---

---

**From:** Janice Feldman <[janice@janicefeldman.com](mailto:janice@janicefeldman.com)>  
**Sent:** Friday, February 3, 2023 11:52 AM  
**To:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal) <[SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov)>  
**Subject:** I am a long time property owner on Sand Point and I object !

Submit Comment email to: [SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov) and write the item number in the Subject line: as 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

I strongly object to the cannabis  
store proposed for Santa clause lane in Carpinteria

The coastal commission has always been such an important guardian for our precious coast  
And it's resources

Not only do we have the adjacent wetlands and it's fragile nature to consider as well as security for  
the habitat to consider ..

There is not enough parking as it is regardless of replacing plans for cars now ... it has thru access to  
the freeway for cars to speed thru or speed away ..the street gets congested as it is, children come to  
Santa clause for surf camp during many months of summer

Little kids are constantly in the road  
Families come to relax at the beach and stop for lunch at the local eateries including the park near  
the padaro grill  
I have seen at least one dog killed on the street by a car ..

This is not a place for a pot shop!  
There are many places for rent in Santa Barbara with good access and more than adequate parking.

Please do not support the approval of a cannabis pot shop  
On Santa clause Lane in carpenteria .. it is plain wrong !!!

Please contact me if you have further questions ..

Sincerely

Janice Feldman  
Founder | JANUS et Cie



[janice@janicefeldman.com](mailto:janice@janicefeldman.com)

+ 1 (310) 502-8133

+ 1 (702) 672-7164

\*\*Please CC my assistant Jordan Newson [assistant@janicefeldman.com](mailto:assistant@janicefeldman.com)

South Central Coastal Commission

February 2, 2023

Re: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

Dear South Central Coastal Commission:

I am writing to state my strong desire for the Coastal Commission to uphold the appeal and deny the Coastal Development Permit for the Roots marijuana dispensary at 3823 Santa Claus Lane.

I have lived in the neighborhood, on Padaro Lane, for nearly 45 years, and have several issues with the Coastal Development permit for the marijuana dispensary on Santa Claus Lane:

1. A high-intensity cannabis store would have a negative affect on the traffic and parking on Santa Claus Lane. Even on a foggy day, parking on Santa Claus is nearly impossible to find. This is a very popular beach that attracts families with children, who often wander into the street, since cars park on both sides of the street. It is dangerous on a normal day. Having a dispensary retail store that would greatly increase traffic, thus making the street more prone to accidents.
2. There are substantial issues with the Roots cannabis retail project, and I ask that you allow a fair, de novo permit appeal hearing to go forward. The permitting process has not been appropriate, and the Board of Supervisors has not adequately listened to the neighborhood response. They appear to only listen to the marijuana industry and their requests.
3. Santa Claus Lane was targeted in 2019 by the CEO's office as the only potential place for cannabis retail in the First District. This action was taken without allowing the Coastal Commission to review the Chapter 50 ordinance change that narrowed potential locations. The CEO's office knew that the two sites on SCL that they considered were right next door to a popular surf school, which qualifies as a "youth center" under State law. Cannabis dispensaries are absolutely prohibited within 750 feet of "youth centers."
4. Santa Claus Lane, the adjacent beaches and neighborhoods are family-friendly coastal recreation locations and this is the only commercial retail location available to nearby residents. This is the wrong place to site a cannabis retail store, which would be the only such store approved in the coastal zone between Santa Barbara and Oxnard. There isn't a liquor store on Santa Claus Lane, or a place where you can buy cigarettes. Why does a marijuana dispensary make sense? It's simply the wrong location for one of only two dispensaries in Santa Barbara.

5. Currently there are hundreds of cultivation licenses within a two-mile radius surrounding the Padaro EDRN (the site of the proposed cannabis retail) and four other EDRNs in Toro Canyon. The cumulative impacts of the traffic alone from those operations is already impacting us. We believe we have contributed more than our share to the existence of the commercial cannabis industry in the Carpinteria Valley and Toro Canyon.

The residents, retailers, and people most directly impacted by this proposed marijuana dispensary overwhelmingly oppose it for many reasons. Those of us who live nearby and use this area must have a voice in this proposal, and we do not want a marijuana dispensary on Santa Claus Lane. I ask that you please uphold the appeal and deny the permit for the Roots marijuana dispensary at 3823 Santa Claus Lane.

Regards,

Brian Baker  
3281 Beach Club Road  
Carpinteria, CA 93013  
805-684-4827

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)  
**Date:** Friday, February 3, 2023 10:23:51 AM

---

---

**From:** Anna Carrillo <annacarp@cox.net>  
**Sent:** Thursday, February 2, 2023 8:04 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

To: Coastal Commission  
February 2, 2023

As a 50 year resident of the Toro Canyon Plan and a frequent user of the beach at Santa Claus Lane, I would like to make some comments regarding this project. My children and grandchildren use this beach all the time. I feel that the Coastal Commission needs to find substantial issue so this project will be entitled to a Appeal hearing/de novo permit hearing at a future date. I have attended all the previous meetings when this project has been discussed and have voiced my opposition at all of them.

1. A Neighborhood Compatibility Study was conducted by the County of Santa Barbara at the beginning of the process. The result of that meeting was that the neighbors and residents of the Toro Canyon Plan **DID NOT FEEL A CANNABIS RETAIL STORE WAS APPROPRIATE IN THIS LOCATION.** The results of the study were completely ignored by the County. One would think that when the county suggested a neighborhood compatibility study it was to determine if the nearby residents desired a cannabis retail store. Well the residents did not.
2. When this project was heard by the SB County Planning Commission, the County Planning Commissioner for this area voted no because he said it was **not compatible with the beach and the immediate residential neighbors that live within 200'**.
3. This area is a **family beach area** with tremendous popularity. Families come to this beach to enjoy the ocean and the nearby restaurants.
4. There are many, many children always walking around.
5. There are 2 surf camps operating here during the summer and during school vacation days.
6. There is no lifeguard nor police presence here so there would be no security personnel available in preventing cannabis customers from taking their product out to the beach and enjoying their purchased product.
7. Due to the popularity of this beach with free untimed parking, actually finding parking is very problematic as many people end up needing to park along Via Real, the frontage road in order to

come to this beach. The cannabis retail store will take up some needed parking for beach goers.

8. Add to the mix of pedestrians, cars looking for parking, traffic getting on the freeway, there will now also be a bike lane.

9. The retail cannabis store does have some parking in the back, but there is nothing that will force customers of the cannabis store to use that parking.

10. The number of minutes the owners are projecting for a purchase is unrealistic. There are some times where there will be 30 customers in an hour slot.

11. This narrow 2 lane roadway, about 1 1/2 mile in length, provides the only southbound entrance to the 101. I and many others from the EDRNs of Padaro Lane, Serena Park, residents of the Polo Club Condo on the north side of the freeway, and 100s of employees at the cannabis farms on the northside of 101 all use this entrance to enter the southbound 101. The traffic at times is unbelievable.

12. One of the surf schools right next to this property operates a skate board school so it definitely should count as a sensitive receptor.

13. Having this new business on Santa Claus Lane will impact this area very much. Santa Claus Lane is bookended with an exit from the 101 at one end and an entrance to the 101 at the other end of the 1 1/2 mile strip so Santa Claus Lane having those both will encourage many locals and tourists to drive through and stop at this cannabis store. Some may see it as easy off and easy on. This “easy on” and “easy off” may encourage would be thieves..

14. Since the Toro Canyon Plan was developed, Santa Claus has become quite the family destination place and having a cannabis retail store located here would ruin the family ambience and character of this lane.

15. This property is part of the Padaro Lane EDRN and was never envisioned to have this kind of retail store in this location.

16. The residents living in this part of Santa Barbara County do not want nor approve of having a retail cannabis store in this lovely beach location.

17. **Please respect the rights and desires of the neighbors living in this area and have a fair hearing on the merits and compatibility of this project.**

Thank you for your consideration,  
Anna Carrillo

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Cc:** [Christensen, Deanna@Coastal](mailto:Christensen_Deanna@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Santa Barbara County)  
**Date:** Friday, February 3, 2023 8:32:10 AM

---

---

**From:** Renee Newell <saassistant9@gmail.com>  
**Sent:** Thursday, February 2, 2023 6:13 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Santa Barbara County)

Dear Coastal Commission staff:

As an eight-year Sand Point Road resident of Carpinteria, I would like to express my strong opposition to the proposed location of the cannabis store at 3823 Santa Claus Lane. There is no more INAPPROPRIATE LOCATION in Carpinteria. I am not opposed to retail Cannabis locations; they just need to be sited in the proper setting.

I am very familiar with the proposed Santa Claus location. I travel Santa Claus Lane literally hundreds of times per year, as it is the access to my residence. As such, I am familiar with the make-up of the beach crowds that gather on Santa Claus Lane and the traffic, parking, and other associated issues.

There are many detrimental issues associated with the Santa Claus Lane proposed location. The following are what I deem to be the most serious:

Proposed location surrounded by children. California State, County and City policies dictate that Cannabis stores and kids do not mix. There are required setbacks from schools and kids' camps. Thus, this proposed location does not make sense. The location is in an area that has two surf camps and where a high percentage of those visiting the area are young children.

The proposed Cannabis Store will be high volume and high impact. I believe this site was selected because:

- o Of its access to Hwy 101, thus making it easy for out of out-of-area customers to find and access the location.
- o The cities of Carpinteria and Ventura do not allow retail Cannabis locations. The Santa Claus location will have a large

customer base to draw from and the and the sales from this location will be HIGH VOLUME.

The Cannabis store is not compatible with the other businesses on Santa Claus Lane. The customer base for the other businesses on Santa Claus Lane is made-up primarily of families with kids, visiting the adjacent beaches. A retail Cannabis location will be totally incompatible with the other family-oriented businesses.

Traffic and Parking during the summer months is already beyond what would be considered maximum. Cars are constantly circling to find parking spots. I have observed many close calls as kids are dashing across Santa Claus Lane to access the cars parked on the other side of the road.

The residents in the area who will be impacted by a retail sales outlet in this location, are in total opposition to this proposed location.

Please deny the Cannabis retail store use application for the Santa Claus location. As I stated at the start of this communication, it would be difficult to find a more INAPPROPRIATE LOCATION to site this store, in all of Santa Barbara County.

Sincerely,

Sarah Argyropoulos  
711 Sand Point Road,  
Carpinteria

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Cc:** [Christensen\\_Deanna@Coastal](mailto:Christensen_Deanna@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).  
**Date:** Friday, February 3, 2023 8:33:15 AM

---

**From:** michael.wehrle@yahoo.com <michael.wehrle@yahoo.com>  
**Sent:** Thursday, February 2, 2023 4:02 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

Good evening, Ladies and Gentlemen of the South-Central Coastal Commission. As a property owner on Padaro Lane in Carpinteria, CA, I am very concerned about the effect a retail cannabis store located on Santa Claus Lane will have on the youth in the area.

Santa Claus Lane provides Surf Happens, Santa Barbara's Premier Surf School ([Santa Clause Lane Santa Barbara | Surf Happens](#)) as well as another surf shop (aframesurf.com), which includes surf lessons and camps that target kids ages 4 and up. These entities offer not only surfing, but paddle boarding, kayaking, etc. All of which are activities targeted to keep kids happy, healthy, and away from drugs.

The area is also home to several family restaurants, such as Padaro Beach Grill, the Garden Market, and Thario Kitchen to name a few. There are also few specialty, gift boutiques in the area.

In addition to public beach access, this area has direct access to the California Coastal Trail ([Coastwalk California | Support the California Coastal Trail and our coast](#)), which as you know is another means for low-cost recreation offering activities, such as biking, skate boarding, and horseback riding to youths and families.

Finally, the store would also be close in proximity to the Carpinteria Salt Marsh [Carpinteria Salt Marsh Reserve - University of California Natural Reserve System \(ucnrs.org\)](#), which as you know provides habitat to several species of plants and animals listed as endangered, threatened or of special concern. It is also a nursery for California Halibut and other fish. This area offers on-site interpretative trails, teaching amphitheater, and public facilities. Yet another example of low-cost recreation offered to families and youth in the area.

This area is already congested with 150,000 visitors a year. I'm sure you're thinking that doesn't sound like a lot, but it truly is when you consider the small, narrow road off Interstate 101, that only offers side street parking a majority of which is parallel. Increasing traffic in this area is again putting the families and youth at risk, as children are always running in the roadway because they know the area is relatively low-key and safe.

There have been numerous studies that discuss the fact that California youth is more susceptible to drug use. Here's a link to just one of such studies: [Teenage Drug Use Statistics \[2023\]: Data & Trends on Abuse \(drugabusestatistics.org\)](#). Kids of families with low means are even more susceptible.

The Centers for Disease Control and Prevention discusses the negative effects cannabis has on teens and how it can impact their lives ([Teens | Health Effects | Marijuana | CDC](#)).

There have also been a number of studies conducted in Denver, Colorado and Long Beach, California that show property crimes increase in adjacent neighborhoods. Here is a link to just one: [From Medical to Recreational Marijuana Sales: Marijuana Outlets and Crime in an Era of Changing Marijuana Legislation | SpringerLink](#). Again, putting youth and their families at risk.

It's interesting to me that the city of Carpinteria just south of this area and the Salt Marsh Reserve



prohibits cannabis retail, but have they thought about the possible increase in crime in their areas with this retail cannabis store just down the road? Can you imagine intentionally exposing your children to these issues? Would you want this in your neighborhood? Adjacent to your neighborhood?

I know you have a tough decision to make and am confident in your ability to carefully weigh the issues and consider the impact a retail cannabis store will have on the area and its youth. I truly appreciate your time and consideration of this very serious matter.

With deepest gratitude,  
3493 Padaro Lane  
Carpinteria CA 93013

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12B-Appeal No. A-4-STB-22-0065 (Pat and enjoyment of Santa Claus Lane, Santa Barbara County)  
**Date:** Thursday, February 2, 2023 3:49:00 PM

---

-----Original Message-----

From: Doris McCloskey <dmc106@cox.net>  
Sent: Thursday, February 2, 2023 3:37 PM  
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
Subject: 12B-Appeal No. A-4-STB-22-0065 (Pat and enjoyment of Santa Claus Lane, Santa Barbara County)

To allow cannabis sales on the beach is not what we elected you to do.

Signed Doris McCloskey

Resident on Padaro Lane since 1956

Sent from my iPhone

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** A-4-STB-22-0065  
**Date:** Thursday, February 2, 2023 3:00:04 PM

---

---

**From:** Maria Hummer-Tuttle <mht@tuttleoffice.com>  
**Sent:** Thursday, February 2, 2023 2:53 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** Re:

Cannabis store on Santa Claus Lane. (I apologize for not being specific.) We are not in favor.

Sent from my iPhone

On Feb 2, 2023, at 11:47 PM, [SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov) wrote:



What project would you be referring to?

-----Original Message-----

From: Maria Hummer-Tuttle  
Sent: Thursday, February 2, 2023 2:09 PM  
To: SouthCentralCoast@Coastal  
Subject:

We concur with the Padaro Lane Association!  
Mr and Mrs Robert Tuttle  
Residents of Padaro Lane

Sent from my iPhone

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).  
**Date:** Thursday, February 2, 2023 2:48:18 PM

---

---

**From:** Barbara Eliades <[bjeliades@gmail.com](mailto:bjeliades@gmail.com)>  
**Sent:** Thursday, February 2, 2023 2:41 PM  
**To:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal) <[SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov)>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

My husband and I have owned an interest in the single family dwelling located at 3527 Padaro Lane, Carpinteria since 1986. I also own a single family dwelling located at 5452 Cameo Road in Carpinteria. We have brought our family to the Padaro Lane property on a regular basis for the last 36 years. Our family has regularly shopped and eaten at establishments on Santa Claus Lane, which has always preserved its small town and family centered atmosphere. I object to the proposed cannabis store on Santa Claus Lane. A cannabis retail store on Santa Claus Lane is not consistent with its family atmosphere. In addition, it will result in increased traffic in the area, which is already congested and which will have a negative impact on coastal access for all citizens. I have been astonished that the County continues to grant permits for cannabis projects in Carpinteria time and again over the objections of those who live in the area. I urge you to find that there are substantial issues with the Roots cannabis retail project. Thank you.

Sincerely,

Barbara J. Eliades

3527 Padaro Lane

Carpinteria, CA 93013

[Bjeliades@gmail.com](mailto:Bjeliades@gmail.com)



**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe.Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)  
**Date:** Thursday, February 2, 2023 2:48:12 PM

---

---

**From:** Laura Williams <lmw64@icloud.com>  
**Sent:** Thursday, February 2, 2023 2:17 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

Dear Members,

I have repeatedly voiced my concern regarding a Cannabis dispensary at 3823 Santa Claus Lane to our County Supervisors and it seems to have fallen on non-listening ears.

Such an establishment would interfere with the local community and visitors alike. A surf camp next to a pot shop? Families enjoying their time together at the beach, at lunch, and then having to explain to their children what is going on there? It's bad enough that Carpinteria has been nicknamed "Carpinti-weed-a."

If your true mission is to protect and enhance the California coast, allowing this pot dispensary would be in direct conflict.

Sincerely,  
Laura Williams  
591 Sand Point Road

Sent from my iPhone

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: cannabis store proposed for Santa Claus Lane 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).  
**Date:** Thursday, February 2, 2023 2:44:22 PM  
**Attachments:** [Proposed cannabis store location on Santa Claus Lane-2.pdf](#)

---

---

**From:** Stephen Carlson <steve@stephencarlson.com>  
**Sent:** Thursday, February 2, 2023 2:02 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** cannabis store proposed for Santa Claus Lane 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

Dear Coastal Commission commissioners,

I am a real estate broker and long time resident of Santa Barbara County and I have witnessed the blatant disregard of the County of Santa Barbara as it pertains to permit applications for decades. The question is not that it should not be there, the question is are the neighboring concerns being addressed in a meaningful way. It is the responsibility of government to take into consideration all of the factors concerning a project in order to be fair to all parties. In this case, the County has a policy of approving cannabis growers and cannabis retail locations without taking into account the neighboring concerns. Unfortunately we have had to live with the effects of their decisions for several years, and as a nearby property owner and real estate broker, I can tell you that there are obvious issues that we live with daily and will continue to occur when a homeowner or business decides to sell. If the County of Santa Barbara would consider all of the factors involved in approving their applications, people would feel that their concerns were considered and that all alternatives have been reviewed.

I have enclosed a letter that I wrote to the Santa Barbara Planning Commission which states what hundreds of people have written into the County about this permit application and a possible solution. Up to this point no one from the County, including our Supervisor, has addressed any of their concerns. I have offered a possible solution which has never been addressed or even considered. I would appreciate it if in your deliberations, you would consider the hundreds of residents who feel that this project does not meet all the requirements of granting a permit and consider the possibility of an alternate location.

Thank you for your time and your consideration of this letter.

Sincerely,

Stephen Carlson

From: Stephen Carlson <steve@stephencarlson.com>  
Subject: Proposed cannabis store location on Santa Claus Lane  
Date: September 5, 2022 at 1:32:12 PM PDT  
To: dvillalo@countyofsb.org

*Santa Barbara Planning commission,*

*As you are aware, hundreds of local citizens of the first district have written letters to the County in opposition to the proposed location of a cannabis store located on Santa Claus Lane. One of the main points has been the issue of security. Specifically that the proposed business has a high value product which can only be purchased in cash which makes it an easy target for theft. As you know, the businesses along Santa Claus Lane are primarily small businesses that cater to families and travelers. One is a surf camp for kids located next to the proposed business location, along with a restaurant, a catering company, a surf shop and another restaurant. None of these businesses require any additional security other than what normal businesses would have. Now the applicant wants to have a business adjacent to these businesses that require armed guards, sophisticated security*



*systems, cameras, special vaults for the containment of large amounts of cash, opaque windows and guns on the premises.*

*In addition this business would be located next to a freeway on ramp at the southern end of Santa Barbara County. I contacted Sherriff Bill Brown before the zoning hearing and asked him if he was aware of the proposed business on Santa Claus Lane and he said no. I asked our first district supervisor, Das Williams, if law enforcement concerns were a part of the approval process and he said yes. Well, if up to this point the Sheriff's office hasn't been consulted about the proposed business going into this location and they are the responsible agency for security of Santa Claus Lane, then you can imagine the concern that hundreds of people have with this application. In addition, as you are aware, our county is over 100 miles long and Santa Claus Lane is at the southern end of our county with a limited amount of law enforcement personnel. All of these factors along with the location at the entrance to a freeway on ramp adds to the concerns that*

*this location is an easy target for a robbery.*

*If this proposed business is located here and there is a robbery in the future, who is going to protect the adjacent businesses as well as the general public? The County is proposing developing the beach access adjacent to Santa Claus Lane businesses which will include the addition of 75 parking spaces along with sidewalks, lighting, restrooms and a railroad crossing. Has the County asked the Sheriff's department how they are going to protect the public and the adjacent businesses with the increased use of Santa Claus Lane? The Sheriff's department will have an addition burden placed upon them as a result of these improvements along with the proposed business. It's clear to everyone that this is an accident waiting to happen.*

*In the past, as you know, the County has had years of problems in enforcing the cannabis ordinance as well as the residents and businesses having to put up with years of the stink. Improvements in the County require responsibility to maintain the character and safety of the area. What confidence do you think your constituents*

*have that the County will step in and solve problems.*

*There is a solution that should be considered.*

*Since cannabis businesses are not dependent on adjacent retail traffic due to the nature of their product, they do not need to be located near other retail businesses.*

*Why not locate this business next to the cannabis growers across the freeway? They would not have any competing businesses, the neighborhood would be compatible, security would not be an issue as all the*

*businesses are heavily armed and they would not be located next to a freeway on ramp that reduces the chance of easy access.*

*This could solve a multitude of problems and concerns and does not put the County in the position of increased enforcement problems.*

*In the eyes of many of your constituents, the County looks like it is only interested in businesses that generate tax revenue at the expense of its residents. You have heard from many residents and adjacent*

*businesses that want their concerns addressed and not ignored. People who have invested their hard earned money running businesses and owning property do not want to be marginalized by County policies. You have a responsibility to be fair to all parties and that is all they ask. There is a solution that you should consider that has the potential to alleviate this problem and I hope that you will take it seriously.*

*Sincerely,*

*Stephen Carlson*

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: The Cannabis Store on Santa Claus Lane  
**Date:** Thursday, February 2, 2023 2:44:07 PM

---

---

**From:** Tamara De Matteo <tamdmmt@gmail.com>  
**Sent:** Thursday, February 2, 2023 2:02 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** The Cannabis Store on Santa Claus Lane

To Whom This May Concern:

I have been a merchant on Santa Claus Lane for the past 16 years, and I was extremely disappointed to hear that our neighbors Porch and then Folly were not renewing their leases only to find out that the owners of the building requested the County to permit them in having a cannabis store open to the public. The Lane is a special destination for many people to visit, especially families with children. Our customers come to enjoy the beach, eat and shop. The two surf shops offer classes for children and parents enjoy visiting the shops on the lane. When Porch and Folly were here, we all benefited from events, our customers came and had lunch and shopped at the 5 retail stores and Coast Supply's home collection. The vibe was family and spending a day on The Lane. The cannabis store has been a concern not just with us merchants, but to our neighbors as well. We already have customers asking what happened to the shopping and sales have dropped with the current vacancies. Feed back from my customers who live in Carpinteria Summerland and Padaro are not happy about this store. Already many of them smell the odor from what already has been allowed; our beautiful land and flower farms turned into cannabis farms. It is terrible what has been allowed in the Carpinteria Valley. Home owners who value their investments, very disappointing what the County has allowed. Unfortunately it's all about money from the rent that will be tripled to the monies that will be received, another concern for the safety of a street that can be vulnerable to theft. I would ask that you take into consideration all that is at stake here, not just one building, but all of us merchants who have worked hard to keep their businesses going all these years. A cannabis store is NOT in the best interest of us who are here daily wanting to see our businesses grow and desire to have more business with retail, food, family interests. The Lane is a destination and I just feel more of those types of interests would make more attractive to visit.

Thank you for your consideration in this matter,  
Tammy DeMatteo  
The Garden Market

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)  
**Date:** Thursday, February 2, 2023 2:43:53 PM

---

---

**From:** Cindy Scheid <cindys.mlco@gmail.com>  
**Sent:** Thursday, February 2, 2023 2:01 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

As the owner of the Padaro Beach Grill property, we are concerned that business may suffer with a cannabis store being located near the restaurant where many parents bring their children to eat and play in the sand box. Santa Claus Lane has always been a place with family friendly stores and restaurants.

Sincerely,

Howard Laguna, President  
Morehart Land Co.

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe, Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: Protest against cannabis dispensary on Santa Claus Lane in Carpinteria  
**Date:** Thursday, February 2, 2023 2:42:04 PM

---

-----Original Message-----

From: Madeleine Mueller <missymueller617@gmail.com>  
Sent: Thursday, February 2, 2023 1:32 PM  
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
Subject: Protest against cannabis dispensary on Santa Claus Lane in Carpinteria

Dear Coastal Commission Rep,

As a Carpinteria and Montecito resident for the past 50 years, I am appalled that anyone would propose putting a cannabis dispensary on a very popular family beach! I have 11 grandchildren and often enjoy taking them to the Padaro Beach Grill, located maybe 300 feet from the proposed pot store site. The Grill is absolutely the most popular family outdoor dining spot in Santa Barbara and Carpinteria because the kids have plenty of space to run and play.. and it is way too close to a pot shop for comfort!

I am a cancer patient and, if I chose to use cannabis products, can find plentiful locations nearby to purchase them. Additionally, I am closely related to several family members who have used recreational pot for the past 40 years and will testify to their erratic mood and attention swings that have developed as a result of prolonged use of marijuana products.

Please do NOT continue to support the premise that the customers of the dispensary will not use the products they purchase in the nearby area. And please do not expect us to believe that the only customers will be cancer patients or people who claim their illnesses will be alleviated by using pot products.

This is the absolute WRONG spot for a dispensary and it is up to you to demonstrate the intelligence that others, such as Das Williams, is lacking.

It ought to be a law that politicians cannot receive campaign contributions from groups(like pot growers) and then be allowed to vote for their dispensaries.

Madeleine M Mueller  
540 Hot Spring Road  
Santa Barbara, Ca 93108  
805-969-1808

Sent from my iPhone

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)  
**Date:** Thursday, February 2, 2023 2:40:57 PM

---

-----Original Message-----

From: Sam Holcombe <aframesam@yahoo.com>  
Sent: Thursday, February 2, 2023 1:10 PM  
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
Subject: 12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County)

To whom it may concern:

In response to possible Roots cannabis dispensary on Santa Claus Lane.

My wife Robin Holcombe and I (Sam Holcombe) are strongly opposed to having the dispensary on Sant Claus Lane. To be noted we don't disapprove this type of business in general.

Our main concern / worry is about safety for the pedestrians / customers of all the businesses. These types of business get robbed at gun point All The Time. And this particular location could not be easier access for a robbery. What kind of a reputation would a robbery like this leave on customers?

Our other main reason for opposition would include considerably more traffic to an extremely congested beach area filled with kids and families visiting multiple restaurants eateries and retail stores like mine. This is also 20 fold exacerbated in the summer time when there are up to 5 different Surf Camps and businesses giving Surf Instruction. Another thing to consider in my opinion was that at the SB County Board of Supervisors ( believe that was the group) meeting that I attended last year. There were easily 30 plus people (all the other local business owners, and all of the nearby homeowners associations) that were opposing this location. These are the people that live, work and own the business and homes some within 100 yards of the proposed location. I believe there were 3 people other than the people set to benefit from this business (none of whom lived near there or worked there) that were in support this location.

We hope that you strongly consider Not allowing this location for a Cannabis dispensary.

Thank you for your consideration.

Sam Holcombe  
Owner - A-Frame Surf Shop



**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Deppe\\_Walt@Coastal](mailto:Deppe_Walt@Coastal)  
**Subject:** FW: Appeal No. A-4-STB-22-0065  
**Date:** Thursday, February 2, 2023 12:43:40 PM

---

---

**From:** Elena Horak <elenahorak@gmail.com>  
**Sent:** Thursday, February 2, 2023 12:15 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** Appeal No. A-4-STB-22-0065

12b - Appeal No. A-4-STB-22-0065 (Pat and Maire Radis, Santa Barbara County).

To Whom it May Concern:

As a homeowner on Sand Point Rd I am writing today to express my concern over the cannabis shop proposed for Santa Claus Ln. There is already quite a bit of traffic from beach goers daily. The increase in traffic and congestion would definitely cause problems on the small lane bordering the 101 freeway. Children are going to surf camp, etc and should be free from adults' drug use you would think. It looks like no one wants such a shop in their neighborhood and they're probably right. It brings increased traffic, pollution and noise to a small street that already sees a lot of people parking to enjoy the beach or a bite to eat.

Thank you,

Elena Gaspar Horak  
635 Sand Point Rd.

--

Elena

February 1, 2023

Dear Members of the Coastal Commission-

I would like to express my full support for Roots Carpinteria in our community, and the sooner they open for business, the better. Having closer access to cannabis, *aka* plant medicine, will make a big difference to me. (Not having to navigate the 101 — any time of the day — would make a big difference to anyone!)

I don't know the proprietors, Pat and Maire Radis, on a personal level, but it is my understanding they have fully complied with all the rules and regulations required of them. There is no reason not to let Roots Carpinteria open for business. Not only will Roots Carpinteria make it easier for Carpinterians to get medicine, the store will add to the economic vitality of Santa Claus Lane.

Thank you for your consideration and thank you for your service.

Sincerely,

Amy Marie Orozco  
4806 Sawyer Avenue  
Carpinteria, CA 93013  
(805) 284-2622

Feb 1, 2023

Grant Cox Enterprises Inc.  
DBA Tarpitz Gardening & Landscapes License No. 844713  
Greenleaf Landscapes License No. 879295  
P.O. Box 629  
Carpinteria, CA 93014  
(805) 284-4993 Facsimile (805) 201-6684

California Coastal Commission:  
455 Market Street  
San Francisco, CA 94105

***Re: In Favor of Roots in Carpinteria***

My name is Beth Cox, and I am writing in support of 'Roots'  
I am a 46 year old resident of Carpinteria. I have a Doctorate of Law, I am a Rotarian, Vice President of Grant Cox Enterprises Inc, and just received the honor of Carpinterian of the Year 2020.

As a daughter who lost her Father to cancer in 2007, and her Uncle to Cancer in 2019, I know the important benefits of cannabis and the need for legal, accessible dispensaries for those suffering. This property is ideal for a dispensary, due to it's south end location in Carpinteria and ideal ample parking.

I spend most of my free time championing local causes such as: American Cancer Society, Foodbank, Carpinteria Children's Project, Carpinteria Education Foundation, Girls Inc, The Boys and Girls Club and I 100% not only support the location and owners of this new dispensary, but I know that the majority of our community is looking forward to their doors opening.  
Thank you for your consideration and Please Deny this Appeal.

Very truly yours,

Beth Cox, J.D.  
Vice President of Operations  
Grant Cox Enterprises Inc.  
DBA Tarpitz Gardening & Landscapes License No. 844713  
Greenleaf Landscapes License No. 879295

Begin forwarded message:

February 1, 2023

Dear Commissioners (CA Coastal Commission),

Thank you for allowing me to express my full support of Roots Carpinteria.

I'm a 2<sup>nd</sup> generation Carpinterian, mother of two boys, wife of retired Carpinteria Fire Captain, tax accountant, kidney donor, Carpinteria Booster and avid hiker. I'm very involved in local causes and lend my voice and support to issues concerning the health and wellbeing of our environment and community.

We live next to cannabis farms off of Foothill Road and have NEVER experienced any of the negative impacts opponents have claimed, in fact our experience has been just the opposite. Our property values have skyrocketed, traffic has decreased, crime is at an all time low and tourists continue to flood in. We actually feel quite grateful that our farmers have turned to a more environmentally friendly crop and can now provide a true living wage to their employees.

For those utilizing the benefits of cannabis, they deserve a beautiful and easy access location to procure product and I have full confidence that the Radis' will set a standard, not seen anywhere else. I visit Santa Claus Lane regularly and that end of the lane, which was once very dilapidated until the Radis' purchased it, has always had and still does have ample parking. Even when PORCH was in that building, parking was always available.

Thank you again for the opportunity to share my support and I sincerely hope you deem this project worthy of approval.

Candi Burquez

02/01/2023

Re: Roots Carpinteria

Dear California Coastal Commission:

My name is Christie Boyd and I have lived in Carpinteria for over 50 years. I have been a successful retail owner (Porch LLC) for over 10 years and an involved citizen in Carpinteria for decades. While leasing the 5823 Santa Claus Lane location for my business, I came to better know Pat and Maire Radis. They are hardworking, honest, generous people and firm believers in the medical benefits of cannabis and want the community to have access to those medical benefits.

Having been a tenant at this proposed dispensary location, I can attest that this is a perfect location for a cannabis dispensary. The location is on the far east side of Santa Claus Lane, far from the beach access and most other businesses and restaurants. There is ample parking in the back for staff and customers. In truth, this location, with Pat and Maire as the responsible that they are, is an ideal location for a cannabis dispensary.

I hope you support this project and Deny the Appeal.

Feel free to contact me with any questions or concerns you may have.

Sincerely,  
Christie Boyd  
805-220-8129

Feb 1, 2023

Dear Coastal Commissioners-

I am a resident of Carpinteria and have co-owned Porch, a retail shop located at 3823 Santa Claus Lane, for the past 10 years. We loved our location and our landlords and, in fact, the ONLY reason we gave notice and moved was because of the impending "Santa Claus Lane Project", which would have devastated our business. That being said, I think that 3823 Santa Claus Lane is the perfect location for a cannabis dispensary.

This location has private parking and a private entry to the store from the huge parking lot in back. There is always, except for major holidays like the 4th of July and Labor Day, plenty of parking in front, in fact it's deserted most of the time. These days, the only people who park at 3823 SCL are the owners and employees of neighboring businesses. 3823 Santa Claus Lane is a beautiful quiet location where people feel relaxed and happy to visit as the owners, Pat & Maire Radis, have put their hearts into creating a special destination.

The people who live in Summerland, Toro Canyon, Serena, and Carpinteria deserve to have a friendly local store and not have to drive to Ojai, Port Hueneme, Ventura or brave the freeway construction and congestion to downtown Santa Barbara. Carpinteria and Montecito are unfortunately not zoned for retail cannabis stores making the deserted end of Santa Claus Lane the best possible spot. **The County was absolutely right in making this area available for retail cannabis and we who live and work here support it enthusiastically.**

**Please do not let the people who live several miles from this destination determine what is right for the whole community.** I have spoken with many of our Porch customers and neighbors and they agree.

Thank you.  
Sincerely,  
Diana Dolan  
Porch LLC

February 1, 2023

Dear Chairwoman Brownsey,

As a 30 year resident of Montecito, CEO, mother, grandmother and supporter of legalized cannabis, I support the proposed Roots Carpinteria dispensary at 3823 Santa Claus Lane in Carpinteria.

I feel it's important that adults have viable and respectable access to legalized cannabis, with that access not hidden away as though illicit behavior is taking place. This location not only offers incredible esthetics and convenient parking, but incredibly caring owners Maire and Pat Radis will undoubtedly make this store one our community will be proud of.

Thank you again for allowing me to express my support.

*Diana Stan Langley*

**805-452-8083**

Feb 1, 2023

Dear California Coastal Commission-

Re: Roots Carpinteria – **Please Deny this Appeal (Feb 8, 2023)**

I am a resident of Carpinteria. I think that 3823 Santa Claus Lane is the perfect location for a cannabis dispensary. It has private parking and a private entry to the store from the huge parking lot in back.

The people who live in Summerland, Toro Canyon, Serena, and Carpinteria deserve to have a friendly local store and not have to drive to Ojai, Port Hueneme or brave the freeway construction and congestion to downtown Santa Barbara.

Carpinteria and Montecito are unfortunately not zoned for retail cannabis stores making the deserted end of Santa Claus Lane the best possible spot.

The County was absolutely right in making this area available for retail cannabis and we who live and work here support it enthusiastically.

Thank you for your consideration.

Heather Jenkins



Feb 1, 2023

To: California Coastal Commission

R: Roots Carpinteria- Please **Deny this Appeal**.

I reside in Carpinteria and **I fully support the dispensary at 3823 Santa Claus Lane**. I am a CPA by profession and so numbers interest me. Based on national statistics, we have fewer dispensaries per capita than any other state where recreational use is legal. To quote a recently publicized statistic "though Californians voted to legalize adult use marijuana in 2016, it remains largely unavailable in some of the biggest cities in the state. Out of the **482 cities** in California, 174 of them allow some form of licensed cannabis business".

As an active member of my community, and also through my service to various non-profit boards such as the Rotary Foundation, the Rotary Club, Carpinteria Dog Owners Group, Santa Barbara Bird Sanctuary, and Villa Del Mar Homeowners Association...the topic of dispensaries comes up often and the majority of those are in favor of the City/County capitalizing on this opportunity. I think the Santa Claus Lane location makes the most sense. It is in a commercial area, it has easy access, and its proximity is not close to schools or daycares. Our community has come a long way in accepting legalized cannabis, particularly the proven benefits this plant can bring to those suffering.

I believe it's not only important but it's also our right to have convenient and approachable access to this legalized product. The operators of this proposed dispensary have a proven and impressive record as environmental champions along with a dedication to restoration. Therefore, 3823 Santa Claus would greatly benefit from their commitment of revitalizing this vacant and neglected strip of real estate.

Thank you again for allowing me to voice my support if Roots Carpinteria and I respectfully ask that you **deny this appeal**.

Best,  
Lorraine McIntire, CPA  
1062 Palmetto Way #A  
Carpinteria, CA 93013  
408.859.9320

Dear Ms. Brownsey,

I am writing to you to express my full support for Roots Carpinteria in our community and the sooner they open for business, the better. Having closer access to cannabis, *aka* plant medicine, will make a big difference to me and to a vast part of the surrounding community. It's time the Carpinteria Valley has convenient access to cannabis products.

Patrick and Maire Radis are not only established business owners and Carpinteria residents with a deep respect for their community, they also have personally experienced the benefits of cannabis medicine. The Radis' have fully complied with all the rules and regulations required of them - there is no reason not to let Roots Carpinteria open for business.

Not only will Roots Carpinteria make it easier for Carpinterians to get medicine, the store will add to the economic vitality of Santa Claus Lane.

Thank you for your consideration and thank you for your service.

Sincerely,

Melinda Bie  
Publisher, Cannabis by the Sea Magazine  
Co-Owner, Bie & Bie Productions  
6745 Rincon Road  
Carpinteria, CA 93013

February 1, 2023

455 Market Street,  
Suite 300  
San Francisco, CA 94105

Dear Coastal Commissioners,

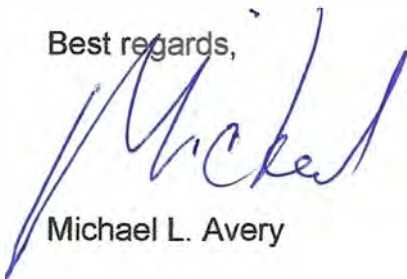
I am Founder of My Integrated Solutions, President of the Alcazar Board of Directors, member of the Carpinteria Lions Club, an avid supporter of Carpinteria and all area small businesses and a Carpinterian. I spend much of my free time working with local causes, always focused on the betterment of our community.

Legal cannabis has become a large part of the local agri-business segment in our community and supports all the businesses, non-profits, schools, and the community as a whole.

Roots Carpinteria will be a welcomed and valued addition to our community. This location will offer adult community members easy access to legal cannabis, as well as residents from Montecito and Summerland. Thus, improving the local economy and tax base. The available parking and beautiful architecture will compliment and integrate with surrounding businesses. I understand there is still legacy social stigma surrounding all things cannabis. It is time to move beyond the stereotypes and allow professional, experienced business owners who want to dedicate their skills to the marketing and sales of legal cannabis products to do so without unnecessary delays and resultant expense.

I support Roots Carpinteria and sincerely hope you deem this project worthy of approval by supporting the No Substantial Issue determination.

Best regards,



Michael L. Avery

**Foster, Sharon**

---

**Subject:** Support of Roots dispensary on Santa Claus Ln.

Greetings Ms. Brownsey;

My name is Michael Lazaro, I am a past Carpinterian of the year ,as well as a local and national event coordinator, and Community advocate, I have been volunteering with the avocado festival for the last 30 years as a operations director and producer of the event, I also have co founded the Alcazar Theatre and have deep roots in the nonprofit sector. 25 years ago I had an unfortunate accident where I was struck in the head causing me to have two brainstem decompression surgeries, The ability to use something other than opiates provided me pain relief, and hope that I needed through a very dark time in my life.

I am in strong support of a conscientious dispensary and I believe that Pat and Maria have the integrity and consciousness to do a much-needed service in this community.

I think Santa Claus Ln. is a perfect location for this project, thank you for your time.

Sincerely Michael Lazaro

Sent from my smart phone please excuse any typos

---

**Subject:**

Roots Carpinteria Project

CA Coastal Commission  
455 Market Street,  
Suite 300  
San Francisco, CA 94105  
(415) 904-5202

Coastal Commissioners, ***I strongly support Roots Cannabis Dispensary located at Santa Claus Lane in Carpinteria and request the Zoning Board approve this project.*** I've known the Radis Family for over 20 years and they are sincere, responsible, exemplary members of the community. They are socially responsible, strong environmentalists, who give back to the community and they will do everything they can to make the Roots Dispensary an outstanding reputable business in Carpinteria.

The Roots Dispensary Project is a minority owned women led business. The location on Santa Claus Lane, currently houses a women's clothing boutique and will provide an excellent, convenient and save location operating in full accordance with all county and state laws. **The Roots Dispensary will include and provide 22 onsite parking spaces.** No advertising signs will be displayed within 1,000 feet of a daycare center, school providing K-12 instruction, playgrounds or youth centers. Roots Cannabis Dispensary advertising and marketing will be meticulously designed specifically not to appeal to children or minors. In essence, every aspect of the Roots operation will have a strong emphasis on security while preventing the diversion of cannabis.

In closing, ***I request the Commission approve this project.*** It will be an asset to the Carpinteria community, presenting a stellar business model in the right place with ample legal parking for patrons. Thank you for the opportunity to comment on this proposed project.

Respectfully submitted,

Kathleen Reddington, former City Councilwoman  
City of Carpinteria

February 1, 2023

Feb 1, 2023

Dear Members of the Coastal Commission,

Good afternoon.

As a retired Episcopal priest with the mission of lifting up and supporting those suffering from PTSD, I can fully and wholeheartedly attest to the benefits of legal cannabis and support 100% the location of the proposed Roots Dispensary.

It is absolutely imperative that those utilizing the benefits of legal cannabis, not only have access to the plant, but aren't forced to enter a dark, out-of-the-way dispensary. This location is not only perfectly location, but just as important the owners Maire and Pat Radis for good, honest and caring people.

Thank you for allowing me to express my support of the project.  
PLEASE DENY THE APPEAL

Sincerely,

The Rev. Mary Moreno Richardson

Feb 1, 2023

Dear CA Coastal Commission,

My name is Robert Shroll and I'm a resident of Carpinteria, a medical device sales professional, past president of our Carpinteria Lions Club, and non-profit champion.

I support the proposed dispensary on Santa Claus Lane because Carpinteria needs to have a dispensary (just like other South Coast cities) and with all of the possible locations - I'm so excited to see it land here.

The owners have done an excellent job with all of the required back-end work to make this happen. I see no reason whatsoever that they should be impeded by this appeal.

**Please DENY THIS APPEAL.**

Thank you,  
Robert Shroll  
Carpinteria, CA

Feb 1, 2023

California Coastal Commission:

*Re: In Favor of Roots in Carpinteria*

My name is Robin Karlsson and I'm writing in support of Roots Carpinteria and respectfully ask that you deny this (No Substantial Issue) appeal.

I'm a 15-year resident of Carpinteria, Rotarian, photographer for the Coastal View News, mother and grandmother.

I donate my time championing local causes such as: Friends of the Library, The Art Center, Carpinteria Education Foundation, Girls Inc, and many more valuable local organizations, and just like me, there's hundreds of other stellar Carpinterians who support the idea of a local and respectable dispensary.

I understand the opposition to legalized cannabis can be loud and threatening, but I ask that you please ignore their false accusations and grant our community what is legally our right, and this is access to compliant and safe cannabis.

Thank you for your time and please deny this appeal/

Robin Karlson



---

**From:** [Shirley Strickler](#)  
**Sent:** Wednesday, Feb 1, 2023  
**To:** [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)  
**Cc:** [tinafconsulting@gmail.com](mailto:tinafconsulting@gmail.com)  
**Subject:** Roots Dispensary Comments

Dear Ms. Brownsey-

Thank you for allowing me to express my support for the proposed dispensary at 3823 Santa Claus Lane.

As a retired nurse of 30 years, I have witnessed the vast and unwavering medicinal benefits of cannabis and therefor support, wholeheartedly this new legal industry. Responsible, knowledgeable owners and staff will help to ensure safe, beneficial use of this amazing product.

Our adult community needs and deserves a local dispensary and this location offers a logical partner for our wonderful growers and those of us who benefit from their work. Its' beautiful surroundings, convenient location, upscale design and most importantly stellar owners, all make for a perfect spot.

Thank you again for the opportunity to share my support....

Sincerely,  
Shirley Strickler  
[rnshirley@aol.com](mailto:rnshirley@aol.com)

**Foster, Sharon**

**Subject:**

**RE: Appeal A-4-STB-22-0065**

Dear Coastal Commission,

I am a resident of Carpinteria and work on Santa Claus Lane. I think that 3823 Santa Claus Lane is the perfect location for a cannabis dispensary. It has private parking and a private entry to the store from the huge parking lot in back. The location also has plenty of parking in front when the neighboring business Coast doesn't park there large fleet of trucks in front. Im very confused on why parking is a problem for this location that has a private parking lot in back of the building. There are 3 high volume restaurants that do not provide parking and also fill up the parking in front of 3823 Santa Claus Lane. Padero Grill has tables that seat over 400 people, Rincon Events hosts parties for over 200 guest plus staff. Then there are all the RV parked down by the beach that have not moved in months.

I also recently learned the the county is installing a bike path from Carpinteria Ave to Santa Clause lane. This should help reduce the amount of auto traffic that needs parking because people can ride their bikes.

Thank you for supporting this dispensary,  
Sam



Jan 31, 2023

Dear Coastal Commission-

I support the new Roots Carpinteria dispensary proposed for Santa Claus Lane.

As a long-time Carpinterian, mother of two young boys, business owner and advocate of local causes- I have been witness to the exaggerated and relentless opposition to legalized cannabis in our community. This very small, but loud group continues to oppose any and all cannabis businesses, trying their hardest to reverse legal status and inflict shame on those utilizing the plant.

Our adult community deserves uncomplicated access to legalized cannabis and this location is absolutely perfect. The south end of the lane has always been adult focused with high-end appeal shops and home décor/renovation offerings. Easy parking and beautiful views are the ideal elements for a boutique dispensary. I have no doubt Maire and Pat Radis will create a watermark in dispensary design.

Please DENY THIS APPEAL

Leigh-Anne Anderson

(310) 990 5752

---

**From:** Seana-Marie Sesma <sms@yourprgirls.com>  
**Sent:** Sunday, January 29, 2023 9:10 AM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** Roots Carpinteria Support

Dear California Coastal Commission:

Thank you for the work you do and what you stand for. We appreciate your due diligence. I have fond memories of Santa Claus Lane as I was born and raised in SB and my family is from Carpinteria. I am happy to see the evolution of the lane to high end beautiful establishments. We are glad that Roots will be one of those retailers.

I am writing to express my support for Roots Carpinteria, the retail cannabis dispensary located on Santa Claus Lane. Roots Carpinteria is a positive step and will contribute to the local economy and community. Most importantly it offers safe, legal access to medicine that is so needed in the area.

Thank you for your work, your commitment to the environment and your consideration.

Please feel free to contact me should you have any questions.

Sincerely,  
Seana-Marie Sesma  
Founder | Creative Opportunity Specialist  
Your PR Girls  
Your 360 degree Promotional Resources team

o: 805-648-7748 | m: 805-698-0762

[sms@yourPRgirls.com](mailto:sms@yourPRgirls.com)

[www.yourPRgirls.com](http://www.yourPRgirls.com)

FB /yourPRgirls | IG @yourPRgirls

~~~~~

NAWBO-VC | President Elect | Corporate Chair  
National Association of Women Business Owners, Ventura County

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Christensen, Deanna@Coastal](mailto:Christensen_Deanna@Coastal)  
**Subject:** FW: 3823 SCL, LLC (Roots Carpinteria)  
**Date:** Thursday, January 26, 2023 2:43:30 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[Roots Carpinteria supplemental response to Kent Rikalo appeal.pdf](#)  
**Importance:** High

---

---

**From:** Joe Armendariz <joe@armendarizpartners.com>  
**Sent:** Thursday, January 26, 2023 9:05 AM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 3823 SCL, LLC (Roots Carpinteria)  
**Importance:** High

Thursday, January 26, 2023

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Dear Honorable Members of the Commission,

We are pleased to present this supplemental communications in support of Roots Carpinteria. Roots Carpinteria is a high-end retail cannabis dispensary in coastal California approved unanimously on November 1, 2022 by the Santa Barbara County Board of Supervisors.

As former California Governor Jerry Brown said regarding recreational and medicinal cannabis, "We're going to regulate it, permit it, tax it, control it and make it a legal activity." Governor Gavin Newsom expressed his approval of the industry, saying "Cannabis is legal in California, and the legalization of this industry is a major victory for the state." This appeal attempts to frustrate the will of the voters of California and Santa Barbara County.

We hope you will consider this appeal in light of the above, and the substantial policy, and philosophical issues addressed in this supplemental response.

Thank you for your time and consideration.

Thank you!

Joe Armendariz



Co-Director  
Public & Civic Affairs  
**Mobile** 805-990-2494  
1330 Quarter Horse Trail  
Orcutt, Ca, 93455





Wednesday, January 25, 2023

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: 3823 SCL, LLC, aka Roots Carpinteria

Dear Honorable Members of the Commission,

This is a supplemental communication to our formal response to the appeal by Dr. Steve Kent and Dr. Nancy Rikalo, drafted by our co-director of Government Affairs, Dennis Bozanich. Mr. Bozanich lays out the numerous technical arguments why the Kent/Rikalo appeal lacks merit and should fail to meet the Commission's coastal access or local coastal plan administration substantial issues test. This response is my appeal to the 12 of you, hoping to call some widely acknowledged truths to your attention.

I know many of you are attorneys. The CCC purpose is to ensure that coastal development is in line with the preservation of coastal access and resources. Unfortunately, this appeal will take up considerable staff time and other valuable resources and is, in our opinion, a frivolous, misguided, and shortsighted initiative.

I'll acknowledge that the appellants are acting in their own self-interest when they suggest the existence of so-called substantial issues at play in their rolling series of ill-informed appeals. However, quite significantly, none of the substantial issues that the appellant believes exist here, have anything to do with the Coastal Act or any of the Coastal Act's priorities. On the contrary, the actual substantial issues have everything to do with values that we all hold dear as law abiding citizens, voters, taxpayers, and, frankly, as defenders of some of our most vital liberal institutions.

The first and perhaps most important substantial issue is **tolerance** for different views and lifestyles. The second is **justice** for those who have been historically, and even today, locked out of the American Dream. Third is a commitment to personal **ethics** when it comes to how we treat each other, especially those less fortunate. Fourth, and finally, and at the risk of appearing hyperbolic, a muscular **defense of democracy**. Allow me to unpack each of these substantial issues one at a time.

**TOLERANCE**



Tolerance is the acceptance of people who are different from you, regardless of color, culture, gender, sex, and religion. It involves having respect for others and treating them how you wish to be treated. It doesn't need to be repeated here, but the narrative created by the opponents of the Roots Carpinteria project reeks of intolerance. And I believe this is borne out of ignorance and an unwillingness to try to understand the culture of what is, for many, a matter of affordable-healthcare access justice, which I'll go into further later. I don't believe it is hyperbole to say our society has grown infected by an intolerance bordering on enmity between different segments and sub-segments of our society.

For many like the appellants, a progressive culture surrounding marijuana is very foreign. Scary even. This is true despite marijuana use transcending demographic, social, cultural, and economic lines. Still, the legal use and sale of recreational and medicinal cannabis, in the minds of some, is predominantly a disturbing aberration that exists almost entirely in lower socio-economic communities of color. Nothing could be less accurate. The decision to avail oneself of alternative therapeutic experiences, including recreational and medical cannabis, is an egalitarian impulse.

## **HEALTHCARE ACCESS JUSTICE**

Millions of Americans value their inherent and inalienable right to pursue happiness. This includes accessing alternative healthcare remedies. The Roots Carpinteria project is about staring down intolerance and supporting healthcare access among other things. But what is healthcare access justice? The Roots Carpinteria team defines it as everyone having the right to receive high-quality healthcare that meets their needs, regardless of their socio-economic status, race, ethnicity, or any other factor. This includes access to specialized care and treatment when needed. It also means that healthcare should be affordable and not financially burdensome for individuals or communities.

It is a matter of healthcare access justice, and equity that Pat and Maire Radis would be allowed to use their private and legally zoned property to pursue a family vision of healthcare inclusivity, particularly when it comes to providing patients like Pat with safe, alternative, natural healing therapies. Protecting the process that makes this pursuit possible is not only ethical and moral, but also good government. It would be an injustice to deny this opportunity to Pat and Maire Radis.

## **ETHICS**

Ethical behavior involves the application of moral principles in a moral situation. It is believed that medical ethics are a set of values that doctors can refer to in the case of any confusion or conflict, such as respect for autonomy, non-maleficence, beneficence, and justice. And while I do not ascribe to the notion that the Hippocratic Oath is at play



in this appeal or failing to abide by it, I do, however, believe medical doctors should, at the very least, try to avoid harming anyone. This is true regardless of if it is their patient or not.

It is highly significant to me that the appellants of the Roots Carpinteria project are both medical doctors. Dr. Kent is a retired cardiologist, and Dr. Rikalo is a psychiatrist. They also happened to be friends of Pat and Maire Radis. And yet for whatever reason, it hasn't seemed to make either one these medical doctors the least bit uncomfortable to subject their friends to over two years of harassment by process, and other government obstacles. This is being done to deny Pat and Maire their dream of opening a natural alternative healthcare business. Certainly, this must offend and even violate somebody's code of medical ethics.

## **DEFENSE OF DEMOCRACY**

In 2016 when the voters of California chose to vote in favor of Prop-64, the belief that the benefits of safe, tested, regulated, and taxed cannabis, versus none of these things being true in the case of the illicit cannabis market, were self-evident. And yet, cannabis prohibitionists, including the appellants, are somehow of the view that they can and even should work to undermine the will of the voters by spending their time and considerable resources to stop or delay a legal and government approved cannabis project from moving forward. This isn't only backwards and wrong; it is undemocratic.

One of the things that sets California apart from several other states is our history of direct democracy via ballot initiatives. The Coastal Commission is itself a prime example of California voters choosing to protect coastal access and coastal dependent resources through the approval of a ballot measure in 1972. I am of course referring to Proposition 20, the State Coastal Zone Conservation Commission Creation initiative. Not unlike Prop-64, voters passed Prop-20 by 11 points. I don't think it is inaccurate to say that undermining coastal protection through litigious and other process-driven efforts is nothing less than an overt attack on democracy.

The very substantial and core issue of democracy is at issue here. The voters have spoken loud and clear on the issue of cannabis retail dispensaries being legal in their communities. Californians support cannabis retail through efforts at both the state and local levels. In the 2022 midterm elections, 12 local ballot measures were approved that will either expand or create retail cannabis markets in a dozen municipalities.

As of December 2021, the state's three licensing authorities have issued 12,227 commercial cannabis licenses to cannabis businesses throughout California. It is the voters of each county and incorporated city who get to decide whether to allow commercial cannabis activities, not cannabis prohibitionists.

Voters in Santa Barbara County are no exception. Roots Carpinteria's ownership team understand that to be successful in the cannabis space they must have a solid dispensary business plan and know how to run their operation in accordance with all California cannabis laws and regulations. In building their project development team, Roots hired government affairs and land use experts to help them navigate this planning review process, including the coastal development review process.

As previously stated, California voters approved the statewide ballot initiative, Prop-64, which legalized cannabis for adult recreational use. This fact cannot be overstated. The voters, in their sovereignty, voted overwhelmingly in support of cannabis as a legal, regulated, taxed, and, most importantly, safe option to adults over the age of 21. This appeal frustrates that outcome and our democratic process and should therefore be denied.

## **TAXPAYER JUSTICE**

When the voters voted for Prop-64, they believed the benefits of having cannabis regulated, tested, and maybe even taxed to be self-evident. And yet, cannabis prohibitionists, including the appellants, are somehow of the view that they can undermine the body politic by spending their time and money in a cynical effort to delay cannabis projects from being approved. This attempt to thwart the will of the body politic is un-American and wrong.

Moreover, the five duly elected County Supervisors who voted unanimously for this project on November 1 were voted into office to render judgment on various issues, not the least of which is cannabis. This includes land use decisions that deal with the thoroughly thought-out zoning schemes that allow local government to plan for the opening of cannabis retail dispensaries. All five elected County Supervisors voted to deny the appellant's prior appeal. The vote to approve the project was unanimous.

But there's an additional aspect to this question regarding the taxpayers. The illicit cannabis market remains ten times larger than the legal market. The havoc the illicit market creates cannot be minimized, nor should it be. It is a substantial issue that our kids can access the illicit market for cannabis. The negative impacts from a societal standpoint are enormous. More legal cannabis begets less illegal cannabis. Including and especially for our youth.

But there's still more to consider. California residents, by any objective analysis, are not under-taxed. Indeed, many economists would argue persuasively that the residents of California, relative to the other 49 states, are overtaxed. It's also fair to point out that the

quality of life in California, particularly as it relates to our natural environment and weather, is extraordinary. It's certainly worth paying for, in other words.

The legal sale of regulated and taxed cannabis is a source of significant revenue for local governments that can be programmed for those areas of need that return a substantial return on our investment. For example, law enforcement, public safety, childhood education, and infrastructure including public parks and beaches. These government programs and services require significant resources.

When we decide to limit the number of retail dispensaries, we empower those illegal businesses that don't play by the same tax rules and regulations, nor do they pay the same living wages. This really is a matter of taxpayer justice.

## **CONCLUSION**

California collected \$817 million in adult-use marijuana tax revenue during the 2020-2021 fiscal year, with a combined total of \$7.9 billion in tax revenue from legal, adult-use cannabis since sales began in 2014. In 2020, California's cannabis excise tax generated \$159.8 million in revenue reported in the 3rd Quarter of 2020. The cultivation tax generated \$41.0 million. Retail delivery and tech giant Eaze published its 2020 State Of Cannabis Report, which estimated that \$4.4 billion was spent on cannabis in California in 2020. This is a growth industry for California.

The voter-approved legalization directs a significant portion of California's cannabis tax revenues to local nonprofit programs that benefit people adversely impacted by punitive drug laws, with more than \$100 million already distributed to community groups. California also announced grants funded by cannabis tax revenue to 58 nonprofit organizations worth about \$29 million, as well as investing large chunks of cannabis revenue into childcare services and environmental programs.

With all these issues and facts taken together, it is difficult if not impossible to escape the conclusion that the appellants are not only on the wrong side of a political decision that was made and reconciled six years ago, but they are also on the wrong side of history in terms of our society correcting several social, medical, and economic inequities. Planning issues are important and should be analyzed, reviewed and or reanalyzed. However, it strains credibility to suggest, as the appellants have repeatedly, the current permitting approval process is inadequate or derelict in its fair application.

The issues raised in this appeal have little to do with what really matters. And instead distracts the commission and attempts to confuse them into thinking there are substantial issues in need of adjudication in a venue that the voters of California very much believe should remain focused on protecting the integrity of the California Coastal

Act. This is especially so as it relates to preserving access to what is perhaps our state's most valuable natural resource, the Pacific Ocean, and coastal marine environment.

I believe when this standard of reason is applied in the case of this appeal, the evidence will demonstrate that this project in no way, shape, manner, or form violates any of the provisions, sections, or criteria laid out in the California Coastal Act.

Sincerely,



Joe Armendariz



**Joe Armendariz**

Co-Director

Public & Civic Affairs

**Mobile** 805-990-2494

1330 Quarter Horse Trail

Orcutt, California 93455



**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Christensen, Deanna@Coastal](mailto:Christensen_Deanna@Coastal)  
**Subject:** FW: 3823 SCL, LLC, aka Roots Carpinteria  
**Date:** Thursday, January 26, 2023 2:43:22 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[AP supplemental response.pdf](#)  
**Importance:** High

---

---

**From:** Joe Armendariz <joe@armendarizpartners.com>  
**Sent:** Wednesday, January 25, 2023 7:57 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** 3823 SCL, LLC, aka Roots Carpinteria  
**Importance:** High

Wednesday, January 25, 2023

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Dear Honorable Members of the Commission,

The attached is a supplemental communication to our formal response to the appeal by Dr. Steve Kent and Dr. Nancy Rikalo, drafted by our co-director of Government Affairs, Dennis Bozanich. Mr. Bozanich lays out the numerous technical arguments why the Kent/Rikalo appeal lacks merit and should fail to meet the Commission's substantial issues test. This response is an appeal to the 12 of you in hopes of raising some commonly acknowledged truths that we believe are worthy of your special consideration.

Thank you!



**Joe Armendariz**  
Co-Director  
Public & Civic Affairs  
**Mobile** 805-990-2494  
1330 Quarter Horse Trail  
Orcutt, Ca, 93455





Wednesday, January 25, 2023

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: 3823 SCL, LLC, aka Roots Carpinteria

Dear Honorable Members of the Commission,

This is a supplemental communication to our formal response to the appeal by Dr. Steve Kent and Dr. Nancy Rikalo, drafted by our co-director of Government Affairs, Dennis Bozanich. Mr. Bozanich lays out the numerous technical arguments why the Kent/Rikalo appeal lacks merit and should fail to meet the Commission's coastal access or local coastal plan administration substantial issues test. This response is my appeal to the 12 of you, hoping to call some widely acknowledged truths to your attention.

I know many of you are attorneys. The CCC purpose is to ensure that coastal development is in line with the preservation of coastal access and resources. Unfortunately, this appeal will take up considerable staff time and other valuable resources and is, in our opinion, a frivolous, misguided, and shortsighted initiative.

I'll acknowledge that the appellants are acting in their own self-interest when they suggest the existence of so-called substantial issues at play in their rolling series of ill-informed appeals. However, quite significantly, none of the substantial issues that the appellant believes exist here, have anything to do with the Coastal Act or any of the Coastal Act's priorities. On the contrary, the actual substantial issues have everything to do with values that we all hold dear as law abiding citizens, voters, taxpayers, and, frankly, as defenders of some of our most vital liberal institutions.

The first and perhaps most important substantial issue is **tolerance** for different views and lifestyles. The second is **justice** for those who have been historically, and even today, locked out of the American Dream. Third is a commitment to personal **ethics** when it comes to how we treat each other, especially those less fortunate. Fourth, and finally, and at the risk of appearing hyperbolic, a muscular **defense of democracy**. Allow me to unpack each of these substantial issues one at a time.

## **TOLERANCE**

Tolerance is the acceptance of people who are different from you, regardless of color, culture, gender, sex, and religion. It involves having respect for others and treating them how you wish to be treated. It doesn't need to be repeated here, but the narrative created by the opponents of the Roots Carpinteria project reeks of intolerance. And I believe this is borne out of ignorance and an unwillingness to try to understand the culture of what is, for many, a matter of affordable-healthcare access justice, which I'll go into further later. I don't believe it is hyperbole to say our society has grown infected by an intolerance bordering on enmity between different segments and sub-segments of our society.

For many like the appellants, a progressive culture surrounding marijuana is very foreign. Scary even. This is true despite marijuana use transcending demographic, social, cultural, and economic lines. Still, the legal use and sale of recreational and medicinal cannabis, in the minds of some, is predominantly a disturbing aberration that exists almost entirely in lower socio-economic communities of color. Nothing could be less accurate. The decision to avail oneself of alternative therapeutic experiences, including recreational and medical cannabis, is an egalitarian impulse.

## **HEALTHCARE ACCESS JUSTICE**

Millions of Americans value their inherent and inalienable right to pursue happiness. This includes accessing alternative healthcare remedies. The Roots Carpinteria project is about staring down intolerance and supporting healthcare access among other things. But what is healthcare access justice? The Roots Carpinteria team defines it as everyone having the right to receive high-quality healthcare that meets their needs, regardless of their socio-economic status, race, ethnicity, or any other factor. This includes access to specialized care and treatment when needed. It also means that healthcare should be affordable and not financially burdensome for individuals or communities.

It is a matter of healthcare access justice, and equity that Pat and Maire Radis would be allowed to use their private and legally zoned property to pursue a family vision of healthcare inclusivity, particularly when it comes to providing patients like Pat with safe, alternative, natural healing therapies. Protecting the process that makes this pursuit possible is not only ethical and moral, but also good government. It would be an injustice to deny this opportunity to Pat and Maire Radis.

## **ETHICS**

Ethical behavior involves the application of moral principles in a moral situation. It is believed that medical ethics are a set of values that doctors can refer to in the case of any confusion or conflict, such as respect for autonomy, non-maleficence, beneficence, and justice. And while I do not ascribe to the notion that the Hippocratic Oath is at play

in this appeal or failing to abide by it, I do, however, believe medical doctors should, at the very least, try to avoid harming anyone. This is true regardless of if it is their patient or not.

It is highly significant to me that the appellants of the Roots Carpinteria project are both medical doctors. Dr. Kent is a retired cardiologist, and Dr. Rikalo is a psychiatrist. They also happened to be friends of Pat and Maire Radis. And yet for whatever reason, it hasn't seemed to make either one these medical doctors the least bit uncomfortable to subject their friends to over two years of harassment by process, and other government obstacles. This is being done to deny Pat and Maire their dream of opening a natural alternative healthcare business. Certainly, this must offend and even violate somebody's code of medical ethics.

## **DEFENSE OF DEMOCRACY**

In 2016 when the voters of California chose to vote in favor of Prop-64, the belief that the benefits of safe, tested, regulated, and taxed cannabis, versus none of these things being true in the case of the illicit cannabis market, were self-evident. And yet, cannabis prohibitionists, including the appellants, are somehow of the view that they can and even should work to undermine the will of the voters by spending their time and considerable resources to stop or delay a legal and government approved cannabis project from moving forward. This isn't only backwards and wrong; it is undemocratic.

One of the things that sets California apart from several other states is our history of direct democracy via ballot initiatives. The Coastal Commission is itself a prime example of California voters choosing to protect coastal access and coastal dependent resources through the approval of a ballot measure in 1972. I am of course referring to Proposition 20, the State Coastal Zone Conservation Commission Creation initiative. Not unlike Prop-64, voters passed Prop-20 by 11 points. I don't think it is inaccurate to say that undermining coastal protection through litigious and other process-driven efforts is nothing less than an overt attack on democracy.

The very substantial and core issue of democracy is at issue here. The voters have spoken loud and clear on the issue of cannabis retail dispensaries being legal in their communities. Californians support cannabis retail through efforts at both the state and local levels. In the 2022 midterm elections, 12 local ballot measures were approved that will either expand or create retail cannabis markets in a dozen municipalities.

As of December 2021, the state's three licensing authorities have issued 12,227 commercial cannabis licenses to cannabis businesses throughout California. It is the voters of each county and incorporated city who get to decide whether to allow commercial cannabis activities, not cannabis prohibitionists.



Voters in Santa Barbara County are no exception. Roots Carpinteria's ownership team understand that to be successful in the cannabis space they must have a solid dispensary business plan and know how to run their operation in accordance with all California cannabis laws and regulations. In building their project development team, Roots hired government affairs and land use experts to help them navigate this planning review process, including the coastal development review process.

As previously stated, California voters approved the statewide ballot initiative, Prop-64, which legalized cannabis for adult recreational use. This fact cannot be overstated. The voters, in their sovereignty, voted overwhelmingly in support of cannabis as a legal, regulated, taxed, and, most importantly, safe option to adults over the age of 21. This appeal frustrates that outcome and our democratic process and should therefore be denied.

## **TAXPAYER JUSTICE**

When the voters voted for Prop-64, they believed the benefits of having cannabis regulated, tested, and maybe even taxed to be self-evident. And yet, cannabis prohibitionists, including the appellants, are somehow of the view that they can undermine the body politic by spending their time and money in a cynical effort to delay cannabis projects from being approved. This attempt to thwart the will of the body politic is un-American and wrong.

Moreover, the five duly elected County Supervisors who voted unanimously for this project on November 1 were voted into office to render judgment on various issues, not the least of which is cannabis. This includes land use decisions that deal with the thoroughly thought-out zoning schemes that allow local government to plan for the opening of cannabis retail dispensaries. All five elected County Supervisors voted to deny the appellant's prior appeal. The vote to approve the project was unanimous.

But there's an additional aspect to this question regarding the taxpayers. The illicit cannabis market remains ten times larger than the legal market. The havoc the illicit market creates cannot be minimized, nor should it be. It is a substantial issue that our kids can access the illicit market for cannabis. The negative impacts from a societal standpoint are enormous. More legal cannabis begets less illegal cannabis. Including and especially for our youth.

But there's still more to consider. California residents, by any objective analysis, are not under-taxed. Indeed, many economists would argue persuasively that the residents of California, relative to the other 49 states, are overtaxed. It's also fair to point out that the

quality of life in California, particularly as it relates to our natural environment and weather, is extraordinary. It's certainly worth paying for, in other words.

The legal sale of regulated and taxed cannabis is a source of significant revenue for local governments that can be programmed for those areas of need that return a substantial return on our investment. For example, law enforcement, public safety, childhood education, and infrastructure include public parks and beaches. These government programs and services require significant resources.

When we decide to limit the number of retail dispensaries, we empower those illegal businesses that don't play by the same tax rules and regulations, nor do they pay the same living wages. This really is a matter of taxpayer justice.

## **CONCLUSION**

California collected \$817 million in adult-use marijuana tax revenue during the 2020-2021 fiscal year, with a combined total of \$7.9 billion in tax revenue from legal, adult-use cannabis since sales began in 2014. In 2020, California's cannabis excise tax generated \$159.8 million in revenue reported in the 3rd Quarter of 2020. The cultivation tax generated \$41.0 million. Retail delivery and tech giant Eaze published its 2020 State Of Cannabis Report, which estimated that \$4.4 billion was spent on cannabis in California in 2020. This is a growth industry for California.

The voter-approved legalization directs a significant portion of California's cannabis tax revenues to local nonprofit programs that benefit people adversely impacted by punitive drug laws, with more than \$100 million already distributed to community groups. California also announced grants funded by cannabis tax revenue to 58 nonprofit organizations worth about \$29 million, as well as investing large chunks of cannabis revenue into childcare services and environmental programs.

With all these issues and facts taken together, it is difficult if not impossible to escape the conclusion that the appellants are not only on the wrong side of a political decision that was made and reconciled six years ago, but they are also on the wrong side of history in terms of our society correcting several social, medical, and economic inequities. Planning issues are important and should be analyzed, reviewed and or reanalyzed. However, it strains credibility to suggest, as the appellants have repeatedly, the current permitting approval process is inadequate or derelict in its fair application.

The issues raised in this appeal have little to do with what really matters. And instead distracts the commission and attempts to confuse them into thinking there are substantial issues in need of adjudication in a venue that the voters of California very much believe should remain focused on protecting the integrity of the California Coastal

Act. This is especially so as it relates to preserving access to what is perhaps our state's most valuable natural resource, the Pacific Ocean, and coastal marine environment.

I believe when this standard of reason is applied in the case of this appeal, the evidence will demonstrate that this project in no way, shape, manner, or form violates any of the provisions, sections, or criteria laid out in the California Coastal Act.

Sincerely,



Joe Armendariz



**Joe Armendariz**

Co-Director

Public & Civic Affairs

**Mobile** 805-990-2494

1330 Quarter Horse Trail

Orcutt, California 93455



**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Christensen, Deanna@Coastal](mailto:Christensen,Deanna@Coastal)  
**Subject:** FW: Roots Dispensary opening soon  
**Date:** Thursday, January 26, 2023 2:43:12 PM

---

---

**From:** Calla Gold <callagold@gmail.com>  
**Sent:** Wednesday, January 25, 2023 4:50 PM  
**To:** SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>  
**Subject:** Roots Dispensary opening soon

Dear California Coastal Commission:

I am writing to express my support for Roots Carpinteria, a retail cannabis dispensary, to be located on Santa Claus Lane in the Carpinteria Valley. I believe that Roots Carpinteria will provide a positive contribution to the local economy and community.

I've seen the local interest in having our own nearby dispensary, mostly older folk like myself. We need this close-to-home in Carpinteria resource.

Thank you for your consideration and please feel free to contact me should you have any questions.

Sincerely,

Calla Gold

805-895-9028

-----Original Message-----

From: Gail Herson <devesi@me.com>

Sent: Monday, December 5, 2022 3:07 PM

To: Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>

Subject: Appeal of Roots dispensary 3823 Santa Claus Lane Carpinteria, CA 93013

Please distribute to all Coastal Commissioners

Dear Mr. Hudson,

As a longtime Carpinteria Valley resident and farmer, my family has spent years enjoying our precious beach at Santa Claus Lane. This coastal resource is deeply significant to our community. Please recommend that a "substantial issue" be found so the appellants and community have the opportunity to beg our last hope, the Coastal Commission, to give us a fair hearing. The County has repeatedly ignored Carpinteria resident concerns about yet another encroaching and culture destroying cannabis facility in Carpinteria, specifically at our public family oriented beach, when there are ample other locations not on the beach.

As usual, the County uses Carpinteria as an endless dumping ground for unpopular and noxious cannabis facilities that they would never place in their wealthy supporter communities of Montecito and Summerland. The Board of Supervisors banned commercial cannabis in EDRN's and then arbitrarily changed to only apply that prohibition in inland areas only, leaving the coastal areas of Carpinteria open to an even more disproportionate assortment of the negative and noxious effects of dense cultivation. The Board of Supervisors voted to ban cannabis cultivation on Ag-1 zones parcels under 20 acres, only inland. They did not give the same protection to the Coastal Zone. We are surrounded by dense cultivation on small ag-5 acre parcels that would be prohibited inland.

The Board did not share the amended ordinance with the Coastal Commission that allowed the Santa Claus to be used for retail cannabis.

Please allow this appeal to move forward. Please do not set a precedent for the County to treat residents in the Coastal Zone with less protection than residents in other parts of the County.

Thank you,  
Sincerely,  
Gail Herson

-----Original Message-----

From: Wendy Davis <wendywiltondavis@gmail.com>

Sent: Sunday, December 4, 2022 5:46 PM

To: Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>

Subject: Retail cannabis store on Santa Claus Lane

Please allow the appeal against the retail cannabis store on Santa Claus Lane to proceed.

I worked at a Pilates Studio on SCL for years. The area has family-oriented restaurants and surf schools.

I honestly don't think a commercial cannabis operation is appropriate for the area. Also, the lane becomes the freeway entrance. Traffic and parking are already problematic.

Thank you for your consideration.

Wendy Davis

Summerland

**From:** Maureen Soto <[mmcahill13@gmail.com](mailto:mmcahill13@gmail.com)>

**Sent:** Thursday, December 1, 2022 10:41 PM

**To:** Hudson, Steve@Coastal <[Steve.Hudson@coastal.ca.gov](mailto:Steve.Hudson@coastal.ca.gov)>

**Subject:** Appeal of Roots/Radis Dispensary | 3823 Santa Claus Lane, Carpinteria, Ca 93013

Dear Mr. Hudson,

I am a resident of Carpinteria and my husband and I have spent many years enjoying the beach at Santa Claus Lane. As a local, I can't overstate how significant this coastal resource is to our community. We implore you and the Commission to recommend that a "substantial issue" be found so that the appellants and supporters have the opportunity to ask the Coastal Commission to provide us with a fair hearing that we have yet to receive from the County.

The County decided to put a dispensary not only next to a public beach but also in a shopping area that caters to visitor serving, recreational, and family oriented uses.

We believe that the Board of Supervisors, Planning Commission, and Zoning Administrator did not provide an accurate basis for approving a permit for this project. Over the last two years, hundreds of residents submitted letters, signed petitions, participated in surveys, stressing how inappropriate this location would be for a cannabis retail store. Yet our voices were repeatedly ignored despite the fact that *the SB Cannabis Ordinance is deeply unpopular and controversial in Santa Barbara County*. We are already subject to endless commercial cannabis operations that other similarly zoned parts of the County are not.

In 2020, The Board of Supervisors banned commercial cannabis in "EDRNS" but without any explanation or public notice, they then changed direction to only apply that prohibition in inland areas only, leaving the coastal areas of Carpinteria to continue to suffer the negative effects of dense cultivation.

In 2019, the Board voted to BAN cannabis cultivation on Ag-1 zoned parcels under 20 acres and again, only INLAND. We are surrounded by multiple cultivation operations on small, Ag -5 acre parcels that would be prohibited inland.

Please do not be misled by Petitions generated by the industry, and signed by people who do not live here. The only people who want or need a dispensary at this beach area are the growers who want an easy outlet.

When the Board changed the ordinance in 2019 to target the Toro Canyon/Santa Claus Lane area for retail cannabis, it did not share that amended ordinance with the Coastal Commission. We urge you and the Coastal Commission to PLEASE allow this appeal to proceed. Not to do so would set a precedent that rewards the County for treating residents in the Coastal zone with less protection

than residents in other parts of the County.

Sincerely,

Maureen

--

Best,

Maureen



**From:** [Hudson, Steve@Coastal](mailto:Hudson.Steve@Coastal)  
**To:** [Christensen, Deanna@Coastal](mailto:Christensen.Deanna@Coastal); [Gonzalez, Denise@Coastal](mailto:Gonzalez.Denise@Coastal); [Carey, Barbara@Coastal](mailto:Carey.Barbara@Coastal)  
**Subject:** FW: CCPN Letter on SI for Santa Claus Lane Dispensary  
**Date:** Tuesday, November 29, 2022 3:13:51 PM  
**Attachments:** [Final CCPN SI Letter 112922.pdf](#)  
[Final CCPN Background Memo on SB 1148 \(Laird\).pdf](#)  
[Letter from CCPN.pdf](#)

---

---

**From:** Susan Jordan <[sjordan@coastaladvocates.com](mailto:sjordan@coastaladvocates.com)>  
**Sent:** Tuesday, November 29, 2022 3:13 PM  
**To:** Hudson, Steve@Coastal <[Steve.Hudson@coastal.ca.gov](mailto:Steve.Hudson@coastal.ca.gov)>  
**Cc:** Ainsworth, John@Coastal <[John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov)>; Brownsey, Donne@Coastal <[donne.brownsey@coastal.ca.gov](mailto:donne.brownsey@coastal.ca.gov)>; Harmon, Meagan@Coastal <[meagan.harmon@coastal.ca.gov](mailto:meagan.harmon@coastal.ca.gov)>; Susan Jordan <[sjordan51@coastaladvocates.com](mailto:sjordan51@coastaladvocates.com)>  
**Subject:** CCPN Letter on SI for Santa Claus Lane Dispensary

Hi Steve,

Attached please find a letter from CCPN in opposition to the recently approved CDP for a retail cannabis dispensary on Santa Claus Lane in Carpinteria/Santa Barbara County and requesting a staff recommendation of Substantial Issue when the Appeal filed by former Coastal Commissioner Zimmer comes before the CCC.

As explained in the letter above, I have attached a memo prepared this past August for the Legislature in opposition to SB 1148 (Laird), that would have eliminated the Department of Cannabis Control's **existing** authority to conduct CEQA review of commercial cannabis projects applying for annual state licenses. The bill failed to advance, but the memo describes the tortured permitting path established by Santa Barbara County which provides an important backdrop in the consideration of the referenced Appeal. I include it because it is almost impossible for anyone to comprehend what happened here; it took me weeks of intensive research back in 2019 to comprehend it myself!

I have also attached the letter CCPN sent to the Santa Barbara County Planning Commission in opposition to this recently approved permit.

Should you have any questions, please feel free to contact me.

Best, Susan

***Susan Jordan, Executive Director***

California Coastal Protection Network  
2920 Ventura Drive  
Santa Barbara, CA 93105

Ph: 805-637-3037

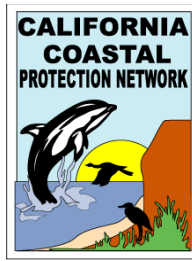
[Email:sjordan@coastaladvocates.com](mailto:sjordan@coastaladvocates.com)

[www.coastaladvocates.com](http://www.coastaladvocates.com)

*"Our lives begin to end the day we become silent about things that matter."*

*- Martin Luther King, Jr.*

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system. Thank you.



November 29<sup>th</sup>, 2022

California Coastal Commission  
89 S. California Street, Suite 2000  
Ventura, CA 93001

**RE: Letter in Support of a Finding of Substantial Issue, Roots Cannabis Dispensary – 4STB-22-1022, 3823 Santa Claus Lane, Santa Barbara, CA.**

Dear Mr. Hudson,

I am writing on behalf of the California Coastal Protection Network (CCPN) to strongly encourage Coastal Commission staff to recommend that the Commission find Substantial Issue in the above referenced appeal of a cannabis dispensary to be located on Santa Claus Lane – a popular beach access location in the Coastal Zone in Carpinteria.

CCPN has demonstrated a long-standing concern over the manner in which Santa Barbara County introduced and processed cannabis licensing with CCPN first testifying in front of the California Coastal Commission as far back as 2019 regarding the unfettered proliferation of cultivation sites in Carpinteria in the Coastal Zone. Since that time, CCPN has written numerous in-depth research memos for the Legislature, the Governor's office and others detailing the unique situation in Santa Barbara County and how it came to pass. For your convenience, I have attached the most recent CCPN memo prepared for Legislature in opposition to SB 1148 (Laird) (ultimately held in Assembly Appropriations) that sought a blanket exemption to remove the newly formed Department of Cannabis Control's (DCC) **existing** authority to conduct CEQA review of annual state licenses for commercial cannabis activities. As part of CCPN's opposition to the proposed exemption, the memo reiterates the complicated and unprecedented cannabis permitting path approved by Santa Barbara County which provides an important backdrop to the appeal referenced above. Specific to this project, on August 30<sup>th</sup>, 2022, CCPN also submitted a letter to the Santa Barbara County Planning Commission opposing the approval of the Roots Dispensary at this location (attached).

The appeal submitted to your staff by attorney and former Coastal Commissioner Jana Zimmer on behalf of her client presents clear issues of statewide importance that demonstrate how its approval will compound adverse precedent which has already impacted the implementation of the Local Coastal Program (LCP) in Santa Barbara County. Specifically, the County accepted modifications to its cannabis program in 2018, agreeing that the LCP, and **not** their licensing ordinance would provide the standard of review for individual coastal development permits (CDPs). In this case, the County has taken the position that the "site" was selected in the **licensing** process and asserted that the various planning agencies have no discretion to deny a CDP.

Based on the facts set forth in the well-documented appeal prepared by Zimmer, it appears clear that there is evidence in the record in support of the factors that the Commission normally considers when recommending a Finding of Substantial Issue. As much as the Commission often defers to local government in their policy determinations – e.g. the amount and level of review of cannabis-related

development to allow - it is apparent that in the case of Santa Barbara County, and particularly the Carpinteria Area - for which, as of 11/28/22, the County has approved 350 licenses in a six square mile area, an astounding intensity of use, the County's *mis*interpretation of the scope of its local authority will, if not abated, continue to allow significant damage to coastal resources. This case is the **first** to implicate conflicts with public access and lower cost recreation, which the County failed to consider. If the Commission declines to take this opportunity to correct the County's erroneous interpretation of its LCP, any operation on any site which can receive a license will automatically receive a CDP, regardless of its impacts. And most of these CDP's are not appealable because the Commission has defined them as "principally permitted" uses.

These threats to the LCP have already been made manifest in cases involving odor, where the County has failed to impose appropriate mitigation measures, and failed to consider impacts to sensitive receptors, as identified and defined in the coastal zoning ordinance. The County has made no secret of its desire to increase cannabis development **without** Coastal Commission review or oversight. They have already amended the licensing ordinance several times to apply different and **less** restrictive standards in the coastal zone than in the inland areas. The permit under review, for a dispensary directly adjacent to a public beach serving roughly 150,000 visitors and members of the community each year, presents a unique issue of *in*compatibility with visitor serving uses and lower cost recreation under the Coastal Act.

Based on the irregularities in the local hearing process, the public was not given a fair opportunity to be heard, and there was no relevant evidence to support the findings made by the County [e.g. the County failed and refused to consider the increase in intensity of use of the site, contending that its zoning as a C-1 property was determinative]. The few conditions imposed by the County are wholly inadequate to address the impacts, and the County has shown a pattern and practice of **not** enforcing its permits against cannabis operators, at all. Thus, the only way to remedy this abuse of process is for the Commission to hear this permit "de novo," declare the proper interpretation of the LCP and, if the permit is approved, to impose conditions that are enforceable by the Commission.

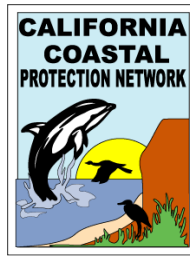
CCPN realizes that cannabis cultivation, processing and retail operations in the Coastal Zone are a relatively new phenomenon and that policy is being made 'as it happens.' Had we known the dangers of the path that Santa Barbara County, unlike other counties in CA, embarked on back in 2018, we would have been able to ensure that protective policies were in place to guide all forms of cannabis development in a sustainable manner that implemented the intent of the Adult Use of Marijuana Act approved in 2016. That being said, it is critical that the Commission be able to review this project to evaluate the conflicts with its primary mission under the Coastal Act – the preservation and enhancement of coastal access and recreation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan Jordan", with a long, sweeping horizontal line extending to the right.

Susan Jordan, Executive Director  
California Coastal Protection Network

CC: Director John Ainsworth, Chair Donne Brownsey, Commissioner Meagan Harmon



**SB 1148 (Laird):  
CEQA Exemption for State Licenses issued by the Department of Cannabis Control**

**Introduction:**

SB 1148 presumes that the CEQA reviews of cannabis operations conducted by local jurisdictions in the state are both comprehensive and robust. Based on this premise, SB 1148 concludes that the CEQA review currently required to obtain a state license is redundant and unnecessary.

Santa Barbara County is a prime example of how this assumption cannot be relied upon and that removal of CEQA review for state licenses should not be applied unilaterally without further requirements that ensure that robust CEQA review has been implemented at the local level.

**CEQA review for state licenses is an important double-check for jurisdictions where adequate CEQA review of cannabis operations has not been implemented by the local jurisdiction:**

SB 1148 seeks to exempt the issuance of a state license for a commercial cannabis project from CEQA if the activity in question conforms with the scope of a cannabis project where a local lead agency has filed specific CEQA notices including an exemption, a negative declaration, or an Environmental Impact Report (EIR).

In an effort to facilitate the transition of provisional licenses to annual licenses with the state, SB 1148 seeks to eliminate what it asserts is a redundant CEQA review by relying on an assumption that the local jurisdiction/agency has completed a 'robust' site-specific review of each project that will ensure that the intent and requirements of CEQA and the AUMA have been fully carried out. However, this assumption ignores the fact that the adequacy of CEQA review in different counties varies significantly; while some may be adequate, others are clearly inadequate to protect residents, other agricultural landowners, and the environment from harm.

As a case in point, Santa Barbara County is the poster child for inadequate CEQA review that has resulted in:

- A lengthy investigative series in the Los Angeles Times:

- [The world's largest pot farms, and how Santa Barbara opened the door - Los Angeles Times](#)
- [Weed, and marijuana money, are dividing this seaside town - Los Angeles Times](#)
- [Grand jury slams Santa Barbara supervisors over cannabis grows - Los Angeles Times](#)
- [Cannabis farm was a model for California's legal industry. Then came a sheriff's raid - Los Angeles Times](#)
- [A Santa Barbara County Grand Jury Report](#) that condemned the County's process and called for extensive modifications to the County's ordinance.
  - In addition to numerous concerns identified in the Report, the Grand Jury called out the inappropriate preparation of a Program EIR that "allowed for a more cursory analysis rather than the Project level as was performed in other counties. When considering the EIR was "cranked out in less than thirty days" by the P&D staff, the use of a Program EIR becomes telling."<sup>1</sup>
- Numerous appeals and nuisance complaints by local residents seeking appropriate environmental protections from cascading impacts from projects situated in proximity to sensitive receptors including schools, health facilities, etc.
  - See [news articles](#) by Melinda Burns for the Santa Barbara Independent for in-depth descriptions of numerous appeals and overrides to citizen concerns.
- The filing of [dozens of criminal complaints](#) by the Santa Barbara County District Attorney since the Board of Supervisors approved the Programmatic EIR and permissive ordinance in 2018.

To be clear, both the state and the California Department of Agriculture (CDFA) are partially responsible for the problems in Santa Barbara County. First, the state made the strategic error of allowing unlimited 'stacking' of small licenses. This was further exacerbated by the CDFA who accepted ***without proof*** Santa Barbara County's ***unverified affidavits*** that allowed individual 'medicinal growers' to apply for ***hundreds of small licenses*** that resulted in ***massive grows*** that now dominate the landscape.

Given that there is ***no*** requirement in SB 1148 that the newly created Department of Cannabis Control conduct any dedicated review to ensure that existing or future local cannabis permitting ordinances or EIRs adequately assess project specific environmental impacts, a blanket statewide removal of the DCC's existing statutory responsibility to conduct CEQA for annual licenses is premature. Such a broad policy change would eliminate the last opportunity for local communities to be assured that the CEQA review conducted by local jurisdictions is truly 'adequate' and 'robust' and in compliance with the intent and promise of the Adult Use of Marijuana Act:

- Proposition 64 requires the Department of Cannabis Control to "...ensure compliance with state laws and regulations related to environmental impacts,

---

<sup>1</sup> Santa Barbara County Grand Jury Report, 2019-2020, See pages 5-6, <https://sbcgj.org/wp-content/uploads/2022/02/Cannabis.pdf>

natural resource protection, water quality, water supply, hazardous materials, and pesticides in accordance with regulations, including, but not limited to the California Environmental Quality Act...<sup>2</sup>

Finally, SB 166, the budget trailer bill on cannabis license extensions that was thoroughly debated and approved in 2021 clarified that additional CEQA exemptions, like the one proposed in SB 1148, were to be disallowed:

*“It is the intent of the Legislature that **no further exemptions** from annual licenses be adopted and that any licenses issue under this division after January 1, 2025, be issued in compliance with all relevant environmental laws.”*

In addition, the budget trailer bill limited extensions to small growers who legitimately needed additional time to work their way through the provisional license system. Small growers were defined as those whose total canopy does not exceed 22,000 SF or those who hold multiple licenses on contiguous premises that do not exceed one acre in size. ***SB 1148 contains no such distinction and does not attempt to ensure that large corporate grows, like those that now dominate the landscape in Santa Barbara County, have been subject to robust CEQA review.***

#### **Case Study: How Santa Barbara County compromised the Adult Use of Marijuana Act (AUMA) and undermined CEQA review on large scale cannabis operations:**

Shortly after the AUMA became effective in 2016 with its lofty promises of environmental protection, Santa Barbara County – unlike any other County in California – embarked on an ambitious scheme to usher in the cannabis industry. The 2019 LA Times [investigative series](#) documented how it worked:

*“Lobbied heavily by the marijuana industry, Santa Barbara County officials opened the door to big cannabis interests in the last two years like no other county in the nation, setting off a largely unregulated rush of planting in a region not previously known for the crop. County supervisors voted not to limit the size and number of marijuana grows. They chose not to vet growers’ applications for licenses or conduct site inspections.”*

How the County’s unique scheme worked is outlined below:

**Acceptance of Unverified Affidavits:** SB County allowed anyone who stated that they were growing medical marijuana in compliance with the Compassionate Care Act on or before January 2016 to sign one-page ‘affidavits’ which were accepted at face value without verification. The limit at the time was for 6 plants. Over 250 affidavits were accepted and approved with multiples coming from the same individuals despite their clear inconsistency with the limits for medical grows.

---

<sup>2</sup> Proposition 64, Business and Professions Code Section 26056.5

**Unverified Affidavits Designated by the County as Legal Non-Conforming Use:** The County then proclaimed, again without verification, that these affidavits constituted a 'legal, non-conforming use'. These 'affidavits' then became a self-identified Cannabis Registry of supposedly legal cannabis cultivators in SB County.

**Unverified Affidavits Accepted by the State who issued Temporary Licenses:** The County forwarded the affidavits with a letter of authorization to the State who issued the holders temporary licenses – again without any verification. Multiple temporary licenses – some well over a hundred - were issued to individual operators.

**Approval of an Inadequate Programmatic EIR based on Overriding Considerations:** The County then prepared a Programmatic EIR whose sole goal was: "to develop a robust and economically viable legal cannabis industry to ensure production and availability of high quality cannabis products to help meet local demands, and, as a public benefit improve the County's tax base."

Despite the PEIR finding 12 Significant and Unavoidable Class 1 impacts to Prime Agricultural Resources, Air Quality, Noise and Traffic, the County Supervisors certified the PEIR on the basis of over-riding considerations. As a result, the County cannot limit the size of an operation, require odor control technologies, require larger setbacks from sensitive receptors like schools, etc.

**No Site Specific CEQA Review Conducted at the Local Level:** Because of the certification of the Programmatic EIR, no site-specific environmental review is conducted on cannabis land-use applications. Instead, County planners work with applicants on a 'checklist' to determine if the operator is in compliance with zoning, etc. There are no stringent odor control regulations, no limits on parcel size, no limits on the percent of acreage on a parcel that is allowed for cultivation by an operator, etc.

**Subsequent Appeals of Project Approvals Routinely Denied Based on Consistency with an Inadequate PEIR:** Residents, legacy vintners, schools, and community organizations have filed numerous appeals of project approvals which are routinely denied on the basis of the inadequate programmatic EIR certified by the County. Similarly, residents who have filed over 2,340 odor complaints since mid-2018 are routinely ignored by County Staff and Supervisors who claim they cannot address or control the odor because they cannot identify which cannabis operation is causing them.

**As a result of Santa Barbara County's inadequate Programmatic EIR and permissive cannabis ordinance, Santa Barbara remains ahead of both Humboldt and Mendocino counties in number of provisional licenses and, in CCPN's opinion, has done more than its fair share of adding to the glut of cannabis in CA, the depression of cannabis pricing and the decline of cannabis tax revenue:**

According to CCPN's review of outstanding provisional licenses listed on the Department of Cannabis Control's website, the breakdown shows that Santa Barbara holds 11% of all active



provisional licenses (940) in California after Los Angeles County (1509), however it should be noted that most of LA County's licenses are for manufacturing and retail outlets. In contrast, Humboldt County which is considered the 'birthplace' of cannabis cultivation is third **behind** Santa Barbara with 888 active provisional licenses, followed by Mendocino County (814).

| <b>Active Provisional Licenses</b> | <b>Total Number</b> | <b>Total Percent</b> |
|------------------------------------|---------------------|----------------------|
| All Counties                       | 8350                | 100%                 |
| Los Angeles                        | 1509                | 18%                  |
| <b>Santa Barbara</b>               | <b>940</b>          | <b>11%</b>           |
| Humboldt                           | 888                 | 11%                  |
| Mendocino County                   | 814                 | 10%                  |
| Monterey County                    | 520                 | 6%                   |
| San Luis Obispo                    | 37                  | .04%                 |
| San Mateo                          | 19                  | .02%                 |

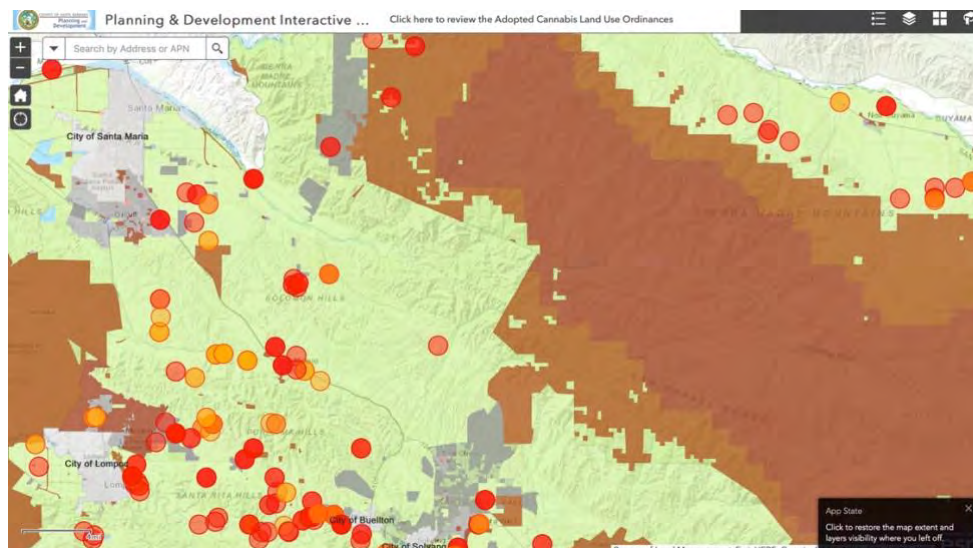
Further, an examination of who holds these provisional licenses is illustrative. In Santa Barbara County, single corporate owners control hundreds of these active provisional licenses enabling large scale corporate grows to dominate the landscape; more than half (56%) of all active provisional licenses in the County are controlled by just six entities as detailed below. Removing an important level of state oversight on these largely unpermitted grows would only make a terrible situation worse. This is not what the AUMA intended nor promised to the public when it was approved.

| <b>Top 5 Active Provisional License Holders in Santa Barbara County</b> | <b>Total Number</b>                    | <b>Total Percent</b>                      |
|-------------------------------------------------------------------------|----------------------------------------|-------------------------------------------|
| Total                                                                   | 940                                    | 100%                                      |
| Heirloom Valley                                                         | 171                                    | 18%                                       |
| Central Coast Ag Farming                                                | 134                                    | 14%                                       |
| Ag Roots LLC                                                            | 104                                    | 11%                                       |
| Gypsy Canyon                                                            | 43                                     | 4%                                        |
| Valley Crest                                                            | 41                                     | 4%                                        |
| Ceres                                                                   | 37                                     | 4%                                        |
| <b>Top 5 Provisional License Holders Control</b>                        | <b>530 active provisional licenses</b> | <b>56% of active provisional licenses</b> |

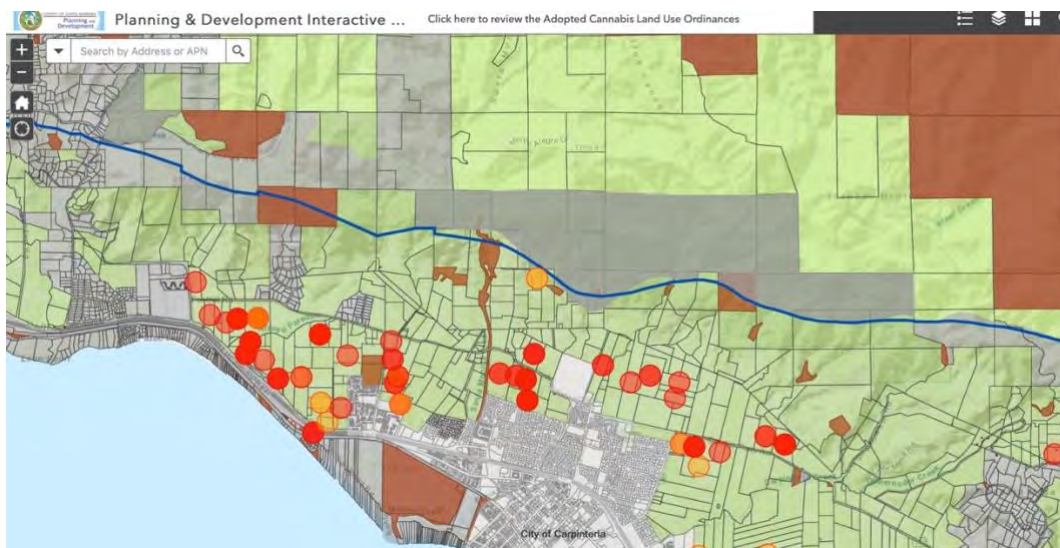
As indicated earlier, because of the adoption of a permissive "Programmatic EIR", **no site-specific** environmental review is conducted on cannabis land use applications. The vast majority of applicants have been growing continuously since being allowed to self-attest in December of 2017 in order to receive their State temporary and then provisional licenses.

**As reflected on the County CEO website, only 20 of the 60 inland projects have completed local permitting and licensing; 12 of the 35 listed cultivation sites in the Carpinteria overlay have completed local permitting and licensing.**

Below is a map of the Northern and Central parts of Santa Barbara County- historically agriculture and wine country—each red dot signifies unpermitted and/or unlicensed grow



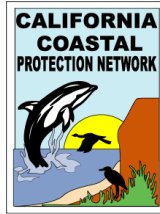
Below is a map of the Carpinteria Valley—each red dot signifies a cultivation site whose permitting & licensing is incomplete.



### **Conclusion:**

As detailed above, Santa Barbara County is a prime example of how CEQA review at the local level may be entirely inadequate to ensure adequate protection from impacts. Until an independent assessment of individual counties' environmental review processes is completed, SB 1148 (Laird) is premature and may lead to further unintended consequences as we have seen unfold in Santa Barbara County. It is essential that the Department of Cannabis Control ensure that robust site specific CEQA review has been implemented at the local level before being required by SB 1148 to relinquish its state CEQA review authority for annual licenses.





August 30<sup>th</sup>, 2022

Re: Santa Barbara County Planning Commission  
105 E. Anapamu Street  
Santa Barbara. CA 93101

RE: **Roots Dispensary Appeal:** 3823 Santa Claus Lane, Santa Barbara County

Dear Honorable Planning Commissioners:

Since 1999, the California Coastal Protection Network (CCPN) has monitored development in the Coastal Zone to assure that local as well as State agencies, including the Coastal Commission itself, adhere to Coastal Act standards, with an emphasis on protection of public access and recreation, agriculture and environmental resources. For the last 12 years, CCPN has attended (in-person and remotely) the Coastal Commission's monthly meetings to advocate for upholding these protective policies. We are particularly concerned with the environmental justice impacts of projects which not only negatively impact public access and recreation, but have a disparate impact on lower income communities, and communities of color. As you are aware, the Santa Claus Lane Beach is a much loved, family-oriented **public** beach which hosts over 150,000 visitors each year with two Surf schools on Santa Claus Lane serving young people 4-17 years of age. The beach also hosts youth from Title 1 schools in Carpinteria through the support of local nonprofits.

The County and this Commission have received ample evidence documenting how utterly inappropriate and incompatible a cannabis dispensary - with its lighting, fencing, and security requirements - would be with the public's safe and secure enjoyment of this beach area. However, I want to focus specifically here on the ways in which this proposal, in this specific location, is wholly inconsistent with the protective policies in the Coastal Act. Further, the County should well understand that the Coastal Act, in many if not all instances, imposes *stricter standards* for land use permitting in the coastal zone than in non-coastal areas.

To begin with, instead of diligently protecting Coastal Act standards, the County of Santa Barbara, particularly the First Supervisorial District, has consistently pursued cannabis policies that weaken or ignore those standards, all in the outspoken pursuit of local revenue. But the pursuit of revenue and the stated (misdirected) goal of building a robust and economically viable cannabis industry can never justify pursuing projects that are inconsistent with Coastal Act Chapter 3 policies. (See Coastal Act Section 30007.5.) The County may be able to override an impact under CEQA, but it cannot override Coastal Act policies to approve a project which is inconsistent with the Coastal Act.

1. **Your Commission has been misinformed by staff's unsupported comments asserting that you have limited 'purview' over cannabis related development.** While that might be arguable in inland areas due to the deliberately weak Programmatic EIR the County adopted at the urging of cannabis industry lobbyists while residents were digging out from the Montecito debris flow, this is simply not the case in the Coastal Zone. The County Business License ordinance does not and cannot pre-empt or over-ride Coastal Act provisions. Further, when the cannabis ordinance was certified to be included in the Local Coastal Program (LCP) in 2018, the County accepted a modification by the Coastal Commission which was intended to assure that this did not happen. **The standard of review for discretionary, appealable coastal development permits is the LCP,** NOT Chapter 50 of the County Code – the business license ordinance. It is therefore staff's obligation to analyze, and your obligation to consider any and all relevant evidence (including misrepresentations by the applicant in the licensing process) and determine, based on a preponderance of the credible evidence whether this dispensary, at this location, is consistent with the access and recreation policies of the LCP. The Coastal Development Permit (CDP) in this case is a fully discretionary permit, with a required local public hearing, and any resulting decision is appealable to the Coastal Commission.
2. Your Commission has been similarly misinformed by Public Works staff's assertions that cannabis dispensaries are 'retail' just like any other retail, regardless of their trip generation rates and the resulting conflicts with beach parking and public access to the beach. In fact, one of the main distinguishing features of the definition of development in the Coastal Zone is that the County and the Coastal Commission, on appeal, must evaluate the impact of the *increased intensity of use of the project site.* ( See, Section 30106, Definition of development.) Whether you do it in a supplemental EIR or not (the PEIR for the cannabis program did not even mention impacts on coastal access and recreation), you must account for those increased impacts and address them. If they cannot be adequately mitigated - and in this instance there is no feasible mitigation - you must deny the project as inconsistent with the LCP. The fact is that dispensaries are a distinct category of retail use under the ITE trip generation standards, and you must analyze the impacts of the more than 300 trips per day attributable to this use, especially as to how they will cause conflicts with public access and recreation in this location. You must also analyze the impacts of the approved and funded Streetscape project, which will result in the removal of 12 **existing** parking spaces across from the property. And you must consider the fact that this would be the only cannabis dispensary between Oxnard and Santa Barbara. So far, staff has refused to analyze these impacts. Therefore, CCPN believes that your options are to:
  - A. Direct staff to perform the necessary environmental analysis in a supplemental EIR - as required under CEQA - and *continue* the matter for the necessary amount of time for them to do so; or
  - B. Grant the appeal. You are not required to certify an environmental document when you deny a project.

Second, you are aware that the Board of Supervisors has disregarded your recommendations in the past, and the Board has repeatedly and irrationally adopted "standards" in the coastal zone that are

actually /less protective than standards for similarly situated inland properties. While the County is free to adopt a zoning standard for one parcel or area that is different from another, you have to have a rational basis for treating them differently. If you are going to treat the coastal zone as “lesser”, the County’s expectation of revenue from cannabis simply cannot be the guiding principle.

1. The Santa Claus Lane roadway is a mapped EDRN (Established Developed Rural Neighborhood). Your cannabis zoning ordinance - applicable in all areas *except* the Coastal Zone - explicitly **prohibits** cannabis related businesses in EDRNs. In fact, when the ordinance was adopted on February 27, 2017 it was intended to apply to both coastal and inland areas. For reasons never explained to the public, the coastal EDRNs “disappeared” when the ordinance was amended in July 2020 to exclude commercial cannabis from EDRNs (see Minute Order July 14, 2020. This most severely impacts the Carpinteria area in general, and specifically, for dispensaries, the location on Santa Claus Lane. The County has never articulated a rational basis for this discriminatory treatment of Coastal Zone EDRNs.
2. The current County Board of Supervisors appears intent on sacrificing the entire Carpinteria Valley to the cannabis industry. On August 16, 2022, the County took action to better protect the inland areas - by requiring additional permit review - but once again **excluded** the coastal areas, without even attempting to explain this intentional omission (See Board Minute order August 16, 2022). This exclusion reflects a wrong-headed policy. This property *is* in the Coastal Zone, and there is accountability under the Coastal Act. The Planning Commission has an independent duty, as the County’s planning agency, to assure that the LCP is administered with integrity and consistency with well-established Coastal Act standards.

Therefore, CCPN urges you to grant the appeal and deny the project.

Sincerely,

A handwritten signature in black ink that reads "Susan Jordan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Susan Jordan, Executive Director  
California Coastal Protection Network

cc. Steve Hudson  
Jack Ainsworth  
California Coastal Commission, Members

---

**From:** PAUL EKSTROM <paulekstrom@cox.net>  
**Sent:** Tuesday, November 29, 2022 9:59 AM  
**To:** Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>  
**Subject:** RE; Appeal of Roots/Radis Dispensary 3823 Santa Claus Lane, Carpinteria, CA 93013

Director Hudson, I urge you to allow this appeal to proceed. The residents of our community seem to have little or no impact on the hold the cannabis industry has on our Board of Supervisors. Carpinteria Valley has become the dumping area for industrial cannabis grows. Locating a dispensary on Santa Claus Lane is another "slap in our faces" from our "elected" officials. Please take the time to read the letter I sent to the Board of Supervisors from their Nov. 1 meeting. It was largely ignored, as the Supervisor from our district is "protective" of the cannabis industry. Thank you, Paul Ekstrom 1489 Manzanita St. Carpinteria, CA. 93013

**From:** PAUL EKSTROM <[paulekstrom@cox.net](mailto:paulekstrom@cox.net)>  
**Sent:** Sunday, October 30, 2022 3:43 PM  
**To:** sbcob <[sbcob@co.santa-barbara.ca.us](mailto:sbcob@co.santa-barbara.ca.us)>; Williams, Das <[DWilliams@countyofsb.org](mailto:DWilliams@countyofsb.org)>; Hart, Gregg <[gHart@countyofsb.org](mailto:gHart@countyofsb.org)>; Lavagnino, Steve <[slavagnino@countyofsb.org](mailto:slavagnino@countyofsb.org)>; Hartmann, Joan <[jHartmann@countyofsb.org](mailto:jHartmann@countyofsb.org)>; Nelson, Bob <[bnelson@countyofsb.org](mailto:bnelson@countyofsb.org)>  
**Subject:** Nov.1, 2022 Agenda Item 5-Roots Storefront at 3823 Santa Claus Lane

**Caution:** This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Please read into the record.

Supervisors of Santa Barbara County,

My wife and I have been residents of Carpinteria Valley since 1972. We have raised two children here and have used "Santa Claus Beach" many times. Now we have two grandchildren who visit us and have attended the surf camp at Santa Claus for the past two summers. They look forward to it and we love seeing them on a surfboard.

Now it appears our county leaders are using Carpinteria Valley as a "dumping ground" once again for the profits of the cannabis industry. Why Santa Claus Lane? Coast Village road is city on one side and county on the other and an area with liquor stores and primarily adult age businesses. Or, how about a store in the Summerland commercial area as this is another retail area targeted for adult clientele and also has a liquor store? An "upscale" cannabis shop selling items such as cannabis gummies does not belong on Santa Claus Lane, as this is an area populated primarily by families and young people. As we know there are restrictions on flavored tobacco products because they are marketed to the young. Cannabis

"gummies" and other such cannabis products would mostly appeal to young people. We urge you to reject the Santa Claus location and look for a more appropriate location. In addition there are cannabis delivery services already doing well in the area. Thank you for your consideration, Paul and Linda Ekstrom. 1489 Manzanita St. Carpinteria, CA 9301



-----Original Message-----

From: Anna Carrillo <annacarp@cox.net>

Sent: Monday, November 28, 2022 1:06 PM

To: Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>

Subject: Appeal of Roots/Radis Cannabis Retail 3823 Santa Claus Lane, Carpinteria

To: Mr. Steve Hudson,

From: Anna Carrillo

November 27, 2022

My husband and I have been residents of the Toro Canyon area since 1973 and our family has enjoyed the beach at Santa Claus Lane on a regular basis for walking our dogs and swimming. Now my 3 grandchildren use that beach all the time as they live here also. It has become a very popular beach for both the locals and the tourists and a cannabis retail store is not appropriate or compatible with the proximity of the beach, the residents, nor the other business establishments in this area.

My family and many others feel that Santa Barbara County's Zoning Administrator, the Planning Commission, and the Board of Supervisors have not listened to our concerns though I and others have written many letters, testified in person, signed a petition that this family friendly beach is not appropriate for the location of a cannabis store. This 1/2 mile stretch of roadway is a very busy road with lots of people looking for parking spots to enjoy the beach. I urge you to protect the access to the this special beach here at Santa Claus Lane. Of course when the Toro Canyon Plan was written and a commercial area was designated, no one had in mind a cannabis store with people milling about and walking by this store.

The county held an informational virtual meeting early in the process asking for input but unfortunately we were never listened to.

This roadway belongs to the Padaro Lane EDRN and as such cannabis activities should not be permitted in an EDRN. There was discussion about this in the EDRNs in the rest of the county, but was never codified and presented to the Coastal Commission in the Coastal Zone. This is an oversight and there should be at least the same protections in the Coastal Zone that are accorded to the rest of the county. This definitely hasn't happened with the rest of the cannabis cultivation sites in Carpinteria, which is completely in the Coastal Zone. When 5, 10, 20 acre parcels were excluded in the rest of the County from cannabis cultivation, nothing of the sort was even considered here in the Carpinteria Valley.

If you are presented with the almost 75 signers wanting this cannabis store in this location, note that the signers are not necessarily local residents, but only signed saying they were residents of Santa Barbara County, whereas the petition signed urging rejection of this permit was signed by almost 300 immediate neighbors - members of the following EDRNs Padaro Lane, Serena Cove, and Sandyland.

There are substantial issues that weren't looked at carefully. One of them is the compatibility of having a retail cannabis store so close to the beach with families and children continually walking by. There are 2 surf groups that use this beach. Right next door to this cannabis store is one of the stores that operates the surf camp, but now during the off season is teaching kids how to skateboard. Children go in and out of this store right next door.

There are no lifeguards nor police presence on this beach so there is no protection.

This 1/2 mile road is also the onramp for the heavily used southbound 101 freeway for residents on Padaro Lane,

many many residents for those on the mountainside of the freeway and 100s employees of the 6 cannabis cultivation sites on the mountain side of the freeway.

This beach has become very popular and parking will continue to be a problem even when there are more parking spaces added. Please preserve the access to this beach.

Please grant this appeal and disallow a cannabis retail store on Santa Claus Lane.

Thank you for your consideration in this matter.

Anna Carrillo  
Resident on Toro Canyon Rd., Carpinteria

-----Original Message-----

From: Andrew Bailard <abailard@cox.net>

Sent: Monday, November 28, 2022 10:08 AM

To: Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>

Subject: Roots Cannabis store

Dear Sir,

As residents of Carpinteria, my husband and I wish to register our opposition to the Roots cannabis store on Santa Claus lane or anywhere else in Carpinteria. We feel that Carpinteria has already suffered enough from this industry over the last few years. There are nice stores, restaurants, and a wholesome atmosphere in that area. We urge you to vote to keep it that way and not be influenced by any money or donations given by the cannabis industry.

Carol & Andrew Bailard

6618 Arozena Lane

Carpinteria, Ca 93013

**From:** Judy Dean <judycathryndean@gmail.com>  
**Sent:** Monday, November 28, 2022 9:40 AM  
**To:** Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>  
**Subject:** Appeal of the Roots dispensary

I am a Carpinteria resident, and have for years enjoyed the beach and restaurants at Santa Claus lane with my children and now with my grandchildren. The County's proposal to locate a cannabis dispensary on Santa Claus Lane is wholly inappropriate for this family-oriented area.

Numerous residents have submitted letters, appeared at hearings, and otherwise voiced their opposition to this location for a dispensary, but we are being ignored. Several more appropriate sites have been proposed, including locations in Summerland and Montecito. Apparently the wealth of those communities makes them immune to both cannabis cultivation and dispensaries.

The only parties who will benefit from locating a dispensary on Santa Claus Lane are the cannabis growers, who want a convenient location to sell their wares. The desires of the growers have already been granted in spite of community opposition on numerous issues, including the cultivation of cannabis within the restricted zone around schools and youth centers. Please do not allow the cannabis industry to despoil the beloved family recreation area of Santa Claus Lane.

Sincerely,

Judy Dean

---

**From:** anna bradley <annaberit@hotmail.com>  
**Sent:** Monday, November 28, 2022 7:35 AM  
**To:** Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>  
**Subject:** Roots Concern

Dear Mr. Hudson,

I am a local Toro Canyon/ Carpinteria Valley resident. My family lives directly north as a bird flies from the proposed Roots business on Santa Claus Lane. My family and friends have enjoyed the benefits of us living here with no issues until the cross over to cannabis cultivation below our residence in the La Mirada estates. We have enjoyed the access and opportunities to raise our daughter here at the beach on Santa Claus Lane. She learned to swim, to surf and to respect the gifts of our beautiful ocean and ecological surroundings. As a resident, I can't overstate how significant this coastal resource is to our community. We implore you and the Commission to recommend that a "substantial issue" be found so that the appellants, and supporters have the opportunity to ask the Coastal Commission to provide us with a fair hearing that we have yet to receive from the County. The County could have considered dispensaries in Summerland or Montecito, or even across highway 101 on a cultivator's property. They instead decided to put it next to a public beach which serves tens of thousands of members of the public, mostly families and youth campers.

We as residents know the reality of compromise, or the lack thereof, for the residents that live in this area regarding the cannabis industry. Please look at how this ultimately will play out for the people that live here and the local environment. We are already suffering from the odor and unknown masking chemicals for production already. It is a problem we cannot seem to solve as a community over years. Please let us not make another mistake in the same footsteps. Please hear the voice of residents with equal weight to the cannabis business advocates at minimum.

We believe that the Board of Supervisors, Planning Commission, and Zoning Administrator did not provide an accurate basis for approving a permit for this project. Over the last two years, hundreds of residents submitted letters, signed petitions, participated in surveys, stressing how inappropriate this location would

be for a cannabis retail store. Yet our voices were repeatedly ignored despite the fact that *the SB Cannabis Ordinance is deeply unpopular and controversial in Santa Barbara County.*

When the Board changed the ordinance in 2019 to target the Toro Canyon/Santa Claus Lane area for retail cannabis, it did not share that amended ordinance with the Coastal Commission. We urge you and the Coastal Commission to PLEASE allow this appeal to proceed. Not to do so would set a precedent that rewards the County for treating residents in the Coastal zone with less protection than residents in other parts of the County.

Thank you.  
Sincerely,  
Anna Bradley