

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

EX PARTE FORMS

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Dayna Bochco

Santa Barbara

1) Name or description of project: W12b 3823 Santa Clara Lane

2) Date and time of receipt of communication: 4pm / 2-2-23

3) Location of communication: Telephone

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)

4) Identity of person(s) initiating communication: Julia Zimmer

5) Identity of person(s) on whose behalf communication was made: _____

Appellants Kent & Rikalo

6) Identity of persons(s) receiving communication: D. Bochco

7) Identity of all person(s) present during the communication: _____

D Bochco / Zimmer

Content: attached

Location: b/w Leach &
1st public road.

2/2/23

Date

[Signature]

Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.

Presumption of SI

1. PEIR was Elicited & approved.

This CDP should've done further review under CEQA - but 1

2. Cant jump from PEIR to approving the CDP. PEIR didnt discuss policies at all, as usually done, but PEIR would allow CDP to do this, but it isnt being done

— CDP as a "pro forme" application, & no further review.

— Revenue is not a justifiable reason to override Coastal Policy.

3. Traffic mitigation plan (which she just received) on P3 a chart shows 30 VTH

— no analysis of intensity of use
4. # of Parking spaces - 6 spaces, 5 employees, 1 is for delivery + customers
So 30 customers/hr & many deliveries

1. The proposed shop is located between the beach and the first public road. There is already heavy competition for beach access public parking here, many park illegally on the shoulder.
2. The County only required 6 spaces --- five designated for employee parking and one for deliveries and customers. (The other 6 are for other businesses on the property.)
3. There was no analysis of the increased intensity of use at the site, even though the applicant's own evidence cites anticipating over 30 customer trips per hour and an unspecified, but large number of deliveries per day.
4. The County asserts that complying with the cannabis code is enough: they do not acknowledge that "minimum code compliance does not determine public access under the Coastal Act."

Received on: 1/31/23

Sent 1/31/23 @ 5:23 PM

EXPARTE COMMUNICATION DISCLOSURE FORM
Filed by Commissioner Donne Brownsey

1) Name or description of project: Feb 8, 2023 Agenda: Item W12 b Appeal for a Cannabis dispensary in Santa Barbara County

2) Date and time of receipt of communication:
Jan 31, 2023 at 3:30-4:00pm

3) Location of communication
By Phone

4) Identity of person(s) initiating communication:
Jana Zimmer

5) Identity of person(s) on whose behalf communication was made:
Her client the appellants, ~~Pat and Marie Padis~~ STEVEN KENT & NANCY RIKALO

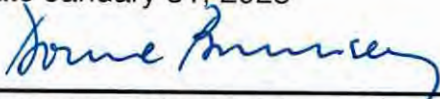
6) Identity of persons(s) receiving communication:
Donne Brownsey

7) Identity of all person(s) present during the communication:
Brownsey and Zimmer

8) Complete, comprehensive description of communication content:

Ms Zimmer raised a number of grounds for her request that the Commission find Substantial Issue for this appeal. The discussion focused on the parking analysis by the county and staff by my request. She indicated that the applicant stated that they anticipated 30 customers per hour during business hours yet under this permit the site only designated 6 parking spaces for the employees and customers on site. It is her belief that with deliveries from vendors and deliveries from the dispensary to customers as well as on site customers, the parking is woefully insufficient. She requests that the Commission do a more detailed parking analysis based on the changed intensity of use under a de novo review. She asserted that this permit will substantially impact parking on Santa Claus Lane that is utilized by members of the public to access the beach. Finally she stated that the Commission could require conditions relating to the parking that would mitigate any adverse impacts from the increased intensity of use of this site by for example, requiring that employees use leased parking off site etc.

Date January 31, 2023



Signature of Commissioner Donne Brownsey

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Meagan Harmon

- 1) Name or description of project: A-4-STB-22-0065 (Radis)
- 2) Time of receipt of communication: January 21, 2023 at 9am
- 3) Location of communication: In Person at 3823 Santa Claus Lane, Carpinteria area
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:
Dennis Bozanich
- 5) Identity of person(s) on whose behalf communication was made:
Pat and Maire Radis
- 6) Identity of persons(s) receiving communication:
Meagan Harmon
- 7) Identity of all person(s) present during the communication:
Dennis Bozanich and Maire Radis

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I met with Mr. Bozanich and Ms. Radis at the site of the proposed store front. They gave me a brief tour of the interior of the space and indicated that no substantial construction will be undertaken. They then took me to the back of the building to show the parking lot that they intend to use for customers. They also discussed the contention that the next door shop is home to a "surf school," and stated that they had a signed document affirming that the shop was not and will not be a youth-oriented establishment. They believe that the process has been complied with by the County in all ways, that the contentions of the appellants are not correct, and that staff should find no substantial issue in this matter.

January 29, 2023

Date



Signature of Commissioner

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From: Wilson, Mike@Coastal <mike.wilson@coastal.ca.gov>
Sent: Saturday, January 28, 2023 1:21 PM
To: Jana Zimmer <zimmerccc@gmail.com>
Cc: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>
Subject: Re: Request for ex parte Appeal A-STB 22 0065, Wed. Item 12b

Thanks for the information.

With respect,

Mike Wilson P.E.
Commissioner

Sent from my iPad

On Jan 25, 2023, at 8:03 PM, Jana Zimmer <zimmerccc@gmail.com> wrote:

Commissioner Wilson,
Thank you. As I understand it, this hearing will be on substantial issue, only, so I am providing a copy of our January 3, 2023 letter to staff specifying why SI is appropriate.

Thank you for your consideration.

Jana Zimmer

On Wed, Jan 25, 2023 at 10:11 AM Wilson, Mike@Coastal
<mike.wilson@coastal.ca.gov> wrote:

Thank you for reaching out. I don't typically do exparte for items outside the north coast. I will review and let you know. You are welcome to send me any information you feel is relevant.

With respect,

Mike Wilson P.E.
Commissioner

Sent from my iPad

On Jan 25, 2023, at 9:42 AM, Jana Zimmer <zimmerccc@gmail.com> wrote:

Commissioner Wilson,

I would appreciate the opportunity to speak with you to explain why the Commission should find substantial issue on this appeal. It is a Santa Barbara County case, but it has clear statewide implications for treatment of similarly situated projects. Please contact me to indicate your availability.

--

Jana Zimmer

(805)705-3784

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Jana Zimmer

(805)705-3784

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6) Identity of persons(s) receiving communication: _____

7) Identity of all person(s) present during the communication: _____

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

12/7/2022
Date


Signature of Commissioner

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