

de la Guerra, Sheila

From: Jana Zimmer <zimmerccc@gmail.com>
Sent: Wednesday, October 26, 2022 12:02 PM
To: sbcob; Nelson, Bob; Lavagnino, Steve; Hartmann, Joan; Hart, Gregg
Subject: 3823 Cannabis Dispensary Appeal: APPELLANT'S PROPOSED FINDINGS AND EXHIBITS.
Attachments: APPELLANTS' PROPOSED FINDINGS FOR DENIAL 10.26.2022.pdf; 3823 SCL Appellants Exhibits 1-174 10.16.2022.pdf

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To the Clerk and the Board of Supervisors:

Please find attached the appellants' proposed findings for grant of their appeal and DENIAL of the coastal development permit, and their Exhibits 1-174 in support. Because the County has failed to timely complete its production of documents in response to their Public Records Act requests, Appellants reserve the right to submit additional exhibits at or prior to the hearing.

The County Planning Commission approved an appealable coastal development permit for a cannabis dispensary at 3823 Santa Claus Lane, First District, County of Santa Barbara on September 7, 2022. The approval was duly appealed to the Board of Supervisors by an aggrieved party on September 13, 2022.

The Planning Commission was prevented from exercising its authority under State Planning and Zoning laws as well as the Local Coastal Plan because of decisions and actions taken by the County Executive Office which purported to unlawfully predetermine the location of a dispensary on Santa Claus Lane. All other potentially feasible sites in the First District planning area were arbitrarily eliminated from consideration by the County Executive Office prior to submittal of an application for coastal development permit. Appellants and others objected throughout the process, to the County Executive and the Board of Supervisors. The Board of Supervisors and the County Administrator failed and refused multiple requests that they rescind the selection of the site for license "approval", for cause. Therefore, appellants and others have participated in the coastal development permit hearing process, and have provided evidence of violations of CEQA, and inconsistencies with Coastal Act, LCP and Toro Plan policies as well as the Coastal Zoning ordinance.

The appeal must be granted because:

- (1) the project is not and cannot be exempt from environmental review under CEQA;
- (2) the location of the dispensary would be inconsistent with numerous provisions of the LCP intended to protect public access to the Santa Claus Lane Beach and would be inconsistent /incompatible with the purposes of the C-1 zone and with the Santa Claus Lane neighborhood, as a special neighborhood under Pub. Res. Code Section 30253(e), including the beach and recreation- related and visitor serving businesses and the residences in the surrounding EDNRN (existing developed rural neighborhoods);
- (3) The Radis/Roots site is directly adjacent to a Surf Happens, a "sensitive receptor" as defined by State Law and the LCP, and thus must be categorically excluded as a cannabis dispensary site. The County cannot administratively amend its LCP, without Coastal Commission review or certification, by altering the definition and criteria for a "youth center" specifically to exclude Surf Happens from the definition;
- (4) the County failed to consider ostensibly feasible alternative locations in the coastal development permit process, including a site in Montecito zoned C-1, and several sites in Summerland, and other options north of Highway 101.
- (5) In summarily rejecting ostensibly feasible sites in Montecito and Summerland in the Chapter 50 licensing process, and instead, placing the dispensary in a visitor serving area adjacent to a public beach which attracts visitors and

families of a range of incomes, disadvantaged communities, and people of color by the tens of thousands annually, the County has failed to consider environmental justice principles in its decisions making, contrary to the intent of the Coastal Act. AB 2616 (Burke) (Ch. 578, Stats. 2016) [Exh 163 King/UCLA].

(6) After refusing to require any traffic analysis of the increased intensity of use of the site at any point during the permit review process, staff has accepted at purported study by ATE. This late submittal (October 26, 2022) is irrelevant to the fundamental issue under the Coastal Act: the parking conflicts between dispensary customer use and the public seeking access to the beach, and impossible to address. Exh 179. The applicant "study" shows parking demand tables (page 8 and 9) with a maximum employee parking demand of five vehicles, and the same for customers. This is inconsistent with their prior materials noting that 8-12 employees would be on site at any time and the ITE data cited in the Nygaard study showing a maximum parking customer parking demand of over 14 vehicles. It is unclear if the applicant made up these estimates or if they were prepared by a professional.

The more relevant data for purposes of analysis of conflicts with public access, from ATE is appellant's Exhibit 54, where ATE estimates summer beach users at 1840 per day, as well as their study for the MND for the Streetscape project, which specifically states that future residential and commercial parking demand were *not* included. The ATE document submitted on October 26, 2022 document focuses on vehicle trip generation, which doesn't affect the parking demand estimates and parking's impact on coastal access. It is also noteworthy that the "Conditions: in the so-called STDMP submitted at the last minute to the Planning Commission at P&D's invitation, which offer "discounts" to customers are likewise irrelevant and unenforceable. The applicants summarily rejected conditions of approval and restrictions on operation which were directly tied to the unmitigated impacts of the project on beach access parking, as well as its obvious conflicts with the "youth center" 29 feet away.

(6) Applicants have engaged in a public relations campaign representing to the community and the County that their LLC is "woman and/or minority owned". Minority and female ownership are not relevant considerations in the coastal development permit process. However, the issue of ownership and management as well as labor protection issues factored into the Chapter 50 application evaluation and scoring- the success of which opened the door for Roots Carpinteria to submit an application for a CDP.. In the Chapter 50 application, Roots Carpinteria listed five owners:

Maire and Patrick Radis; Victor Sanchez, Jr.; Luis Castaneda; David Garcia; and Beth Thuna. In the "Labor Protection Plan" narrative section of the application [A 11], Roots represented that *"our ownership team is experienced in negotiating and obtaining LPAs [Labor Protection Agreements] for California Cannabis operations. Our Co-owner, eth THuna...obtained in a timely manner an LPA with UFCW Local 770 [for a Hueneme Retail store she owns].* [Exh]

On July 2022 one of the Roots' Lobbyists letter published in the Montecito claimed *"The store [Roots] is also locally owned, minority owned, and women-led"*. The phrase "minority owned" has factored into many other marketing materials and letters of support for Roots Carpinteria in the past year.

However, on June 21, 2022 [less than a month after Zoning Administrator approval, the Roots LLC- 3823 SCL LLC- submitted a form with the Secretary of State changing the ownership of the LLC. The changed form removes the names: Victor Sanchez; Luis Castaneda; David Garcia; Beth Thuna leaving only Maire Radis and Patrick Radis as "Managers" of the LLC. This form is required to attest that "no manager or member has an outstanding final judgement issued by the Division of Labor Standards and Enforcement".

It is concerning that, on top of the errors and misrepresentations identified in the Chapter 50 licensing process, the owners appear to be employing a "bait and switch" on significant issues of ownership that impacted their entitlement to submit for a coastal development permit. This underscores the absurdity of continuing to ignore misrepresentations in the Chapter 50 application that laid the groundwork for the CDP application.

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[Appellants' Proposed] Findings for Grant of Appeal and Denial of 21 CDH – 00000-00029, Cannabis retail dispensary at 3823 Santa Claus Lane, First Supervisorial District.

County of Santa Barbara Board of Supervisors 11.1.2022

The Board has considered all of the evidence presented and incorporated into the record by Appellants [Appellants' Exhibits 1 through 178], and the Applicants, the staff reports, and the comments of the public and finds as follows:

EXECUTIVE SUMMARY

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The Planning Commission was prevented from exercising its authority under State Planning and Zoning laws as well as the Local Coastal Plan because of decisions and actions taken by the County Executive Office, which purported to unlawfully predetermine the location of a dispensary on Santa Claus Lane, because all other potentially feasible sites in the First District planning area were arbitrarily eliminated from consideration prior to submittal of an application for coastal development permit. Appellants and others objected throughout the process, to the County Executive and the Board of Supervisors. The Board of Supervisors and the County Administrator failed and refused multiple requests that they rescind the selection of the site for license "approval" for cause. Therefore, appellants and others have participated in the coastal development permit hearing process, and have provided evidence of violations of CEQA, and inconsistencies with Coastal Act, LCP and Toro Plan policies as well as the Coastal Zoning ordinance.

The appeal must be granted because (1) the project is not and cannot be exempt from environmental review under CEQA; (2) the location of the dispensary would violate numerous provisions of the LCP intended to protect public access to the Santa Claus Lane Beach and would be inconsistent /incompatible with the purposes of the C-1 zone and with the Santa Claus Lane neighborhood, as a special neighborhood under Pub. Res. Code Section 30253(e), including the beach and recreation-related and visitor serving businesses and the residences in the surrounding EDRN (existing developed rural neighborhoods);(3) The Radis/Roots site is directly adjacent to a Surf Camp, a "sensitive receptor" as defined by State Law and the LCP, and must be categorically excluded as a cannabis dispensary site. The County has unlawfully amended its LCP, without Coastal Commission review or certification, by administratively altering the definition and criteria for a "youth center" specifically to exclude Surf Happens from the definition; (4) the County failed to consider ostensibly feasible alternative locations in the coastal development permit process, including a site in Montecito zoned C-1, and several sites in Summerland, and other options north of Highway 101. In summarily rejecting ostensibly feasible sites in Montecito and Summerland and instead, placing the dispensary in a visitor serving area adjacent to a public beach which attracts visitors and families of a range of incomes, disadvantaged communities, and people of color by the tens of thousands annually, the

County has failed to consider environmental justice principles in its decisions making, contrary to the intent of the Coastal Act. AB 2616 (Burke) (Ch. 578, Stats. 2016) [Exh 163 King/UCLA]

1. PROCEDURAL HISTORY

- 1.1 In or about 2017 the County prepared, circulated and certified a Program EIR as the environmental document required under CEQA to support the adoption of certain Countywide ordinance amendments to implement its cannabis program.
- 1.2 The County's cannabis program consists of two separate components: (a) Licensing of cultivators, processors and retailers, which is set forth in the County Code, Chapter 50 and which resides *outside of the County's Local Coastal Program*; and (b) consideration and approval of discretionary coastal development permits under County Code Chapter 35, its zoning ordinance. The zoning ordinance separately considers inland projects (LUDC) and projects in the coastal zone, Chapter 35 Article II.
- 1.3 The property, which is the subject of this appeal, at 3823 Santa Claus Lane, Carpinteria area, First District, is in the "appeals jurisdiction" of the Coastal Commission, because it is located between the beach and the first public road. Therefore, any discretionary coastal development permit approved by the County is appealable to the Coastal Commission.
- 1.4 In or about 2018, the County submitted ordinance amendments to the Coastal Commission to implement its cannabis program to apply in the coastal zone, to be certified as amendments to its Local Coastal Program (LCP). County of Santa Barbara Local Coastal Program Amendment No. LCP-4-STB18-0039-1-Part C (Cannabis Regulations) [Exh 130]. As submitted, the ordinance amendments included provisions related to licensing of cannabis cultivators and retailers, as well as standards for coastal development permit approvals. The Coastal Commission certified the LCP amendments, *subject to specific modifications, which the County accepted. The Commission found: " As proposed, the Business License Ordinance would reside in a section of the County's Code outside of the certified LCP, and other than some of the definitions, the 186 acre land use cap, and the inconsistency regarding outdoor cultivation, the Business License Ordinance pertains to local business issues and does not contain standards that would apply to coastal development permits. Therefore, since Suggested Modifications No. 1 and 3 reconcile the two ordinances, Suggested Modification No. 4 is necessary to not certify the Business License Ordinance as part of this LCP amendment so that it is not the standard of review for coastal development permits and can be separately implemented by the County."*

The Commission also specifically found, under CEQA:

"The County's LCP amendment consists of an IP (Implementation Plan) amendment. As discussed above, the IP amendment as originally submitted does not conform with, and is not adequate to carry out, the policies of the certified LUP. The Commission has, therefore, suggested modifications to the proposed IP to include all feasible

measures to ensure that such significant environmental impacts of new development are minimized to the maximum extent feasible consistent with the requirements of the Coastal Act. These modifications represent the Commission’s analysis and thoughtful consideration of all significant environmental issues raised in public comments received, including with regard to potential direct and cumulative impacts of the proposed IP LCP-4-STB-18-0039-1-Part C (Cannabis Regulations) amendment, as well as potential alternatives to the proposed amendment. As discussed in the preceding sections, the Commission’s suggested modifications represent the most environmentally protective alternative to bring the proposed IP amendment into conformity with the LUP consistent with the requirements of the Coastal Act.”

The County accepted the Coastal Commission’s proposed modifications.

The County’s Chief Administrative Officer, [CEO] is responsible for implementing the cannabis licensing provisions in Chapter 50 of the County Code. In accepting the Coastal Commission’s modifications, the County understood and agreed that, notwithstanding any action taken under Chapter 50, their Planning agency, including the Planning and Development Department, the Zoning Administrator, the Planning Commission and the Board of Supervisors, on appeal, would retain full discretion to approve, approve with conditions, or deny individual applications for coastal development permits for cannabis related development based on their consistency or lack of consistency with the provisions of Article II of Chapter 35 (the coastal Zoning ordinance), the coastal land use plan, the Toro Plan, and the Coastal Act Chapter 3 policies as specifically implemented through Section 1-1 of the Land Use Plan.

Of particular importance, in contrast to the County’s inland ordinance, the Coastal Act at Section 30106, and the Definitions Section of Article II of Chapter 35 (the coastal zoning ordinance, or “Implementation Plan”) define “development” to require the County to analyze not only the consistency of the proposed use with coastal zoning ordinance uses, (here, generally uses allowed in the C-1 zone) but also to analyze whether the project includes a change in use or *intensity of use*. This statutory requirement to define development to include changes in intensity of use, unique to the coastal zone, has been affirmed by the courts since 1980. *Stanson v South Coast Regional Coastal Commission* (1980) 101 Cal. App. 3d 42.

- 1.5 Notwithstanding that the County accepted the Commission’s modifications, in 2018, and their legal agreement that the LCP, and not the licensing ordinance, would provide the standard of review, and despite their assurances made to the public, [Exh 131], since 2018 the County has adopted multiple changes to its cannabis licensing ordinance and taken several actions under its licensing ordinance which have effectively preempted and operated to impair and eliminate the discretion of the Planning agency to analyze and consider the impacts of individual applications for coastal development permits. This has, in turn, resulted in the failure of the County’s

planning agency to analyze the impacts of the increased intensity of use at the project site, and has effectively preempted the consideration of alternative locations to the project site, all in violation of its obligations under the Coastal Act.

- 1.6 Specifically, on April 9, 2019, the Board of Supervisors considered amendments to the Chapter 50 licensing ordinance which authorized applications for licenses for cannabis retail locations by “community plan area”. [Exh 132] . Prior to that, Chapter 50 was silent on specific locations of retail cannabis, only specifying “no more than two per Supervisorial District” [Exh 146] . Subsequent amendments to Chapter 50 were adopted August 27, 2019; December 17, 2019, and January 14, 2020. A proposal to further amend Chapter 50’s provisions concerning the “acreage cap” is set for first reading on 11.1.22.
- 1.7 None of the Board’s hearings under Chapter 50 are conducted pursuant to rules applicable to land use decisions, for example, ten (10) day notice of hearing to enable public participation, and right to appeal, including to the Board of Supervisors and the Coastal Commission. None of the County’s decisions to award or deny licenses are appealable, except by disappointed applicants.
- 1.8 With respect to the Montecito/Summerland/Toro Canyon Plan areas, which include areas in the coastal zone, and the subject site, before the licensing process proceeded, the Board erroneously eliminated an appropriately zoned C-1 site in Montecito [Exh 160], despite the Planning Director’s testimony that the site which was rejected was in fact appropriately zoned. [Plowman testimony, Exh 134 Board hearing of 12.17.2019 & 7.14.20 email from Plowman to Anna Carrillo] . The Board also eliminated a number of sites in the Summerland Plan Area, based on the presence of a facility known as the “Montecito Academy”, a private, primarily online educational institution, which was then arguably considered a “school” subject to the mandatory 750-foot buffer from cannabis development contained in CZO Section 35-144. Thus, on November 5, 2019, the Board was advised by then Deputy CEO Dennis Bozanich, that, in the Montecito/Summerland/Toro Canyon Plan area a retail site would “effectively for commercial operations” be chosen on Santa Claus Lane/Padaro Lane. [Exh 134] Padaro lane is zoned residential, leaving only Santa Claus Lane as a potential retail cannabis site. These site “determinations” were not appealable by any member of the public under the licensing ordinance, nor were they submitted to the Coastal Commission for certification as amendments to the LCP.
- 1.9 In or about July/August of 2020, and *after* the determination to place a retail outlet on Santa Claus Lane was “effectively” made, the Board conducted community meetings to solicit public input. The affected community-, including (1) the owners, tenants and the merchants on Santa Claus Lane, which include a Surf shop, a Surf Camp which caters to children age 5-17, the Padaro Grill, a family oriented outdoor restaurant, and Rincon catering, -all community/ visitor serving/recreation oriented commercial uses,

as well as three lower cost residential rental units within 100 feet of the site, (2) the residents of the Santa Claus Lane area EDRN (Existing Developed Rural Neighborhoods) and the residents of Padaro Lane, Casa Blanca, Sandyland, Polo Condos, and Conchita Homeowners- all opposed the site as incompatible with their rural residential neighborhoods, over 150 of whom signed a petition asserting their objection. [Exh 55] It is noteworthy that while the Board of Supervisors subsequently adopted ordinance amendments which *excluded* cannabis retail from EDRN in the *inland* areas, they failed to apply this exclusion in the coastal zone, with no rational basis. [Exh 1 , Minute Order of 7.14.2020]. It is also noteworthy that Board's original vote on 6.11.2020 [Exh 135], included the coastal EDRN in the prohibition, but that provision was summarily deleted, without explanation, on 7.14.2020 without further public discussion. Had the County proceeded to include the coastal EDRN, the Santa Claus Lane site would have been ineligible for cannabis retail on that basis alone. [Exh 136 Map of EDRN, Map of Cannabis sites in Carpinteria]

- 1.10 Appellants and others objected repeatedly to the CEO's approval of the Santa Claus Lane site both before, in and after April of 2021 [Exh 167 , e.g., Brickley, 3.5.2021] but the Board and the CEO refused to rescind the decision to effectively approve a license under Chapter 50, even though they had clear authority and grounds to do so. [Exh 33 letters JZ to BOS]
- 1.11 Unsurprisingly, consistent with CEO Bozanich's announcement in November 2019, and since the only two sites considered for a license were located side by side on Santa Claus Lane, one of them-the current applicants- "won" the invitation by the County CEO to begin the land use entitlement and business license application process. [Exh 112] Members of the public, including appellants registered their objections to the site "selection", in letters, e mails and appearances at the Board of Supervisors. [Exh 142]. Based on writings received under the Public Records Act, there is no evidence that the County considered any Coastal Act issue in this site selection process: not the competition with beach users for scarce public parking along Santa Claus Lane; not the safety hazard and conflict at the east end of Santa Claus Lane between dispensary traffic and the new bike lane which is part of the Streetscape project and will provide access to the California Coastal Trail, not the parking, traffic and safety conflicts attributable to the increased intensity of use of the existing structure on the parcel, and not the impact on Santa Claus Lane as a special community protected under Section 30253(e) of the Coastal Act. The County failed utterly to consider their separate obligation under Toro Plan Policy PRT-TC 2.4 ["... where feasible, the County shall ensure the provision of adequate coastal access parking including signage designating the parking for this purpose, to provide adequate public parking for beach access."]
- 1.12 Appellants had no right of appeal nor any right of judicial review, under Chapter 50, and were therefore compelled to participate in the coastal development review and

approval process, for which they were forced to expend significant sums on traffic studies which the county had refused to require, and legal analysis and opinion which the County had refused to require or provide.

1.13 While the County Supervisor for the District, Das Williams, repeatedly reassured residents-from the dais at BOS hearings, and in emails, that the Planning agency retained “discretion” to deny the coastal development permit, [Exh 140] and the Planning Director and staff asserted in June of 2021 that they would, or might require a traffic study to quantify the impacts of dispensary related traffic, [Exh 32] at every subsequent stage, every advisory agency or body- the S-BAR (Board of Architectural Review) meetings of 9.10.21 and 11.6.21; the SDRC (Subdivision Review Committee of 9.15.21, the Zoning Administrator hearing of 5.23.22 and the Planning Commission hearing of 9.7.22 were repeatedly and erroneously advised to consider the permit to represent simply a change from one ‘retail’ use to another, and not to consider the increased intensity of use. The Public Works representative advised the County Board of Architectural Review and the Subdivision Review Committee that no traffic study was necessary, and none was done. His comments, and those of other staff at these meetings, were detailed in a letter sent by appellants representative to CEO Miyasato and Planning Director Plowman on 9.25.21 [Exh 80] The Public Works representative likewise advised that the Planning Department could not and should not consider the fact that after the Streetscape Project is completed, there will be a loss of 62% of the *existing* parking spaces directly across from the proposed retail store. P&D included this admonishment from Public Works in her memo to SBAR dated 11.5.21. [Exh 92]The Zoning Administrator and the County Planning Commission were likewise advised by staff to consider the permit only as a change from one retail use to another. [SBAR meeting 9.10.21; SDRC meeting 9.15.21]

1.14 Upon the urging of the Public Works department, whose representative erroneously maintained that the project required “only” a land use permit, [Exh 138], and notwithstanding their persistent failure and refusal to allow appellants to review the applicants’ submittals [Exh 141] the County Planning and Development Department failed and refused to commission a traffic study. The appellants presented contemporary summer traffic counts [Exh 138 & 139] and expert opinion [Exhs 10 & 60] , as well as beach attendance estimates [Exh 54] which identified the inadequacy of the proposed parking to serve customers, employees and delivery vehicles, potential safety conflicts between dispensary traffic and the coastal bike trail, and potential conflicts between the retail dispensary use and public coastal access, but all of this evidence was disregarded. [Exh 161]

At the Planning Commission hearing of September 7, 2022, County Counsel advised, incorrectly, that Section 35-77A, the “Purpose” of the C-1 zone could not provide a basis to deny the project on the grounds of its general incompatibility with the EDRN residential uses. In response to a specific question from the Chair of the Planning Commission as to whether there was any basis in the law to deny the project under the Coastal Act based on the

Commission's concerns with "compatibility" of the area, the County Counsel remained mute, notwithstanding that appellant had repeatedly cited to Section 30213 [protection of lower cost visitor serving uses] and Section 30253(e) [protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses]. The Deputy County Counsel appeared to assert that inconsistency with Section 35-77A of the coastal zoning ordinance, describing the purpose of the C-1 zone, could not be a basis to deny the project. County Counsel did not identify any other provision of law that could support a denial. Therefore, it became apparent that the selection of Santa Claus Lane as the site for a dispensary had been a 'done deal' since at least November of 2019, when Deputy CEO Bozanich told the Board of Supervisors that retail in the Toro/Summerland Plan area would be "effectively" on Santa Claus Lane.

Thus, the project site was approved without the required analysis of the increased intensity of use, or analysis of ostensibly feasible alternative locations in the planning area which would not pose the clear conflicts with coastal access and recreation on Santa Claus Lane.

2. CEQA Compliance

2.1 The PEIR [Program EIR] for the Cannabis Program, which was certified in 2018, did not identify, consider or evaluate impacts and inconsistencies with Coastal Act and LCP policies protecting and preserving public access and recreation in the coastal zone, [Exh 99] including but not limited to public access policies expressed in Coastal Act Sections 30312,30313, which include the protection of existing lower cost recreation, and 30214, and specifically, the requirement of protection of access to and along the beach and the California Coastal Trail, or existing visitor serving uses and lower cost recreation, nor did it consider the requirement to protect the character and function of Santa Claus lane as a special community under Section 30253(e), as identified .

2.2 The PEIR found that traffic and circulation impact from cannabis *retail* would be *Class I, Significant and Unavoidable*. [Exh 143] However, the County did not include any mitigation measures specific to cannabis retail in its cannabis ordinance(s), Article II, Section 35-144. Despite the evidence submitted by appellants, P&D refused to require additional, site specific, environmental review, and instead purported to determine the project to be exempt from further review under CEQA. Therefore, compliance with the zoning ordinance requirements, even if it had occurred, cannot be deemed adequate to address the presumptive significant effects of cannabis retail at this location for CEQA purposes.

2.3 As set forth above, in 2018, the Coastal Commission, in certifying the cannabis ordinances, proposed specific modifications, which the County accepted, and which removed any proposed regulation adopted under Chapter 50 from the certified LCP. Based on those specific modifications, the Commission made its CEQA findings under Public Resources Code

Section 21080.5. Notably, the County’s PEIR relied on a Statement of Overriding Considerations, which was based primarily on expected revenue to the County from legalized cultivation, and the social “benefits” of legalization. This finding is no longer valid because:

(a) The Legislature adopted AB 195, (2022) [Exh 38] which eliminated a significant portion of the cultivation tax; and

(b) The assumption that legal cultivation would result in the elimination of illegal grows has been proved incorrect. These findings under CEQA could not be applied to justify a permit approval in the coastal zone, under any circumstance, because revenue generation and other noble social goals are not policies which can be balanced, under Section 30007.5 against the mandatory Coastal Act policies under Pub. Res. Code Section 30212,30213,30214 and 30253(e).

(c) The PEIR did find that impacts from retail would be significant and unavoidable, but the County failed to implement any mitigation measures specific to retail outlets in its coastal zoning ordinance.

(d) There is no policy in the Coastal Act which would allow the County to “balance” the unmitigated and unresolved policy inconsistencies in this case, nor can the County be excused from identifying and analyzing all impacts from the change in intensity of use of the site, or from identifying and analyzing all ostensibly feasible alternative sites within the coastal development permit process, which they have not done.

2.4 It was not until November 2019, after certification of the PEIR, and after the Coastal Commission certified the cannabis ordinance in the coastal zone, that then Deputy County Administrator (Dennis Bozanich) disclosed that the sites to be considered in the Montecito/Summerland/Toro Plan area would be ‘essentially Padaro Lane/Santa Claus Lane.’ It was not until April, 2021 that the County ‘chose’, under their *uncertified* licensing ordinance, Chapter 50, between two sites on Santa Claus Lane to select the site at 3823 as the proposed dispensary site for the Toro/Montecito/Summerland planning areas. The site “designation” was not proposed as an amendment to the County’ LCP and not considered by the Coastal Commission. These facts were not known, nor could they have been known when the PEIR was certified.

2.5 At the September 7, 2022 hearing, certain Planning Commissioners erroneously assumed, without any evidence in the record, [and without disclosing the *contents* of their “ex parte” conversations with Applicants’ representatives], that the County’s pending “Streetscape Project” would address any existing parking deficiency on Santa Claus Lane. In fact, the Mitigated Negative Declaration approved by the County for the Streetscape improvements specifically stated [p. 46] that traffic impacts from any *new* residential or commercial use on Santa Claus Lane were not considered therein. [Exh 78] The appellant has provided summer traffic counts (July 2021), which demonstrate that the prior studies *undercounted* existing beach traffic volumes. [Exhs 139 & 140] The County has not conducted

any traffic study specific to the site(s) on Santa Claus Lane to assess the increase in traffic from freeway travelers, and specifically, has not considered that (a) this dispensary would be the only coastal dispensary along the Highway 101 corridor between the City of Santa Barbara and Oxnard/Port Hueneme (since the County of Ventura does not permit dispensaries in its unincorporated area, and the City of Ventura has not submitted any LCP amendment to the Coastal Commission for certification); and (b) this dispensary is located immediately adjacent to the Highway 101, which carries up to 50,000 ADT per day. Alternatively, if the Coastal Commission certifies such an LCP amendment, the availability of dispensaries in the City of Santa Barbara, and additional dispensaries within the Ventura City limits would further reduce any “need” or benefit to a dispensary on Santa Claus Lane, less than 20 minutes away.

Contrary to standard practice in environmental review, including in the PEIR for cannabis certified by the County, the County failed to consider the specific ITE trip generation rates for specific cannabis retail sites, [Exh 100]. These rates likely underestimate trips at the Santa Claus Lane site, because they have been typically applied in urban settings, such as Port Hueneme, and Lompoc, where there are several retail dispensaries within several blocks. [Exh 168] In addition to the failure to assess impacts from the unique location, even absent competition for parking from the 150,000 beachgoers who access Santa Claus Beach at this location annually, [Exh 51] and the 1840 weekend day summer users estimated by ATE [Exh 54], the only finding that has been proposed is a finding of consistency with the County’s CEQA thresholds for “peak hour” trips, which is not an adequate benchmark for the impacts unique to this site. Therefore, there is and was no basis for the staff recommendation that cannabis retail must be considered the “same” as any other retail for purposes of analysis of impacts.

These facts were not known (to the public or the Coastal Commission) and could not have been known at or prior to the time of certification of the PEIR because the County did not initiate its changes to its licensing program to designate specific community plan areas ostensibly suitable for retail under Chapter 50 of the County Code, until *after* certification of the PEIR. Furthermore, the public was well justified in relying on the specific findings in the PEIR on Pg 3.9-34, which specifically represented that individual projects with significant impacts would be *denied*. [Exh 99] In 2019, and notwithstanding the foregoing representations to the public, the County Administrative Office “announced” in connection with amendments to its Chapter 50 Licensing ordinance, which is not part of its certified Local Coastal Program, that the specific location for retail cannabis would “effectively” be Padaro/Santa Claus Lane.

In June of 2021, the Planning Department nevertheless represented to the public that the decision makers on the coastal development permit would have full discretion to consider the appropriateness of the site, notwithstanding the Board of Supervisors “effective” choice of Santa Claus Lane [Exh 134], and that a traffic study could/might be done. [Exh 32]. Then, at the behest of the Public Works department, [Exh 144] staff advised the Planning Commission that the project represented a mere change from one C-1 commercial use to another, and no further inquiry need be made. Because the site selection process under the Chapter 50

licensing ordinance did not include any environmental review, and because the County considered only two sites -which are located side-by side on Santa Claus Lane, and because the Planning Commission was erroneously advised that the change was merely from one retail use to another, the Planning Commission failed to consider any alternative locations or range of alternatives. Thus, failure to consider the increase in intensity of use of the project site to assess the true impacts of this change of use was a prejudicial abuse of discretion.

Therefore, the appeal must be granted on the basis of noncompliance with CEQA. Any application for a dispensary in the coastal zone would be subject to further environmental review, either in a Supplemental or Subsequent EIR. Because the applicant has specifically rejected changes to their project description to address the specific impacts to public access and recreation, and to sensitive receptors, the project is not eligible for a Mitigated Negative Declaration. The project cannot be exempted or excluded from further review under CEQA Guidelines Section 14 CCR 15168.

3. Article II Findings Section 35-169.5 Findings Required for Approval of a Coastal Development Permit.

Findings for approval cannot be made:

1. A Coastal Development Permit application that is subject to Section 35-169.4.1 above shall be approved or conditionally approved only if the decision-maker first makes all of the following findings [emphasis added]:

a. The proposed development conforms:

1) **To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan.**

The County's Coastal Land Use Plan, Policy 1-1 specifically incorporates each and every Coastal Act Chapter 3 policy, including policies providing for protection of public access to and recreation along the coast and within the coastal zone, Pub. Res. Code Section 30212, 30213, 30214 and 30253(e). The staff- proposed findings fail to address the above policies, or are not supported by the evidence. The policies of the Toro Plan supplement, but cannot supersede the Policies incorporated by LCP Policy 1-1. Regardless, the site would also be inconsistent with Toro Policy PRT-TC- 2.4 , and Policy 2.1 which requires the County to provide adequate *public parking* on Santa Claus Lane. The County also ignored the Coastal Commission's recommendation in their Guidance document on cannabis (2019) [Exh 16] that cannabis development include a public access plan, to assure that it does not interfere with coastal access, lower cost recreation, and visitor serving uses. The fundamental lack in this case is the lack of any consideration of the impact of the increased intensity of use of the project site on the public's right to access and recreate at the coast.

The staff recommendation to the Planning Commission that Section 30213 does not apply [Exh 144]was incorrect, for the reasons set forth below. The staff rejected the application

of Section 30253(e)[“Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.”], contrary to the facts. To the extent the conflicts with public access, recreation, and community compatibility are or were incorporated into the Planning Commission’s findings, they are not supported by the credible evidence, as set forth in Finding 35-169.5.2 below.

The County failed and refused to require a traffic study that would quantify the new impacts of the cannabis dispensary use. The only specific finding made by the Planning Commission was based on the purported absence of a triggering impact under the County CEQA thresholds for peak hour trips. **Peak hour trips are prima facie inadequate to measure the impact of day long operations at the dispensary and its conflicts with the rights of the public to access the beach. The Planning Commission failed to consider Coastal Act policy and Commission findings in numerous cases identifying these parking conflicts as a specific threat to public access.** [See, Exh CCC decisions, Exh B CCC recommendation for access plans, [Exh 163] The Planning Commission failed to consider, or make a finding of consistency with Toro Plan PRT-TC-1.4, which mandates that the County provide parking for public access. The Planning Commission’s last minute “reliance” on “conditions” after the implementation of the Streetscape project was not supported by any evidence, because:

- a. The County failed to consider the undisputed evidence that, upon completion, the Streetscape project would result in a reduction of 12 spaces, or 62% of the parking immediately across from the proposed dispensary site. The removal of those spaces is evident on Pg 5 of the 65% project layout sheets[Exh 164].
- b. The MND for the Streetscape project [p. 46] expressly disclaimed any analysis of future, conditions, specifically the addition of any commercial or residential use. The increased intensity of use of the project site for cannabis should have been but was not considered in any environmental document.
- c. Planning Commissioners’ assumptions about post-Streetscape improvements in parking availability to the west of the proposed new railroad crossing, were entirely speculative and were not based on any evidence in the record.
- d. The late submittal (October 26, 2022) of a purported “traffic analysis” by ATE is irrelevant to the fundamental issue under the Coastal Act: the parking conflicts between dispensary customer use and the public seeking access to the beach. Exh 179. The applicant presentation shows parking demand tables (page 8 and 9) with a maximum employee parking demand of five vehicles, and the same for customers. This is inconsistent with their prior materials noting that 8-12 employees would be on site at any time and the ITE data cited in the Nygaard study showing a maximum parking customer parking demand of over 14 vehicles. It is unclear if**

the applicant made up these estimates or if they were prepared by a professional. The more relevant data from ATE is appellant's Exhibit 54, their own 2020 study, which estimates summer beach users at 1840 per day, as well as their study for the MND for the Streetscape project, which specifically states that future residential and commercial parking demand were *not* included. The ATE document submitted on October 26, 2022 focuses on vehicle trip generation, which doesn't affect the parking demand estimates and parking's impact on coastal access. It is also noteworthy that the "Conditions" in the so-called STDMP submitted at the last minute to the Planning Commission at P&D's invitation, which offer "discounts" to customers are likewise irrelevant and unenforceable. The applicants summarily rejected conditions of approval and restrictions on operation which were directly tied to the unmitigated impacts of the project on beach access parking, as well as the conflicts with the "youth center" 29 feet away. [Exh 153]

2) With the applicable provisions of this Article or the project falls within the limited exceptions allowed under Section 35-161 (Nonconforming Use of Land, Buildings and Structures).

b. The proposed development is located on a legally created lot.

c. The subject property and development on the property is in compliance **with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article**, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

1. The Radis/Roots site is directly adjacent to a "sensitive receptor" as defined by State Law and Section 35-144 of the Implementation Plan, and must be categorically excluded as a cannabis dispensary site. By administratively altering the definition and criteria for a "youth center", the County has unlawfully amended its LCP, without Coastal Commission review or certification.

Article II Section 35-144, the certified coastal zoning ordinance/ implementation plan, categorically *excludes* cannabis related development within 750 feet of sensitive receptors. A dispensary at 3823 Santa Claus Lane is categorically prohibited because it is within 750 feet of a "youth center", as defined in State Law, which was referenced in the adoption of the cannabis ordinance.

1.1 The Planning Commission failed to consider the fact that the proposed dispensary is immediately adjacent to "Surf Happens", a surf camp which primarily serves 5-17 year

olds. [Exh 63] . Section 35-144 of the County Code prohibits cannabis uses within 750 feet of a “youth center”. The definition of “youth center” ,which mirrors State law is: “Youth center” means any public or private facility that is **primarily** used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.”

Surf Happens has operated as a surf camp since at least 1998 as a de facto youth center, with the knowledge and assent of the County Planning Department. The term “youth center” was not included in the County’s coastal zoning ordinance until, and only because the cannabis regulations were approved and certified in 2018.

The Board of Supervisors eliminated all potential sites in Summerland based solely on staff’s determination that the presence of the Montecito Academy warranted a 750’ buffer. While staff implies that Surf Happens cannot be considered a "youth center" ("youth center " is not defined in Article II, and the term only appears in the cannabis ordinance), , the fact is that the Montecito Academy is not permitted as a "school" in the General Commercial zone in the Summerland Plan area. The only coastal development permit on file for the address, 99 CDP 37 was effective to confirm a change of use from a "real estate" office/ country store to an "espresso bar/ antique store. [Exh 165] In summary, if the Montecito Academy can be considered a school, and entitled to the 750-foot buffer from cannabis, then Surf Happens must be considered a "youth center".

If the Montecito Academy can be considered a “de facto” school, despite the lack of a CDP for that specific use, as a matter of equal protection, Staff must find , pursuant to Section 35-179C, Use Determination, that the continuous use of the Surf Happens property as a “youth center” is allowed, pursuant to the standards for a use determination to provide specific consideration of proposed land uses which are not specifically enumerated, but may be allowed if they are found to be similar in character to uses that are already enumerated as permitted uses within that zone district.

- 1.2 The use of Surf Happens property as a “youth center” use is similar in character to those listed as permitted uses in the C-1 zone, and the proposed use is not more injurious to the health, safety or welfare of the neighborhood than those listed as permitted uses in the C-1 zone because of dust, odor, noise, smoke or vibration. Surf Happens meets the required findings as a visitor serving, recreational use, consistent with the public access and recreation policies of the Coastal Act. Therefore, it remains eligible to be considered a “youth center” for purposes of Section 35-144C.
- 1.3 In contrast, the Board finds that Section 35-179C specifically *excludes* Medical Marijuana Dispensaries : “Medical Marijuana Dispensaries are not allowed in any zone district and shall not be approved through a Use Determination in compliance with the Section 35.179C (Use Determinations).” This is a further basis to find that cannabis

dispensaries, medical or not, are of a different character and intensity of use and raise different land use conflicts from other C-1 uses which are unique. Cannabis dispensaries cannot, therefore be found to be ‘similar in character’ to uses that are already enumerated as permitted.

1.4 Notwithstanding the uncontradicted evidence that Surf Happens serves primarily children aged 5-17, Staff refuses to recognize that it is a sensitive receptor, now claiming that it must ‘exclusively’ serve minors to qualify. [attachment to e mail from Lisa Plowman, October 13, 2022 Exh 147]

1.5 Staff has contended that in 2020, (after their community outreach under the licensing ordinance, where the community objected to a dispensary on Santa Claus Lane because of its recreational function), they developed internal “criteria” for a youth center as follows:

***“Boys and Girls club, Girls Inc., Girl Scouts, Boy Scouts, etc.
Recreational facilities for minors (i.e., playgrounds, etc.)
Non and for-profit organizations that are solely dedicated to providing recreational and/or educational activities for minors***

‘Youth Center’ - at time of application submittal” See, Exh 147, “2020” proposed criteria and cover e-mail.

1.6 After the CEO’s selection of Roots/Radis to pursue permitting and licensing, and during the process for consideration of a coastal development permit, when appellants again objected to the location next to a “youth center”, staff again considered, *internally*, the definition of “youth center”, as evidenced by an e-mail exchange between Darcel Elliott (aide to Supervisor Williams) and Jeff Wilson, P&D Deputy Director, dated August 8, 2022 [Exh 125]:

“The Surf Happens and A-Frame surf school websites indicate that the programs serve customers of all ages. Staff finds that these surf schools are not considered sensitive receptors with regard to the allowed cannabis uses in a C-1 Zone and there is no setback requirement for private commercial businesses.

In addition, the required setback distance between the premises of an allowed cannabis use from schools providing instruction to minors is a minimum of 750 feet. The distance between the westernmost property boundary and the edge of the easternmost area generally used by the surf schools is in excess of 800 feet.

P&D was specifically informed by Jenny Keet, owner of Surf Happens, in writing, that notwithstanding the information on their website, Surf Happens caters exclusively to minors for 15 weeks of the year, and primarily to minors the balance of the year. [Exhibit 63]

Furthermore, staff's reference to the 'easternmost area generally used by the surf schools (the beach)' is inaccurate, because the Surf School students also are present at the building. When asked whether they could "share" the information in this e-mail, Jeff Wilson responded to Elliott: *"the first 4 paragraphs would probably be ok to share and leave off the "in addition" paragraph"*.

- 1.7 Notwithstanding the direct evidence they received, from Surf Happens, A-Frame and others, P&D continued to maintain that Surf Happens could not qualify as a sensitive receptor. Notwithstanding the submittal of a Public Records Request, [Exh 148] staff has not disclosed any other writings pertaining to the consideration of these narrowing "criteria" of the definition of youth center. However, in the Staff Report for the Planning Commission hearing of September 7, staff further unilaterally 'modified' their asserted criteria, again with the specific intent to exclude Surf Happens and A-Frame:

"The Surf Happens and A-Frame Surf Shop websites indicate that their programs serve customers of all ages and that surf instruction activities are provided on the public beach. As such, the surf camps do not take place at a "facility" and instead are held at an undefined, general area on the public beach, and the camps do not hold rights to any portion of the public beach. Additionally, the distance between the westernmost property boundary and the edge of the easternmost area of the public beach generally used by the surf camps is in excess of 800 feet."

This language again contradicts what Deputy Director Wilson advised Darcel Elliott. Worse, staff had in its possession the evidence from Surf Happens as to their operations, which proves that they cater "primarily" to youth, which staff ignored. The finding fails to acknowledge the uncontraverted facts submitted by Surf Happens as to their operation, that it is primarily for minors, (not exclusively for minors, it does not have to be), and that these minors come to the building in a bus that is parked in front of the building [Exh 63], *"Surf Happens surf camps, which run 15 weeks of the year on Santa Claus Lane, are for ages 4-17. Our after-school program, for ages 8-15 brings kids to our shop year-round, **skating up and down Santa Claus Lane and walking past the stores.."***

Surf Happens website contains detailed information about the scope of their offerings to minors. [Exh 149]

Thus, the facts that the children arrive at the store, use the property for instruction, skateboard up and down the lane, adequately demonstrates the utter incompatibility of the dispensary, with its armed guard, and security features, and given the County Health Department's policy that cannabis and kids do not mix, are adequate to support a finding that the public's right of access to the beach, and lower cost recreation under 30213 cannot be protected if a dispensary is allowed at this location.

- 1.8 Neither the Planning Commission, nor the Board of Supervisors ever considered ordinance amendments to eliminate facilities which are only ‘primarily’ youth serving, as opposed to “solely dedicated to providing recreational facilities for minors.” Such a change must be made through an ordinance amendment. [Exh 11, City of Martinez ordinance], and, cannot be effective in the coastal zone without Coastal Commission review and certification.
- 1.9 In administratively and retroactively narrowing the definition of a sensitive receptor in this context to encompass only youth centers that are “solely” dedicated to recreational activities for minors, P&D impermissibly altered the definition on which the Coastal Commission relied in certifying the Cannabis Program LCPA. While the County may be free to impose stricter standards than those in State law (and they did, in reducing the buffer from sensitive receptors from 1000 to 750 feet **as part of their 2018 LCP Amendment**), they cannot, through the retroactive application of narrowing criteria, exclude facilities such as Surf Happens.
- 1.10 In summary, upon being informed of Surf Happens’ objections, P&D staff, in collaboration with the First District Supervisor’s office purported to develop “criteria” which were written to exclude Surf Happens from the definition and from the protection of the 750-foot buffer. [Exh 125] Appellants have objected to the application of these “criteria”. Appellants have argued that if the County wishes to change the definition of youth center to include additional disqualifying factors, it must amend the ordinance and seek certification by the Coastal Commission. [Exh, 11 see, e.g. City of Martinez ordinance amendments changing “primarily” to “exclusively”] Moreover, the failure to recognize Surf Happens as a sensitive receptor is irrational and intentionally discriminatory, because, in late 2019, the Board of Supervisors eliminated several potential sites in Summerland, where there would be no impacts on beach access and visitor serving uses, on the basis that they were within 750 feet of the Montecito Academy, a primarily ‘on line’ school, which serves primarily home schoolers and students in other private institutions. If Montecito Academy is a “school” entitled to protection as a sensitive receptor, Surf Happens is a youth center, equally entitled to protection.
- 1.11 Moreover, the Planning Director does not have discretion to create and apply new and revised definitions on an ‘ad hoc’ basis. Planning Director Interpretations are subject to appeal to the Planning Commission, and thence to the Board of Supervisors per Chapter 35, Article II, Table 1-1. The Planning Director’s were arbitrary and capricious, without a rational basis, and denied due process to affected members of the public because the public was not given notice and an opportunity to be heard prior to the implementation and application of these new criteria. If the Planning Department wishes to propose “criteria” which narrow the definition of “youth center”, they must propose an amendment to the coastal zoning ordinance and follow the process for an LCP amendment.

- 1.12 Even if Surf Happens is not considered categorically a youth center subject to a mandatory buffer, [Exh 129] the fact that children are present exclusively at the site for 15 weeks a year, and after school, and on weekends, “de facto” disqualifies the adjacent property as a dispensary site because the dispensary would be inconsistent with the visitor serving uses which must be protected under Coastal Act section 30213, and the special community at Santa Claus Lane, under Coastal Act Section 30253 (e), both incorporated into the County’s Land Use Plan through Policies 1-1 through 1-4..
2. The Planning Commission was erroneously advised that they could not consider issues related to “neighborhood compatibility.” It was asserted that these issues were not “within the Planning Commission purview” *because they allegedly had been ‘decided’ in the licensing process, which is not a part of the LCP.* The Planning Commission was also advised (erroneously) that coastal zoning ordinance Section 35-77A was not an “applicable” provision of Article II. Appellants and others, including representatives or residents of the Padaro Lane Homeowners, Sandyland, Casa Blanca, Polo Condos, Conchita provided un rebutted evidence that a cannabis dispensary on Santa Claus Lane would be inconsistent with the purposes of the C-1 zone district, which are:

Section 35-77A.1 Purpose and Intent. “The purpose of the C-1 zone district is to provide areas for commercial activities, including both retail businesses and service commercial activities, which serve the travelling public as well as the local community. **This zone district allows diverse uses yet restricts the allowable uses to those that are also compatible with neighboring residential land uses in order to protect such uses from any negative impacts such as noise, odor, lighting, traffic, or degradation of visual aesthetic values.**”

Residents of these EDRN, and others have testified throughout the process as to the irreconcilable conflicts from dispensary impacts *such as*, traffic, safety, mandatory lighting, and security requirements. Further aggravating these irreconcilable conflicts is the fact that Santa Barbara County remains Number 1 in cannabis *cultivation* licenses, boasting 23 percent — or 1,953 — of 8,247 state cultivation licenses in a search of the State licensing database on 9.24.2022 .[Exh 159]. Of these licenses, 370 are for cannabis operations in the unincorporated Carpinteria/Toro Canyon area, which spans only about six square miles. The unincorporated Carp/Toro Canyon valley, made up of several Existing Developed Rural Neighborhoods (EDRN), is home to more cannabis cultivation than most entire counties. It adds insult to injury to now demand that the Santa Claus Lane EDRN and the adjacent Padaro EDRN host retail cannabis at its primary youth- and family-serving recreation area. The cumulative impacts of the intense concentration of commercial cannabis and the accompanying vehicular traffic and other impacts in the area immediately surrounding the proposed Roots site have not been evaluated.

In contrast, **the HC [Highway Commercial] zone**, which was rejected for this area in 2004, [Exh 81, CCC staff report on Toro Plan] provides: *Section 35-80.1 Purpose and Intent:* “The

purpose of this district is to provide areas adjacent to highways or freeways **exclusively** for uses which serve the highway traveler.”

Highway 101 at this location serves approximately 50,000 travelers per day. The County of Ventura does not allow cannabis in the unincorporated areas. Unless and until the City of Ventura submits, and the Coastal Commission certifies LCP amendments to allow them in the coastal zone of the City, which has not occurred, [Exh 150 , e mail District Director Hudson to Zimmer,] this dispensary would be the only one in the coastal zone between the City of Santa Barbara and Oxnard/Port Hueneme. In a July 29, 2020 email to the appellant, the applicant felt *“lucky that we are in a unique position to possibly host the only dispensary permitted between downtown Santa Barbara and the Ventura County line”* [Exh 49].

The City of Carpinteria does not allow “brick and mortar” dispensaries at all. Those City of Carpinteria residents who desire a more convenient source of cannabis than those in the City of Santa Barbara should look to delivery options or attempt to persuade their own elected officials to change City policy to allow dispensaries in urban areas, not adjacent to visitor serving recreation areas.

The ITE trip generation rate for **urban** cannabis dispensaries, [Exh 89] such as those in Lompoc and Port Hueneme, which compete with other dispensaries located within fractions of a mile, is at least two to three times the rate of other retail. Adding in even a tiny fraction of highway travelers who will be attracted to the convenient off ramp from the 101 freeway by apps such as “Weedmaps”, the expected increase in competition for beach parking at Santa Claus Lane beach will be significantly **over the 3 spaces to be reserved for customers**. It is also significant that with the completion of the Streetscape project, a total of 12 spaces which **currently exist** directly north of the site will be removed, to be replaced by a loop and the bike lane to Carpinteria, which is part of the California Coastal trail.

The history of the zoning ordinance is relevant to this conclusion. The County rezoned Santa Claus Lane from Highway Commercial to C-1 at the time of certification of the Toro Plan by the Coastal Commission [Exh 88]. The purpose of the rezone, which was certified by the Coastal Commission, **was to change the focus of the businesses on the lane to serve the surrounding residential community and beach- oriented visitors**. The businesses at the shopping center have cooperated and collaborated for twenty plus years to restore a dilapidated shopping area to one which focuses on beach and recreational uses, including the Padaro Grill restaurant with its outdoor dining and playground for children, the A-Frame Surf Shop, Surf Happens, a surf school immediately next door to 3823 Santa Claus Lane, the Garden Market, and Rincon catering, which serves private and nonprofit community organizations for events. [See, Exh 71 Declaration and Supplemental Declaration of Steven Kent]

Therefore, the Board acknowledges and appreciates the Planning Commission’s efforts to bring attention to these issues and finds that a cannabis dispensary at this location is inconsistent with the purpose of the C-1 zone.

Second, the dispensary is not consistent with current setback standards. The property lost its entitlement to continue to function as legal nonconforming structure when the owners engaged in remodels without benefit of either building or coastal development permits in July of 2021. [Exh 48].

In addition, and as a separate finding, a cannabis dispensary on Santa Claus Lane is inconsistent with the public access and recreation policies of the Coastal Act and the LCP as set forth in finding 2d, below.

2. A Coastal Development Permit application that is subject to Section 35-169.4.2 above, shall be approved or conditionally approved only if the decision-maker first makes all of the following findings
 - a. Those findings specified in Section 35-169.5.1, above.
 - b. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.
 - c. The development is compatible with the established physical scale of the area.
 - d. **The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.**

The Chair of the Planning Commission asked specifically whether there was anything in the law which would authorize the Commission to find the project *inconsistent* with Article II or the LCP.

Neither staff nor County Counsel advised that PRC Section 30123 specifically directs the County to protect lower cost recreation, and that the Coastal Commission considers parking conflicts between private commercial businesses and the beachgoing public to be significant issues under the Coastal Act. Appellants brought these issues to the Commission's attention and cited to several Coastal Commission decisions which establish this basic principle. [Exhs 68 & 151] In fact, the staff report erroneously stated that Section 30213 does not apply, at all. Staff's proposed finding was not supported by any evidence.

Nor did staff or counsel advise that Section 30253(e) specifically provides for the protection of special communities such as Santa Claus Lane, which is recognized as such in the Toro Plan. Appellants specifically asked the S-BAR at their hearing of September 10 ,2021 to consider consistency with Section 30253 (e) but were prevented from doing so by Public Works staff. Likewise, the Subdivision Review Committee failed to analyze this issue because of incorrect information from staff. [Exh 80]

Nor did they advise that the Coastal Commission's Guidance document on Cannabis (2019) – which appellants provided to the Board of Supervisors and staff in May/June of 2021 [Exh16]

specifically calls for public access plans in connection with the approval of all cannabis related development. No such public access plan has been developed or proposed for this project.

Nor were they advised that Toro Plan Policy PRT TC 2.4 specifically provides that in addition to public access, the County shall assure the provision of adequate coastal access parking. To the contrary, they were specifically, and erroneously advised **not** to consider the fact that after the Streetscape project is completed, there will be a *reduction* of twelve (12) public parking spaces immediately opposite the proposed dispensary. [Exh 152- Planner memo to SBAR] While the loss of existing parking was not analyzed, certain Planning Commissioners then asserted- without reference to *any* evidence in the record, that after the Streetscape project is completed, the existing parking deficiency, plus additional parking impacts from the dispensary would be 'resolved'. In fact, the only evidence in the record was the MND for the Streetscape project which specifically stated that no additional residential or commercial development had been considered.

Nor were they advised that the definition of development in the Coastal Act Section 30106 and in the LCP specifically require that increases in **intensity of use** be analyzed. Appellants raised this point repeatedly. [Exh151]

Nor did staff or the Planning Commission require any independent traffic analysis to assess the predicted trips for this location: **the only coastal zone dispensary between the City of Santa Barbara and Oxnard/Pt. Hueneme**, or that after the Caltrans and Streetscape improvements, the site would be easily accessible from Highway 101 for some (unidentified) percentage of the 50,000 travelers using this highway on a daily basis, most predictably with the assistance of new applications such as "Weedmaps", which currently shows a cluster of cannabis dispensaries well off the highway in Santa Barbara, as well as others less conveniently located in Oxnard and Pt. Hueneme.

The sole factual basis proposed by staff for the finding **under Toro Plan Policy 2.1** is that the use would not generate a significant number of 'peak hour trips' under the County CEQA thresholds. Even if accurate, (which appellants have disputed) this finding is inadequate to address the day long parking, circulation and access conflicts which can be fairly predicted between the cannabis dispensary customers (who are not accounted for in the staff analysis) and the public seeking access to the beach, the Coastal Trail and the Streetscape, and beach amenities on Santa Claus Lane. The County has been provided with, but has disregarded numerous decisions of the Coastal Commission, including but not limited to cannabis projects, where such public access conflicts have been required to be addressed.

In contrast to the provisions of CEQA, which allow the Board to override significant environmental impacts, the Coastal Act does not provide for any such "override". The only balancing of interests that is available to the Coastal Commission is the "balancing" of Coastal Act Chapter 3 policies under Section 30007.5. Tax revenues cannot be "balanced" against the access and recreation policies of the Coastal Act.

The Board further finds that there is currently a glut of cannabis from Carpinteria growers as well as illegal grows in the State. The Board's intent in adopting the Chapter 50 retail siting provisions was not to guarantee a retail outlet to every licensee in the County, but to fairly distribute the burden on communities and the availability of cannabis retail for those who desire access to it. The ordinance provides for "up to one" dispensary per Plan area. It does not mandate any retail outlets. Nor does it mandate that any particular owner or owners receive a permit.

The provisions in Chapter 50- which is not part of the certified LCP- were not- and could not be construed as a commitment to any particular location where the location is not found consistent with applicable LCP policy. The Board acknowledges that the County accepted specific modifications to the cannabis ordinance which were imposed by the Coastal Commission in 2018, and which provide that the LCP, and not Chapter 50 must provide the standard of review for the coastal development permit.

Since the County only analyzed two sites, both on Santa Claus Lane, and neither was evaluated for consistency with Coastal Act and LCP policy, and the County has not reviewed ostensibly feasible alternatives, and the Board has found, by a preponderance of credible evidence that a location on Santa Claus Lane is inconsistent with the LCP, the application must be denied.

3. A Coastal Development Permit application that is subject to Section 35-169.4.3, above shall be approved or conditionally approved only if the decision-maker first makes all of the following findings:

- a. Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Section 35-182 (Appeals): Those findings specified in Section 35-169.5.1 above.
- b. Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Section 35-182 (Appeals): Those findings specified in Section 35-169.5.2 above.

Based on the preponderance of the evidence presented at the Planning Commission, and as set forth above, the findings for approval cannot be made.

4. Board of Supervisors Facilitation

4.1 On September 13, 2022, Appellants timely filed their Appeal of the Planning Commission decision. [Exh 76]

4.2 On October 3, 2022, County Counsel notified appellants of the availability of a County hosted 'facilitation process'. [Exh 169]

4.3 On October 11, 2022, Appellants inquired whether the County would participate as a party in the process and proposed a set of conditions of approval which were narrowly tailored

to mitigate the Coastal Act and LCP conflicts posed by the location. [Exh 153]. Appellants offered to waive their CEQA and Coastal Act claims if the applicants and the County accepted the conditions and included them in a Deed Restriction that would record against the property and be enforceable by affected members of the public.

4.4 On October 12, 2022, County Counsel notified Appellants that the County would not play any such role. [Exh 154]

4.5 On October 14, 2022, the applicants, by their consultant, rejected the offer. [Exh 155]

5. **Due Process/ Transparency issues.** The Coastal Act specifically requires a high level of governmental transparency and fairness in the Coastal Zone. Pub. Res. Code Section 30324. Actions by County staff collectively and individually throughout the process denied the appellants and the public a fair hearing, as follows:

5.1 Since on or about April of 2021 Appellants have sought writings under the Public Records Act which are pertinent to their claims. Since April of 2021 and continuing, County staff has avoided providing all relevant documents, including but not limited to writings on private devices. [Exh 17]

5.2 County Counsel has objected to requests and authorized only partial disclosures of writings claimed to be exempt as attorney /client communications and/or ‘personal financial records’ of the applicants, as well as writings reflecting communications with the County’s former Cannabis Czar, now a private lobbyist. After appellants challenged this determination County Counsel withdrew the attorney client objection, claimed they were not asserting a common interest privilege, but claimed a “work product’ privilege.

5.3 None of the Planning Commissioners adequately disclosed the **contents** of their ex partes prior to their hearing of September 7, 2022. One Commissioner falsely stated that she had had several conversations with appellants’ counsel when in fact she had had no such conversations [She failed to correct the record even after being asked to do so. [Exh 166]

5.4 At the SDRC meeting, of 9-15-21 the Public Works Director asserted that the County could not and should not conduct any traffic study and should not consider the planned reduction in parking in front of the building after the Streetscape project. [Exh 80]]

5.5 The Public Works representative refused to provide materials to appellants that applicants had submitted because, he stated, they would use them to object to the project. [Exh 141]

5.6 After the conclusion of public testimony, at the Planning Commission, several Commissioners stated reasons to deny the project, or to have concerns with the project.

5.7 At the Planning Commission hearing, and after a break in the deliberations when two or more of the Commissioners left the podium, upon their return, at least two Commissioners pronounced ‘rationales’ for denying the appeal which could only have been based on facts not in evidence. (1) Commissioner Ferrini asserted that appellants had ‘attacked’ County staff, where no such attack occurred: the only logical sources of that information were applicants lobbyists, (Armendariz) who had made such

unfounded claims in writing, and Bozanich, who met with Supervisor Williams, Hart and Hartmann, who also no doubt passed on unfounded claims made in an e mail from Supervisor Williams to his constituents [Exh 63]; (2) Commissioner Bridley asserted, without reference to any evidence in the record, that after the Streetscape improvements were complete, there would be no public parking deficiency on Santa Claus Lane. She also asserted, falsely, that parking deficiencies at the appellants' property were more severe than at the project site, and that she did not 'take kindly' to that. The only testimony on that point was from Sep Wolfe, the appellants' property manager, who testified that the parking conditions at appellant's property were better than at the project site. There can be little doubt that Commissioners were influenced by these unfounded claims, and which they presumptively obtained in ex parte conversations, because they were not raised in the hearing.

- 5.8 Before the Planning Commission hearing, on August 15, 2022, appellant's attorney wrote County Counsel asking them to advise their client as to the key legal issues in the case [Exh 156] Applicant's lobbyist Bozanich, the former Deputy CEO, wrote County Counsel on Aug. 25, 2022, to demand, among other things, that County Counsel **not** provide legal advice because, he asserted, such advice given in public to their own client would constitute a 'gift' of public funds. [Exh 157]County Counsel was present at the Planning Commission hearing but failed to advise the Commission on the points raised in appellant's August 15 letter.

County Counsel also failed to respond to the Chair's specific question: was there anything in the law that could support a denial. Specifically, at 5 hrs 35 minutes into hearing, Commissioner Parke asked *"is there something in the Coastal Act that says were supposed to look at...whether it's consistent with coastal type uses, visitor serving etc....that's the hole that I have.....is there some law beyond Article II that's in the Coastal Act that we look at ...consistency of purpose with visitor serving facilities"*. Following the question, two Planning staff members described THEIR approach to evaluating projects. County Counsel, seated adjacent to staff, did not speak at all.

- 5.9
- 5.9.1 Notwithstanding that the staff report erroneously concluded, with no supporting evidence, that the project was consistent with Section 30213, Counsel failed to speak up.
- 5.9.2 Notwithstanding that appellant had asserted that the project was inconsistent with Section 30253(e), Counsel failed to speak up.
- 5.10 After a break in the deliberations, the Planning Director appeared via video, and P&D staff persisted in advising the Planning Commission that the project represented "only" a change from one "permitted" (sic) retail use to another, as they had done throughout the proceedings, despite their specific knowledge that PRC Section 30106 and the LCP require analysis of the change or increase in intensity of use of the site, on which ample evidence had been provided by the appellants, and despite the fact that the PEIR for the cannabis program had specifically identified impacts from cannabis retail countywide to be significant and unavoidable, and despite the fact that the

cannabis ordinance does not incorporate any specific mitigation measures to address conflicts between dispensary parking needs and parking for public access to the beach.

- 5.11 The participation for renumeration of the County’s former Deputy CEO, who was directly involved in the Chapter 50 process, and the certification of Chapter 35-144 by the Coastal Commission, and the initial determination of where licenses in the Toro/Summerland Plan area would be considered, created an unfair advantage for the applicants. The participation of the former Deputy CEO, by privately meeting with Supervisors even in advance of the Planning Commission hearing on September 7 created an air of inevitability as to the outcome of the case. Specifically, Bozanich met with at least three of the Supervisors in June of 2022, where he presented the applicant’s plan and need to assure that any final action by the Board on any appeal occur prior to January 1, 2023 [Exh 158], and Bozanich transmitted certain “data points” (the exact contents of which have yet to be revealed) from the Second District office to P&D staff. [Exh 158]

Taken together, the County’s conduct of this entire matter does not meet the standards for fair hearing and transparency under Pub. Res. Code Section 30234 and the due process clauses of the state and federal constitutions.

Based on the foregoing, the findings for approval for a coastal development permit cannot be made, and the **APPEAL IS GRANTED.**

ROOTS-RADIS STOREFRONT RETAIL APPEAL- APPELLANTS' LIST OF EXHIBITS

Exh #	Description	Link
1.	7.14.20 Minute order banning Cannabis in EDNRs	https://www.dropbox.com/s/v9yxrohdkm4hic/%207.14.2020%20Minute%20Order%20banning%20cannabis%20in%20all%20EDRN.pdf?dl=0
2.	1-30-22 LA Times-Billboards	https://www.dropbox.com/s/pr5ks6zw10r1imz/1.3.2022%20LA%20Times%20Prop%2064-impact%20of%20billboards.pdf?dl=0
3.	1.12.20 Anna Carrillo public comment re Ch 50 nonconforming	https://www.dropbox.com/s/6ml0hefly3y7iq3/1.12.2020%20Anna%20Carrillo%20public%20comment%20re%20Chapter%2050.pdf?dl=0
4.	1.14.2022 Zimmer letter to Plowman re incompatibility	https://www.dropbox.com/s/9s8h74eyhbrgnfu/1.24.2022%20Zimmer%20letter%20to%20Plowman%20detailing%20incompatibility.pdf?dl=0
5.	2.1.2022 Armendariz-McGolpin "even a potato"	https://www.dropbox.com/scl/fi/6yup7gaeadq9pt5ryuws/2.1.22-Armendariz-to-McGolpin-even-a-potato-knows.docx?dl=0&rlkey=z6hk4em04a4oinsalihoa0vi1
6.	2.11.2022 Zimmer to SBAR	https://www.dropbox.com/s/vxuedhqcj79g0i8/2.11.2022%20Zimmer%20to%20SBAR%20for%202.18.22%20hearing.pdf?dl=0
7.	2.16.2012 CCC County of SB LCPA banning cannabis retail	https://www.dropbox.com/s/0ai6caiyk3084i9/2.16.2012%20CCC%20LCPA%20City%20of%20SB%20Cannabis%20Retail.pdf?dl=0
8.	3.4.2021 Stephen Carlson email to Lavagnino	https://www.dropbox.com/s/8kpx3809azal583/3.4.2021%20e%20mail%20Lavagnino%20from%20Stephen%20Carlson.pdf?dl=0
9.	3.24.2022 FPPC Radis donation to Hart	https://www.dropbox.com/s/hr91ftln44iqjgc/Radis%20donation%20to%20G%20Hart%20campaign%202022.pdf?dl=0
10.	3.29.2022 Fernandez Traffic-Parking Review [CCTC]	https://www.dropbox.com/s/awfhv5v1syily99/3.29.22%20CCTC-Fernandez%20Review%20of%20Parking%20and%20Traffic.pdf?dl=0
11.	4.3.2019 City of Martinez Ordinance- Youth	https://www.dropbox.com/s/lbuqy6a4rrsnudi/4.3.2019%20City%20of%20Martinez%20Cannabis%20Ordinance%20youth.pdf?dl=0
12.	4.4.2021 Zimmer email with Leyva re CDH	https://www.dropbox.com/s/928hb84xeiry6jd/4.4.2021%20Zimmer%20email%20exchange%20with%20Petra%20Leyva%20re%20CDH.pdf?dl=0
13.	4.5.2021 Zimmer to Heaton email re Ch 50, traffic study	https://www.dropbox.com/scl/fi/v9qyt6wpd5f33n6vjj6jz/4.5.21-email-Zimmer-to-Heaton-re-Ch-50-analysis-traffic-study.docx?dl=0&rlkey=dwvck47jxtz151ttlye7cx5mu
14.	4.10.2020 Research re impact of legalization on traffic safety	https://www.dropbox.com/s/o3takosfk3pj3g2/4.10.2020%20Research%20impact%20of%20legalization%20on%20traffic%20safety.pdf?dl=0
15.	4.19.2021 Kent notes re Frapwell call	https://www.dropbox.com/s/yfhntkwk9hc1rc9/4.19.21%20Kent%20notes%20re%20convo%20w%20Frapwell.pdf?dl=0
16.	4.29.2019 CCC memo to local govt re cannabis	https://www.dropbox.com/s/z8gpawc96yf0l/4.29.19%20CCC%20memo%20to%20local%20govts%20re%20cannabis%20in%20coastal%20zone.pdf?dl=0
17.	4.30.2021 Zimmer to Heaton email re traffic studies	https://www.dropbox.com/scl/fi/s654h5r84gsh52pla32b5/4.30.2021-email-Zimmer-to-Heaton-no-traffic-studies-site-selection-process.docx?dl=0&rlkey=s0t40q0nbffasxzcekwsyfsry

ROOTS-RADIS STOREFRONT RETAIL APPEAL- APPELLANTS' LIST OF EXHIBITS

18.	5.3.2021 Leyva to Wilson re NOFA	https://www.dropbox.com/s/uos198ecg536bkc/5.3.2021%20email%20Petra%20Leyva%20to%20Wilson%20re%20SCL%20NOFA%20roundabout.pdf?dl=0
19.	5.4.2021 Zimmer to Heaton email re can't open files	https://www.dropbox.com/s/vmhc1ligzolljdi/5.4.2021%20email%20Zimmer%20to%20Heaton-cannot%20open%20files.pdf?dl=0
20.	5.9.2022 Armendariz to Dargel "early access" & "wolf at door"	https://www.dropbox.com/scl/fi/vrp85oe40jrb3f80grzme/5.9.22-email-Armendariz-Dargel-early-access-to-staff-wolf-at-door.docx?dl=0&rlkey=71to7hqzlxtnugnr17ayxm6et
21.	5.10.2021 Zimmer public comment to BOS	https://www.dropbox.com/s/m212xgbumnvjbp/5.10.21%20Public%20Comment%20letter%20Zimmer%20to%20BOS.pdf?dl=0
22.	5.10.2021 Zimmer to Heaton re PRA requests	https://www.dropbox.com/s/e0eisucz27v58l7/5.10.2021%20Zimmer%20to%20Heaton%20re%20PRA%20requests.pdf?dl=0
23.	5.12.2021 Radis to Kent email re "sorry didn't work out"	https://www.dropbox.com/s/pgufojrkizkxcn/5.12.21%20Radis%20email%20to%20Kent%20re%20%22sorry%20didn%27t%20work%20out%22.pdf?dl=0
24.	5.17.2021 Zimmer letter to Heaton-Plowman re PRA	https://www.dropbox.com/s/xuj2wymdoz89vdw/5.17.2021%20Letter%20Zimmer%20to%20Heaton-Plowman%20re%20lack%20of%20PRA%20response.pdf?dl=0
25.	5.21.2021 Sup Ct exhibit from COSB re Retail selection process	https://www.dropbox.com/s/37vqutxj3awoq0l/5.21.2021%20COSB%20Sup%20Ct%20exhibit%20re%20Retail%20process.pdf?dl=0
26.	6.7.2022 City of SB Chik-Fil-A as nuisance staff report	https://www.dropbox.com/s/d4pfklii7qn2fel/6.7.2022%20SB%20City%20Chik%20Fil-A%20City%20Staff%20report%20HEARING%20TO%20CONSIDER%20DECLARATION%20OF%20A%20PUBLIC%20NUISANCE.pdf?dl=0
27.	6.8.2021 Zimmer letter to BOS re site designation	https://www.dropbox.com/s/bitww8d03084oml/6.8.21%20Letter-Zimmer%20to%20BOS-%20re%20site%20designation.pdf?dl=0
28.	6.9.2014 CCC memo re CDP appeals process	https://www.dropbox.com/s/fn04w0kniqb1cl/6.9.2014%20CCC%20briefing%20re%20CDP%20appeals%20process.pdf?dl=0
29.	6.11.2021 Zimmer to Hudson email re PRA to County	https://www.dropbox.com/s/9oi9x4j12pbmegi/6.11.2021%20Zimmer%20to%20Hudson%20re%20PRA%20to%20County.pdf?dl=0
30.	6.17.2021 Radis to Heaton re Abe Powell not on Roots board	https://www.dropbox.com/s/bt5i1no9tbvkd1z/6.17.2021%20Radis%20to%20Heaton%20re%20Powell%20not%20on%20board.pdf?dl=0
31.	6.21.2021 Zimmer to Williams email re failure to study traffic	https://www.dropbox.com/scl/fi/g97gdkzodmzs5ulpazml4/6.21.21-Email-Zimmer-to-Williams-re-failure-to-study-traffic.docx?dl=0&rlkey=edu83ronr0vog007amqs98ia
32.	6.21.2021 Zimmer to Plowman re traffic issues, "other retail"	https://www.dropbox.com/scl/fi/85z1xttxe0g4s8quo3rov/6.21.2021-Zimmer-to-and-from-Plowman-re-traffic-issues-other-retail.docx?dl=0&rlkey=p2agawxke4dpos5c80vil78e5
33.	6.22.2021 Zimmer to BOS re Retail process Board item	https://www.dropbox.com/s/b11itp6h3bvvy6cn/6.22.21%20Letter-%20Zimmer%20to%20BOS-re%20Retail%20process-board%20item.pdf?dl=0
34.	6.23.2022 Zimmer letter to Plowman re 2019 letter to BOS	https://www.dropbox.com/s/n0oa6j6j2fe1cmj/6.23.22%20Letter%20Zimmer%20to%20Plowman%20re%202019%20letter%20to%20BOS.pdf?dl=0
35.	6.29.21 Zimmer email to notes re 6.25.21 Williams phone call	https://www.dropbox.com/s/1rdmq0u6s60ulc8/6.29.21%20Zimmer%20email%20detailing%206.25.21%20phone%20call%20from%20Williams.pdf?dl=0
36.	6.29.2020 Melekian-Slaughter email re "suitable Location"	https://www.dropbox.com/s/ulc1x1mh1oqmnzs/6.29.2020%20Email%20Melekian-Slaughter%20re%20%22suitable%20location%22%20NO%20CCC.pdf?dl=0

ROOTS-RADIS STOREFRONT RETAIL APPEAL- APPELLANTS' LIST OF EXHIBITS

37.	6.29.2020 Seawards email omission of intensity of use	https://www.dropbox.com/s/kohufgoq6q1q6vc/6.29.2020%20Seawards%20email-%20omission%20of%20intensity%20of%20use%206.29.2020.pdf?dl=0
38.	6.30.22 AB 195 final-suspending cultivation tax	https://www.dropbox.com/s/sikulwcuotgjozl/6.30.2022%20AB%20195%20final-Suspend%20tax%20on%20cultivation.pdf?dl=0
39.	7.24.2020 Hayes Realty to Kent re potential cannabis retail	https://www.dropbox.com/s/r7lma7rp5gf9zv/7.4.2020%20e%20mail%20Hayes%20realty%20to%20Kent%20re%20rental.pdf?dl=0
40.	7.5.21 Zimmer letter to Miyasato	https://www.dropbox.com/s/tlakjkqgur8or7p/7.5.21%20Letter-Zimmer%20to%20Miyasato-site%20designation.pdf?dl=0
41.	7.6.2020 Radis to Kent re parking loss	https://www.dropbox.com/s/y5vo1sana199tiv/7.6.2020%20e%20mail%20radis%20to%20kent%20%20re%20parking%20loss.pdf?dl=0
42.	7.6.2020 Radis to County re parking loss on SCL	https://www.dropbox.com/s/2ss31d9ehuils6f/7.6.2020%20Radis%20email%20to%20County%20re%20lack%20of%20SCL%20Parking.pdf?dl=0
43.	7.12.2021 analysis Hueneme-Lompoc retail	https://www.dropbox.com/scl/fi/gly0c4kso2ylbmhh2cbny/7.12.21-Analysis-of-Hueneme-Lompoc-dispensaries.docx?dl=0&rlkey=badgvppf4udmsl45rd043ekbb
44.	7.14.2019 Williams email to Zimmer "I trust you"	https://www.dropbox.com/s/ebighuds82m4h97/7.14.19%20Williams%20Email%20Zimmer%20%22I%20trust%20you%22.pdf?dl=0
45.	7.16.2019 Zimmer to BOS email re urgency ordinance language	https://www.dropbox.com/scl/fi/ib5y7mdcyanj8l8768ofh/7.16.19-Email-Zimmer-to-BOS-re-urgency-ordinance.docx?dl=0&rlkey=7qxf2ktoo9ta2azzuci6cozf
46.	7.19.2019 COSB Board letter include 65858e opinion	https://www.dropbox.com/s/fr28swx0c07g58w/7.19.2019%20COSB%20Board%20Letter-opinion%20re%2065858e.pdf?dl=0
47.	7.20.2005 Kent as built CDP	https://www.dropbox.com/s/uuqyvbidkbusox6/7.20.2005%20Kent%20As%20built%20CDP%203785-3821%20Santa%20Claus%20Lane%20%20.pdf?dl=0
48.	7.28.2021 Zimmer to Briggs Zoning Complaint at 3823 SCL	https://www.dropbox.com/s/r4ny9l280exw0y9/7.28.2021%20Zoning%20Complaint%20Zimmer%20to%20Briggs%20re%203823%20SCL.pdf?dl=0
49.	7.29.2020 Radis to Kent re loss of tenant over parking loss	https://www.dropbox.com/s/mx22wf7lbc6868a/7.29.2020%20Maire%20Radis%20to%20Kent%20re%20loss%20of%20tenant%20over%20parking%20loss.pdf?dl=0
50.	8.2.2021 Zimmer to Miyasato letter post-meeting summary	https://www.dropbox.com/s/p0o1fsb00vhpbt/8.2.21%20Letter%20Zimmer%20to%20Miyasato%20post-meeting%20summary.pdf?dl=0
51.	8.4.2020 ATE Proposal to study SCL Beach use volume	https://www.dropbox.com/s/1a2tvk1tc6xppy9/8.4.2020%20ATE%20Proposal%20study%20SCL%20Beach%20use%20volume.pdf?dl=0
52.	8.4.2021 Zimmer to Leyva email re CDP process	https://www.dropbox.com/s/exkoa10orwny68p/8.4.2021%20emails%20Leyva-Zimmer%20re%20CDP%20process.txt?dl=0
53.	8.9.2019 news story re granting of Orcutt PC appeal	https://www.dropbox.com/s/2f6bk7klhrcalit/8.9.2019%20article%20re%20Orcutt%20retail%20appeal%20granted.pdf?dl=0
54.	8.10.2020 ATE Beach User Study	https://www.dropbox.com/s/yhdfu73yli2pg5e/8.10.20%20ATE%20Beach%20User%20Study.pdf?dl=0
55.	8.12.2020 Morehart Petition of opponents to SCL retail	https://www.dropbox.com/s/gf5og3bz5a7jgx7/8.12.20%20Morehart%20petition-residents%20opposing.pdf?dl=0
56.	8.15.2022 Zimmer letter to Van Mullem re appeal of ZA action	https://www.dropbox.com/s/zq8h5lujzo4wika/8.15.22%20Zimmer%20to%20Van%20Mullem%20re%200clarifications.pdf?dl=0

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57.	8.17.2020 Kaye Walters to Williams re Padaro Assn Oppo	https://www.dropbox.com/s/kp3uomabmi351uh/8.17.2020%20Kaye%20Walters%20to%20Williams%20re%20opposition%20from%20Padaro%20Assn.pdf?dl=0
58.	8.18.2020 Maire Radis email to Das re "fantastic job" [at BOS]	https://www.dropbox.com/s/4b5ffkj9g1uf7o2/8.18.20%20Maire%20Radis%20to%20Das%20%22fantastic%20job%22.pdf?dl=0
59.	8.21.2020 Tim Robinson email to Das opposing SCL cannabis	https://www.dropbox.com/s/m5x32rt1jxna162/8.21.2020%20e%20mail%20to%20Das%20from%20Tim%20Robinson%20cannabis%20at%20SCL.pdf?dl=0
60.	8.24.2022 CCTC/Fernandez Review #2	https://www.dropbox.com/s/dlsx1ie79rvxe1/8.24.22%20CCTC-Fernandez%20Transportation%20Review-%232.pdf?dl=0
61.	8.24.2022 chart of Greenthumb vs Roots	https://www.dropbox.com/s/144te22hvkyuq5l/8.24.22%20Zimmer-%20Greethumbs%20vs%20Roots%20chart.pdf?dl=0
62.	8.24.2021 P&D to DeVicente Incompleteness Letter #1	https://www.dropbox.com/s/50l3ov8himhk4jg/8.24.2021%20%231%20P%26D%20Letter%20to%20Devicente%20re%20Incompleteness.pdf?dl=0
63.	8.25.2022 Williams to Keet and others	https://www.dropbox.com/scl/fi/g2cycgx6mpf2njrk8l6am/8.25.22-Email-Williams-to-J-Keet-and-constituents.docx?dl=0&rlkey=9igl0vrqjn7l1os31u29er4w8
64.	8.27.2015 CCC letter to Sandyland re violation	https://www.dropbox.com/s/88yk4ffw3cfg494/8.27.2015%20CCC%20ltr%20to%20Sandyland%20%20re%20violation%20-%20Copy.pdf?dl=0
65.	8.30.2022 CCPN Letter to PC	https://www.dropbox.com/s/iegzfdvrap5nis7/8.30.2022%20CCPN%20Letter%20to%20PC.pdf?dl=0
66.	9.4.1991 COSB Procedural Reso Governing Planning Hearings at the BOS	https://www.dropbox.com/s/ayu8ef7qzcb37ms/9.4.1991%20Resolution%2091-333%20Procedural%20Rules%20Governing%20Planning%20%20Zoning%20and%20Subdivision%20Hearings%20Before%20the%20Board%20of%20Supervisors.pdf?dl=0
67.	9.7.2022 Kent PowerPoint at appeal hearing	https://www.dropbox.com/s/mnxgc6zxx3vgj38/9.7.22%20Kent-Powerpoint%20for%20appeal%20.pdf?dl=0
68.	9.7.22 Zimmer comments at PC	https://www.dropbox.com/s/fgw0l72xt6c9bib/9.7.22%20Zimmer%20presentation%20to%20PC.pdf?dl=0
69.	9.7.2021 Kent letter to SBAR	https://www.dropbox.com/s/404md117x52fj1v/9.7.2021%20Kent%20letter%20to%20SBAR%20for%209.10.21%20hearing.pdf?dl=0
70.	9.7.2022 Appellant Final Exhibit List	https://www.dropbox.com/s/egsw7mmwan8s0g/9.7.2022%20Appellant%20Final%20Exhibit%20List.pdf?dl=0
71.	9.7.2022 Declarations of Dr. Kent	https://www.dropbox.com/s/jclpaqnpcsbv4i/9.7.2022%20Declarations%20by%20Dr.%20Steven%20Kent-for%20PC%20hearing.pdf?dl=0
72.	9.8.2022 Weedmaps Lompoc to Hueneme map	https://www.dropbox.com/s/msff928580iykww/9.8.2022%20Weedmaps%20Lompoc%20to%20Huene%20map.pdf?dl=0
73.	9.10.2020 City of Santa Rosa Focused Traffic study-Greenpen	https://www.dropbox.com/s/8848imc7s9l0i6b/9.10.2020%20City%20Santa%20Rosa%20Greenpen%20Focused%20Traffic%20study.pdf?dl=0
74.	9.12.2022 Zimmer request to FPPC	https://www.dropbox.com/s/pkc0yzwn9p8c002/9.12.2022%20Zimmer%20request%20to%20FPPC%20re%20Bozanich.pdf?dl=0
75.	9.12.2022 Zimmer to/from Van Mullem re Bozanich	https://www.dropbox.com/s/sm8o2uhckhr8esl/9.12.2022%20Zimmer%20to%20and%20From%20Van%20Mullem%20re%20Bozanich.pdf?dl=0

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76.	9.13.2022 Appellant appeal of Roots to BOS	https://www.dropbox.com/s/v2jci4ikxiawstq/9.13.22%20Appellant%20appeal%20to%20BOS.pdf?dl=0
77.	9.13.2021 Zimmer letter to SDRC 9-15-21 meeting	https://www.dropbox.com/s/uvm8474rms9wif8/9.13.2021%20Zimmer%20Letter%20to%20SDRC%209-15%20meeting.pdf?dl=0
74-part a	9.13.2022 FPPC response to Zimmer request for advice	https://www.dropbox.com/s/wxbckw5gl8mtaxk/9.13.2022%20FPPC%20to%20Zimmer%20re%20Advice.pdf?dl=0
78.	9.16.2019 Final MND-SCL Streetscape	https://www.dropbox.com/s/8141et3yrxqcqwz/9.16.19%20Final%20MND%20SCL%20Streetscape.pdf?dl=0
79.	9.17.2014 CCC Memo re restrictions on former Commissioners	https://www.dropbox.com/s/7nx7cdond6piovv/9.17.2014%20CCC%20Memo%20re%20Restrictions%20on%20Former%20Commissioner%20act%20violation%20at%203823%20Santa%20Claus%20Lane%20%207.28.2021.pdf?dl=0
80.	9.24.2021 Zimmer letter to Miyasato-Harmon re SDRC	https://www.dropbox.com/s/f6l2fg7ez6j50ci/9.24.21%20Zimmer%20letter%20to%20Miyasato-Harmon%20re%20SDRC.pdf?dl=0
81.	9.24.2003 Toro Cyn LCPA at CCC	https://www.dropbox.com/s/maxdggwq7cxtm5vj/9.24.2003%20TORO%20Plan%20LCPA%20at%20CCC.pdf?dl=0
82.	9.25.2019 PC Staff report-SCL Streetscape project	https://www.dropbox.com/s/jtxjqr298st9sq0/9.25.2019%20PC%20report-SCL%20Streetscape.pdf?dl=0
83.	9.26.2022 Zimmer to Montez emails re PRA responses	https://www.dropbox.com/s/4ekqida0gq94m35/9.26.22%20Zimmer%20to%20Montez%20emails%20re%20PRA%20responses.pdf?dl=0
84.	10.8.2020 Science Daily Study re impact of retail location on youth	https://www.dropbox.com/scl/fi/69d7dk05zy0wn3ansjf7b/10.8.2020-Science-Daily-study-re-cannabis-retail-location-impact-on-youth.docx?dl=0&rlkey=cvxu7vjvddhdp41v8ruftzeli
85.	10.12.2022 Jim Mannoia LTE re Armendariz opinion re “Doctors”	https://www.dropbox.com/scl/fi/bk6zre7r0b41ux03s30wi/10.12.22-Mannoia-LTE-Indy-re-Armendariz-opinion.docx?dl=0&rlkey=46seoptfwbmlchzfx9lospygf
86.	10.13.2022 Zimmer to Yamamura email re Bozanich	https://www.dropbox.com/scl/fi/u6xq3r48lrov7y5pzmnl/10.13.22-Email-Zimmer-to-Yamamura-re-Bozanich-op.docx?dl=0&rlkey=yjvtqzzldqr118m257eytwrl4
87.	10.14.2022 State Retail License database for Ventura County	https://www.dropbox.com/s/e7gin2lhxf466a4/10.14.22%20State%20Retail%20Licenses-Ventura%20County.pdf?dl=0
88.	10.15.2004 CCC LCPA-Toro Plan	https://www.dropbox.com/s/ntw1glih2bytnjb/10.15.2004%20CCC%20LCPA-Toro%20Plan.pdf?dl=0
89.	ITE Trip Generation chart-10 th edition	https://www.dropbox.com/s/zvvhviezbk5mccz/10th%20edition%20ITE%20Trip%20Generation%20rate%20chart.pdf?dl=0
90.	Nov 2020 large PRA of misc docs from County re Ch 50 outreach	https://www.dropbox.com/s/c7qqqx9vjf95rnc/11%202020-Misc%20docs%20re%20outreach%20meetings-310%20pages.pdf?dl=0
91.	11.3.2021 Zimmer letter to SBAR	https://www.dropbox.com/s/la53mkw260ycfvf/11.3.2021%20Zimmer%20letter%20to%20SBAR.pdf?dl=0
92.	11.5.2021 SBAR Staff memo	https://www.dropbox.com/scl/fi/i3pn2mm3mdsnpbs4nqmzb/11.6.22-Planner-memo-to-SBAR.doc?dl=0&rlkey=975p5frijw8apq76a3lpxefin
93.	11.10.2021 City of Carp memo re Caltrans Bike Lane project	https://www.dropbox.com/s/167i9kiydr4ckn7/11.10.21%20Carp-Bike%20lane%20staff%20report.pdf?dl=0

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94.	11.29.2010 CCC-LCPA-101HOV	https://www.dropbox.com/s/8hfh5qgfpktmdo1/11.29.2010%20CCC-LCPA%20101HOV%20exhibits.pdf?dl=0
95.	12.17.2019 News article re SBCO retail process	https://www.dropbox.com/s/2c64cr55gr74vfp/12.17.19%20News%20story%20re%20SBCO%20process.PDF?dl=0
96.	12.21.2021 P&D incompleteness letter #2 to DeVicente	https://www.dropbox.com/s/z7tqo56cumttyfi/12.21.21%20P%26D%20Letter%20%232%20to%20deVicente%20re%20incompleteness.pdf?dl=0
97.	12.21.2020 Wilson to and from Elliott re traffic study	https://www.dropbox.com/s/mu6ydamq2oe6f7o/12.21.2020%20Wilson%20to%20and%20From%20Elliott%20re%20traffic%20study%20not%20needed.pdf?dl=0
98.	2018 Alameda County ordinance defining Youth Center	https://www.dropbox.com/s/6guv8a35fx7d9w2/2018%20Alameda%20County%20ordinance%20defining%20Youth%20Center.pdf?dl=0
99.	2018 PEIR Section 3.9-2 Coastal Policy consistency	https://www.dropbox.com/s/empq4z31uaq7ibv/2018%20PEIR%20Section%203.9-2%20Coastal%20Policy%20consistency.pdf?dl=0
100.	2018 PEIR Section 3.12 Transportation	https://www.dropbox.com/s/kux3n33sch5qa9/2018%20PEIR%20Section%203.12%20TRANSPORTATION.pdf?dl=0
101.	2019 MND for SCL Streetscape assumed no additional uses	https://www.dropbox.com/s/3b8z3339tulx9fj/2019%20MND%20for%20SCL%20assumed%20no%20additional%20uses.pdf?dl=0
102.	2020 County survey Neighborhood Benefit & Compatibility	https://www.dropbox.com/s/svd5zlolh502pq/2020%20County%20Survey-Neighborhood%20Benefit%20and%20Compatibility%20.pdf?dl=0
103.	2020 SB Co Grand Jury Report	https://www.dropbox.com/s/awzdo2ppb1ct9iy/2020%20SBCO%20Grand%20Jury%20report-cannabis.pdf?dl=0
104.	2020 County Thresholds of Significance update	https://www.dropbox.com/s/p7rcpnrhotlxs3k/2020%20updated%20COSB%20Thresholds%20of%20Significance.pdf?dl=0
105.	2021 CEO Denial of Haven Protest-NO APPEAL	https://www.dropbox.com/s/r74ze36ro0lk6mb/2021%20CEO%20Denial%20of%20Haven%20Protest-no%20appeal.pdf?dl=0
106.	2006 COSB Appeals at PC Manual	https://www.dropbox.com/s/blsmar443vcresd/COSB%20PC%20Appeals%20Manual-2006.pdf?dl=0
107.	Lompoc Dispensary Map	https://www.dropbox.com/s/gg1kqen8uf21uwn/Dispensary%20map%20Lompoc.jpg?dl=0
108.	7.14.2019 JZ to Das-BOS email re urgency ordinance	https://www.dropbox.com/s/46bq6tvcu1sl2uh/7.14.2019%20Zimmer%20email%20to%20Das-BOS%20re%20urgency%20ordinance.pdf?dl=0
109.	11.9.2020 Radis to Williams-application copy	https://www.dropbox.com/s/nhbonsph4gi818l/11.9.2020%20Email%20Radis%20to%20Williams-application.pdf?dl=0
110.	Edna Valley Watch v County of SLO-attorneys' fees	https://www.dropbox.com/s/ewls4epbw8g7xgi/Edna%20Valley%20Watch%20v%20County%20of%20SLO-attorneys%27%20fees%201021.5.pdf?dl=0
111.	Ex-Parte Disclosure Form from Zimmer	https://www.dropbox.com/s/9qg3mtu221zx3v5/Ex%20Parte%20Disclosure%20Form%20from%20Zimmer.pdf?dl=0
112.	3.31.2021 Frapwell email to BOS re ranking of retail applications	https://www.dropbox.com/s/rc21n5ze3i2olxp/Frapwell%20to%20Supervisors%20Preliminary_Ranked_Listing_and_Associated_language_for_website.pdf?dl=0
113.	Joan Hartman accomplishments include eliminating retail in Vandenberg Village	https://www.dropbox.com/s/2bizpxq3f8sij2/Hartmann%20Website%20%22eliminate%20cannabis%20retail%20in%20Vandenberg%22.jpeg?dl=0

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114.	ILG Revolving Door guide	https://www.dropbox.com/s/0cq0jwlk8zf2ugv/ILG%20Revolving%20Door%20restrictions%20guide.pdf?dl=0
115.	disregard	
116.	9.7.22 Kent & Rikalo comments at PC	https://www.dropbox.com/s/zn4s2mbj2yaqaic/Kent%20and%20Rikalo%20comment%20at%20PC%209.7.22.pdf?dl=0
117.	6.29.2020 Melekian to Seawards re CCC	https://www.dropbox.com/s/9dggjqgbq78eez5/Melekian%20to%20Seawards%20re%20CCC%206.29.2020%20re%20CCC.pdf?dl=0
118.	2000 CCC LCPA re parking-Abbot Kinney Blvd	https://www.dropbox.com/s/c6yn8tczfvwnfrs/Nov%202000%20CCC%20LCPA%20re%20parking-Abbot%20Kinney.pdf?dl=0
119.	August 2020 Emails to Das, includes Plowman comment re Montecito	https://www.dropbox.com/s/jq6pzf661mbf0vy/PRA%20Correspondence%20w%20Das%202020%20copy%20%281%29.pdf?dl=0
120.	10.7.2022 Misc email PRA response	https://www.dropbox.com/s/r3s7o0qftnfhmh6/PRA%20Response%2010-7-22.pdf?dl=0
121.	Assessors map showing SCL ownership	https://www.dropbox.com/s/xo9kyrsvgduyyaf/SCL%20Assessor%27s%20Map%20showing%20ownership.jp.pdf?dl=0
122.	Sept 2022 SB County Anti-Cannabis/Youth post	https://www.dropbox.com/s/df3upic8sn9efao/Sept%202022%20SBCounty-Youth-Anti-Cannabis%20post%209-2022.jpg?dl=0
123.	SCL Engineering diagrams showing bike and roundabout lanes	https://www.dropbox.com/s/m6dcpzajntgyia/Traffic%20Bike%20diagram%20SCL%20proposed%20cannabis%20store.pdf?dl=0
124.	Zimmer notes re intensity of use	https://www.dropbox.com/s/35vy1u7fnlkwa2v/Zimmer-notes%20re%20LCPA%20intensity%20of%20use%20change.pdf?dl=0
125.	8.9.2022 Jeff Wilson to and from Darcel re surf camps	https://www.dropbox.com/s/6cpqja7rl2fm6hx/Darcel-Jeff%20Youth%20Center%20August%202022.pdf?dl=0
126.	9.26.22 Zimmer to/from Montez re PRAs	https://www.dropbox.com/s/4ekqida0gg94m35/9.26.22%20Zimmer%20to%20Montez%20emails%20re%20PRA%20responses.pdf?dl=0
127.	6.21.21 Zimmer to Williams re ribbon cutting	https://www.dropbox.com/s/ou44jr2p6b36wy1/6.21.2021%20Zimmer%20email%20to%20Williams%20re%20ribbon-cutting.pdf?dl=0
128.	8.25.22 Bozanich to Van Mullem-letter	https://www.dropbox.com/s/xmbrgxme0vfc440/8.25.22%20Bozanich%20to%20Van%20Mullem%20letter.pdf?dl=0
129.	10.11.2018 CCC LCPA letter to COSB re Cannabis Regulations	https://www.dropbox.com/s/nlj0ezx7fiz3gio/10.11.2018%20CCC%20LCPA%20Letter%20to%20COSB%20re%20Cannabis%20Regs.pdf?dl=0
130.	10.22.2018 COSB Reso accepting CCC modifications to LCPA	https://www.dropbox.com/s/kgz04myodbvcbfe/10.22.2018%20BOS%20Reso%20accepting%20CCC%20mods.pdf?dl=0
131.	2019 Ch 50 amendments including Toro Cyn- redlined ordinance	https://www.dropbox.com/s/nq02rkq3dtdljust/4.9.19%20redlined%20Ch%2050%20ordinance.pdf?dl=0
132.	1.14.2020 Ch 50 amendment Reso	https://www.dropbox.com/s/q6w0e83tk5ietzu/1.14.2020%20Reso%20amending%20Ch%2050.pdf?dl=0
133.	7.15.2020 Plowman email to Carrillo confirming retail parcels in Montecito & Board rejection	https://www.dropbox.com/s/h9c6j5dtm37vuyf/7.15.2020%20Carrillo-Plowman%20re%20Montecito%20retail-rejection%20by%20BOS.pdf?dl=0

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134.	11.5.19 BOS meeting video re cannabis retail locations	http://sbcounty.granicus.com/player/clip/3636?view_id=3&redirect=true&h=ab4867c9b773c1b6e2c82ba99eb6303c
135.	6.11.2020 BOS EDNR ban countywide	https://www.dropbox.com/s/qqt743ttv0swgcb/6.11.2020%20BOS%20ban%20in%20EDNRs-conceptual.pdf?dl=0
136.	EDNRs vs cannabis in Carp area	https://www.dropbox.com/s/tzdju0bt9fwzib4/EDNRs%20in%20Carp%20vs%20Cannabis.pdf?dl=0
137.	3.14.22 Will R re “change of use”	https://www.dropbox.com/s/rmp7b6e2m3xafit/3.14.2022%20Will%20R%20Change%20of%20Use.pdf?dl=0
138.	NDS Traffic Counts #1	https://www.dropbox.com/scl/fi/4eewjnkvidlgdzz1sbveb/8h-NDS-Counts.xls?dl=0&rkey=qfok9usc90t8c44o04rbyuva
139.	NDS Traffic Counts #2	https://www.dropbox.com/scl/fi/ug03a1grwssryluj0uuqj/8i-NDS-5-day-count.xls?dl=0&rkey=byf89fp2g4sbas5lekj0fn0r
140.	8.25.2020 Williams to Kleveland re discretionary action	https://www.dropbox.com/s/vj3zrw5oo0f9sw1/8.25.2020%20Williams%20to%20Kleveland%20re%20discretionary%20action.pdf?dl=0
141.	2.22.2022 Will R refusal-resistance to sharing traffic document	https://www.dropbox.com/s/z0286ac2rn9p3ii/2.22.2022%20Will%20R%20refusal%20to%20share%20document.pdf?dl=0
142.	August 2020 opposition letters to BOS	https://www.dropbox.com/s/570z43x9dur32av/August%202020%20Oppo%20at%20BOS%20%20copy.pdf?dl=0
143.	2018 PEIR Class I impacts	https://www.dropbox.com/s/rc1l5akngi4vpcy/2018%20PEIR%20Class%20I%20impacts-%20%20.pdf?dl=0
144.	9.7.22 PC Staff report	https://www.dropbox.com/s/u8ij961uonewifq/9.7.22%20Staff%20Report%20PC%20-%20Roots%20Cannabis%20Retail_083022.pdf?dl=0
145.	6.30.2019 ATE Traffic Assessment for SCL Streetscape project	https://www.dropbox.com/s/igbby228kv8yp13/SCL%20MND%20TRAFFIC%20REPORT.pdf?dl=0
146.	3.20.2018 Original Chapter 50 ordinance as adopted	https://www.dropbox.com/s/jqkz3i83t8zla5q/Original%202018%20Chapter%2050%20Licensing%20of%20Commercial%20Cannabis%20Operations%20to%20county%20code.pdf?dl=0
147.	10.13.22 Plowman to Zimmer re “youth center” discussion	https://www.dropbox.com/s/uwe3yspyzurbrxa/10.13.22%20Plowman%20to%20Zimmer%20re%20%202youth%20center%22%20discussion.pdf?dl=0
148.	10.13.22 Zimmer to Montez email re PRA-Youth Center	https://www.dropbox.com/s/uvucz3f3w8bdc8/10.13.2022%20Zimmer%20to%20Montez-PRA%20%22youth%20center%22.pdf?dl=0
149.	10.20.2022 Surf Happens website pages re youth	https://www.dropbox.com/s/1hnpbhakxdbmct/10.20.22%20Surf%20Happens%20Website-Youth.pdf?dl=0
150.	10.14.22 Hudson to Zimmer re City of Ventura-no LCPA	https://www.dropbox.com/s/z6bjftiouelgs7c/10.14.22%20Hudson%20to%20Zimmer%20re%20Ventura%20LCPA.pdf?dl=0
151.	9.2.2022 Zimmer letter to PC	https://www.dropbox.com/s/s24cj6xvg57u0xv/9.2.2022%20Zimmer%20letter%20to%20PC.pdf?dl=0
152.	11.5.2021 Planner Memo to SBAR-with Pub Works request to not consider streetscape project	https://www.dropbox.com/scl/fi/i3pn2mm3mdsnpbs4nqzmb/11.6.22-Planner-memo-to-SBAR.doc?dl=0&rkey=975p5frijw8apq76a3lpxefin
153.	10.11.22 Zimmer response to facilitation offer	https://www.dropbox.com/s/ktya62v5f97qby5/10.11.22%20zimmer%20response%20to%20offer%20of%20facilitation.pdf?dl=0

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154.	10.12.2022 Van Mullem explaining facilitation	https://www.dropbox.com/s/2juv0c063vnuwhj/10.12.22%20Van%20Mullem%20to%20Zimmer%20re%20facilitation.pdf?dl=0
155.	10.14.22 Bozanich rejecting offer	https://www.dropbox.com/s/4p5hgovo5pzhn5q/10.14.22%20Bozanich%20rejecting%20offer.pdf?dl=0
156.	8.15.22 Zimmer letter to Van Mullem	https://www.dropbox.com/s/1nw14c05nd1l4wm/8.15.22%20Zimmer%20letter%20to%20Van%20Mulle.pdf?dl=0
157.	8.25.22 Bozanich letter to Van Mullem	https://www.dropbox.com/s/kn90uet8gz61tje/8.25.22%20Bozanich%20response%20to%20Zimmer%20letter.pdf?dl=0
158.	6.1.22 Bozanich emails to BOS staff requesting appts	https://www.dropbox.com/s/mc7lbnb5zd38n2m/Bozanich%20to%20staff-BOS%20re%20hearing%20date-D2%20data%20point.pdf?dl=0
159.	9.24.2022 Dept of Cannabis Control licenses by County	https://www.dropbox.com/scl/fi/6p4s1uhckfkybgmq3nbb9/9.24.2022-Dept-Cannabis-Control-licenses.xlsx?dl=0&rlkey=rt8y6gsaw4ed9g4yuecojooiu
160.	C-1 parcels in Montecito-Assessor	https://www.dropbox.com/s/jk9n9k4gx7afer2/Montecito%20C-1%20parcels-combined.pdf?dl=0
161.	9.7.22 PC Findings of approval	https://www.dropbox.com/s/ya8w8smcmhui4o/9.7.22%20PC%20findings%20of%20approval%20made.pdf?dl=0
162.	8.1.22 Williams-Armendariz Texts	https://www.dropbox.com/s/wpsapt1uoynzdoa/DW%20Texts%20w%20Joe%20A%20re%20meeting%20w%20Radis.pdf?dl=0
163.	2017 UCLA- Coastal Access Policy-King	https://www.dropbox.com/s/9t88h0il7fwxk46/UCLA-Coastal-Access-Policy-Report%20%20King.pdf?dl=0
164.	SCL Streetscape Layout sheets	https://www.dropbox.com/s/6dkpm38okmn6y7c/SCL-%20Layout%20Sheets%20PC%20hr%202019.pdf?dl=0
165.	1999 2246 Lillie Ave CDP-C1 Zone	https://www.dropbox.com/s/kfof0xmgf5j52cu/1999-2246%20Lillie-%20CDP-Change%20of%20Use.pdf?dl=0
166.	9.22.2022 Zimmer to Bridley	https://www.dropbox.com/s/yqcnu178yuruvs6/9.22.22%20Zimmer%20to%20Bridley%20email%20re%20ex%20parte.pdf?dl=0
167.	3.5.2021 Brickley to Heaton	https://www.dropbox.com/s/ks55zfw859gvo8s/3.5.2021%20Brickely%20to%20Heaton-%20parking%20specifics.pdf?dl=0
168.	10.23.22 Weedmaps-Port Hueneme	https://www.dropbox.com/scl/fi/b1qefg74g2d77wyc5fn44/10.23.22-Weedmaps-Port-Hueneme.docx?dl=0&rlkey=lmx4a912c5owrdlvqfdef1a3v
169.	10.3.22 Petit to Zimmer re facilitation offer	https://www.dropbox.com/s/p9eqhhtm6scpq7r/10.3.22%20Petit%20to%20Zimmer%20re%20facilitation.pdf?dl=0
170.	10.24.22 Zimmer to Montez email re 4.5.21 PRA	https://www.dropbox.com/s/kdifoglgfn5m6l5/10.24.22%20Zimmer%20to%20Montez%20email%20re%204.5.21%20PRA.pdf?dl=0
171.	9.7.22 Planning Commission hearing-link to video	https://www.youtube.com/watch?v=_aWIKjkjNg&t=7231s
172.	5.18.2022 Kent to Liu for ZA hrg	https://www.dropbox.com/s/3fnrmdaeuxejao/5.18.2022%20Kent%20to%20ZA%20Liu%20.pdf?dl=0
173.	6.24.22 Bozanich to Williams' office re zoom meeting	https://www.dropbox.com/s/u4myzppqpn3qct1/6.24.22%20Bozanich-Williams%27%20office%20re%20zoom%20scheduling.pdf?dl=0
174.	10.25.22 Zimmer-Dargel-Plowman re meeting w applicants reps	https://www.dropbox.com/scl/fi/a75z85147ed1j8v7u5zgc/10.25.22-Zimmer-Dargel-Plowman-re-meeting-w-applicants.docx?dl=0&rlkey=t03u3j2eksr43mlm01dbgtaw

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175.	2021-22 PRA requests by appellant	https://www.dropbox.com/s/p8vsb4wu8ib8c2k/2021-2022%20PRA%20Requests%20submitted%20by%20appellant.pdf?dl=0
176.	6.21.22 3823 SCL LLC removal of managers only Radis' remain	https://www.dropbox.com/s/77qsgkvg2uz71ae/6.21.2022%20LLC%20Statement%20-%20Radis%20only.pdf?dl=0
177.	3623 SCL LLC- application vs now	https://www.dropbox.com/s/u3ekb6g2kxnp6s/3823%20SCL%20LLC%20evolution%20-%20name%20changes-combined.pdf?dl=0
178.	Nov 2020 Roots application & Labor plan	https://www.dropbox.com/s/7k79lzzrznzy2idc/Nov%202020%203823%20SCL%20LLC-Ch%2050%20Application%20info%20.pdf?dl=0

END of EXHIBITS