

Santa Barbara County Board of Supervisors

Request to Deny the Appeal & Approve the
Coastal Development Permit

November 1, 2022

The Roots Carpinteria



The Root's Carpinteria Owners & Support Team

- Owners
 - Pat & Maire Radis
 - Victor Sanchez
 - Luis Castaneda
 - Beth Thuna
 - David Garcia
- Support team
 - Ed deVicente
 - Jay Higgins
 - Scott Schell
 - Tina Fanucchi-Frontado
 - Joe Armendariz
 - Dennis Bozanich

THE ROOTS
CARPINTERIA

New Appeal Issues Continue to be Erroneous or Evidence-free Assumptions

Appellant Exhibit A – 9/8/2022

Reality

“Majority of PC were of the view that the dispensary...would be inappropriate at that location”

Erroneous assumption. They voted 4-1 to approve the Coastal Development Permit for The Roots project.

“Lower cost visitor and recreational facilities shall be protected”

Erroneous assumption. This only quotes half of PRC Section 30213. Reading the second sentence of Pub. Res. Code 30213, which talks about affordable overnight room rental rates, it is clear by context that portion of the Coastal Act is talking about coastal visitor serving accommodations like hotels or motels.

“Staff report...focused on whether parking would meet the minimum for employees”

Erroneous assumption. Page 8 of PC staff report details the compliance with parking requirements at 35-110 in Article II. This requirement is for customers & employees.

“Parking, circulation & traffic impacts attributable to the dramatically increased intensity of use...have not be analyzed.”

No evidence provided. The PEIR identified traffic as a Class I impact. Studies by Nygaard and ATE have provided additional data and analysis and are in the record.

“Project was not within the scope of the PEIR”

No evidence provided. See Cannabis PEIR pages 3.11-13 and 3.11-20. A project specific checklist (CEQA Guidelines #15168(c)(4)) was completed and is in the record.

New Appeal Issues
Continue to be
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Appellant Exhibit A – 9/8/2022

Reality

“Testimony [of impacts to coastal access]...could not be refuted by the applicant.”

Erroneous assumption. Analyses by multiple experts has been put into the record, by staff & applicant, of evidence that the project will not conflict with access.

“PC failed to adequately consider alternatives, including alternative locations.”

Erroneous assumption. PC is not required to consider project alternatives. Alternatives were considered during the PEIR and CEQA checklist process.

“County Counsel asserted that the [PC] could not deny the permit based on inconsistency with...the C-1 zone.”

Erroneous assumption. The Board adopted cannabis retail as allowed on C-1 parcels in the coastal zone. That was certified by CCC after modifying it to be a “principally permitted use.”

“[PC] accepted...unsupported finding by P&D that the two surf schools/camps... cannot be considered ‘youth centers’”

Erroneous assumption. Page 15 of the staff report to the PC clearly states that Article II does not define “youth centers,” but H&SC#11353.1 does. That definition includes that it, “primarily used to **host**...activities for minors.” The buildings on SCL do not host the minors, the host beach locations are 1,500 feet to the west.

“The County denied appellant’s due process rights to a fair hearing.”

Erroneous assumption.

Past Appeal Issues Remain Erroneous or Evidence-free Assumptions

Appellant Comment – 8/16/2022	Reality
“preemption of the LCP process”	No evidence provided. See next slide
“know that the work performed was extensive”	No evidence provided. NO extensive work was done
“encroachment into ROW; impairment of coastal trail route”	No evidence provided. Building is within property line. Coastal Trail will have signage with Streetscape bike path project
Appeal Addendum A -1/24/2022	Reality
“site designation process”	No evidence of site designation provided. BoS approved amendments to allocate retail licenses to CPAs and create a selection process; no one appealed
“approval...will violate CEQA and...pose conflicts with Coastal Act”	No evidence of CEQA violations provided. CCC approved CZO amendments for retail in C-1 and C-2 in 10/2018
“require a...supplemental EIR”	No evidence provided. A project specific checklist (CEQA Guidelines #15168(c)(4)) determines if a project’s impacts are within the scope of the Programmatic EIR
“program EIR omits any reference to public or beach access”	No evidence provided. See Cannabis PEIR pages 3.11-13 and 3.11-20

Past Appeal Issues Remain Erroneous or Evidence-free Assumptions

Appeal Addendum A – Continued

Reality

“nor did the County incorporate any mitigation **measures for traffic and parking**”

No evidence provided. PEIR did note cumulative traffic. CZO/LUDC requires a traffic demand management plan as a mitigation

“parking spaces ‘belong’ to the general public”

This is correct. All required parking for The Roots is onsite with many in reserve

“a **magnet for crime** and violence”

No evidence provided. Areas with cannabis retail stores saw no change in violent criminogenic behaviors according to CUNY research of Denver

“**collecting \$12,000 per month** for leasing...to the multi-billion-dollar cannabis industry”

They will be collecting rent from themselves. Radis’ are supermajority owners of the cannabis business and the property owners.

Appeal Addendum B – 8/2/2021

Reality

“**overwhelming** opposition”

No evidence provided. Many tenants on SCL see a need for increased business diversity. Petition with 500+ supporters

“cannabis **licensing process to drive your land use** permit process”

No evidence provided. Selection process reduced “feeding frenzy” & identified qualified applicants. Land use permitting retains its consistency determination role. Local and State biz licensing to follow

Consistency with the Coastal Land Use Plan

LCP Policy 2-8: a. The County shall give equal priority to the following land uses in the coastal zone of Montecito and Summerland:

- Expansion of public recreational opportunities
- Visitor-serving commercial uses, i.e., restaurants, retail commercial, motels, etc.
- Low- & moderate-income housing
- Agricultural expansion

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Weekday Parking Demand Analysis

Hours	Roots Customers per hour	Roots Customer parking demand*	Roots employee parking demand	Boutique retail parking demand	Office parking demand	Total parking demand
8:00 AM	0	0	0	1	1	2
9:00 AM	0	0	0	2	1	3
10:00 AM	16	2	5	2	2	11
11:00 AM	16	2	5	2	2	11
12:00 PM	18	2	5	3	2	12
1:00 PM	16	2	5	3	2	12
2:00 PM	18	2	5	3	2	12
3:00 PM	19	3	5	2	2	12
4:00 PM	23	3	5	2	2	12
5:00 PM	25	3	3	3	2	11
6:00 PM	27	3	3	3	0	9
7:00 PM	2	0	3	2	0	5

Code requires 12 parking spaces for the project. Even at peak hours, there will be adequate off-street parking without the 10 spaces in the UPRR ROW.

- Based on ~200 customers per weekday. 300 customers is 600 trips; 300 inbound & 300 outbound as identified by ITE.
- Parking spot calculation = 90% of customers are returning and average 7 minutes for their transaction and 10% are new customers averaging 12.5 minutes per transaction.

Weekend Parking Demand Analysis

Hours	Roots Customers per hour	Roots Customer parking demand*	Roots employee parking demand	Boutique retail parking demand	Office parking demand	Total parking demand
8:00 AM	0	0	0	1	1	2
9:00 AM	0	0	0	1	1	2
10:00 AM	29	4	3	2	1	10
11:00 PM	26	3	3	3	1	10
12:00 PM	32	4	3	3	1	11
1:00 PM	27	3	3	3	1	10
2:00 PM	31	4	3	3	0	10
3:00 PM	31	4	3	3	0	10
4:00 PM	30	4	3	3	0	10
5:00 PM	38	5	3	2	0	10
6:00 PM	30	4	3	2	0	9
7:00 PM	3	0	3	2	0	5

Code requires 12 parking spaces for the project. Even at peak hours, there will be adequate off-street parking without the 10 spaces in the UPRR ROW.

- Based on ~300 customers per weekend day. 300 customers is 600 trips; 300 inbound & 300 outbound as identified by ITE.
- Parking spot calculation = 90% of customers are returning and average 7 minutes for their transaction and 10% are new customers averaging 12.5 minutes per transaction.



410 seats
0 on-site parking

300 seats
0 on-site parking

85 seats
0 on-site parking

110 seats
0 on-site parking

14.7 - 21.6 p/h ADT
22 on-site parking

3823 Santa Claus Ln

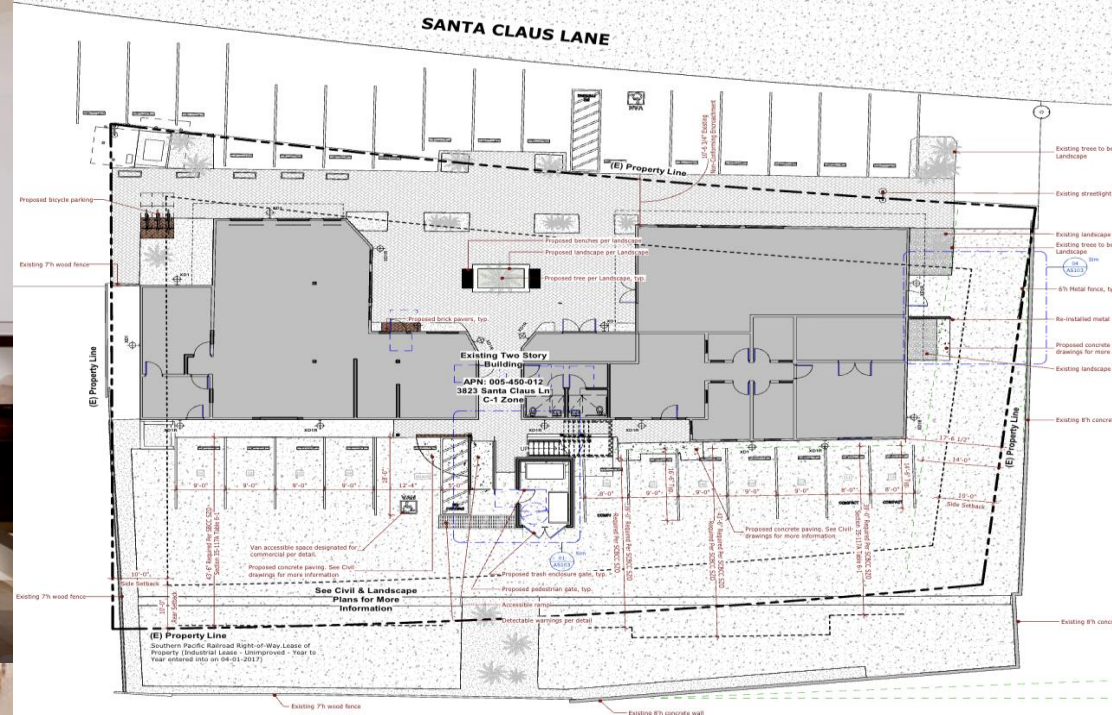
Parking Demand & Capacity on SCL

- ROW 2022 = 254 slots
- ROW 2025 = 329 slots



Surf Camps

Distance from Surf Happens location to The Roots is approximately 1,580 feet



The Root's Carpinteria



3823 SCL is
the right
place for
cannabis
retail

- Open criteria-based selection process
- 200% more on-site
- On-site consumption of cannabis is prohibited
- Every customer is IDed
- With 50% of commercial space on SCL now vacant, The Roots will cater to year-round customer traffic, lifting other businesses up
- Commitment to operational excellence
- Positive economic impacts

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Updated STDMP

- **Employee incentives:**
 - Carpooling will result in an additional employee discount on products
 - Employees will earn “Roots Bucks” for in store redemption
 - Free monthly bus passes
 - Electric bike purchase assistance plus battery charging station
 - If needed, parking partnerships with other cannabis related business with shuttle service to Santa Claus Lane location
- **Customer incentives:**
 - Advertise non-auto-based transportation options, including providing a 10% discount to customers who can show proof of public transportation use to the store
 - Non-peak hour product discounts provide an incentive to visit the store during non-peak hours (peak from 4:00PM to 7:00PM)
 - Non-peak day product specials provide an incentive to avoid summer weekends and Fridays year-round
 - Discounts offered to use express checkout during peak hours

101 and Santa Claus Lane Transportation Improvement Projects

- Bikeway, SCL Turnaround & Onramp Projects
 - <https://www.hwy101carpinteria-santabarbara.com/padaro>
- SCL Streetscape and Beach Access Project
 - <https://www.countyofsb.org/334/Parks>



Applicant's Requests

- Deny the appeal
- Approve the Coastal Development Permit

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Thank you

We are happy to answer
any questions

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