



CITY COUNCIL
Staff Report

Meeting Date: October 16, 2018

To: Mayor and City Council

From: Scott Chadwick, City Manager

Staff Contact: David de Cordova, Principal Planner
 david.decordova@carlsbadca.gov or 760-602-4604

Subject: Initiation of a zoning ordinance amendment to limit airport and airport supporting uses to the existing McClellan-Palomar Airport property.

Recommended Action

Adopt a Resolution of Intention to initiate a zoning ordinance amendment to limit airport and airport supporting uses to the existing McClellan-Palomar Airport property.

Executive Summary

In January 2018, the County of San Diego released a draft update of the McClellan-Palomar Airport Master Plan (AMP) and associated Draft Program Environmental Impact Report (PEIR). The City Council, staff and outside counsel from the law firm of Kaplan Kirsch and Rockwell have been actively engaged in addressing community concerns regarding the proposed future facilities and operations of the County's airport. The proposal to initiate a zoning ordinance amendment is one recommended response to address these concerns. Carlsbad Municipal Code Section 21.52.020(A)(2) states that the City Council may initiate a zoning ordinance amendment by adopting a resolution of intention.

Discussion

Since the County's release of the draft AMP and PEIR in January, the City Council has engaged with the community and County of San Diego regarding the McClellan-Palomar Airport through a three-pronged approach to: 1) enter into a discussion with the County of San Diego over future airport operations and facilities; 2) initiate a stakeholder dialogue to identify and understand community concerns and priorities about airport operations and facilities; and 3) develop and implement an action plan to guide the city's approach related to the airport in the future. In pursuit of these efforts, staff and outside counsel have provided the City Council with several recommended actions, including one to amend the city's zoning ordinance to limit the location of airport and airport supporting uses to the current airport property boundaries. The intent of the ordinance amendment is to address concerns of potential future expansion of the airport beyond the current boundaries.

The purpose of the resolution of intention is to establish the basic scope of the zoning ordinance amendment and to provide formal direction to staff to begin the amendment process. Key steps in this process include identifying the relevant sections of the zoning ordinance to be amended, drafting the amendment and releasing it for public review and comment, preparing the appropriate environmental review documents in compliance with the

California Environmental Quality Act (CEQA), engaging with interested parties, finalizing the draft amendment and presenting it to the Planning Commission at a public hearing for a recommendation to the City Council, and then forwarding the Planning Commission recommendation to the City Council for a public hearing and action on the amendment. Since the zoning ordinance is part of the city's certified Local Coastal Program (LCP), the amendment, once approved by the City Council, will require review and approval by the California Coastal Commission as an amendment to the LCP.

The zoning ordinance currently allows airport use subject to issuance of a conditional use permit (CUP) at the existing airport location (in the M zone), as well as other zones surrounding it, notably C-M and P-M. The proposed zoning ordinance amendment, subject to an approved CUP, is intended to allow the airport and related uses that support the airport (such as, but not limited to, airport parking) only where such uses exist or are authorized on the airport property, and would be prohibited elsewhere.

Fiscal Analysis

No city funding is being requested at this time.

Next Steps

Planning Division staff will draft the zoning ordinance amendment, post the proposed amendment to the city's website, and notify interested parties when the draft is available for review and comment. The draft ordinance amendment will be finalized and scheduled for public hearing and recommendation by the Planning Commission, then forwarded to the City Council for a public hearing and consideration to approve the amendment. Once approved by the City Council, will require review and approval by the California Coastal Commission as an amendment to the LCP. It would take approximately four to six months to complete local processing of the zoning ordinance amendment and corresponding LCP amendment. Outside the coastal zone, the zoning ordinance amendment would become effective 30 days after its adoption, and within the coastal zone, would become effective upon California Coastal Commission certification of the LCP amendment. Coastal Commission consideration of the LCP amendment could take another three to six months after local approval. The airport and almost all the properties immediately surrounding it are outside the coastal zone.

Environmental Evaluation (CEQA)

The proposed resolution of intention does not constitute a "project" within the meaning of California Environmental Quality Act (CEQA), Public Resources Code Section 21065, in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore does not require environmental review. If the resolution of intention is approved, the subsequent zoning ordinance amendment will undergo appropriate environmental review in compliance with CEQA.

Public Notification

This item was noticed in accordance with the Ralph M. Brown Act (California Government Code Section 54950 et seq.), published and distributed at least 72 hours prior to the meeting date and time.

Exhibits

1. City Council Resolution.

RESOLUTION NO. 2018-182

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, DECLARING ITS INTENTION TO INITIATE A ZONING ORDINANCE AMENDMENT TO ALLOW AIRPORT AND AIRPORT SUPPORTING USES WITH APPROVAL OF A CONDITIONAL USE PERMIT ONLY WITHIN THE CURRENT MCCLELLAN-PALOMAR AIRPORT PROPERTY BOUNDARIES, AND TO PROHIBIT SUCH USES IN ALL OTHER ZONES AND ON ALL OTHER PROPERTIES WITHIN THE CITY

WHEREAS, on January 18, 2018, the County of San Diego prepared and released for public review a draft update to the McClellan-Palomar Airport Master Plan (AMP) and associated Program Environmental Impact Report (PEIR); and

WHEREAS, the AMP update identifies new short-term to long-term improvements to McClellan-Palomar Airport for the next 20 years, and the PEIR analyzes the potential environmental impacts associated with AMP planned improvements, and recommends mitigation measures to reduce potential impacts to less than significant; and

WHEREAS, the City Council of the City of Carlsbad, California has determined that it is vital to actively engage with the County of San Diego regarding their plans for future airport facilities and operations, to protect the health, safety and welfare of the Carlsbad community; and

WHEREAS, the City Council has directed staff to undertake a multi-pronged approach to address community concerns regarding the airport including, but not limited to, conducting a review of city policies and regulations related to airport uses, and to recommend changes as appropriate; and

WHEREAS, staff and legal counsel have advised that an amendment to the city's zoning ordinance relating to airport uses is appropriate at this time.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carlsbad, California, as follows:

1. That the above recitations are true and correct.
2. Pursuant to Chapter 21.52 of the Carlsbad Municipal Code, the City Council of the City of Carlsbad hereby declares its intention to initiate an amendment to Title 21 of the Carlsbad Municipal Code (Zoning Ordinance) to allow airport and airport supporting uses with approval of a conditional use permit only within the current McClellan-Palomar Airport property boundaries, and to prohibit such uses in all other zones and on all other properties within the city.

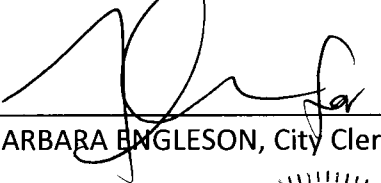
3. The City Planner is directed to initiate said amendment, and after appropriate study and preparation of the amendment, set the matter for public hearing before the Planning Commission and this City Council.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 16th day of October, 2018, by the following vote, to wit:

AYES: M. Hall, K. Blackburn, M. Schumacher, C. Schumacher, M. Packard.
NOES: None.
ABSENT: None.

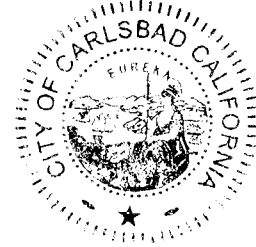


MATT HALL, Mayor



BARBARA ENGLESON, City Clerk

(SEAL)



All Receive - Agenda Item # 3
For the Information of the:
CITY COUNCIL
ACM CA CC
Date 10/16/18 CM COO



County of San Diego

SARAH E. AGHASSI
DEPUTY CHIEF ADMINISTRATIVE OFFICER

LAND USE AND ENVIRONMENT GROUP
1600 PACIFIC HIGHWAY, ROOM 212, SAN DIEGO, CA 92101
(619) 531-6256
www.sdcountry.ca.gov/lueg

October 16, 2018

Scott Chadwick, City Manager
City of Carlsbad
1200 Carlsbad Village Dr.
Carlsbad, CA 92008

CITY AGENDA OF OCTOBER 16, 2018 CONCERNING MCCLELLAN-PALOMAR AIRPORT

Dear Mr. ^{SCOTT} Chadwick:

On October 10, 2018, Mayor Matt Hall spoke at the County of San Diego Board of Supervisors (Board) meeting concerning the McClellan-Palomar Airport Master Plan. Mayor Hall expressed the City of Carlsbad (City) was not taking a position on the Master Plan, but did communicate the City's desire to develop a more cooperative relationship with the County of San Diego (County) regarding the McClellan-Palomar Airport (Airport). The County of San Diego Board of Supervisors responded by asking County staff to return with a proposal to amend the governance of the Palomar Airport Advisory Committee in order for the City to submit a suggested committee member for the Board's consideration, and to continue to work with the City on airport noise concerns. We have since learned there is a proposal on the City's October 16, 2018 Agenda to consider initiating City zoning ordinances to attempt to regulate the Airport, which raises concerns for the County.

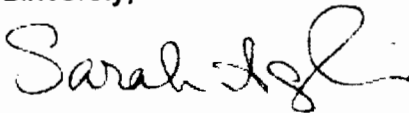
While the City has the authority to zone property within its boundaries, changing the zoning of property that is or may be used for Airport purposes will not give the City additional control over the Airport. The City retained Kaplan, Kirsch & Rockwell to provide a report to the City Council about the City's land use authority over the Airport and the attorneys identified that the County has immunities from City zoning ordinances pursuant to Government Code § 53091, and that efforts by the City to restrict Airport property acquisition can be preempted by federal law. (*Township of Tinicum v. City of Philadelphia* (E.D. of Penn, 2010) 737 F. Supp. 2d 367, 377-378.) Given these legal constraints, it is unclear why the City would proceed with such zoning ordinance amendments, and we request the City reconsider.

We recognize there are concerns by some members of the community about the Airport and the position the City is in to address community concerns. We will continue to work to address areas of concern that are within our purview. As it relates to such facets as aircraft noise, we recently installed two additional noise monitors in the vicinity and will continue to address noise concerns through our Voluntary Noise Abatement Program (VNAP). If the City has additional thoughts on how to enhance the VNAP, we are open to input. Additionally, if the City would like to have discussions with the Federal Aviation Administration, we are happy to facilitate those conversations.

The Airport is used by a number of north county residents and businesses and it is forecasted that by 2030, the Airport will support over 4,600 jobs in the area. At the County of San Diego October 10, 2018 meeting, the Carlsbad Chamber of Commerce, San Diego Regional Economic Development Corporation, San Marcos Chamber of Commerce, Vista Chamber of Commerce and Oceanside Chamber of Commerce spoke in support of the Master Plan. In addition, California Pacific Airlines (CPA) President and CEO, Paul Hook, informed the Board that CPA has sold more than one thousand airline tickets for trips to and from the Airport, beginning in November. Such testimony highlighted the positive impact the Airport has on the region.

We look forward to continuing a cooperative working relationship with you that will benefit the City, the Airport and the community we all serve.

Sincerely,



SARAH E. AGHASSI
Deputy Chief Administrative Officer

cc: Office of the City Clerk

October 16, 2018

[Emailed to Carlsbad City Clerk at 3:10 p.m. to clerk@carlsbadca.gov for 6 p.m. Council Meeting & Personally Delivered at Meeting by Suzie Thorley for Administrative Record]

All Receive - Agenda Item # 3

For the Information of the:

CITY COUNCIL

ACM CA CC

Date 10/16/18 CM COO

Ray & Ellen Bender
1015 Camino del Arroyo Dr.
San Marcos, CA 92078

Graham Thorley
2539 El Gavilan Court
Carlsbad, CA 92009

Mayor Hall and Council Members Keith Blackburn, Mark Packard, Michael Schumacher, and Cori Schumacher

City Manager: Scott Chadwick

City Attorney: Celia Brewer

Re: Carlsbad City Council October 16, 2018 Meeting, Agenda Item 3 re
Zoning for McClellan-Palomar Airport and Surrounding Areas and MC § 21.53.015
Requiring a Vote of the People

Ladies and Gentlemen:

Basic Background:

Agenda Item 3 on the City Council October 16, 2018 Agenda proposes a Resolution:

"[T]o allow airport and airport supporting uses with approval of a conditional use permit only within the current McClellan-Palomar Airport Property Boundaries and to prohibit such uses in all other zones and on all other properties within the city."

In contrast, existing Carlsbad Municipal Code Section 21.53.015 states:

21.53.015 Voter authorization required for airport expansion.

(a) The city council shall not approve any zone change, general plan amendment or any other legislative enactment necessary to authorize expansion of any airport in the city nor shall the city commence any action or spend any funds preparatory to or in anticipation of such approvals without having been first authorized to do so by a majority vote of the qualified electors of the city voting at an election for such purposes.

(b) This section was proposed by initiative petition and adopted by the vote of the city council without submission to the voters and it shall not be repealed or amended except by a vote of the people. (Ord. 9804 § 5, 1986; Ord. 9558 § 1, 1980)

The Carlsbad City Council-Proposed McClellan-Palomar Airport Zoning Related Resolution Requires a Vote of the People Pursuant to Carlsbad MC Section 21.53.015(b).

The February through September 2018 Carlsbad City Council Palomar-related meetings and Palomar city workshop show that the Carlsbad community and the City Council differ materially on how existing Carlsbad Conditional Use Permit 172 and MC Section 21.53.015 should be interpreted. Reviewing the record today is important because it sheds light on how the council's proposed resolution once again tries to side step Carlsbad voters.

The Administrative Record for the above-noted meetings shows:

- The CalTrans Division of Aeronautics – which regulates county Palomar development – and the California Public Utilities Code *expressly* classify runway extensions as airport expansions even when extensions are within existing airport property. (See PUC § 21664.5).
- When the Carlsbad City Council in 1979/1980 approved Conditional Use Permit 172 and authorized certain uses at Palomar – at county's request – the council significantly changed the CUP 172 Table 1 use of proposed Palomar uses, which county submitted. Specifically, *county's* Table 1 said county could extend Palomar runways without first receiving Carlsbad approval, but *Carlsbad deleted the reference* to runway extensions.
- Carlsbad MC § 21.04.140 defines the term “expansion” to mean “to enlarge or increase the size of an existing structure or use including the physical size of the property, building, parking and other improvements.” Note that a change in the use, not just a change in structure size, is an expansion.
- Carlsbad CUP 172, Condition 8, precludes a county Palomar Airport expansion without first receiving Carlsbad approval.
- Carlsbad CUP 172, Condition 11, precludes county from converting Palomar Airport from “General Aviation Basic Transport” Airport without Carlsbad approval.
- The Carlsbad City Manager several years ago – in the context of California Pacific Airlines wishing to establish service at Palomar – sent a letter to the FAA suggesting that the term “general aviation basic transport” airport no longer had any meaning. The Carlsbad City Manager letter was embarrassing. It showed total unfamiliarity with FAA Airport classifications in which the terms “General Aviation” and “Basic Transport” are defined in detail. See Appendix C to the current FAA National Plan of Integrated Airport Systems (NPIAS) Report, available by simply searching for “NPIAS” on the faa.gov website or at https://www.faa.gov/airports/planning_capacity/npias/reports/ .

Yet, despite all the facts (not opinions) above, Carlsbad has maintained that county extending the runway from 4900 feet to 5800 feet and converting the airport from an FAA-rated B-II airport handling mainly small aircraft to an FAA-rated D-III airport inviting much larger, more fuel-laden, faster, more passenger intensive aircraft does not require Carlsbad CUP 172 approval.

In other words, the current CUP 172 and MC § 21.53.015 wordings are millstones around Carlsbad's neck, which the council wishes to ditch.

Carlsbad's solution? Adopt a new Ordinance which prohibits airport uses outside current airport boundaries and bless the “*existing and authorized*” uses within the airport boundaries. So the Carlsbad council – without the MC § 21.53.015(b) required vote of Carlsbad voters – now wishes to blackball the terms “expansion” and “general aviation basic transport” airport and substitute new ambiguous terms

“existing and authorized.” For instance, is the Palomar 4900-foot runway an existing use when county never got Carlsbad permission to extend it several years ago from 4700-feet to 4900-feet?

Carlsbad Knows a Carlsbad Resident Vote is Required and So Indicated By Its Actions in 2014/2015 When Carlsbad Adopted a Modified Carlsbad 2015 General Plan After Public Complaints of a 2015 GP Attempted End Run Around MC § 21.53.015(b).

When Carlsbad adopted its 2015 General Plan, Carlsbad attempted to side step MC §21.53.015(b). Both signatories to this letter attended the Carlsbad meetings, which considered the 2015 GP. The history is this:

- When discussing McClellan-Palomar Airport in the DRAFT 2015 Carlsbad General Plan, Carlsbad proposed a written policy replacing the term “expansion” in CUP 172 and in MC § 21.53.015 with the term “geographical expansion” in the 2015 General Plan. In other words, Carlsbad announced that when reviewing Palomar improvements, county would look simply at whether the improvements were inside or outside the Palomar borders.
- The signatories to this letter objected in writing to Carlsbad’s new DRAFT 2015 General Plan policy redefining the term “expansion.” The public noted that MC § 21.53.015(b) required Carlsbad voter approval of such a change.
- As a result, Carlsbad modified its 2015 General Plan to delete the proposed redefinition of “expansion” and to avoid a vote of the people.

Personal Liability

Generally, the Government Code allows governmental entities such as Carlsbad to indemnify city officers for their mistakes. However, there are exceptions. A court reviewing a Carlsbad council breach of MC § 21.53.015 – specifically its statement that the Council not spend monies not in compliance with this section – would have to decide whether council actions contrary to MC §21.53.015 were an intentional circumvention of CUP 172, and if so, whether such intentional acts voided the city’s obligation to indemnify council members.

A Vote of Carlsbad Residents

It may be that Carlsbad residents want to trade increased Palomar traffic congestion, air pollution, noise, increases in greenhouse gas emissions and other environmental negatives so that Qualcomm and other business can fly to China in the middle of the night without stopping to refuel at Palomar.

But Palomar currently uses only 55% of its capacity. If Carlsbad residents want commuter flights to Los Angeles or other parts of California, Palomar can easily provide such flights if the demand is there without expanding the airport.

Accordingly, a conscientious city council would determine the will of the Carlsbad voters by an election not by hiding behind tricky ordinances.

/s/ Ray and Ellen Bender and

Dated: October 16, 2018

Graham Thorley

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 8:57 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Palomar Airport

The city council members did receive this.

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

From: Janis Murphy
Sent: Sunday, October 14, 2018 9:07 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Palomar Airport

Good morning! I am writing to express support of the runway lengthening and other reconfigurations planned for McClellan-Palomar Airport!!

Will be unable to attend the council meeting on the 16th but wanted to show support!! And as a point of reference we are in one of the flight patterns for the airport.

Janis Murphy

92008

Sent from my iPhone Janis

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:00 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Palomar airport expansion project

The City Council Members did receive this.

From: MommaSez
Sent: Friday, October 12, 2018 2:43 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Palomar airport expansion project

I personally oppose the expansion of Palomar Airport. I have enough jet fuel dumped on my patio furniture, and my peace and quiet neighborhood is disrupted way too often by low flying jets that cause windows to rattle and pets scurrying for safety or breaking out in howls and barking. The sound is so loud it disrupts conversations in person, on the phone, and on TV and radio. Please respect the quiet sanctification of our neighborhood.

Bonnie Armstrong

Clarity over agreement

"English is weird. It can be understood through tough, thorough, thought though. "

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:01 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: No airport expansion

The City Council Members did receive this.

From: Stacy Gardner
Sent: Friday, October 12, 2018 10:20 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: No airport expansion

Dear Carlsbad Council members,

I would like to ask the you do everything in your power to stop the airport expansion at Palomar Airport. Carlsbad does not need to become John Wayne airport 2.0. The noise from planes and traffic will not benefit the Carlsbad quality of life.

Stacy Gardner

Carlsbad 92011 (20 year resident of carlsbad)

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:02 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Palomar Airport Expansion

The City Council Members did receive this.

From: Dee Forsberg, Global Hire
Sent: Friday, October 12, 2018 10:36 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Palomar Airport Expansion

Hello,

First off thank you for your service. I am writing in regards to the expansion of Palomar Airport. I am extremely concerned about what this means for our community, our quality of life, and the safety and health of our residents.

I am woken up at all hours by aircraft flying in/out of the airport. The amount of pollution around and inside my home has increased dramatically over the years. I do not understand the logic of allowing larger aircraft and especially in a community where the flight path goes over homes, schools, an amusement park, etc.. We are in a highly condensed population area and the growth only continues, which means even more will be under the flight path.

I've had aircraft that has been at 500' above my home. This wasn't because the pilot had to avoid other air traffic,, it was the pilots choice. In addition, I have seen aircraft flying directly about the Campground along the coast that was so low, he looked like he was going to clip the palm trees. Once again, there was no safety reason for him to operate the aircraft in this manner. Daily, there are specific jets that do not follow the normal flight path and the noise level is so loud, you have to stop talking if you are outside or on the phone.

I feel our representatives have let the residence of Carlsbad down by not taking the appropriate action to combat the expansion. There is a reason why tourists and people want to live here and it is for the unique qualities of our city. We don't feel or look like Orange County, but we are heading in that direction. I still wonder who is funding the airport expansion and how they are connected to certain individuals.

Also, it would sure be nice to see our representatives act in a non-divisive manner. Sitting and looking in from afar, I have to wonder why our leadership is acting very combative and disrespectful not only to others on the team, but to residents they serve. Your positions are to represent and serve "all" of the people and not just some. It is time to stop playing by party line and remember what your positions mean to the community. If you were corporate leaders you would be expected to be professional, respectful and collaborative with other members on the team. If you weren't, you would be fired. Watching from afar your body language and tone all speak volumes. Perhaps it is time to reflect and remember you are running a business, it just happens to be a city.

Thank you



A full-cycle executive search firm focusing on recruiting mid-level to executive management professionals

Licensed and Insured

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:04 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Airport Expansion

The City Council Members did receive this.

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

From: Stormy Carlos
Sent: Saturday, October 13, 2018 9:49 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Airport Expansion

Members of City Council-

We absolutely do NOT need to expand the airport! There is already too much noise pollution with jets and planes flying over our homes! They sometimes fly dangerously low, distract drivers on Palomar Airport Road, fly at early morning hours and do not follow the appropriate flight path!!

The airport is located in a highly populated bedroom community with many businesses and schools and would be a potential danger to those living near and around the airport.

The citizens of Carlsbad do NOT want this expansion! It will disrupt our quiet beach community and take away from the ambience we are known for.

Stormy
Sent from my iPhone!
Stormy
Sent from my iPhone!

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:05 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Airport

The City Council Members did receive this.

From: Patrick Fagenstrom
Sent: Sunday, October 14, 2018 9:16 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Airport

Please do not allow the airport to do the John Wayne creep, even on a more minor scale. This is a wonderful community and airports may be a necessary evil but they don't have to be allowed to run loose. Please fight the runway extension.
Patrick Fagenstrom

Carlsbad, 92011

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:10 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: McClellan-Palomar Airport Expansion Support

The City Council Members did receive this.

From: Geoffrey Parkford
Sent: Sunday, October 14, 2018 3:46 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: McClellan-Palomar Airport Expansion Support

I am writing in support of the airport expansion. We need better transportation options closer to home in order to open our community the nation and allow us to travel with ease. Please do not take any action to oppose the county's plan to expand the airport. I live in the flight path and am not concerned about additional noise vs. reliable air travel options.

Thank you

Geoffrey Parkford
Carlsbad, Ca 92011

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:11 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Airport runway extension

The City Council Members did receive this.

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

From: Chris Murphy
Sent: Sunday, October 14, 2018 5:02 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Airport runway extension

Dear Mayor and Council:

I have been a resident in Carlsbad since 1965 and I want to express my support for the runway expansion at Palomar Airport. The expansion will take place on the current property of the airport and will help to create a safer more versatile airport that will continue to be a shiny asset in our city.

I dare say the airport was here long before most of the people protesting the improvements proposed. Carlsbad should support the proposed airport improvements.

Christopher Murphy

Carlsbad, CA

Sent from my iPad

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:13 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Oppose Carlsbad Airport Expansion

The City Council Members did receive this.

From: TimD
Sent: Monday, October 15, 2018 9:12 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Oppose Carlsbad Airport Expansion

Carlsbad City Council,

My wife and I are residents of Carlsbad in the Bressi Ranch neighborhood, which is about a mile and a half from the Carlsbad airport. We chose Carlsbad and specifically Bressi Ranch as a safe, peaceful, friendly neighborhood in which to live. The occasional aircraft flying in and out was not ideal but tolerable for the home and lifestyle we invested in.

With the ramping up of Viasat and additional Bressi annex construction, our concern has been growing about increased traffic, noise and pollution in the area. Now, on top of this, there is a movement to increase the size of the Carlsbad airport in the middle of this beautiful city. I was at one of the airport "safety" improvement meetings months ago where several citizens raised the concern about our airport turning into another John Wayne airport and we were assured that was not the case. This was not what the people voted for when the Citizens' Initiative was passed in 1980, and from what I can tell it is not what the majority of Carlsbad residents want now.

Please represent us and Carlsbad to aggressively oppose any such expansion plan, including litigation if it comes to that.

Thank you,

Tim & Mary Dowd

Carlsbad, CA 92009

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:12 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Airport

The City Council Members did receive this.

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

From: Helen Hanlon
Sent: Sunday, October 14, 2018 8:31 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Airport

Thank you for expanding our airport. People are telling me to email this account and let them know I object and for the council to litigate, or something like that. But I don't object and it seems like a reasonable expansion. I wanted you to hear from a Carlsbad resident that supports this decision.

Thanks,
Helen Hanlon

Thanks,
Helen

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:14 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Palomar Airport: Possible Expansion

The City Council Members did receive this.

From: Amanda Macey
Sent: Monday, October 15, 2018 1:31 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Palomar Airport: Possible Expansion

Carlsbad City Council,

I am requesting that council please take any actions you can to limit the expansion at Palomar Airport. Please request the strictest possible zoning surrounding the airport to limit expansion. We do not want a regional airport in the middle of our precious Carlsbad. The quality of life for residents (your voters), will be greatly diminished without taking any actions.

As a resident and active voter, I am sorely disappointed that the Carlsbad City Council did not represent Carlsbad at the most recent meeting. To that end, I am especially disappointed that the Mayor attended the meeting to represent himself, not his constituents. This shows me that even writing this message is likely a waste of my time. My elected leaders are not representing their constituents and it is disheartening that there is such a lack of leadership and actual, genuine concern for residents. This will be remembered and taken into consideration when I cast my ballot in a few weeks.

Regards,
Amanda Macey
Voter, City Council District 2

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:15 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Carlsbad Airport Expansion

The City Council Members did receive this.

From: James DePass
Sent: Monday, October 15, 2018 3:14 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Carlsbad Airport Expansion

Carlsbad City Council,

Shame on you. By not speaking out against the airport expansion you have betrayed the community and failed to represent its citizens. The majority of citizens of Carlsbad do not want a larger airport. It is big enough and loud enough already. We live here. We pay taxes. We should have a say in what happens here. Especially when it comes to matters of health, public safety, noise pollution, air pollution, property values and traffic. We moved to Carlsbad because we thought it would be a better life for our children. We are now regretting our decision to live here. With the expansion our children will be exposed to more air and noise pollution. They will be woken up by more jet noise which can affect their health, development and school performance. I would have never moved here 4 years ago had I known the airport would be expanding to offload traffic from Lindbergh Field. We do not want a Lindberg North in our backyard. The FAA has stated that property values surrounding the airport will decrease by 30%. Would you want someone to tell you that about your home? Palomar Airport Road and El Camino Real already have traffic issues. This expansion will bring hundreds of thousands of cars to the area every year. We have been misled about the purpose of this project and its impacts. They say it will be quieter. How can it be quieter if the frequency of noise increases? The bottom line is the airport expansion will ruin our quality of life and health. Since you have not stood up for your constituents now is the time to start. At the very least, please fight for mandatory quiet hours (like Lindberg and John Wayne), noise abatement measures and air pollution minimizing features. I invite you to please come to my home and listen to the airplanes and smell the jet fuel any time. I live in Bressi Ranch.

Recap:

Expanding Palomar Airport will-

Increase air pollution= higher chance of adverse health effects. Airports produce large amounts of toxic emissions that are a threat to human health, including nitrogen oxides, carbon dioxide, carbon monoxide, sulfur oxides, and other volatile organic compounds.

Increase noise pollution= has a direct impact on health

Cause higher crime rates

Exacerbate an already bad traffic problem in Carlsbad

Lower property values

Negatively affect our children

Property values decrease around airports:

<http://www.chicagotribune.com/classified/realestate/ct-mre-0510-jet-noise-homes-20150506-story.html>

Higher Crime Rates near airports:

<https://www.newsmax.com/us/crime-travel-airports/2011/07/12/id/403271/>

Toxic dangers of living by an airport:

<https://inhabitat.com/infographic-the-toxic-dangers-of-living-near-an-airport/>

Living near an airport can be bad for your health:

<https://www.nhs.uk/news/lifestyle-and-exercise/living-near-an-airport-may-be-bad-for-your-health/>

Noise Pollution from Airports affect health:

<https://www.ecowatch.com/noise-pollution-from-airports-may-have-direct-impact-on-health-1881801374.html>

James DePass

Carlsbad, CA 92009

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:15 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Palomar Airport

The City Council Members did receive this.

From: Gail Carroll
Sent: Monday, October 15, 2018 3:31 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>; Matthew Hall <Matt.Hall@carlsbadca.gov>; Michael Schumacher <michael.schumacher@carlsbadca.gov>; Cori Schumacher <Cori.Schumacher@CarlsbadCA.gov>
Subject: Palomar Airport

I have long been an opponent of airport extension and expansion of activities and have watched for years the county and even the city dodge the issue to represent the actual residents. I guarantee there are more residents that are concerned with traffic, pollution, noise and the turn of the city from being the village by the sea to OC Newport Beach. Didn't the Strawberry Field development vote prove that? Early on even city council members told me personally as well as other citizens against expansion that there would be a vote on this because it did not meet the "general aviation" criteria of the original airport. Now they want 737's when the current lower operation level pilots cannot even follow the existing flight patterns approved by the FAA because they are "voluntary" and inconvenient. Daily, there are many flights that fly over neighborhoods when they are supposed to stay over the golf course and No of Palomar Airport Road and depart before 6AM and after 10PM.

We beseech you to follow legal counsel's advice in the most aggressive way possible, and if it comes to it, litigate. A large regional airport in the middle of Carlsbad will kill Carlsbad, as we know it. It's not what the people voted for when the Citizens' Initiative was passed in 1980, and it's not what the majority of the residents want now!

It is clear that the County's intention from the beginning of the public process was to expand Palomar Airport to accept larger planes via a longer runway to offload capacity from San Diego's Lindbergh field. At NO time during the process or any of the presentations or any of the workshops, did the County state that intention, however 3 of the 4 voting Supervisors (Horn, Cox, and Roberts) publicly opined that offloading Lindbergh Field was the main reason for passing the D-III /800 foot runway extension alternative – in OPPOSITION to the County Staff and PAAC recommendations for a more modest expansion alternative. It was never about safety. It was always about having a "John Wayne Airport " in North County.

The County and the County Board of Supervisors have navigated this process in the most disingenuous, non-transparent, disrespectful way possible. They've made a mockery of the public planning process. The environmental impact report is totally inadequate in regards to noise and air pollution, greenhouse gas emissions, traffic congestion, and groundwater contamination and they want to build this runway expansion on top of a methane gas emitting landfill... Insane.

Please stand up for the residents you represent.

Gail Carroll

**REALTOR® Award of Excellence-Carlsbad
SRES, Senior Real Estate Specialist**



**Part of Richard Realty Groups CA DRE# 01458201
Fine Coastal Homes... Outrageous Service
Ph. 760.438.7747 C. 760.419.8311**

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:21 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Airport

The City Council Members did receive this.

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

From: Ronee Kozlowski
Sent: Tuesday, October 16, 2018 9:42 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Airport

We are very concerned over the extension to the Airport. If we can not stop the extension I would hope that we can make noise, hours of takeoff/landing and flight plans MANDATORY. In fact, they should be made mandatory even without the extension.

We live close to Carlsbad Village Drive, not very close to the airport, and the noise from the plane engines is ridiculous. Last month two planes within an hour were coming in after 1am. They both sounded so loud it worried us that they were coming in low.

I spend as much time as possible outside in the yard and we continuously have to stop our conversation as you can not be heard over the engines. And what about our air quality?

Please listen to the residents you represent.

Sincerely,

Bob and Ronee Kozlowski

Sent from my iPad

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:29 AM
To: City Clerk
Cc: David de Cordova
Subject: FW: Public Comment on Airport Expansion Decision
Attachments: Precautionary Principle in carlsbad.docx

The City Council Members did receive this.

From: maryanneviney
Sent: Tuesday, October 16, 2018 12:08 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Cc: Manager Internet Email <Manager@CarlsbadCA.gov>; City Clerk <Clerk@carlsbadca.gov>
Subject: Public Comment on Airport Expansion Decision

Dear Mayor Hall and City Council Members,

Please find attached my public comment on the airport expansion decision.

Thank you.

Sincerely yours,
Mary Anne Viney

Precautionary Principle in Carlsbad—Informed Consent is the Basis for Participatory Democracy

The airport expansion decision has been made, and the expansion is projected, according to the county government’s masterplan, to bring impacts to public health, the environment, and quality of life for residents now and future generations.

I urge you to take action to stand up for the least harmful option for the airport expansion, and our community’s right to democratic participation and informed consent, where the impacted community is fully informed and engaged in the decision-making process, and all alternatives are seriously considered.

This means we citizens in Carlsbad have the democratic right to deny or agree to something that could harm us, now and in the future.

A few weeks ago, my colleague spoke at the podium of the long history when your predecessors did stand up for our community’s right to democratic participation and consent on the expansion. Our long-standing and very knowledgeable stakeholder group has, to some degree, been excluded from some city government conversations regarding the expansion. Yet they have been able to demonstrate that proposed changes aren’t necessary for the airport to operate safely and successfully in future, in its current state.

In contrast to your actions thus far regarding the airport expansion, in December of 2017, you made the health of your constituents a priority and approved a resolution to restrict the use of synthetic chemicals on Carlsbad public open spaces. I am very proud of our city officials and staff for making this happen and would like to take this opportunity to thank you once again for the action you took.

Your decision applied the precautionary principle¹, one that has an ethical mandate to do no harm, to reduce suffering whenever possible, and to find alternatives, which Staff has continued to accomplish, regarding this resolution.

You chose to avoid harm, rather than to find an ‘acceptable’ level of harm to our residents.²

You protected the individual’s and the community’s right to democratic participation and informed consent.

This right is “not subject to economic forces or sacrificed for the greatest good for the greatest number”³. It is the foundation of our participatory democracy.

¹ <https://truthout.org/articles/the-precautionary-principle-asks-how-much-harm-is-avoidable-rather-than-how-much-harm-is-acceptable/>

² <https://truthout.org/articles/the-precautionary-principle-asks-how-much-harm-is-avoidable-rather-than-how-much-harm-is-acceptable/>

³ <http://sehn.org/17-premises-of-free-prior-and-informed-consent-as-a-right-of-communities/>

The airport expansion issue is therefore at this moment in time not about economics as much as it is about protecting the right of the individual and the community to participate and consent in a truly democratic way. Your care of our community with regard to our organic landscape maintenance policy is very much appreciated, and this airport expansion is another way our elected officials can bring the community together to find common acceptable solutions to a serious pending problem.

Thank you.

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:30 AM
To: City Clerk
Cc: David de Cordova
Subject: FW:

The City Council Members did receive this.

From: Philip Herwegh
Sent: Tuesday, October 16, 2018 4:53 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject:

Yes I want the city council to do everything you can to prevent expansion of our airport. THIS MAY BE THE MOST IMPORTANT ACTION THE COUNCIL HAS EVER FACED.

Thanks

Phil Herwegh

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 9:31 AM
To: City Clerk
Subject: RE: public comment on agenda item #3 for 10/16/18 council meeting

All of the airport emails, per Morgen, were sent to Jason, Gary, Elaine, Celia and Scott.

From: City Clerk
Sent: Wednesday, October 17, 2018 8:53 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: RE: public comment on agenda item #3 for 10/16/18 council meeting

Did you send to City Manager inbox as well?

Kind regards,
Tammy~

From: Council Internet Email
Sent: Wednesday, October 17, 2018 8:44 AM
To: City Clerk <Clerk@carlsbadca.gov>
Cc: David de Cordova <David.deCordova@carlsbadca.gov>
Subject: FW: public comment on agenda item #3 for 10/16/18 council meeting

Sorry I didn't send this to you yesterday. I did forward to the council members, but I forgot to copy you.

From: Vince Vasquez
Sent: Tuesday, October 16, 2018 9:30 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Re: public comment on agenda item #3 for 10/16/18 council meeting

Dear Mayor Hall & Councilmembers,

As a Carlsbad resident, I support the approval of stronger city zoning restrictions around the Palomar Airport, following the County's vote approving a runway expansion and airport master plan update.

As the planned improvements are estimated to take up to 13-20 years, it is incumbent upon this Council that residents have the oversight, accountability and transparency needed to ensure integrity of the public process. Therefore, I recommend that until these airport improvements are completed, that the City of Carlsbad host quarterly town hall meetings on the Palomar Airport master plan update and improvement process. We need to do more to get critical information and data out to the public on this issue. Residents also need an established, routine opportunity and venue to be heard on this process by their city representatives on this issue. County and airport officials should also be invited to answer questions at these town hall meetings.

Thank you for your consideration.

Regards,

Vince Vasquez

Carlsbad

Get [Outlook for iOS](#)

Tammy McMinn

From: Council Internet Email
Sent: Wednesday, October 17, 2018 3:33 PM
To: City Clerk
Cc: David de Cordova
Subject: FW: No Expansion for the Airport

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

From: Arnold Ekland
Sent: Wednesday, October 17, 2018 1:45 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: No Expansion for the Airport

Please do everything possible to stop this expansion. The noise of airplanes is now too much. Years ago when the major airlines were in Carlsbad the airplane noise, pollution and disturbance was too much. Take any legal means to stop this expansion. Thank. You.

Arnold and Ann Ekland, Carlsbad, CA

Tammy McMinn

From: Council Internet Email
Sent: Friday, October 19, 2018 1:02 PM
To: City Clerk
Cc: David de Cordova
Subject: FW: Concern about Palomar Airport Expansion

From: Joe Thompson
Sent: Friday, October 19, 2018 12:19 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>; Matthew Hall <Matt.Hall@carlsbadca.gov>; Keith Blackburn <Keith.Blackburn@carlsbadca.gov>; Mark Packard <Mark.Packard@carlsbadca.gov>; Michael Schumacher <michael.schumacher@carlsbadca.gov>; Cori Schumacher <Cori.Schumacher@CarlsbadCA.gov>
Subject: Concern about Palomar Airport Expansion

Dear Carlsbad Council,

My name is Joe Thompson, I am a concerned resident of Carlsbad residing in community of Bressi Ranch. I have read numerous articles and social media posting regarding the expansion of Palomar Airport for larger aircraft and increased landing/departing times, and have a concern about the negative impact it will have on my community and quality of life.

We recently moved to Carlsbad because it offers a quiet, beautiful and safe place to raise our two small children. From my research this expansion will not only increase the volume of noise of plans in/out of Palomar Airport, but it will also increase the frequency and expand the timeframe of the noise. I also have concerns of the environmental and health hazard impact of construction that will be digging up landfill. This will in my opinion will negatively impact all the great qualities of this city that I originally moved here for.

My greatest concern is that the residents of Carlsbad were not given the opportunity to vote on this topic, given the large impact of this project (cost, environmental, quality of life) I would think it would be vital to at minimum poll the community residence.

Please let me know if there is a more formal complaint that needs to be filed to officially document my concerns.

Thank you,

Joe Thompson
Carlsbad Resident(Bressi Ranch)

*Initiate Zoning Amendment to Limit
Airport Uses to Existing Airport
Property*

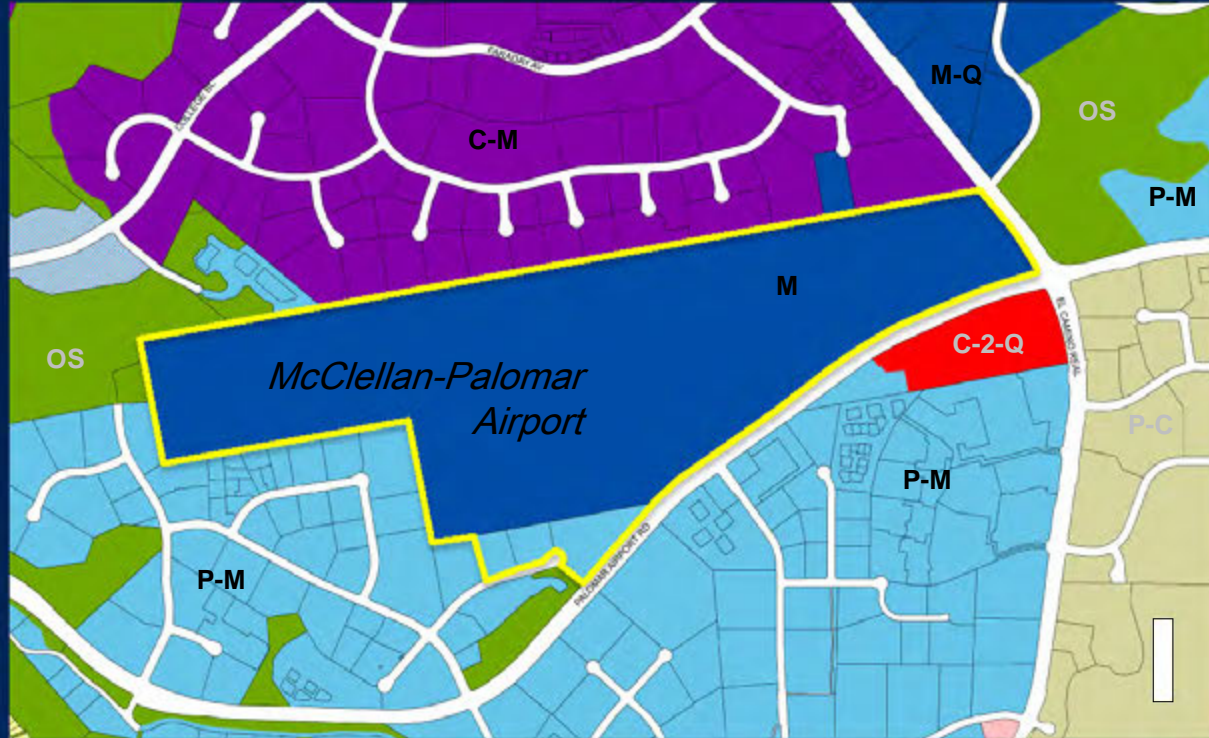
David de Cordova

October 16, 2018

Initiate Zoning Amendment

- Request to initiate zoning code amendment
- Part of recommended action plan
- Intent is to ensure city has say in future acquisition through land use authority

Airport Vicinity Zoning



Next Steps and Timeline

- Staff drafts amendment
- Public review and revise as necessary
- Public hearings by Planning Commission and City Council
- Coastal Commission hearing and approval for LCPA
- Local process complete 4-6 months (+LCPA time)

Recommendation

Adopt a resolution of intention to initiate a zoning ordinance amendment to limit airport and airport supporting uses to the existing McClellan-Palomar Airport property.