

Appendix A

Notice of Preparation (NOP) and NOP Comments

NOTICE OF PREPARATION of a SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Pursuant to Section 15163(c) of the California Environmental Quality Act (CEQA) Guidelines, a supplement to an Environmental Impact Report (EIR) shall be given the same kind of notice and public review as is given a draft EIR under Section 15087. As stated in the CEQA Guidelines Section 15087, when an EIR is required for a project, a Notice of Preparation (NOP) describing the project and its potential environmental effects shall be prepared.

You are being notified of the City of Carlsbad's (city) intent, as Lead Agency, to prepare a Supplemental EIR (SEIR) for the Housing Element Implementation and Public Safety Element Update project as described below, which may be of interest to you and/or the organization or agency that you represent. The SEIR will be a supplement to the Carlsbad General Plan and Climate Action Plan EIR (State Clearinghouse # 2011011004), certified in 2015. This project is city-initiated.

PROJECT NAME: Housing Element Implementation and Public Safety Element Update - GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-001/EIR 2022-0007 (PUB2022-0010)

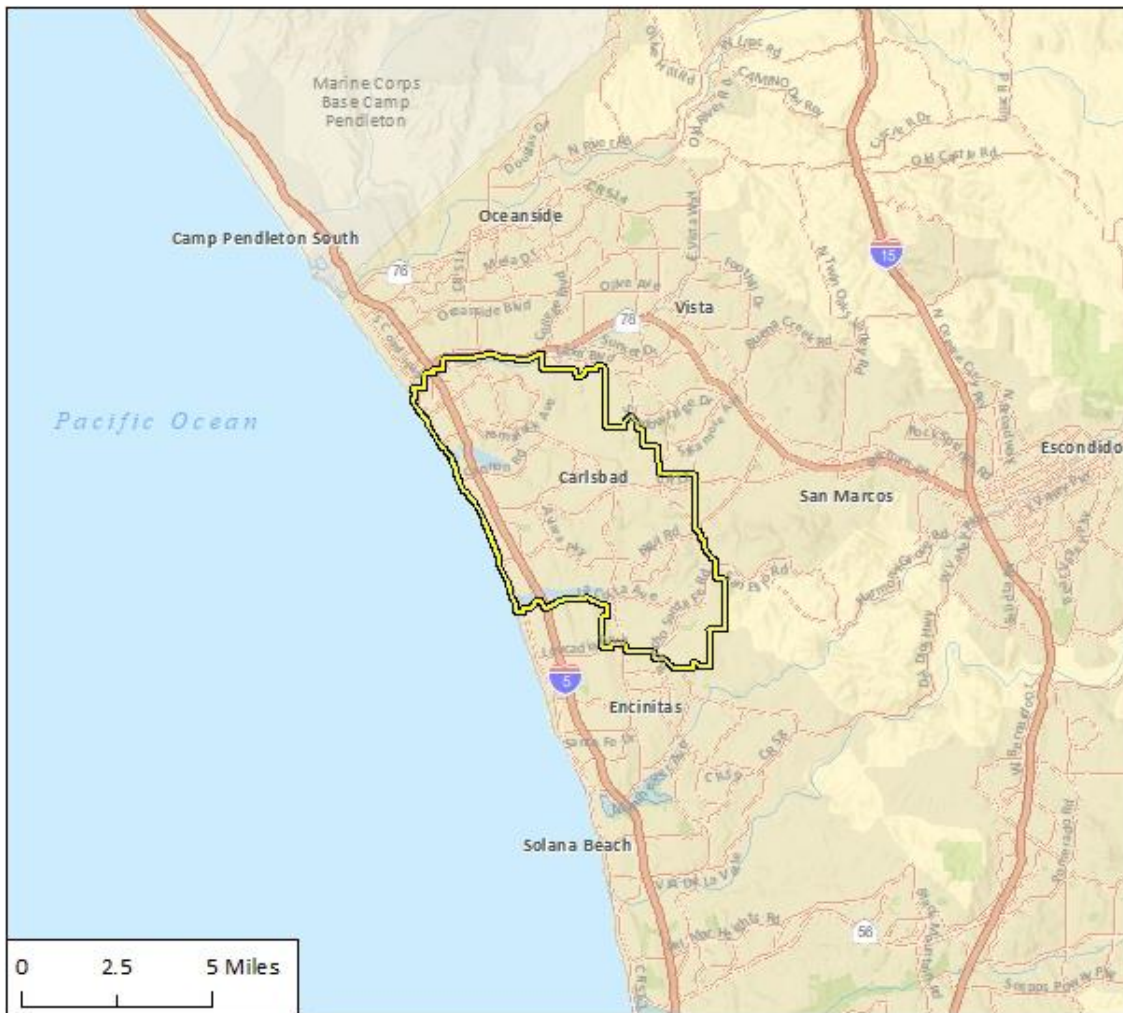
PROJECT LOCATION: Carlsbad is a coastal community with approximately 115,000 residents. The city is approximately 42 square miles in area and is located along the northern coast of San Diego County (about 30 miles north of the City of San Diego). Carlsbad is bordered to the north of the City of Oceanside, to the south by the City of Encinitas, to the east by the cities of Vista and San Marcos, and to the west by the Pacific Ocean.

The city contains a combination of industrial, commercial, and residential development, including a large regional shopping center, an auto-retail center, a large industrial park area, the LEGOLAND California Educational/Recreational Park, and a regional airport, as well as three lagoons, limited agricultural areas and large tracts of preserved open space.

Interstate 5, El Camino Real, and Carlsbad Boulevard provide the major north-south routes through the city, as does the San Diego Northern Railroad (SDNRR) line. Major east-west routes include Carlsbad Village Drive, Tamarack Avenue, Cannon Road, Palomar Airport Road, Poinsettia Lane, and La Costa Avenue.

The regional setting is depicted in Figure 1. The Planning Area consists of the existing city limits and is depicted in Figure 2.

Figure 1 Regional Location



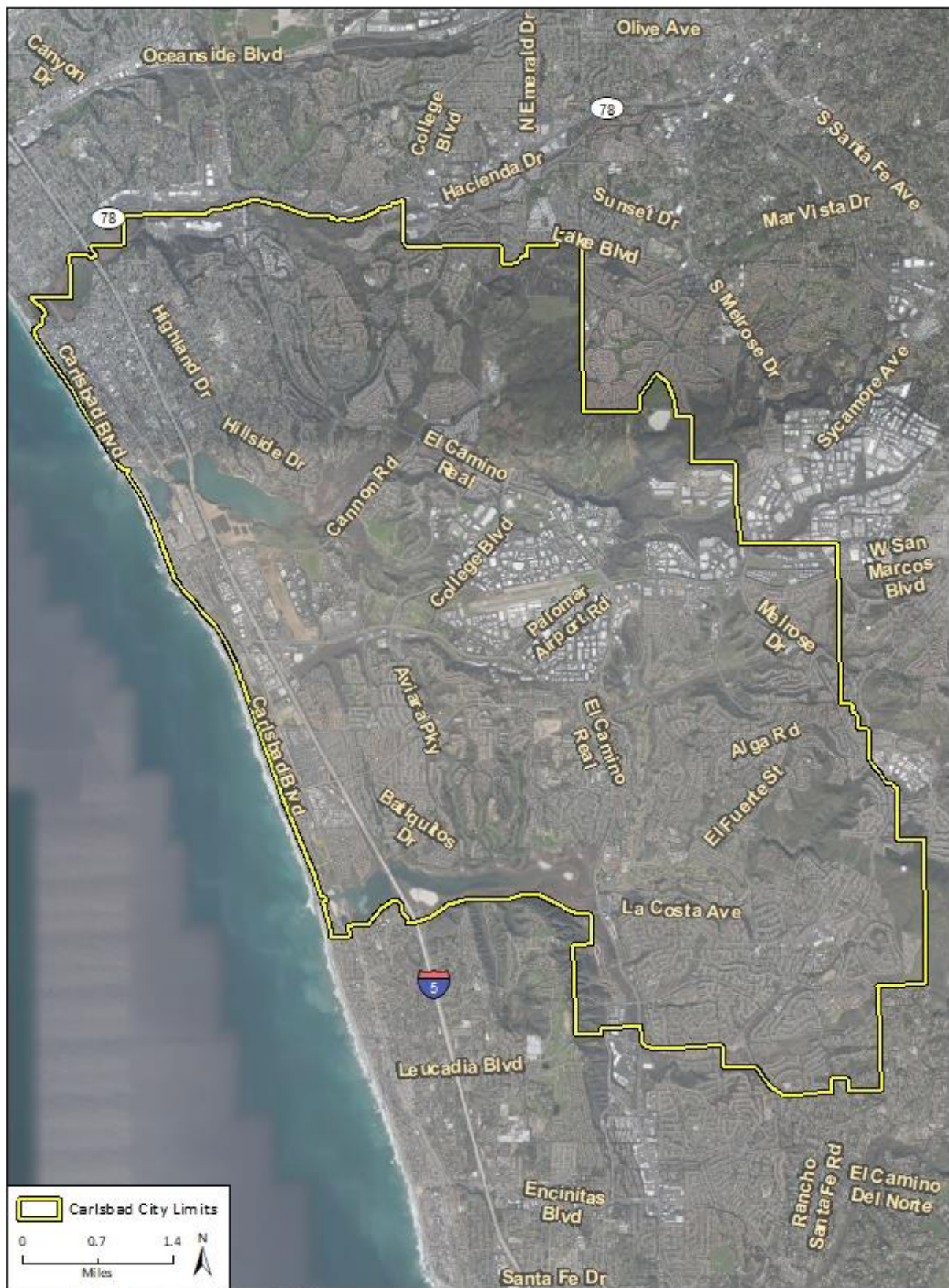
Imagery provided by Esri and its licensors © 2020.

 Carlsbad City Limits 



Map 1 Regional Location

Figure 2 Carlsbad City Boundaries



PROJECT DESCRIPTION: The project consists of updates to the General Plan, including the Land Use and Community Design Element and Public Safety Element, and updates to Carlsbad Municipal Code Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the city's Housing Element Update 2021-2029 (Housing Element), which was adopted by the Carlsbad City Council on April 6, 2021, and changes in state law.

General Plan Updates

Housing Element implementation triggers changes to the Land Use and Community Design Element. Furthermore, Housing Element approval and recently approved state housing and public safety legislation resulted in the need for changes to the Public Safety Element and the Zoning Ordinance. The Housing Element was analyzed under its own respective CEQA document, which was posted on the State Clearinghouse (SCH) website on April 22, 2021 (SCH#2011011004). Thus, this SEIR will solely analyze the potential impacts in relation to updates the city will propose to the General Plan, including the Land Use & Community Design Element and Public Safety Element, and to the city's Zoning Ordinance, discussed below.

Land Use & Community Design Element

The Land Use & Community Design Element provides the long-term vision, goals, and policies for Carlsbad through the year 2035. The overall focus is to accommodate change and growth in the city, while preserving and enhancing the features and attributes that make Carlsbad such a desirable place to live. Topics covered in the element include land use designations, revitalization of older neighborhoods, preservation of existing neighborhoods as well as environmental resources and open space, development of new neighborhoods with varied housing opportunities, land use constraints, and new opportunity areas. The element also includes goals and policies to help implement the element's vision and help maintain a healthy balance of development within Carlsbad.

As stated previously, implementation of the city's Housing Element triggers the need to make changes to the Land Use & Community Design Element, including the Land Use Map. These changes include the proposed addition of two new residential land use designations (R-35 and R-40) for the accommodation of higher density residential development, establishment of new minimum densities for some residential designations, miscellaneous, related changes to tables, text and policies, and changes to land use designations on multiple sites to accommodate the city's share of the Regional Housing Needs Assessment (RHNA).

The proposed changes to land use designations on multiple sites have been presented and discussed with the community on many occasions, including as part of the Housing Element adoption in April 2021, a City Council meeting in August 2021, public outreach conducted in fall 2021, and a City Council meeting on Feb. 15, 2022. At the February 2022 meeting, the City Council provided direction on specific sites to analyze environmentally as part of this SEIR and present for possible land use changes through the public hearing process, expected to occur in 2023.

More information on the potential housing sites identified, including a map, is available at carlsbadca.gov/housingplan.

Public Safety Element

The Public Safety Element is a required component of a City's General Plan that serves to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation associated with potential hazards. The recent approval of the Housing Element, including the identification of new housing sites for the 6th cycle Housing Element site inventory, have triggered required analysis and compliance with recent state safety legislation. The Public Safety Element Update will address the requirements of new State legislation and incorporate new policies based on updated local and regional data. The update will address these legislative requirements, including but not limited to:

- Senate Bill 99; Identification of two access points in all emergency evacuation routes in Carlsbad
- Senate Bill 379; Inclusion of a climate change vulnerability assessment
- Senate Bill 1035; Consideration of climate adaptation and resiliency
- Senate Bill 1241; Assessment of high fire hazard severity zones
- Assembly Bill 162; Assessment of flood hazard and management
- Assembly Bill 747; Evaluation of evacuation route capacity

Zoning Ordinance Update

Carlsbad Municipal Code (CMC) Title 21 is known as the Zoning Ordinance of the City of Carlsbad and consists of two main elements, the Zoning Ordinance and Zoning Map. To prevent incompatible land use relationships, the city's Zoning Ordinance and Zoning Map designate different areas or zones for different types of land uses and establish standards for development.

As a result of new policies and programs set forth in the Housing Element, along with recent state zoning legislation, updates to Title 21 will be made to ensure compliance with the General Plan and state law.

The Zoning Ordinance and Map implement the city's Local Coastal Program. Revisions to both will also trigger amendments to the Local Coastal Program that will be subsequently sent to the California Coastal Commission.

ENVIRONMENTAL ANALYSIS: Approval of the Housing Element Implementation and Public Safety Element Update project would not include approval of any physical development (e.g., construction of housing or infrastructure). However, the SEIR will assume that such actions are reasonably foreseeable future outcomes of the project. As such, the SEIR will evaluate the potential physical environmental impacts that could result from future actions for implementing the policies proposed under the project at a programmatic level, in accordance with CEQA Guidelines Section 15168. The topical areas that will be addressed in the SEIR are:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Geology, Soils, and Seismicity
- Hazards & Hazardous Materials
- Hydrology, Flooding, and Water Quality
- Land Use
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire

In addition, the SEIR will address cumulative impacts, growth inducing impacts, alternatives, and other issues required by CEQA.

PUBLIC COMMENT PERIOD:

Written Comments

The public review period begins Sept. 14, 2022 and ends October 14, 2022. The City of Carlsbad welcomes and will consider all written comments regarding potential environmental impacts of the project and issues to be addressed in the SEIR. **Written comments must be submitted by Oct. 14, 2022.**

Please direct your comments to:

Mail: Scott Donnell, Senior Planner
 City of Carlsbad
 Planning Division
 1635 Faraday Avenue
 Carlsbad, California 92008

Email: Scott.Donnell@carlsbadca.gov

Please identify the name, phone number, and email address of a contact person at your agency. For members of the public, please also include your name and contact information, such as a phone number, email or postal address.

Scoping Meetings

The City of Carlsbad will host one in person SEIR Scoping Meeting and one SEIR Virtual Scoping Meeting. The purpose of the scoping meetings is to solicit input on the scope and content of the environmental analysis that will be included in the Draft SEIR for the Housing Element Implementation and Public Safety Element Update project. The date, time and link for the meeting are as follows:

In person meeting:

Sept. 26, 2022, 6 p.m.

Faraday Administration Center

1635 Faraday Avenue

Carlsbad, CA 92008

Virtual meeting:

Sept. 28, 2022, 6 p.m.

Register online at carlsbadca.gov/housingplan

MORE INFORMATION:

Call 442-339-2600 or visit carlsbadca.gov/housingplan

Notice of Preparation

Notice of Preparation

To: _____ From: _____

Subject: Notice of Preparation of a Draft Environmental Impact Report

_____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to _____ at the address shown above. We will need the name for a contact person in your agency.

Project Title: _____

Project Applicant, if any: _____

Date _____ Signature Scott Donnell
Title _____
Telephone _____

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

AMENDED

NOTICE OF PREPARATION of a SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SCH Number 2022090339)

Note: This amended notice extends the public comment period from Oct. 19, 2022, to Oct. 26, 2022. It also notes the addition of a third scoping meeting on Monday, Oct. 17, 2022. Details about these changes are provided in the “Public Comment Period” section at the end of this notice. The rest of the notice content has not changed.

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City of Carlsbad

Notice of Preparation - Housing Element Implementation and Public Safety Element Update SEIR
Page 2

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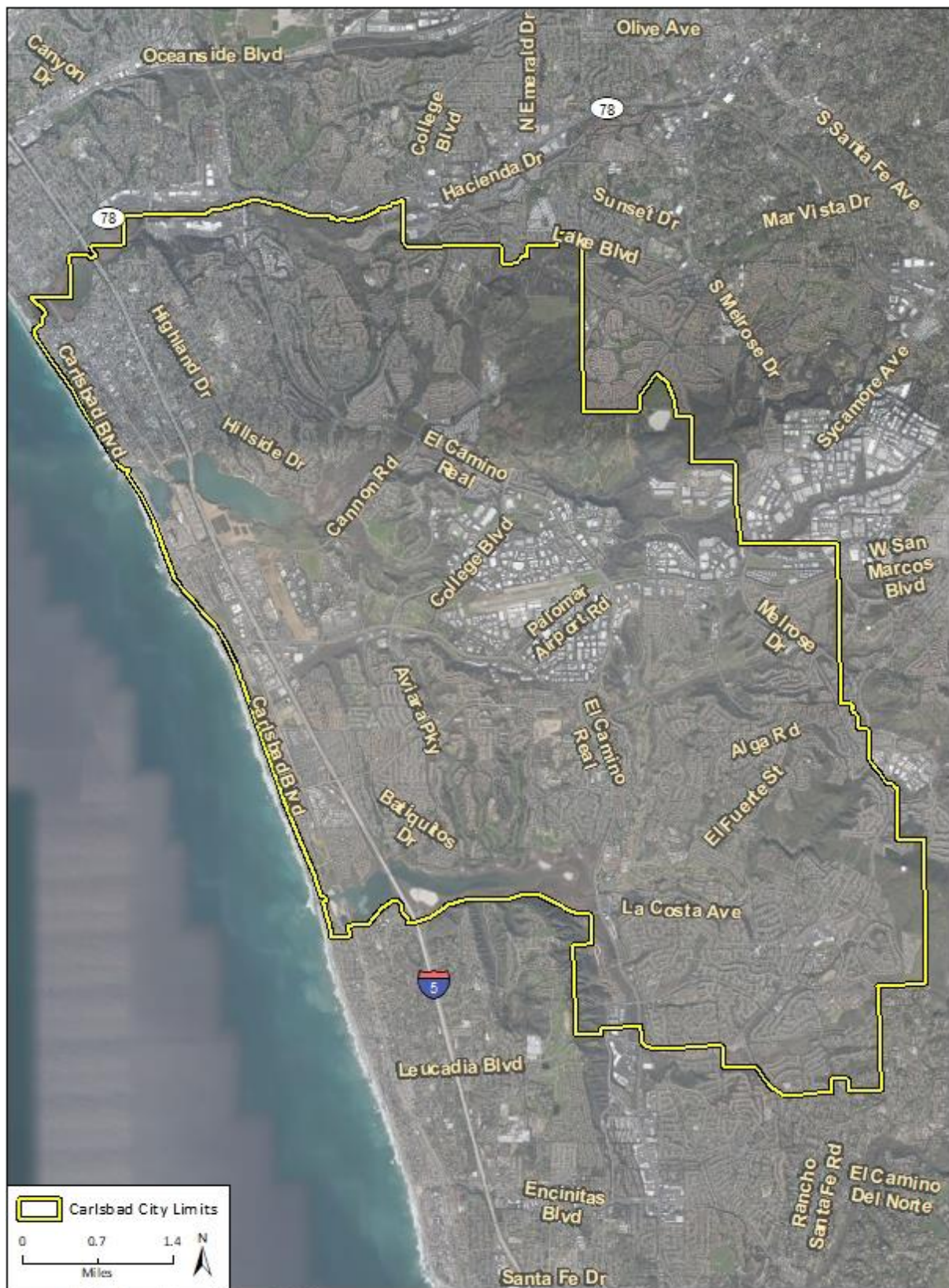
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1635 Faraday Avenue
Carlsbad, CA 92008

Oct. 17, 2022, 6 to 7:30 p.m.

Faraday Administration Center
1635 Faraday Avenue
Carlsbad, CA 92008

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MORE INFORMATION:

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Notice of Preparation

Amended Notice of Preparation

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(Address) (Address)

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Project Applicant, if any: _____

Date _____ Signature Scott Donnell
Title _____
Telephone _____

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

From: [Howell, Susan@Wildlife](mailto:Howell,Susan@Wildlife)
To: [Scott Donnell](mailto:Scott.Donnell)
Cc: [Drewe, Karen@Wildlife](mailto:Drewe,Karen@Wildlife); [Turner, Jennifer@Wildlife](mailto:Turner,Jennifer@Wildlife); [Kalinowski, Alison \(Ali\)@Wildlife](mailto:Kalinowski,Alison(Ali)@Wildlife); [Burlaza, Melanie@Wildlife](mailto:Burlaza,Melanie@Wildlife); [Ludovissy, Jennifer@Wildlife](mailto:Ludovissy,Jennifer@Wildlife); [OPR State Clearinghouse](#); [Snyder, Jonathan](mailto:Snyder,Jonathan)
Subject: Notice of Preparation
Date: Monday, October 24, 2022 11:53:26 AM
Attachments: [2022090339_CarlsbadHousingUpdate_Clean2.docx.pdf](#)

Good Morning Mr. Donnell;

Please find attached the Notice of Preparation of a Supplemental Environmental Impact Report for the Housing Element Implementation and Public Safety Element Update. If you have any questions or concerns regarding this letter, please contact Alison Kalinowski via email at

Alison.Kalinowski@wildlife.ca.gov.

Thank you for your time,

Susan Howell

Staff Services Analyst
California Department of Fish and Wildlife
3883 Ruffin Road
San Diego, CA 92123
858-467-4253 (Office) 858-386-9368 (Cell)
Susan.Howell@wildlife.ca.gov

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 858-467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

October 24, 2022

Oct 24 2022

STATE CLEARINGHOUSE

Scott Donnell, Senior Planner
 City of Carlsbad Planning Division
 1635 Faraday Avenue
 Carlsbad, California 92008
Scott.Donnell@carlsbadca.gov

**Housing Element Implementation and Public Safety Element Update (PROJECT)
 NOTICE OF PREPARATION (NOP) OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT
 REPORT (SEIR) SCH#: 2022090339**

Dear Mr. Donnell:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR) for the Housing Element Implementation and Public Safety Element Update (Project) in the City of Carlsbad (City). The City has an approved and permitted Subarea Plan (City of Carlsbad Habitat Management Plan (HMP)) under the subregional North County Multiple Habitat Conservation Program (MHCP). The City adopted their HMP in December 1999; CDFW and the U.S. Fish and Wildlife Service (USFWS) (jointly, the Wildlife Agencies) granted final approvals, including an Implementing Agreement (IA), in November 2004. The SEIR for the proposed Project must ensure and verify that all requirements and conditions of the HMP and IA are met. The SEIR should also address biological issues that are not addressed in the HMP and IA, such as specific impacts to and mitigation requirements for wetlands or sensitive species and habitats that are not covered by the HMP and IA.

The SEIR will be a supplement to the Carlsbad General Plan and Climate Action Plan EIR (State Clearinghouse # 2011011004), certified in 2015. The Project consists of updates to the City's General Plan, including the Land Use and Community Design Element and Public Safety Element, and updates to Carlsbad Municipal Code Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the City's Housing Element Update 2021-2029 (Housing Element), which was adopted by the Carlsbad City Council on April 6, 2021, and changes in State law. Project approval would not include approval of any physical development (e.g., construction of housing or infrastructure); however, the SEIR will assume that such actions are reasonably foreseeable future outcomes of the Project. As such, the SEIR will evaluate the potential physical environmental impacts that could result from future actions in accordance with CEQA Guidelines Section 15168.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Comments are based off information provided in the NOP and the Project Scoping Meeting Presentation, dated October 17, 2022, available on the City's website.

Scott Donnell, Senior Planner
City of Carlsbad
October 24, 2022
Page 2 of 3

- 1) CDFW recommends that the SEIR "Biological Resources" section include the following:
 - a. A discussion of direct, indirect, and cumulative impacts expected to adversely impact biological resources including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed existing reserve lands (e.g., preserve lands associated with a NCCP (NCCP, Fish & G. Code, § 2800 et. seq), including but not limited to Buena Vista Lagoon, Buena Vista Creek, Hosp Grove Park, and Agua Hedionda Creek). Impacts on, and maintenance of, wildlife corridors and habitat linkages, including linkages that connect coastal California gnatcatcher (*Polioptila californica californica*; ESA listed Threatened, CDFW Species of Special Concern (SSC)) populations, should be fully evaluated in the SEIR (CDFW, October 2022).
 - b. Discussion of Project consistency with the biological goals and guidelines outlined in the City's Habitat Management Plan (HMP) and Implementation Agreement, (e.g., Adjacency Standards). In addition, the Project should not preclude the completion of a viable reserve system as outlined in the HMP.
 - c. An analysis of impacts from changes in land use designations and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the SEIR.
 - d. A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Thank you for the opportunity to comment. CDFW appreciates the partnership with the City, and we look forward to working together in the future. Questions regarding this letter or further coordination should be directed to Alison Kalinowski, Environmental Scientist, at Alison.Kalinowski@wildlife.ca.gov.

Sincerely,

DocuSigned by:



D700B4520375406...

David A. Mayer
Environmental Program Manager
South Coast Region

cc: CDFW

Karen Drewe, CDFW, Karen.Drewe@wildlife.ca.gov
Jennifer Turner, CDFW, Jennifer.Turner@wildlife.ca.gov
Alison Kalinowski, CDFW, Alison.Kalinowski@wildlife.ca.gov
Melanie Burlaza, CDFW, Melanie.Burlaza@wildlife.ca.gov
Jennifer Ludovissy, CDFW, Jennifer.Ludovissy@wildlife.ca.gov

OPR

State Clearinghouse, Sacramento, State.Clearinghouse@opr.ca.gov

Scott Donnell, Senior Planner
City of Carlsbad
October 24, 2022
Page 3 of 3

USFWS

Jonathan Snyder, USFWS, Jonathan_D_Snyder@fws.gov

References

California Department of Fish and Wildlife. October 2022. Special Animal List. Accessed from:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>.

California Environmental Quality Act (CEQA). California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

City of Carlsbad. Amended Notice of Preparation of a Supplemental Environmental Impact Report Housing Element Implementation and Public Safety Element.

City of Carlsbad. October 2022. Public Scoping Meeting Presentation for Housing Element Implementation & Public Safety Element Update. Accessed from:
<https://www.carlsbadca.gov/home/showpublisheddocument/11606/638016815524830000>.

City of Carlsbad. December 2021. Housing Element Update Public Input Summary Report. Accessed from:
<https://www.carlsbadca.gov/home/showpublisheddocument/9002/637792225009470000>

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



Governor's Office of Planning & Research

Oct 20 2022

STATE CLEARINGHOUSE

October 19, 2022

11-SD-5, 78
PM VAR

Housing Element Implementation and Public Safety Element Update
NOP/SCH#2022090339

Mr. Scott Donnell
Senior Planner
City of Carlsbad
1636 Faraday Ave.
Carlsbad, CA 92008

Dear Mr. Donnell:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the Housing Element Implementation and Public Safety Element Update located near Interstate 5 (I-5) and State Route 78 (SR-78). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Carlsbad in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections

between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

- New developments resulting from the City's Housing Element update should provide a Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS). Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to any existing or proposed State facilities.

Planning

As part of the City's 2022 Housing Element update, Caltrans requests that the City include discussions and mapping/graphics that describe the City's existing and future housing inventory per the City's Regional Housing Needs Assessment (RHNA).

Housing-element law requires a quantification of each jurisdiction's share of the regional housing need as established in the RHNA Plan prepared by the jurisdiction's metropolitan planning organization (MPO) or council of governments.

In accordance with California Government Code Sections 65583 and 65584, housing elements shall contain an analysis of population and employment trends and documentation of projections and quantification of the locality's existing and projected housing needs for all income levels. These projected needs shall include the locality's share of the regional housing needs (ie. RHNA) per Government Code Section 65584.

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of Carlsbad is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Maintaining bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Land Use and Smart Growth

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Environmental

Should future projects based upon the changes enacted from the General Plan have elements and/or mitigation measures that affect Caltrans' Right-of-Way (R/W), Caltrans would welcome the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA).

Broadband

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The

availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review

NATIVE AMERICAN HERITAGE COMMISSION

September 27, 2022

Scott Donnell
City of Carlsbad, Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

Re: 2022090339, Housing Element Implementation and Public Safety Element Update Project, San Diego County

Dear Mr. Donnell:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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Paiute/White Mountain
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

October 14, 2022

Scott Donnell
City of Carlsbad, Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

Re: 2022090339, Housing Element Implementation and Public Safety Element Update Project, San Diego County

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Oct 14 2022

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 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
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- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse



Scott Donnell, Senior Planner
City of Carlsbad, Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Mr. Donnell,

Please see the following comments from Citizens for a Friendly Airport (C4FA). This is to go on record as our group's comment regarding RHNA Scoping. We hope consideration will be given specific to McClellan-Palomar Airport impact on the sites in the Airport Impact Area before any final decisions are determined.

Thank you for the opportunity to comment.

Sincerely,
Hope Nelson
Mary Anne Viney
Representing C4FA

From CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM, potential applicability to: VIII. HAZARDS AND HAZARDOUS MATERIALS, X. LAND USE AND PLANNING, and XII. NOISE as well as other potential environmental impacts:

Please include the following comments and questions:

The Palomar Airport is a source of potentially harmful levels of various air pollutants, including criteria air pollutants ozone, particulate matter and lead, as well as GHGs, to the surrounding community. Social Justice Issues: per the CA State Attorney General "Aircrafts emit particulate matter, nitrogen oxides, and hazardous air pollutants. Residents living within 10 miles of airports — which disproportionately include disadvantaged minority and low-income communities — are exposed to large amounts of these harmful pollutants through emissions from aircraft landing and takeoff operations."

Link: <https://oag.ca.gov/news/press-releases/attorney-general-becerra-carb-lead-coalition-challenging-trump-administrations>.

The RHNA site plan appears to locate at least some of the RHNA sites potentially in harm's way of perhaps maximum healthy and safety impacts from the Palomar Airport, including arrival and take-off paths. How will the health and safety of residents of the potential RHNA sites within the Airport Influence Area (AIA) be protected from health impacts of potentially dangerous levels of air pollution? Please identify specific steps/ mitigation that would be taken.

As determined by the Division of Aeronautics, CA State law requires that an Airport Compatibility Plan be based on a long-range Airport Master Plan or Airport Lay-Out Plan (ALP), that reflects the anticipated growth of the Airport during at least the next 20 years. Please include a review of the current Palomar Airport Master Plan and/ or ALP to determine how anticipated growth of the Airport during at least the next 20 years could impact the health and safety of residents of the proposed RHNA development and identify specific impacts to residents due to Airport growth.

Per a San Diego County Airport Staff email, "In addition to your RPZ questions, I would recommend you review Palomar Airport's Land Use Compatibility Plan (ALUCP) if you haven't already. Link: https://san.org/File-Manager?Command=Core_Download&EntryId=2991. The ALUCP promotes compatibility between airports and the land uses that surround them. Sites 6 and 9 reside within the Airport's Safety Zones and noise contours, as identified in the compatibility plan. The City of Carlsbad Planning Department will utilize the compatibility plan when reviewing a proposed project near the airport."

Please note Airport Land Policy screen shot below, ALUC policy for infill, sourced from the ALUC plan. For Sites #6 and 9, please identify in which safety zones they are located, and identify zoning, noise level, safety and zoning (land use) restrictions, that would apply. Please provide this information for all other sites included within the Airport influence Area (AIA).

Please provide an overlay map of the AIA and the RHNA sites in order that the Public can review which RHNA sites are located within the AIA.

The AIA is comprised of noise, safety, airspace protection and overflight compatibility factors. Please identify and provide noise, safety, airspace protection and overflight compatibility factors/ regulations that would apply to RHA sites within the AIA.

The AIA is a defined area encompassing Palomar Airport over which the Land Use Compatibility Commission will make an airport land use consistency determination, based on the policies of the Palomar Airport of the ALUCP. Please identify and provide all official maps required to make the airport land use consistency determination.

Per the ALUC website, link: <https://www.san.org/Airport-Projects/Land-Use-Compatibility>, "Once ALUCPs have been adopted by the ALUC, local agencies with land located within the AIA boundary for any of the airports must, by law, amend their planning documents to conform to the applicable ALUCP." Please provide City of Carlsbad adopted ALUC plan, including criteria for making consistency determinations, building standards and height and land use restrictions, site layout, maximum density and intensity limits, and other relevant zoning restrictions and factors as noise and overflight notification.

Per the Airport Land Use Commission (ALUC) website "ALUCPs [the Airport Land Use Commission Plans] protect the health, safety and welfare of people on the ground and their property by providing noise

and safety standards and disclosure of overflight.” and “ALUCPs provide guidance on appropriate land uses surrounding airports to protect the health and safety of people and property within the vicinity of an airport, as well as the public in general.”, link: <https://www.san.org/Airport-Projects/Land-Use-Compatibility>,

Can the State RHNA regulations override ALUC zoning restrictions within the AIA?

Will the normal Environmental Impact Review and process be modified in any way to suit RHNA state regulations, conditions and/or timing? Please specify.

Please confirm the following from the California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics as applicable to the RHNA sites within the AIA:

"1.3.3 Plan Consistency

"Government Code (Gov. Code) Section 65302.3 (a) states that a county's or city's general plan, as well as any applicable specific plans, "shall be consistent" with an ALUCP and that every affected county or city must amend its general and specific plans as necessary to keep them consistent with the ALUCP. The ALUC reviews the general plan (and applicable specific plans) and makes a consistency determination (PUC Section 21676(a)). If the ALUC determines the local plan to be inconsistent with the ALUCP, the local agency shall reconsider its plan, or overrule the ALUC's decision. The overrule is accomplished by a two-thirds vote of the local agency's governing body, accompanied by specific findings that its action meets the intent of Article 3.5 of the SAA (PUC Section 21676(a)) and other published case law. Any local agency seeking to amend its general plan, a specific plan, or adopt zoning ordinance or building regulation within the airport influence area must first refer its proposed amendments to the ALUC for a determination if the proposed action is consistent with the airport land use compatibility plan. If the ALUC determines that the amendment is not consistent, the local agency may not enact the plan or regulation unless a two-thirds of the local agency's governing body votes to overrule the ALUC's inconsistency determination and the local government makes specific findings that its proposed action is consistent with the purposes of the Article 3.5 of the SAA (PUC Section 21676 (b)) and other published case law. The significance of this is that even if a local agency invokes the overrule provision, the local agency's actions must be in compliance with SAA."

Will any of the RHNA sites be located within 1000 feet of the Palomar Airport Landfill? Projects that propose the construction of buildings on landfill property within 1,000 feet of buried waste are subject to specific requirements pursuant to California Code of Regulations Title 27 Section 21190, Post-closure Land Use,

link: https://www.sandiegocounty.gov/content/dam/sdc/dpw/AIRPORTS/palomar/documents/Master-Plan-Update/PEIR-Appendices/Final_PEIR_Appendix_C.pdf.

The Palomar Airport "is located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5."Link:https://www.sandiegocounty.gov/content/dam/sdc/dpw/AIRPORTS/palomar/documents/Master-Plan-Update/PEIR-Appendices/Final_PEIR_Appendix_C.pdf.

Is the City aware of these issues, what steps will be taken to protect RHNA residents?

Additional questions regarding the AIA process:

- What regulations are in place to protect low-income housing project residents from high decibel Noise coming from the nearby Airport?
- What provisions will be made to keep low-income residents safe given housing appears to be under the nearby Airport arrival paths?*
- Will the maps be the same for Noise, Air Pollution, Resident Safety?
- Who has final approval for building sites? What is the process? Steps involved?
- For sites in the Airport Land Use Compatibility Plan, at what point will the Airport Land Use Commission (ALUC) be engaged?***
- What and when in the process with there be further opportunities for citizen review?

- (a) Except as specifically provided below, all policies provided in this *Compatibility Plan* shall apply to *infill*.
- (b) *Infill* development is not permitted in the following locations.
- (1) No type of *infill* development shall be permitted in Safety Zone 1 (the *runway protection zones*).
 - (2) Residential *infill* development shall not be permitted within Safety Zone 2 or Safety Zone 5, except as provided for in Policy 2.11.4.
 - (3) Residential *infill* development shall not be allowed where the dwellings would be exposed to noise levels of more than 70 dB CNEL.
 - (4) *Infill* is not applicable within Review Area 2 as land uses are not restricted in this area, other than with respect to height limits, related airspace protection policies, and overflight notification requirements.
- (c) In locations within Safety Zones 2 and 5 (nonresidential development) and Safety Zones 3, 4 and 6 (residential and nonresidential development), development can be considered for *infill* if it meets any one of the following criteria.
- (1) The parcel or parcels on which the *project* is to be situated is part of an area identified by the *local agency* on a map as appropriate for *infill* development, the *local agency* has submitted the map to the *ALUC* for *infill* identification and processing, and the *ALUC* has concurred with the *infill* identification. The intent is that all parcels eligible for *infill* be identified at one time by the *local agency*. This action may take place along with the process of amending a *general plan* for consistency with this *Compatibility Plan* or may be submitted by the *local agency* for consideration by the *ALUC* at the time of initial adoption of this *Compatibility Plan*.
 - (2) The project application submitted by the *local agency* to the *ALUC* for a consistency determination identifies the site as an area appropriate for *infill* development and the *ALUC* concurs with the *infill* identification. This situation may apply if a map has not been submitted by the *local agency* for *infill* identification consistent with the requirements of Policy 2.11.1 (c)(1), above.
 - (3) The *ALUC* determines that the parcel is part of an identifiable area of existing development, and:
 - At least 65% of the identifiable area was developed prior to adoption of this *Compatibility Plan* with land uses not in conformance with this *Compatibility Plan*;

CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM: III. potential applicability to AIR QUALITY as well as other potential environmental impacts:

Please include the following comments:

San Diego County has failed to meet the Ozone air quality health standard and, according to the American Lung Association, the 24-hour health standard (short term) for Particulate Matter.

Criteria Air Pollutant Ozone Non-Attainment: San Diego County has not attained safe levels of ozone mandated by EPA for many years, and San Diego County ozone levels are now classified as severe. Per the American Lung Association: "The damage ozone does to the body can be deadly. Recent research has affirmed earlier findings that short-term exposure to ozone, even at levels below the current standard, likely increases the risk of premature death, particularly for older adults. There is also a growing body of evidence that long-term exposures to ambient ozone may be associated with an increased risk of cardiovascular and respiratory disease mortality."

Criteria Air Pollutant Particulate Matter:

CA Attorney General Bonta said in a press release concerning EPA Aircraft Emissions Standards litigation: "Communities living, working, and going to school near airports are bearing the brunt of particulate matter pollution from airplanes and the resulting health consequences'...Particulate matter pollution causes up to 45,000 deaths per year nationwide and disproportionately impacts California's most vulnerable populations. Particulate matter is linked to increased mortality from COVID-19 and other serious public health problems including cardiovascular disease, respiratory impacts, and cancer...The worst health effects occur from particulate matter emitted from airplanes during takeoff and landing, most impacting communities that live, work, and go to school near airports. These communities are disproportionately low-income communities and communities of color..."

link: <https://oag.ca.gov/news/press-releases/attorney-general-bonta-carb-epa-must-rethink-standards-regulating-particulate>.

Other Air Pollutant that Palomar Airport is a source of, impacting public health:

Criteria Air pollutant Lead:

The verdict has been in for decades that lead is a developmental neurotoxin that is persistent in the human body and the environment, and that health impacts to children who live near airports are greater than the general population. The Environmental Protection Agency (EPA) states that there is no known safe level of exposure to lead. The situation is urgent and together, we must stop poisoning our children now. Communities of color that live under the flight path, such as Vista, which is about 50% Hispanic, may be at increased risk. Palomar Airport is amongst the 50 most lead-polluting airports in the nation.

GHGs:

GHGs: Aircraft are a significant, unregulated source of GHGs that cause climate change. "Climate change represents a massive threat to respiratory health: 1) by directly promoting or aggravating respiratory diseases; or 2) by increasing exposure to risk factors for respiratory diseases. Climate change increases the amount of pollen and allergen produced by each plant, mold proliferation and the concentrations of outdoor ozone and particulate matter at ground level. The main diseases of concern are asthma, rhinosinusitis, chronic obstructive pulmonary disease (COPD) and respiratory tract infections. Groups at higher risk of climate change effects include individuals with pre-existing cardiopulmonary diseases or disadvantaged individuals...". Link: <https://err.ersjournals.com/content/23/132/161>.

From: [Lori Robbins](#)
To: [Scott Donnell](#)
Subject: Another comment for environmental study
Date: Monday, September 26, 2022 7:58:31 PM

Hi Scott

The environmental studies should account for projects that have completed but not occupied yet, future projects that have been approved but have not broken ground yet.

Thanks much

Lori Robbins

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From: [Mary Mikolich](#)
To: [Scott Donnell](#)
Subject: Area to be rezoned
Date: Wednesday, October 26, 2022 3:31:51 PM

Dear Mr. Donnell,

I am writing to voice my concern about the potential rezoning of area 10 near Breasi Ranch. Will there be feasibility studies? Now as we have it there is an airport close by which not only makes noise but leaves air pollution. We are next door to two hotels and have many businesses around us and have potential for higher amounts of crime. The hotels also have a lot of coming and going. It will bring more traffic as well. Please reconsider this area.

Yours truly,

Mary Mikolich

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From: [Brian D](#)
To: [Scott Donnell](#); [Shannon Harker](#)
Subject: Building at Site 10
Date: Wednesday, October 26, 2022 9:16:51 AM

Hello Scott and Shannon. First off, thank you for everything you are doing for the residents of Carlsbad. My family and I reside in the condos at Colt Place in Carlsbad. We are one of the 25 "affordable" units and it has been a huge blessing to own a condo instead of renting which we had done in Carlsbad for the previous 8 years. Being in the affordable program we probably have a unique view of the potential development at the end of the Colt Place cul-de-sac. While I support the idea of builders being required to sell a portion of new homes to lower income families my concern with this particular site revolves around traffic and parking. There is one way in and out which is the cul-de-sac other than driving through the hotel/commercial parking area which is not ideal. We already have significant traffic on the private road that connects Colt Place with the Sprouts shopping center, so much so that many residents wanted to gate the community. This ended up not being possible due to an easement that the shopping center has allowing traffic on the private road. Adding more units in that location would inevitably bring more traffic to our private road with residents cutting through going to the Sprouts center or just short-cutting out to El Fuerte. I would be in support of building maybe up to 15 units on that property but 30+ units would not be healthy for this area. I'm happy to jump on a call if you have any other questions for me. Again, I appreciate your time on this project.

Best regards,
Brian Davenport
6124 Colt Place, Unit 102
Carlsbad, CA 92009
760-300-0071

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From: [Valerie and Dennis Cowan](#)
To: [Scott Donnell](#)
Subject: C4fa
Date: Sunday, October 16, 2022 10:27:14 AM

Dear Scott,
Carlsbad is a gem that need to be saved from continued development turning us into another OC. Please consider the following: Best Regards, Val and Dennis Cowan, South Carlsbad

- What regulations are in place to protect residents from:
 - High decibel **Noise** coming from the nearby Airport
 - **Air Pollution** coming from the nearby Airport, specifically
 - Lead
 - Particle Pollution
 - Ground Level GHG's
 - GHG's

- What provisions will be made to keep residents **safe** given new housing appears to be under the nearby Airport arrival paths?

- Will the City require a new comprehensive noise study to be performed to measure the impact of noise from Palomar Airport? The last one done for Palomar Airport was in 2005.

- Which of the various maps will delineate the Airport Influence Areas involved?
 - Will maps show changes to these Airport Influence Areas that will occur should the D-3 Airport be built per the Palomar Airport Master Plan?

- Will the maps be the same for Noise, Air Pollution, Resident Safety?

- Who has final approval for building sites?

- What is the process?

- Steps involved?

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From: [derek brigden](#)
To: [Scott Donnell](#); [Scott Chadwick](#); [Priya Bhat-Patel](#); Geoff.patnoe@carlsbad.gov
Cc: [derek brigden](#)
Subject: Carlsbad Housing Plan Site 10
Date: Saturday, October 22, 2022 1:45:51 PM

My name is Derek Brigden and I am a resident homeowner on Colt Place.

I want to place on record my opposition to the rezoning of site 10. Adding any additional housing on this site will be very detrimental to the existing homeowners. There is no access to Palomar Airport road from the site. All the additional traffic will be on the Colt Place cul-de-sac. This would be disastrous in the event of any emergencies requiring evacuation.

Please remove Site 10 from your consideration.

Regards,
Derek Brigden
6148 Colt Place, Unit 102

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From: mga_sca@msn.com
To: [Scott Donnell](#)
Subject: Carlsbad Housing Plan
Date: Thursday, September 15, 2022 4:25:38 PM

Hi Scott,

We recently purchased a property in Kensington at the Square condo development near the Bressi Ranch neighborhood. I received notice earlier this week on the proposed housing plan for lot 10 and was concerned on the conversion to high density housing vs. the current commercial zoning. Since moving into our property in early June, we have noticed on several occasions that people are sleeping in their cars on Colt Place (the main road into our housing development). As well as multiple car break-ins that were reported through our community emails.

As I was unable to provide input earlier, please consider this official feedback on my concern for converting lot 10 away from a commercial zone. With the congestion already in place in this specific location my hope is for you to consider alternative locations for the near future.

Please let me know if you have any questions on response.

Sincerely,
Mike Anderson
6018 Colt Pl, unit 101
Carlsbad
651-303-8492

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From: [Steve Jaffe](#)
To: [Scott Donnell](#)
Subject: Carlsbad- Potential Housing Site #10
Date: Sunday, October 23, 2022 4:49:13 PM

Hi Scott,

I live in the Kensington at the Square community and currently am a member of the HOA Board of Directors. After additional counsel, our community actually needs any application requests or interest submitted to the City over the last (10) ten years for usage or development by any developer, builder or interested party.

Also, to help define concerns re: development on housing site #10 for your environmental study please formally note the concerns listed below.

CONCERNS for environmental impact: identifying pollution issues in the environment, inclusive of, but not limited to air, water, and land. The influence of additional population on the environment, review of spill anticipation programs and dangerous waste regulations, wildlife protection / extensive study of wildlife, natural land, animal, insect, soil, plant protection, water concerns, safety and usage. Concerns of any and all hazmat related problems, any and all waste problems, soil testing, emissions, any and all land, air and water possible contaminants or protection.

Truly amazes me that given the enormous drought conditions facing the state that the City and State are adding additional housing on vacant lots at this time versus retrofitting existing properties.

In addition we have significant parking/easement issues with the current business park adjacent to this parcel, as well as concerns for additional traffic on Colt Place as a result of adding new units. We further expect that more cars will use our complex as a drive through (and these folks typically drive way too fast) to the Sprouts shopping center and further endangering the lives of the children here who play outside. Have also had a number of reports of drug use/homeless damage/criminal activity in the business park and on Colt Pl adjacent to this parcel as well. Adding additional units will only exacerbate this problem.

For these reasons I request that the City eliminate Housing Site #10 from their list of potential building sites.

Thank you Scott.

Steve Jaffe
6108 Colt Pl, #101
Carlsbad, CA 92009

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From: [lee eckel](#)
To: [Scott Donnell](#)
Subject: Carlsbad Site #10 EIR Study Input
Date: Wednesday, October 26, 2022 4:45:04 PM

Mr. Donnell. I live on Colt Place near the cul de sac that fronts the subject property. That 2.6 acre site is a difficult one for development for any use--commercial or residential--for the simple reason it has only a single, bottle neck opening for the ingress and egress of vehicles. The exit to the west is problematic at best as it involves going through the parking lots of the two existing hotel properties. The only exit to a public street is south on the Colt Place public street. (Going east involves driving on a private street maintained by the Kensington on Square Homeowners Association and the adjacent Sprout shopping center. At any kind of residential density even close to the 19/acre mentioned, traffic on a regular basis would be a strain and a burden on the short Colt Place stub, let alone an emergency where it would be nearly impossible to deal with another 50 or 100 vehicles. I am sure there are many other issues to consider in respect to planning for the development of this parcel, but I believe this one alone is a "deal killer" for the one under consideration at this time. Thank you and your staff for your consideration of our neighborhood's opinions and insights. Lee Eckel 6148 Colt Place (760) 889-9914

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From: [Jaimie Augustine](#)
To: [Scott Donnell](#); [Scott Chadwick](#); [Priya Bhat-Patel](#); Geoff.patnoe@carlsbad.gov
Subject: Carlsbad Site 10/11 for Affordable Housing
Date: Saturday, October 22, 2022 4:35:06 PM

Hello Scott and Carlsbad Planning Team,

I spoke with Councilman Blackburn and Shannon Harker yesterday about the EIR for sites 10/11, for proposed affordable housing. Unfortunately the survey has been inactivated so as a resident at Kensington at the Square in Bressi Ranch, I would like to provide my concerns for the record:

1. I would like traffic impacts, crime rate and police reports to be pulled. Additional people who do not have a vested interest in the area because they rent vs own, will negatively impact the safety of nearby residents. There is already heavy traffic through our complex due to the location. Any additional traffic will create an area that is unsafe for children and adults to walk due to the sheer volume of traffic.
2. Noise pollution. We already experience heavy traffic noise from Palomar Airport Road and jet/airplane noise from Palomar airport. Additional residents will only increase the noise.
3. The lot is currently home to many bird species including a few hawks and owls. I would like to understand the impacts to removing the places where they nest.

Thank you,

Jaimie Augustine
6026 Colt Pl #102
Carlsbad, CA 92009

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From: [Joyce Hassell](#)
To: [Scott Donnell](#)
Subject: Carlsbad
Date: Wednesday, October 12, 2022 7:19:42 PM

Please stop building! Keep Carlsbad special with it's charm, as it is!

Thank you

Joyce Hassell RN

Sent from my iPhone

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From: [Steven Miller](#)
To: [Scott Donnell](#); [Keith Blackburn](#); [Planning](#)
Subject: CEQA/ EIR study for Carlsbad site #10
Date: Tuesday, October 25, 2022 6:13:30 PM

Hello:

I am a resident next door to the proposed site #10 to build new housing. I want to raise my concerns to the city, including the staff, to consider the following issues in any environmental impact report:

1. Traffic: The site has in its current form limited egress and ingress. Most of the traffic in its current setup would have to exit out onto Colt Place (unless there is an easement where the Staybridge Suites is). I am concerned about too much traffic flooding onto Colt Place. Moreover, residents at site 10 going to Sprouts, CVS and the stores in that direction, need to cross over an easement which includes a road that the homeowners association at Kensington must pay 15.2% of the costs due to wear and tear. Perhaps any site 10 association should share with that expense.
2. There needs to be ingress and egress going from site 10 directly to Palomar Airport road which it is adjacent to to avoid further traffic/ congestion onto colt road.
3. Any density studies must also include not just enough parking for all residents, but for guests, deliveries and maintenance. Again and deficiency in this regard will only make things much worse on Colt Pl.
4. Electric Utilities handle new residents? In or around August 2022, there was a complete power outage in the neighborhood where site 10 is located. Wouldn't the additional construction of more units, therefore more residents, in light of the power outage put more, not less pressure on an already overburdened system? Is the power grid going to be expanded to handle this?
5. Noise: What is the impact of new noise in the surrounding area if site 10 is developed?
6. pollution: What is the impact the development will have on the environment.
5. What is the significance of the airport being so close to site 10?
6. Is there enough water to accommodate this new potential development?
7. Are there any endangered species of animals that live on site 10 that would be at risk should the site be developed?
8. Overdensity: I would like the staff and city to consider the above questions I raise based upon different hypothetical development densities they developers are proposing.

--

Steven

Steven L. Miller

6018 Colt Place #104
Carlsbad, CA. 92009
(818)515-2187

stevenmillerlaw@gmail.com

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From: [Janet Newman](#)
To: [Scott Donnell](#)
Subject: City cite 14
Date: Wednesday, October 12, 2022 6:33:08 PM

I strongly object to this planned development. It is way too much for the infrastructure of our small beach community. There certainly must be something better we can do. I understand the mandate from the state but this is totally out of line. Thanks

Sent from my iPhone

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From: [Lory McGregor](#)
To: [Scott Donnell](#)
Subject: Comments on Housing Plan
Date: Friday, September 30, 2022 9:13:09 AM

Hello Scott,

I have been a resident of San Diego County since 1976 and Carlsbad since 2005. My home is in an neighborhood of single family homes, built in the late 70's. I realize the city and county are under pressure from the state to add housing units but think it should be done near transit centers and places of employment rather than in established neighborhoods. Allowing individual owners to add ADUs to their existing properties will change the character of neighborhoods over time and, while it is a financial benefit to the property owners, it may not benefit other homeowners. If there were a requirement that owners reside in the primary unit for a minimum of five years, that would help but not guarantee long term satisfaction and, it would be difficult to enforce. It is widely known that ADUs are not used exclusively for "in-laws", nor for low income renters. Rather the vast majority are priced according to local rental norms.

I believe additional housing units should be added in areas that are already zoned for higher density, rather than changing the character of our established neighborhoods. If the goal is for people drive less, then find areas near Coaster stations, bus routes, or on major streets where people can walk to work.

Thank you for taking my comments.

Lory McGregor
760-533-9329

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From: [Diane Nygaard](#)
To: [Scott Donnell](#)
Subject: Comments on SEIR Scoping for Housing Element
Date: Friday, September 30, 2022 9:25:48 AM

Mr. Donnell

We have the following comments on the scoping for the Supplemental EIR for the Housing Element:

- Impact on CAP

This increase in development will result in increased GHG emissions beyond what was addressed in the CAP. While the list of items to be evaluated includes GHG, there is no specific reference to the CAP. The CAP will need to be updated to be consistent with this change in planned development. The enviro review for the CAP should probably be done concurrently with this, but at a minimum it needs to be clear how this will be coordinated.

- Consider how to address VMT analysis

Since the procedures for VMT are based on individual projects that are assessed at the TAZ level it is unclear how this works with multiple sites at a program level. Sites that are along major transportation corridors where there are good alternative transportation choices may or may not be located in a TAZ that reflects that. Somehow you will want to come up with an analysis methodology that helps prioritize investments in alternative transportation. It is unclear yet how the new MMLOS standards will impact this.

- Impact of ADU's and new state housing laws

There are the planned sites for housing growth- and then there are those that are allowed, like ADU's and all of the density bonus and other state housing incentives. This is an analysis of housing impacts so it needs to consider those "unplanned" units as well. Carlsbad, like every other city in this region, has failed to put basic controls in place that would limit the adverse impacts of several of these new housing laws. They allow exceptions for health, safety, changes to the physical environment and impacts to historic resources. It is time to get serious about identifying those kinds of exemptions that would provide some checks and balances on these new state laws.

- impact on parks and open space

Of course the standard CEQA analysis would look at compliance with the GMP performance standards and conclude there is no impact. But that methodology is flawed, and fails to consider existing shortfalls in park acres because of the allocation of Veterans Park and double counting of acres as both natural open space and parkland; , and to open space for exempting 11 LFMZ;s and not taking any corrective action to address their shortfalls. Look at cumulative impacts and come up with ways to help address these existing shortfalls- that will be exacerbated by additional growth.

Thank you for considering our comments.

Diane Nygaard
On Behalf of Preserve Calavera

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From: [P.Gray](#)
To: [Scott Donnell](#)
Subject: Community input meeting
Date: Monday, October 17, 2022 8:13:23 AM

Thank you for scheduling a second meeting!

I would like to ask what measures are being taken to monitor noise levels and flight paths of airplanes in the zoning areas of Palomar Airport.

I am constantly annoyed by low flying/noisy aircraft that have not followed the flight path to land or take off.

There seems to be no consideration for residents.

I do approve of affordable housing. I do not approve of any Palomar Airport expansion other than for safety reasons.

Thank you for your time and consideration.

Paul Gray

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From: [Chris Barnes](#)
To: [Scott Donnell](#)
Cc: [Sherry](#)
Subject: Disastrous Environmental Impact - SITE 8
Date: Wednesday, October 12, 2022 11:39:39 AM

Dear Scott,

I am writing to submit my input, as well as input from my family and neighbors, about the **disastrous potential environmental impact** resulting from the rezoning and re-development of Site 8 in Carlsbad's latest housing plan.

Site 8 is immediately adjacent to the **Aviara Apartments project, which will already add more than three hundred (300+) housing units** immediately north of Cottage Row (Site 8). Immediately **across the street is the Laurel Tree apartments, which already have 138 units**. Adding another 100+ housing units to this very compact area would have disastrous impacts on our community.

Traffic congestion, pollution, and crime are already major problems in the area. Just imagine how much worse it would be after adding another 500 cars to one city block!

Additionally, the aesthetics of a major apartment complex at Site 8, that would be sandwiched behind 3 dozen single-family houses, **would destroy the character of those neighborhoods**, and would immediately **reduce home values**, not only for those homes that back up to the development, but also **for the surrounding neighborhoods**, whose home values are affected by comps.

Finally, I should warn the City of Carlsbad that adding such dense housing development immediately below the Palomar Airport flight path **exposes those residents to dangerous airborne pollutants such as ground level ozone, particle pollution, and lead emissions**.

I hope I am not the first to remind you and the City that Palomar Airport only provides **leaded aviation fuel for its piston-engine planes**, which fly over the proposed SITE 8 development constantly-- literally all day and all night. As a taxpayer, **I do not want my city to be held liable for health claims and costly litigation** that could have been avoided by eliminating SITE 8 from the proposed housing plan.

Respectfully,

Chris & Sherry Barnes
6404 Calmeria Pl
Carlsbad, CA
858-864-8766

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From: [derek brigden](#)
To: [Scott Donnell](#)
Cc: [Priya Bhat-Patel](#); [Geoff Patnoe](#)
Subject: Environmental concerns regarding Site 10
Date: Wednesday, October 26, 2022 9:18:00 AM

Scott,

I would urge you and the city council members to make a site visit to Site 10. That should be enough to convince anyone that Site 10 is totally inappropriate for further housing development. Stand at the end of the Colt Place cul-de-sac and look at the site and try to envision 50 - 80 families living on that piece of land with perhaps 160 additional vehicles coming and going all day.

From an environmental perspective we need a complete study done on air, water, soil and noise pollution given the additional vehicle and foot traffic. Consideration also needs to be given to the fact that this site is on the flight path to Palomar Airport. Any emergencies, fire, earthquake or other would make evacuations difficult if not impossible given the single access point. In my opinion this would represent a huge liability issue for the city.

Finally, I believe we need to understand what Rincon's role is in this process, how they came to be hired, what relationship they have with potential developers, if any.

I look forward to your response.

Regards,
Derek Brigden
6148 Colt Place, Unit 102
(703) 283-9655

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From: [robin.purcell](#)
To: [Scott Donnell](#)
Subject: Environmental considerations/ housing development / Carlsbad
Date: Tuesday, September 27, 2022 2:33:36 PM

1, water : need to conserve in drought. Make new developments supply their own water (new water district for new development). make current water district limited to current customers I e no more water meters issued.

2 fire protection: need to improve infrastructure to allow effective fire evacuation plans . Do not allow developments which will impact current residents safety during evacuation.

3 electricity supply: during heat waves we are already under supplied. Make new developments supply own electricity I e solar installs for new neighborhoods paid for by developer.

4 air quality: Grading activity creates dust. The current level of watering down the dirt does Not keep particles from entering the air. Improve standards of particle control during construction.

Thank you

Sent from my iPhone

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From: [Tricia Kenyon](#)
To: [Scott Donnell](#)
Subject: Environmental Housing Impact
Date: Wednesday, October 12, 2022 9:13:14 AM

Hi Scott -

As a local resident living full time in the area behind the Army Navy Academy, I'm extremely concerned about the proposal to build additional housing in the area. It is already extremely crowded with beach goers and those visiting the Village in addition to the current residents. The road is constantly congested with walkers, bikers and those heading to the beach, and it's impossible for visitors to ever find parking.

Please consider an area that is not already overwhelmed.

Thank you! Tricia Kenyon

Sent from my iPhone

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From: [Robert Billmeyer](#)
To: [Council Internet Email](#); [Scott Donnell](#)
Subject: Environmental Impact of New Housing Plan
Date: Sunday, September 25, 2022 10:59:43 AM

During the previous discussions of the new housing plans, I and others asked how the extra demands for water and electricity would be provided, since California already has difficulty meeting the demands of current users. The only answer I heard was it would be addressed in the environmental studies. Therefore, I assume we will all discover the answers in these studies. Thank you.

Robert Billmeyer
1566 Maritime Dr.
Carlsbad, CA 92011
760-889-2957

Sent from my iPhone

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From: [crystal nans](#)
To: [Scott Donnell](#)
Subject: Environmental impacts to study for new building site
Date: Sunday, September 25, 2022 4:54:51 PM

If possible, it would be good to evaluate the impact on/of wildlife. The new building south of the 78 and west of College seems to have greatly increased the number of coyotes I have seen in the Spiniker Point area. Additionally, they are around more hours of the day and seem less afraid of people. Don't know if this is an impact that would make any kind of difference, but, I offer for consideration.

Sent from my Verizon Wireless 4G LTE Droid

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From: [Lisa Johnson](#)
To: [Scott Donnell](#)
Subject: Environmental meeting suggestion.
Date: Tuesday, September 27, 2022 2:01:34 PM

Ban gas-powered lawn equipment (mowers, edgers, blowers, etc.)

Sent from my iPhone

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From: [Bob N.](#)
To: [Scott Donnell](#)
Subject: environmental planning
Date: Wednesday, September 28, 2022 10:19:09 AM

Does a city "planning" person have a plan to magically provide more water during years of prolonged drought ??? All real estate investment has a small potential for risk. That potential is being realized with the drought affecting the western states. Building and developing in the middle of a drought is STUPID. Elected officials in Phoenix, Las Vegas, and Southern California that allow expansion during a drought with no guarantee of more water in the future are stupid and reckless. People that buy open land with the hope of future profits when it is sold and developed have no right to take water from others. That investment is a risk because there is absolutely NO guarantee of more water for their development. Right now it is PROBABLE there won't be enough water for EXISTING residents in the future because of reckless expansion.

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From: [David McFeaters](#)
To: [Scott Donnell](#)
Subject: Environmental Scoping Meeting on Housing (OCT 17th)
Date: Monday, October 10, 2022 3:15:17 PM

Hello City of Carlsbad

I wanted to provide input on what environmental impacts should be considered in rezoning property to help with housing problems in Carlsbad. Three years ago I approached the city with these ideas with zero interest.

One idea I had was to look at some of the excess commercial properties we have in Carlsbad that have sat vacant and idle for years at a time. There are a number of areas locally that have vacant commercial property that could be rezoned for housing. Ideally, stand alone properties could provide short or even long term rentals that would be affordable to most.

I don't think this type of housing would be good for families but certainly elderly or temporary housing would be a good choice in that there may not be the need for extra parking spaces, less traffic, fewer visitors and less need for parks or open spaces nearby associated with the space.

Sincerely

--

David McFeaters
2385 Outlook Court
Carlsbad CA 92010
760-586-2645

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From: [Lori Robbins](#)
To: [Scott Donnell](#)
Subject: Environmental study comments
Date: Tuesday, September 27, 2022 9:36:31 PM

Hi Scott

Also, after talking to some merchants in town, it seems that parking in the Village is hard to find at lunch time and dinner time - especially on the weekends and Farmers Market Day - Wednesday. Environmental Impacts on Parking should be looked at during this peak period.

Thanks

Lori Robbins

- Sent from Lori's iPad

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From: [David Bentley](#)
To: [Scott Donnell](#)
Subject: Environmental Study for Future Housing Sites
Date: Sunday, September 18, 2022 12:50:43 PM

Scott:

Thank you for the opportunity to comment. My concern relates to traffic impacts arising from the missing link of College Blvd. (“Reach A”), particularly in connection with “Site 4” and other Zone 15 area affordable housing sites.

Site 4

The potential Future Housing Site identified by the City as “Site 4” consists of properties located in Zone 15 at/near the intersection of College Blvd. & El Camino Real. The largest portion of Site 4 consists of 17 acres located at the northeast corner of College/El Camino Real, commonly referred to as the “Walmart site”. The balance of Site 4 is comprised of contiguous lands owned by Gary West’s company. Said contiguous lands may become developable when/if removed from the flood plain as part of the wetland mitigation project proposed and approved for the “West Equestrian” property located along the Agua Hedionda/Sunny Creek.

Potential Development

Although not yet entitled or formally approved for multi-family development, Site 4 could potentially generate 500-600 rental apartments. Naturally, if a mix of for-sale townhomes and rental apartments or retail and multi-family, is the ultimate development, Site 4 would likely yield something closer to 400 residential units. In any event, Site 4 represents a potentially significant traffic-generating project.

In addition to Site 4, two other multi-family projects in the Zone 15 area, located along the College Blvd. alignment near or at Cannon Road, represent significant additional affordable housing opportunities. The Kelly/4K (formerly, “Encinas Creek”) project is currently in process with the City and is proposing approx. 150 rental apartments. North of the Kelly project, at the College/Cannon intersection, is the RCOA “Parcel 4” project (for which I hold a purchase option with the Rancho Carlsbad Owners Association). RCOA Parcel 4 is not yet entitled, but is designated in the General Plan as a multi-family site with 108 units allocated.

These three potential Zone 15 multi-family projects represent approximately 650 - 800 residential units that help satisfy the City’s need for more affordable housing product. The balance of the Zone 15 area, which is substantially undeveloped, will ultimately generate hundreds of additional residential units at build-out; presumably, higher priced single family detached units.

Traffic Impacts

At present, traffic conditions along El Camino Real and Cannon Road, particularly during peak periods, suffers from impeded flows and substantial delays. Studies have concluded these traffic problems can be alleviated through construction of the last segment of College Blvd. - “Reach A”. In addition to commuters from the Calavera Hills and Robertson Ranch neighborhoods, significant traffic is also generated by faculty and students of the Sage Creek High School, at the northeast corner of College and Cannon.

It also seems reasonable to assume the current inferior level of traffic service in this area will be further degraded by the additional traffic that will result from completion of the 250-unit Marja Acres project and the Robertson Ranch retail development; both of which are located along El Camino Real, just north of Cannon Road.

As noted by the City's own studies, analyses and hearings regarding traffic LOS problems near Zone 15 (2019/20), there is a long history of failed efforts by Zone 15 developers to construct the final section of College Blvd ("Reach A"), or to even agree on a financing mechanism for its construction. In addition, Gary West's Companies, which own the Cantarini Ranch and Dos Colinas properties that are located along both sides of Reach A, has publicly stated they have no interest in selling or developing those properties or participating in the construction of "Reach A" until someone else builds it.

Given the foregoing facts and background, can the Site 4 property be developed as proposed (i.e. 400 - 600 MF units) without completing College Blvd. "Reach A"? If it can be constructed without Reach A, what traffic mitigation measures would be required? If Reach A is required, what feasible financing options exist?

Your/City staff's consideration of the foregoing is appreciated,

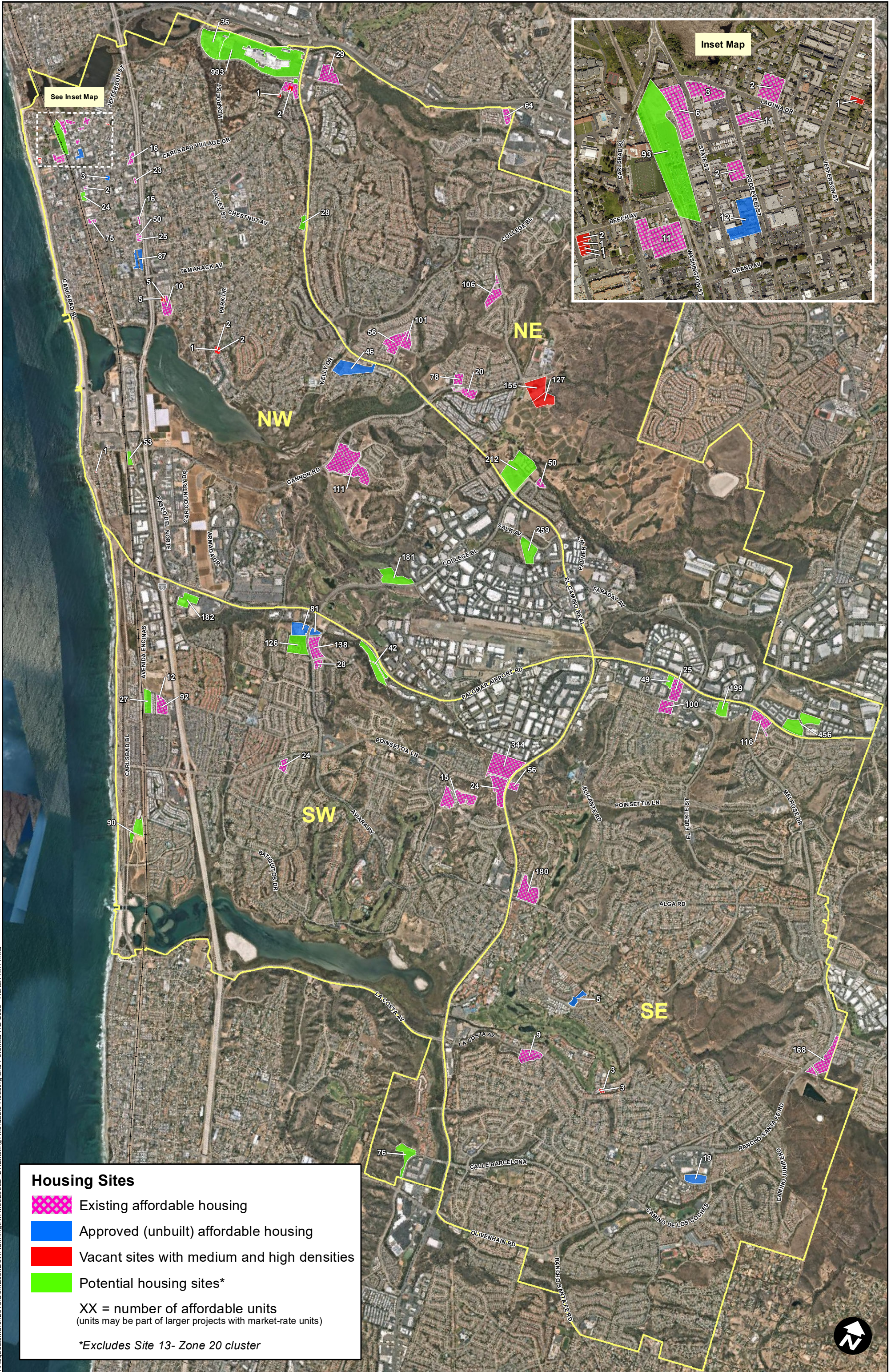
David Bentley

Bentley Equity, Inc.
David M. Bentley, CCIM, ChFC - President
760-809-5216 * benteq@roadrunner.com
Web Site: www.dmbentley.com





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Existing, Approved and Potential Affordable Housing



Housing Sites

-  Existing affordable housing
-  Approved (unbuilt) affordable housing
-  Vacant sites with medium and high densities
-  Potential housing sites*

XX = number of affordable units
(units may be part of larger projects with market-rate units)

*Excludes Site 13- Zone 20 cluster



From: [Heather King](#)
To: [Scott Donnell](#)
Subject: Future housing
Date: Monday, September 26, 2022 2:06:19 PM

Please keep in mind the beauty of the coastline while deciding where to put future housing, especially condensed housing. Other beach cities down the coast of California have accommodated housing in areas further away from the coastline so as not to “pave Paradise and put up a parking lot.” Not everyone needs to live walking distance from the water. I’ve worked very hard in my life and I can’t afford it myself.

Thank you

Heather Richardson

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From: [Roslyn Raue](#)
To: [Scott Donnell](#)
Subject: Future Housing Site 14
Date: Wednesday, October 12, 2022 11:51:47 AM

Scott,

I'm commenting on the proposed 200 units on Site 14 in Carlsbad Village.

Have you driven to the Village lately and tried to find a legal parking place??? Have you noticed the new building popping up in the Village??? There are no set backs from the sidewalk, there is no space between buildings, there are not enough parking spaces and there are empty public buses and Coaster trains. Bottom line, to many people in a very small space!!!! Head East in Carlsbad and there is plenty of geography and open space. 200 units could possibly mean 400 additional cars...are you kidding me?

Please reconsider this massive addition of apartments people and cars. It will destroy the special Village we know and love.

Roz Raue

Sent from my iPhone

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From: [DeeDee Rowlett](#)
To: [Scott Donnell](#)
Subject: Future Housing Sites
Date: Monday, October 17, 2022 2:21:44 PM

Hi Scott,

I wanted to attend this evening's meeting however I have a prior commitment. I have concerns why District 1 and District 2 are absorbing all the affordable housing. I don't believe our infrastructure can handle much more. I feel some of the downtown sites could be a parking structure since there is little parking downtown.

Is this meeting going to be recorded?

Thanks.

DeeDee Rowlett

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From: [Vonnie Varner](#)
To: [Scott Donnell](#)
Subject: future housing
Date: Sunday, September 25, 2022 6:54:25 AM

As I follow new developments I am concerned about the number of 3 story units townhomes. As the community ages, these are undesirable floorplans. Developers may find them cost effective but they may be white elephants in the future.

I love Carlsbad,
Vonnie Varner

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From: nariggle@gmail.com
To: [Scott Donnell](#)
Subject: Future housing/Airport
Date: Sunday, October 16, 2022 2:54:14 PM

I have lived here on Plum Tree Rd under the flight path of Palomar Airport for 20 years. I have become most cynical in regards to the county and it's airport management. It is very political and profit oriented and I never quite trust the way things get handled. I have felt manipulated and I have ceased to be active. However, I would like to voice my ongoing concerns through email:

The growth and development of housing, without addressing the chronic noise and air pollution, in and around the airport, seems like a complete travesty to me. Accidental or purposeful? The noise and pollution that the airport creates exacerbates the stress of life in this corridor. The idea of quickly approving additional housing, low income or for maximum profit, without transparently addressing these profound quality of life issues once and for all seems patently dishonest and absurd. Were such a disconnect to move forward it will appear as political maneuvering, not actual planning.

Respectfully,
Nichola Riggle

Sent from my iPhone

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From: [Jeff Murphy](#)
To: [Scott Donnell](#)
Cc: [Eric Lardy](#)
Subject: FW: Rezoning Site 10 and 11
Date: Thursday, October 27, 2022 8:02:45 AM

Morning Scott,
Could you please contact Mr. Marshall on Geoff's request. Thanks.

JEFF

From: Geoff Patnoe <Geoff.Patnoe@carlsbadca.gov>
Sent: Wednesday, October 26, 2022 7:23 PM
To: Jeff Murphy <Jeff.Murphy@carlsbadca.gov>
Subject: Fwd: Rezoning Site 10 and 11

Begin forwarded message:

From: Glenn Marshall <glennymarshall@yahoo.com>
Date: October 26, 2022 at 6:42:16 PM PDT
To: Geoff Patnoe <Geoff.Patnoe@carlsbadca.gov>
Subject: Fwd: Rezoning Site 10 and 11

Sent from my iPhone

Begin forwarded message:

From: Glenn Marshall <glennymarshall@yahoo.com>
Date: October 26, 2022 at 6:29:31 PM PDT
To: Geoff.patnoe@carlsbad.gov
Subject: Rezoning Site 10 and 11

I am a resident in Kensington Square over looking the parcel of property that is being considered for rezoning to accommodate affordable housing. I must register a complaint to develop such a project because it will severely impact the flow of traffic around the immediate area especially the amount of traffic that will inundate from the subject property beginning at Colt Place to the shopping complex. It is not fair for the homeowners to be subject to this increase traffic and corresponding noise. The access to and out of the area is limited which will only cause an

unnecessary burden around the surrounding businesses and homeowners.

The Marshalls

[Sent from Yahoo Mail for iPhone](#)

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From: [Planning](#)
To: [Scott Donnell](#)
Subject: FW: Reminder: Give input on environmental study for future housing sites
Date: Wednesday, October 12, 2022 11:01:06 AM

Forwarding you an email from our Planning General Inbox - regarding scoping for future housing sites

From: Lorinda <lorindy@pacbell.net>
Sent: Wednesday, October 12, 2022 10:08 AM
To: Planning <Planning@CarlsbadCA.gov>
Subject: Re: Reminder: Give input on environmental study for future housing sites

In my opinion, we need a moratorium on housing. Why turn Carlsbad, and all of San Diego County, into a seething metropolis? Our infrastructure can't support any more growth. Roads are pitted, freeways are an impasse. There are too many huge gas guzzling trucks, bumper to bumper, all with empty beds. Tax the damn things by size and engine displacement. Public transportation is too slow. A 20-minute drive takes an hour or more by train/bus. Just because the world wants to move to Carlsbad, doesn't mean we must accommodate them. Its a travesty, what developers are doing to State Street. All the unique taverns and stores wiped out, to be replaced by institutional-looking high-rise apartments? Why? One ugly downtown San Diego is enough. Riverside County has lots of room, let people move there, as most of my friends did. Too much is never enough for greedy developers. Just STOP!

On Oct 12, 2022, at 8:04 AM, City of Carlsbad <planning@carlsbadca.gov> wrote:



Reminder: Third meeting added to give input on environmental study for future housing sites

Remember to mark your calendar for Monday, Oct. 17, to give input on what environmental impacts should be evaluated in a study on [potential properties](#) that could be rezoned to accommodate future housing. A reminder that the city also extended the deadline to provide comments from Oct. 14 to Oct. 26.

Environmental Scoping Meeting
Oct. 17, 6 to 7:30 p.m.
City of Carlsbad
Faraday Administration Center

1635 Faraday Ave.

You can provide input via mail or email through Oct. 26 to:

Scott Donnell, Senior Planner
City of Carlsbad
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Next steps

After helping identify what environmental impacts should be evaluated, residents will have an opportunity to review and provide input on the draft report once it is developed. The supplemental environmental impact report will be presented to the City Council for consideration in 2023.

Background

The city is preparing a supplemental environmental impact report for its [General Plan](#), approved in 2015. The report is required as part of the city's [Housing Element Update](#), a state-required plan approved in July 2021 for how Carlsbad will accommodate projected housing needs through 2029.

As part of a Housing Element Update, the state also requires all cities analyze and update portions of their [Public Safety Element](#), a separate chapter of the General Plan that focuses on citywide topics including climate resiliency, wildfire hazards and evacuation routes. Updates proposed will respond to requirements of new state legislation related to these topics.

The city worked with the community last year to choose the potential sites, and the next step is to perform environmental studies. This analysis will help inform the final selection of sites.

Zoning changes

The city's housing plan includes proposed changes to zoning that would allow more housing units on certain properties. This study will evaluate the environmental impacts of those changes, including how it might affect things like transportation, aesthetics and greenhouse gas emissions.

Housing program implementation

The housing plan also includes programs that require the city to make changes to housing standards, such as allowing additional types of housing and higher densities to meet state requirements. The environmental review will analyze the impacts of implementing some of these programs.

Learn more

- [Housing Plan Update](#)
- [General Plan](#)
- Scott Donnell, Senior Planner, scott.donnell@carlsbadca.gov



Visit the Website



City of Carlsbad1200 Carlsbad Village DriveCarlsbad, CA 92008

[Unsubscribe lorindy@pacbell.net](mailto:lorindy@pacbell.net)

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Sent by planning@carlsbadca.gov

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From: [Liberato Tortorici](#)
To: [Scott Donnell](#)
Subject: Fwd: Community Input Meeting - New Housing Near Palomar Airport
Date: Monday, October 17, 2022 11:52:14 AM

Mr. Donnell I will be unable to attend this evening's meeting but I'd like to share my issue/question about the Zoning Change Project.
Please see my email below that I sent to the C4FA group earlier today.

Thank you in advance for your consideration.
Liberato Tortorici
6436 La Paloma Street
Carlsbad, CA 92009.

----- Forwarded message -----

From: **Liberato Tortorici** <ldtortorici@gmail.com>
Date: Mon, Oct 17, 2022 at 11:44 AM
Subject: Re: Community Input Meeting - New Housing Near Palomar Airport
To: <c4fa.info@gmail.com>

I am sorry but I will not be able to make the meeting this evening. I am out of town on business in Lancaster, CA.

I do have one issue/question that I'd like addressed by City staff. My issue/question is as follows.

Will ADUs (Auxiliary Dwelling Units) be factored into the planning and environmental documents for this Project? Specifically, the impacts of ADUs on traffic, City services such as water service, sewerage collection and treatment, and trash/green waste/recyclables) pick-up, utility services such as electrical power (SDG&E), and emergency services such as fire department, ambulance and paramedic services. These impacts need to be factored in and addressed by the City for this project zoning change evaluation.

Please feel free to share my questions at the meeting and please identify who I am.

Liberato Tortorici
6436 La paloma Street
Carlsbad, CA 92009
ldtortorici@gmail.com

Thank you.

On Sun, Oct 16, 2022 at 10:19 AM C4FA <c4fa.info@pb07.ascendbywix.com> wrote:

Can't see this message? [View in a browser](#)

Community Input Meeting - New Housing Near Palomar Airport



Dear C4FA Supporters,

Congratulations! Due to public outcry, the City of Carlsbad has scheduled a second in-person Community Input meeting on environmental impacts of zoning changes across Carlsbad to allow additional housing to be built. The majority of these additional units will meet the state mandate for affordable housing in our community.

In years past, and still today, the impact of Palomar Airport has not been considered by the City or developers when building housing in Carlsbad. The impact of future plans for Palomar Airport has NEVER been considered with regard to residents and housing. We have a chance to change that.

Here is the link to the City's website describing the potential zoning changes and the process. Notice that Palomar Airport isn't even mentioned....

<https://www.carlsbadca.gov/departments/community-development/planning/housing-plan-update>

The Community Input meeting will be held on **Monday, Oct. 17, 2022 from 6pm -7:30pm at the City's Faraday Offices located at 1635 Faraday Avenue.** We encourage you to attend and ask questions.

Listed below are some questions C4FA would like to see addressed by Carlsbad:

- What regulations are in place to protect residents from:
 - High decibel **Noise** coming from the nearby Airport
 - **Air Pollution** coming from the nearby Airport, specifically
 - Lead
 - Particle Pollution
 - Ground Level GHG's
 - GHG's
- What provisions will be made to keep residents **safe** given new housing appears to be under the nearby Airport arrival paths?
- Will the City require a new comprehensive noise study to be performed to measure the impact of noise from Palomar Airport? The last one done for Palomar Airport was in 2005.
- Which of the various maps will delineate the Airport Influence Areas involved?

- Will maps show changes to these Airport Influence Areas that will occur should the D-3 Airport be built per the Palomar Airport Master Plan?
- Will the maps be the same for Noise, Air Pollution, Resident Safety?
- Who has final approval for building sites?
 - What is the process?
 - Steps involved?
- For sites in the Airport Land Use Compatibility Plan, at what point will the Airport Land Use Commission (ALUC) be engaged?
- What and when in the process with there be further opportunities for citizen review?

If you cannot attend Monday's meeting, please take a moment to email the City of Carlsbad Planning Department before Oct 26, 2022. Please email

scott.donnell@carlsbadca.gov

Subject: Housing Element Update

Hope to see you there!

Your Friends and Neighbors from C4FA

7040 Avenida Encinas,
Carlsbad, CA 92011

Suite 104-467

Share on social



<https://www.c4fa.org/>



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From: [robin.purcell](#)
To: [Scott Donnell](#)
Subject: Fwd: New legislation should be used to locate development in Carlsbad
Date: Thursday, September 29, 2022 5:20:50 PM

Thank you for replying to my first email twice . I am forwarding the second email so I am sure you are aware of the new legislation from yesterday regarding commercial buildings.

Sent from my iPhone

Begin forwarded message:

From: robin purcell <robin.purcell@gmail.com>
Date: September 29, 2022 at 4:58:20 PM PDT
To: Scott.Donnell@carlsbadca.gov
Subject: **New legislation should be used to locate development in Carlsbad**

Environmental criteria should not focus only on the pre identified sites now that California has enacted new legislation allowing rezoning of under utilized commercial spaces.

CALIFORNIA — California is set to allow developers to convert underutilized or empty commercial buildings — such as shuttered box stores — into affordable housing, according to historic legislation signed by Gov. Gavin Newsom on Wednesday.

The Democratic governor signed two bills — Senate Bill 6 and Assembly Bill 2011 — to incentivize developers to convert commercial corridors originally zoned for retail and office buildings to help the state bolster housing options.

Robin Purcell AWS, NWS
RobinPurcellPaints.blogspot.com

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From: [Cheryl Madrigal](#)
To: [Scott Donnell](#)
Cc: [Deneen Pelton](#)
Subject: GPA2022-0001 Supplemental EIR
Date: Friday, September 30, 2022 9:43:59 AM
Attachments: [image001.jpg](#)

Scott,

This email is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Tribe”), a federally recognized Indian tribe and sovereign government in response to your Notice of Preparation of a Supplemental Environmental Impact Report (GPA2022-0001).

The Rincon Band would like to point out that what is today known as the City of Carlsbad is located within the Traditional Use Area of the Luiseño people and is also within the Tribe’s specific area of historic interest. As such the Rincon Band is traditionally and culturally affiliated to the project area. The Tribe has knowledge of various areas within the city of high and moderate cultural sensitivity. We are asking to be consulted with and provided the opportunity to provide input on the Supplemental EIR. The Tribe is interested to attend any cultural resources field surveys and kindly ask to be notified and allowed to attend such field work. The Tribe believes that the potential exists for cultural resources to be identified during further research and survey work.

We are looking forward to working closely with you to jointly protect and preserve our cultural assets. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749 1092 ext. 323 or via electronic mail at cmadrigal@rincon-nsn.gov.

Sincerely,

Cheryl

Cheryl Madrigal

Cultural Resources Manager

Tribal Historic Preservation Officer

Cultural Resources Department

Rincon Band of Luiseño Indians

1 West Tribal Road | Valley Center, CA 92082

Office: (760) 749 1092 ext. 323 | Cell: 760-648-3000

Fax: 760-749-8901

Email: cmadrigal@rincon-nsn.gov

seal-rincon-website_03



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any tax advice, such tax advice was not intended or written to be used, and it cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed on the taxpayer.

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From: [Jackye Willis](#)
To: [Scott Donnell](#)
Subject: Great idea
Date: Saturday, October 22, 2022 10:25:22 PM

Great idea putting housing at the Shoppes on city property near the bus terminal. Maybe the number should be less.
J. willis

Sent from my iPhone

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TABLE 10-34: RECENT AFFORDABLE HOUSING PROJECTS

PROJECT AND LOCATION ¹	NUMBER OF AFFORDABLE UNITS	STATUS	PROJECT DENSITY (DU/AC) ²	AFFORDABILITY	AVERAGE SUBSIDY/UNIT (AB/RESOLUTION#) ³
Seagrove (State Street Townhomes) 2503 – 2599 State St.	6	Completed 2019	24.9	13% Low/87% Market	Inclusionary
Portola Senior and Montecito Apartments (Robertson Ranch Planning Areas 7 and 8) 2600 Gage Drive and 2510 W. Ranch St.	157	Completed 2018	18.8 and 22.7	36% Moderate, 64% Low	Inclusionary
Juniper at the Preserve (Quarry Creek Planning Area R-1) 2965 Luiseno Way	64	Completed 2017	20.2	Low-income	\$20,000 (AB 22,248)
The Lofts at Carlsbad Village 1040 Carlsbad Village Dr.	16	Approved 2017	47.5	20% Low/80% Market	Density Bonus/Inclusionary
Pacific Wind Harding St. and Carol Pl.	87	Approved 2017	21.5	100% Low	\$85,149 (AB 21,028)
Jefferson Luxury Apartments 3039 Jefferson St.	2	Approved 2018	34.4	15% Low/85% Market	Inclusionary
Lanai II (Miles Buena Vista) Southwest of Buena Vista Way and Crest Dr.	2	Completed 2019	3.2	15% Low/85% Market	Inclusionary
12 Pacific (Yada Farm) Southeast of Buena Vista Way and Valley St.	2	Completed 2019	2.8	15% Low/85% Market	Inclusionary
Beachwalk at Roosevelt 2675 – 2711 Roosevelt St.	2	Under construction	22.9	15% Low/85% Market	Inclusionary

PROJECT ¹	NUMBER OF AFFORDABLE UNITS	STATUS	PROJECT DENSITY (DU/AC) ²	AFFORDABILITY	AVERAGE SUBSIDY/UNIT (AB/RESOLUTION#) ³
Windsor Pointe (Harding St. site) 3606 Harding St.	26	Approved 2019	48	100% Very Low and Extremely Low	\$165,868 (Res. 2020-032)
Windsor Pointe (Oak Av. site) 965 Oak Ave.	24	Approved 2019	55	100% Very Low and Extremely Low	\$165,868 (Res. 2020-032)
Seascape Northeast of Black Rail Rd & Avena Ct E	2	Completed 2019	4.3	15% Low/85% Market	Inclusionary
Afton Way 3103 – 3114 Afton Way	1	Completed 2019	1.9	15% Low/85% Market	Inclusionary
Casa Aldea(Cannon Road Senior Housing) 2615 Cannon Rd.	20	Approved 2019	15	20% Low/80% Market	Inclusionary
Kensington at the Square (Uptown Bressi Ranch) 6002 Colt Pl.	17	Approved 2019	11.6	20% Low/80% Market	Inclusionary
Highland View Homes 3794 Highland Dr.	1	Completed 2020	4	15% Low/85% Market	Inclusionary
Ashton (Magnolia-Brady) 1631 – 1657 Brady Cr.	1	Completed 2020	4	15% Low/85% Market	Inclusionary
Treviso (Poinsettia 61) 1641 Artemisia Ct.	15	Under construction	6.1	15% Low/85% Market	Inclusionary
Resort View Apartments West of Vieja Castilla Way, between Navarra Dr. and Pirineos Way	4	Approved 2020	30	20%Low/80% Market	Density Bonus/Inclusionary
Carlsbad Station Between Roosevelt St. and State St., north of Grand Ave. and south of Beech Ave.	12	Approved 2020	44.9	20% Low/80% Market	Density Bonus/Inclusionary
Romeria Point Apartments Southwest of Romeria St. and Gibraltar St.	3	Approved 2020	31.9	15% Very Low/85% Market	Density Bonus/Inclusionary
TOTAL	464				

¹All projects are rentals unless otherwise noted.

²“du/ac” is dwelling units/acre.

³ AB# identifies the City Council agenda bill number from which the subsidy amount was obtained. Agenda bill numbering has been discontinued, so resolution numbers from the City Council approval is provided for later projects.

From: [Randi Greene](#)
To: [Scott Donnell](#)
Subject: Housing and Environmental Impact
Date: Wednesday, September 28, 2022 9:17:18 AM

Scott, I feel strongly that we should be looking at empty office buildings. There would be no environmental impact on those spaces that are already built.

Here is a story about the other cities that are doing just that:

Cities and states across the country are looking to transform vacant office buildings into housing — a solution for both empty downtowns and housing shortages.

- **Adaptive reuse** of existing buildings also is gaining popularity for [environmental benefits](#), *Kate Marino writes for [Axios Markets](#)*.

Why it matters: Commercial districts with little to no residential presence turned into near ghost towns during the pandemic, becoming a blight on the cityscape and a detriment to surviving businesses.

Reality check: Even though offices are still only half-full in many cities, these types of conversions have yet to really pick up steam. They're expensive, and loads of red tape and zoning laws usually get in the way.

What's happening: A few big cities are creating new incentives they hope will unleash a wave of housing conversions in the decade ahead.

- **Chicago this week** proposed an initiative to repurpose high-vacancy buildings in its downtown financial district into homes, offering tax credits and incentives along with financing tools.
- **In New York City**, real estate trade association REBNY [estimates](#) that a "conservative" conversion rate of 10% of NYC's lower-tier office buildings could generate approximately 14,000 new residential units.
- **The L.A. City Council** is expected to consider an [updated ordinance](#) that would provide financial incentives to convert downtown office buildings. A Rand [study](#) in L.A. found underutilized commercial properties that could collectively produce 92,000 housing units.

California's [2023 budget](#) allocates \$400 million in incentive grants for office-to-residential conversions.

- **Denver** is also [funding studies](#).

D.C. Mayor Muriel Bowser [pitched](#) a 20-year tax abatement tied to these kinds of conversions.

The bottom line: Saying goodbye to concentrated office districts and 9-to-5 downtowns is a process that probably will play out for decades — part of the pandemic's lasting impact on our lifestyles and communities.

--

Randi Greene
831.869.8325

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From: [Paige DeCino](#)
To: [Scott Donnell](#)
Subject: Housing element comments
Date: Wednesday, October 12, 2022 8:59:57 AM

Hi Scott,

In response to submitting comments re potential sites for housing, I'd like to have included the following:

- Is there a reason that Plaza Camino Real is not listed as a potential site given it's in a smart growth area with transit and services close by?
- I'm concerned that any housing at the Coaster stations will make parking for those public transit customers more difficult. What are the plans to provide enough parking (and lower GHG emissions) there?
- Site 3 (within my neighborhood) really seems untenable as a housing site due to the topography.
- It looks like most sites are located along transit routes, which is good!

Thanks for your effort on this.

Paige DeCino

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From: [Jan Ahrens](#)
To: [Scott Donnell](#)
Subject: Housing Element Update
Date: Monday, October 17, 2022 8:07:54 AM

Questions I would like to see addressed by Carlsbad:

- What regulations are in place to protect residents from:
 - High decibel **Noise** coming from the nearby Airport
 - **Air Pollution** coming from the nearby Airport, specifically
 - Lead
 - Particle Pollution
 - Ground Level GHG's
 - GHG's
- What provisions will be made to keep residents **safe** given new housing appears to be under the nearby Airport arrival paths?
- Will the City require a new comprehensive noise study to be performed to measure the impact of noise from Palomar Airport? The last one done for Palomar Airport was in 2005.
- Which of the various maps will delineate the Airport Influence Areas involved?
 - Will maps show changes to these Airport Influence Areas that will occur should the D-3 Airport be built per the Palomar Airport Master Plan?
- Will the maps be the same for Noise, Air Pollution, Resident Safety?
- Who has final approval for building sites?
 - What is the process?
 - Steps involved?
- For sites in the Airport Land Use Compatibility Plan, at what point will the Airport Land Use Commission (ALUC) be engaged?
 - What and when in the process with there be further opportunities for citizen review?

Janet Ahrens
Oceanside, CA

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From: [Seth G](#)
To: [Scott Donnell](#)
Subject: Housing Impact - SITE 8
Date: Wednesday, October 12, 2022 1:26:26 PM

Hi Scott -

I'm writing to you in order to submit my input about rezoning and re-development of Site 8.

I typically do not get involved as I thought this may get passed over, however, with a continuation of this plan I had to step in and give input.

We vehemently oppose this additional 100+ housing unit site. Traffic is bad and getting worse. Crime has been already rampant in the area and will only get worse. The quiet neighborhoods surrounding this area would get congested and become something that none of us signed up for.

My neighbors and I strongly suggest eliminating SITE 8 from the proposed housing plan.

Respectfully,

Seth Gustine
6408 Calmeria Pl
Carlsbad, CA 92011

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From: [June Lombardi](#)
To: [Scott Donnell](#)
Subject: Housing plan - areas 17 & 18
Date: Wednesday, October 12, 2022 8:36:50 AM

Dear Mr. Donnell,

As a coastal resident of Carlsbad, I've experienced increased traffic and a lack of space in close proximity to the beaches. Carlsbad is a premier destination, especially during the long summer months.

Areas 17 and 18 should be designated as open public space for recreational use such as extended beach parks for picnic areas, fenced dog park areas, pickle ball, outdoor concert area, and parking for the residents of our beautiful city. Added growth will bring more pressure on our parks. The existing parks can't support popular summer venues, requiring bussing several miles away.

I support expanded growth without new taxes and bond measures, however specifically- areas 17 and 18 would utilize prime coastal real estate for the personal benefit of a few, and not benefit our Carlsbad residents. These areas should be dedicated to benefit all of Carlsbad.

Bus service will need to increase frequency along the Palomar corridor including College/Aviara with proposed growth with drop offs to the train station. Lastly, the timing of traffic lights also needs to be adjusted as well.

All the best,

June Lombardi
92011

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From: [Michelle Laird](#)
To: [Scott Donnell](#)
Subject: Housing Plan Feedback
Date: Monday, October 24, 2022 11:07:25 AM

Dear Scott,

Thank you for the notice in the city newsletter about the city's plan to accommodate more housing.

My main concern is the number of units being proposed in North Carlsbad at Site 1 and 2 (over 1000 units combined).

Aesthetically, it will change north Carlsbad from an attractive suburban area bordering the lagoon to a urban, congested low income area. This, in turn, will likely drive down the prices of surrounding homes as well as the enjoyment of living here.

In terms of traffic, it will be a disaster. El Camino Real is already heavily congested in the mornings, afternoons and early evenings, on Saturdays, and during the holidays. I often have to wait through 2 light changes before moving onto the next light for another 2 changes. Adding 1000+ units will mean another 1000+ cars to this area. Although the bus station is there, let's face it - no one wants to give up their car. These new residents will be driving. Yes, there is Jefferson, but we know that most will be coming onto ECR.

In terms of the neighboring lagoon, I'm very concerned about how 1000+ densely built units at Site 1 and 2 will impact the health of that already struggling ecosystem.

Another concern I have is that north Carlsbad is already densely populated. Between Carlsbad Village Drive and the 78, there are a number of high density developments — Marbella, The Bluffs, Tanglewood, Rising Glen, Flower Fields, The Avenue, The Grove, Waterstone — and I'm sure I missed a few. Putting half of the low income housing requirements in this part of the city and in one concentrated area seems unreasonable. The south east section of the city also needs to share the responsibility of our growing population.

My thought is keeping the housing at Site 1 and 2 to 400 or ideally lower to maintain the suburban character of our city, to protect our lagoon, to prevent a traffic disaster, and to evenly distribute the housing throughout the community.

Can you please let me know what kinds of traffic and environmental studies are being done as part of Carlsbad's planning in north Carlsbad?

Thank you for considering my thoughts and opinions.

Sincerely,

Michelle & Steve Laird

92010, Carlsbad residents for 20 years

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From: [John Bottorff](#)
To: [Scott Donnell](#)
Subject: Housing Plan Update Comment
Date: Thursday, September 29, 2022 10:23:29 AM

Hi Scott,

I wanted to send you an email to follow up on my comments on Monday.

1. Lead is still in aviation fuel. Jets do not use leaded fuel, but piston-engine aircraft do. These types of planes and helicopters are responsible for around 50% of airborne lead emissions in the US...they are the largest single source of lead pollution.

Lead is a toxic heavy metal and there is no safe level of lead exposure according to the World Health Organization, Centers for Disease Control and the American Academy of Pediatrics. It is especially harmful to children.

McClellan-Palomar airport is one of the top 3 lead polluters in San Diego County according to the EPA National Emissions Inventory. These aircraft dump over 700 pounds of lead onto nearby homes, schools and nurseries every year. That is not acceptable!

Unleaded AVGAS is now available for general aviation aircraft. So simply having unleaded fuel available instead of leaded will drastically reduce lead emissions and protect the health of our kids.

Please work with the County to install unleaded AVGAS fuel tanks at McClellan-Palomar and stop the sale of leaded fuel as soon as possible.

Let's all work together to Get the Lead Out! Here is a link to our [Team 5: Get the Lead Out — CleanEarth4Kids](#) page for more information.

2. How can the City of Carlsbad ensure new housing projects are not situated near McClellan-Palomar and its flight paths? Not only is the airport a source of lead and [noise pollution](#), but [all aircraft](#) burn fossil fuels and put out toxic pollution. One of the most dangerous is [particulate matter](#), or PM. PM2.5 is especially dangerous. These particles are 2.5 microns or smaller. By comparison, the average human hair is 50 microns wide. Researchers estimate that PM2.5 is responsible for almost 48,000 [premature deaths](#) in the US every year. Particulate matter irritates the lungs and [research](#) clearly shows that PM increases the risk of serious health outcomes including asthma, heart attacks, strokes, cancer, and brain conditions like Alzheimer's, Parkinson's and dementia.

3. What mitigation strategies like planting trees, noise barriers, etc. can be done to help people currently living near the airport? Especially lower income people of color who historically face additional burdens of toxic chemicals, pesticides and pollution. We know youth with asthma who live near the airport and flight path with their families. They and the other families there must have clean air to breathe!

Thank you for all the work that you and your staff are doing!

John Bottorff
CleanEarth4Kids.org
949-439-5459
J@CleanEarth4Kids.org

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From: barbarafeldman2000@gmail.com
To: [Scott Donnell](#)
Subject: Housing plan
Date: Wednesday, October 12, 2022 12:04:01 PM

It saddens me that this town I have lived in for 23 years is being changed and ruined.

This is over the top Carlsbad and Sacramento.

Why are so many sites centered in one area and fewer in La Costa area?

I lived and worked in ghettos in San Francisco for many years. I worked to get out and now you bring it back to me.

It also feels like there is homeless dumping from LA.

If you build it they will come. Nice beach town, nice weather, used to have money.

You are being naive as to the negative changes to this once safe friendly beach town will be. ♀

Sent from my iPad

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From: [kenpace](#)
To: [Scott Donnell](#)
Subject: Housing plan: I feel any new housing should be on a bus route. Especially, in the case of low income, where cost of gas and a car can be impossible
Date: Tuesday, September 27, 2022 4:38:47 PM

Sent from my Galaxy

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From: [Cee alan](#)
To: [Scott Donnell](#)
Subject: Housing proposal
Date: Thursday, October 20, 2022 8:55:39 AM

Hello,

It does not escape anyone that South La Costa continues to evade any high density, lower income housing. Why is that? I can see from the map that Carlsbad is literally squeezing units in cracks all over (ESPECIALLY near Bressi Ranch and the Palomar Airport east areas-like ALWAYS-and of course those are the LARGEST and ALWAYS the lowest income). When they brought in the Uptown Bressi development and rezoned for MORE housing in the Bressi area (in the direct flight path no less) it came with the sentiment of, "this is the last housing in this area." But of course, here we are, some years later and all the highest densities and lowest income levels are proposed for our area AGAIN. How long will Aviara and South Carlsbad remain off limits from the high density, lower income housing mandates? I understand the coast region of Aviara, but the more inland parts? It is clear we continue to see NIMBY when it comes to South La Costa and Aviara. How is this appropriate?

Thank you,
Cee A.

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From: barbarafeldman2000@gmail.com
To: [Scott Donnell](#)
Subject: Housing
Date: Wednesday, October 12, 2022 12:07:10 PM

Ps

I forgot to mention the traffic and the water we are supposed to be conserving?
How can this area sustain 2700 new complexes? ♀♀

Sent from my iPad

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From: [Brblank](#)
To: [Scott Donnell](#)
Subject: Impacts
Date: Friday, October 14, 2022 10:56:08 PM

When you consider the impact of future zoning changes, I.e. multiple units on single family zoned properties, think about the cost for mitigating what I call roadway “choke points”. This is where roadways reduce from three lines to two or two to one. Additional traffic due to more residents will require major roadway expansion. For example, El Camino Real outside of Omni LaCosta. A expande bridge over the creek and lagoon migration will be very costly. Numerous points are where commercial/residential developments have not happened to pay for extra lanes. Look forward to the final results.....Bill Blank, 760-917-4448.

Sent from my iPhone

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From: [Josh](#)
To: [Scott Donnell](#)
Subject: Increase Housing in cbad
Date: Thursday, September 15, 2022 10:33:19 PM

I would like you to stop ruining Carlsbad and trying to bulldoze nice open space and forest areas and mountain areas and areas that we used to hike and bike and enjoy the greatness that Carlsbad used to offer to try and pack people into the city that you are destroying.

How about leaving the city alone and letting the people from here enjoy it again. No more adding giant oversized business down town. Or homes and apartments anywhere in the city.

Thanks.

Josh

Sent from my iPhone

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From: [D Lech](#)
To: [Scott Donnell](#)
Cc: [D Lech](#)
Subject: Input for Environmental Study for Future Housing Sites
Date: Tuesday, October 11, 2022 9:56:56 AM

Dear Mr. Donnell,

Thank you for the opportunity to comment on the future housing sites. My comments are for Site # 3 at the corner of El Camino Real and Chestnut Avenue. I object to the proposed development at Site #3 for the reasons stated below, followed by alternative suggestions:

1) SAFETY- The additional traffic generated by the up-zoning and higher density as proposed creates a traffic safety hazard in an already congested and highly traveled intersection. This portion of El Camino Real currently serves as an alternative to Interstate 5 for drivers coming from the east on Highway 78. Vehicles are driving at 55 MPH or greater heading south to Tamarack Ave or Cannon Rd as an alternative to getting delayed in traffic at the I-5 and Highway 78 interchange. Traveling at that rate of speed, approaching and crossing the intersection of Chestnut, and then having to stop short after a slight downhill while approaching a possible stopped bus or for the numerous cars and e-bikes that could be exiting the proposed project on to El Camino Real is not safe. Not only is it dangerous, but it would inhibit the flow of traffic on this main thoroughfare.

2) ENVIRONMENT- The beautiful old growth grove of healthy, majestic eucalyptus trees are part of the character of Carlsbad. They took a lifetime to grow, beautify our neighborhood, and have become the home of owls, hawks, and other wildlife that all have a place and purpose in our natural environment. Without these predators, our rodent and pest population increases. Without these trees that clean our air and cool the temperature, our air quality and general quality of life suffers. Is it really worth losing this entire irreplaceable grove and its important role in preserving our neighborhood's character and quality of life for the sole benefit of adding more housing in an already densely packed area which is already built out?

I ask each of the decision makers to look at City Council Resolution No. 7642, Exhibit "A", titled "El Camino Real Corridor Development Standards". According to this document, the intent and purpose is to "maintain and enhance the appearance of the El

Camino Real roadway area” and “reflect the existence of certain identified characteristics which the City considers worthy of preservation” as well as “a general design concept for the entire length of the 126 foot wide El Camino Real right of way” including “restrictions for private properties fronting on the roadway.” Is this document no longer valid?

My suggestion for an alternative site to place the displaced units would be to slightly increase the density at each of the other proposed sites to accommodate the approximately 28 units planned.

As another alternative, the recently passed Assembly Bill 2011 allows for affordable housing to be built on commercially zoned land and along commercial corridors. Perhaps Site #'s 9, 10, 11, or 12 would be appropriate as those sites are located along the commercial corridor of Palomar Airport Rd. with easy access to I-5, bus routes, and the airport.

Since any development at Site # 3 would add a strong element of danger to drivers, e-bike riders, and pedestrians, as well as being detrimental to the environment, I suggest that the City consider using Proposition C funds to purchase the property as open space so that the existing neighborhoods can continue to enjoy the benefits of this natural habitat as the City maintains its commitment to “preserving unique city resources”.

Thank you for the opportunity to be able to share my comments on Site #3.

Regards,

Diane Lech
PO Box 489
Carlsbad, CA 92018
619-322-8080

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From: [Doris Schiller](#)
To: [Scott Donnell](#)
Subject: input for housing element update
Date: Saturday, September 24, 2022 3:11:48 PM

I understand that low income housing must be provided in the city of Carlsbad, but I do not feel our government needs to provide subsidized housing close to the beach with ocean views such as may be provided on sites #5, #16 and #17. I am particularly concerned about the site at the Poinsettia Train Station. Right now, there is a nice parking lot with homes east of the lot. Placing a large building and a parking structure to replace the lost parking would have a negative impact on the surrounding area not to mention potentially ruin ocean views for areas east of the freeway such as the homes in the Altamira development. Perhaps the the city could reconsider the two sites that were removed that were in the Aviara area. This area does not have any low income sites at all.

Doris Schiller
6753 Oleander Way, Carlsbad, CA 92011

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From: [John Graham](#)
To: [Scott Donnell](#)
Subject: Input on environmental study for future housing sites
Date: Wednesday, October 12, 2022 10:44:19 AM

Hello:

The following are my own observations around proposed residential project and re-zoning sites. I am not employed or have any other interest in any area of environmental law or advocacy, other than having donated to causes like the Sierra Club, the Audubon Society, and various wild and domestic animal shelter organizations. And I am not nearly an expert in this area. Apologies in advance for the long-windedness.

Site 1: Lagoon runoff and subsidence concerns from construction and living conditions, and nearby freeway interchange subsidence. The concurrent example I am thinking of is the construction of the interchange along I-5 and the Carmel Mountain road exit which created subsidence so massive that it forced Caltrans to abandon one of its offices on the west side due to the disturbance in the water table. I don't believe this or any other project proposed here will cause that much havoc, or be another Millennium Tower, but I do believe there is a danger of affecting the land in such a way that could cause engineering headaches at the very least.

Site 2: Toxic spillage from retail areas, which include auto repair, veterinary waste, food waste, possible misdirected commercial waste -- methylmercury fluorescent lighting, chemical degreasers and cleaners, microplastics from packaging and other containers, etc., including other commercial/industrial activity left over from various construction phases. There will also be geologic/paleontological concerns due to the area's recent fossil discoveries. This site is large enough and within the influence of the lagoon and freeway construction to also expect other archeological and paleontological artifacts, including Native American, reaching back possibly thousands if not hundreds of thousands of years. I believe anyone who wants to re-build anything on this site will likely have to deal with multiple lawsuits regardless of what they want to do with it, including the city if they ever want to reclaim it for whatever reason.

Site 3: This is the top of a hill with a fire station on the other side of El Camino, which suggests runoff potential during construction for all other surrounding areas. Main issue would be traffic congestion from a finished project. Any views from a multi-story tower here would be spectacular, but would also be subject to the strongest wind forces during high wind events.

Site 4: The adjacent golf course suggests airborne fertilizers and pesticides might be a problem. The vast amount of wildland space around Agua Hedionda Creek suggests that this might be part of a wildlife corridor. Traffic in and out of a complex here would be a serious problem. The city might have to commit to a redirection of the wildlands to the north and east and also produce a plan to finish connecting the north and south legs of College Blvd for this site to make sense. This site might be better used as a fenced park/recreational area if a full connection of College is not part of the plan.

Site 5: Rail line subsidence and increased exposure to rail noise pollution for future residents of a

project completed here. It is unknown what pollutants, airborne or otherwise, if any, are produced by the nearby desalination plant, but that might be a good study to complete if only to encourage the building of other desalination plants.

Site 6: Golf course maintenance with airborne fertilizers and pesticides might be a problem. Probably a wildlife corridor. This part of College blvd is in real danger of heavy traffic with such a planned residential area because there is only one possible single-lane road in and out. A hypothetical connecting road to Faraday over the golf course is possible, but also possibly too expensive and impractical to even consider.

Site 7: The surrounding commercial and industrial area, including the airport, suggests air and noise pollution. The many electronic and biotech companies located in this area present the possibility for catastrophic accidental discharge of airborne contaminants in such events as building fires or transport accidents. This would not be too much of a problem for a transient population of hotel-goers, for example, but would be more of an issue for permanent residents. The fact that there are no other residential areas around this site is a concern for the type of commercial and industrial traffic that residents would need to compete with to navigate the roads.

Site 8: This area is already near perfectly acceptable residential neighborhoods, including Cottage Row. The grade of the hillside suggests the potential for landslides. The nearby school of flower design suggests certain airborne chemical treatments that might require further study. But assuming Cottage Row has already passed that kind of environmental review, this is otherwise an ideal location.

Site 9: Noise pollution from the airport and a very busy road, and runoff issues during construction towards homes that are already at this location. This area appears to have been already prepared for construction, but is by now probably a wildlife corridor which will be squeezed into a narrower path between housing developments. Additional fencing or other means of keeping dangerous wildlife (larger predators and smaller disease-carrying rodents and arthropods) away from residential areas will probably be necessary.

Site 10: Noise and particulate pollution from airport approaches and a very busy road. Area already appears prime for construction. Probable traffic increases.

Site 11: Noise and particulate pollution from airport approaches and a very busy road. Area already appears prime for construction. Probable traffic increases.

Site 12: Noise and particulate pollution from airport approaches and a very busy road. Area already appears prime for construction. Probable traffic increases. Nearby laboratory and engineering businesses may present an additional air pollution problem on days where the wind blows from the desert.

Site 13: I did not find a site 13 on the arcgis map.

Site 14: Rail line subsidence and increased exposure to noise pollution for future residents of a

project completed here from the rail line and the youth academy. Possible runoff concerns into the lagoon. Possible air pollutant exposure to local commercial/industrial businesses and the maintenance of the turf on the nearby playing fields and parks. Possibly increased traffic concerns for an already busy road system here. I do not know why the Coaster parking lot is included in this site area as Coaster parking is already at a premium. If a parking structure is being considered to replace lost spaces due to residential construction, I would be very concerned about that construction activity, subsidence, and the resulting patterns for the movement of water during rain storms. Drainage would be a prime concern for constructing a project of that scale. The zero-sum loss of Coaster parking should be a non-starter for a regional plan that favors public transportation. The area towards the northern tip of Site 14 appears to be a prime area for construction and residential activity if more than one road were accessible in and out of that complex along, for example, the unnamed Carlsbad Village Station road and a possible cross-route to State Street. An outlet to Carlsbad Blvd appears like it would be a traffic nightmare getting in and out, and would technically only be accessible from a single direction on that route. Anyone coming from Oceanside would probably attempt illegal U-turns further down the road to get back.

Site 15: Increased exposure to noise pollution for future residents of a project completed here from the rail line. This area contains commercial automotive activity where I would be concerned about toxic spillage of auto-related fluids here – the smell as well as the fumes. I would also be concerned about the impact any construction here would have on the walkable rail trail right next door, though that would be a great feature for residents to have at their disposal after they move in.

Site 16: Increased exposure to noise and particulate pollution for future residents of a project completed here from the freeway interchange, a very busy road, and a very busy Costco. This area contains/ed state-sponsored automotive maintenance activity where I would be concerned about toxic spillage of auto-related fluids here. This project would increase traffic in an already heavily congested area, and would probably require a mitigation plan of some sort that redirected traffic in and out of Paseo del Norte in a clever way that made attempting to exit to/from Palomar Airport Road through the 7/11 and restaurant parking lots less of an attractive idea.

Site 17: Please see my comments above for Site 14. I do not know why Coaster parking areas are being considered for residential construction projects, but it is alarming without knowing what the mitigations are going to be. This is otherwise an area where there are already residential neighborhoods.

Site 18: Toxic spillage and seepage from various unknown contents of individual public storage warehouse areas. I believe the northern area of this site was already the subject of mandated environmental cleanup efforts. It would need to be graded with a fine-tooth comb to get all of the contaminants out of the soils here. If that can be successfully cleared, however, the northern area of this site should be an ideal location for high-end high-density residential areas. The southern end, however, is an area where I would be concerned about erosion from rising sea levels. Not that I think it would be underwater any time soon, but that the land to the west could give way in a few decades, creating hazardous chain-reaction conditions for anyone who lived within 200 feet of the (new) shoreline. I believe planning efforts are already underway to redirect Carlsbad blvd to less hazardous ground around this area, and the campgrounds along the cliffs are being reconsidered for

just this reason. The new Hilton resort has undoubtedly figured out how to remain stable on its ground for the foreseeable future, but has likely not made the surrounding areas more stable with its construction.

Site 19: I know very little about this area of Carlsbad, but it appears to have wildlife corridor issues and upwind golf course issues. The nearby retail areas would probably present general traffic problems.

If you've read this far down, thank you. I am a 20+ year resident of Carlsbad and would like to see it prosper further into the future. I hope any of this might be helpful in some small way. Thanks for the opportunity to weigh in.

John Graham

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From: [Mike Geraghty](#)
To: [Scott Donnell](#)
Subject: Input on Future Housing Sites - Site 8 and Site 9
Date: Saturday, September 24, 2022 5:00:15 PM

Mr. Donnell - Thank you for the opportunity to provide public input on the environmental impact of rezoning sites in the city to accommodate future housing including low income units.

I want to share my feedback regarding proposed locations called "Site 8" and "Site 9" on the report.

As a 21 year resident of Carlsbad, I want to express my opposition for specifically considering /rezoning Site 8 and Site 9 for higher density housing and specifically to adding affordable / low income housing to meet state requirements.

Currently, the area of Palomar Airport Road and Aviara Parkway has Laurel Tree apartments (138 units) and is adding an additional 329 units with the construction of Aviara apartments for a total of 467 units concentrated in a tight area. Adding more housing density and affordable housing will have a significant impact to this part of Carlsbad:

Transportation Impact

The intersection of Palomar Airport Road and Aviara Parkway is extremely busy and adding additional high density housing to Site 8 and/or Site 9 will bring greatly increase traffic, parking issues, noise, greenhouse gases, congestion and associated issues to an already busy intersection. I am curious if any analysis has been done on the existing traffic issues in this area- with the estimated increase of cars from the soon to be built Aviara apartments. Using Site 8 or Site 9 will put additional strain on this area of the city. My concern has always been the number of vehicles/parking availability that the proposed Aviara apartments will create - and adding additional housing in this area will make it even worse.

Aesthetic Impact

Building at Site 8 and/or Site 9 will cause a disproportional area of high density / affordable housing in a small area - which would not look appropriate in a very visible 'gateway' of Carlsbad - where many tourists and visitors come to Legoland and the Crossings Golf Course. Additional cars would require either unsightly parking structures or street parking - which again would detract from the image Carlsbad has created for itself.

Additional Environmental Impact

A small but important consideration is the increased garbage and general trash that high density / affordable housing creates. I encourage you or other Carlsbad City leaders to walk the streets around Laurel Tree Lane / 24 Hour Fitness and you will notice trash that people throw from their cars - or even people that apparently live in their cars.

I appreciate your willingness to include these comments in the public record for feedback on Site 8 and Site 9

Mike Geraghty
1191 Mariposa Road
Carlsbad, CA 92011

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From: [Christopher Byrum](#)
To: [Scott Donnell](#)
Subject: INPUT ON HOUSING PLAN - SITE #3 - STRONGLY OPPOSE
Date: Friday, September 30, 2022 3:41:01 PM

Scott, I own the old Carlsbad Fire Station #3 directly across El Camino Real from this site. I STRONGLY OPPOSE increasing housing density at this location.

This is a bad idea for many reasons.

1. Traffic

This intersection already has enough traffic. Chestnut is the main entry-exit for this neighborhood.

2. High School

As you know the Carlsbad high school is just down on Chestnut. Chestnut gets extremely busy in the mornings & when school lets out. Chestnut does NOT need any more traffic.

3. Safety

There are kids on bikes EVERYWHERE on Chestnut going to school, crossing El Camino Real, etc.. Adding density & more traffic at this site is dangerous for the children. I HIGHLY RECOMMEND that the City of Carlsbad does NOT increase density here due to the safety concerns as well as increasing the City's liability in the event of an auto/bicycle accident due to increased traffic.

4. Noise

At my property I already deal with an unhealthy amount of noise pollution. Increasing density will increase noise in our neighborhood not only from the additional traffic but also during any type of construction. More people, more traffic, more noise

5. Air Pollution

Once again, I also deal with an unhealthy amount of air pollution due to the traffic on El Camino Real. There is absolutely no reason to increase this with a large construction project or additional auto pollution in our neighborhood.

6. Lawsuits

Trying to increase density at the site will I'm sure result in lawsuits from homeowners nearby.

7. Neighborhood aesthetics

The surrounding area is mostly single family homes. Not only that but there are a number of mature trees on that site that it would be a shame to see go.

8. Property Values

I feel adding density at this site will result in not only my property value being affected negatively but all surrounding homes as well. It is simply a bad idea.

Please take all these points into consideration. Every neighbor I've talked to feels the same way. We do not want increased density at this site.

Also, I had to find out about this proposed site from my neighbor. This has not been advertised properly ESPECIALLY to the property owners it affects the most. Notices with MAPS should have been passed out to every homeowner it affects with detailed site info. Once again I had to find out from a neighbor and then do research online. I did receive a very vague notice in the mail but this easily gets overlooked. It almost feels as though the City is trying to sneak this through.

--

Sincerely,

Chris Byrum, Broker

619-788-2361 c

BRE Lic# 01794251

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From: [Steven Medina](#)
To: [Scott Donnell](#)
Subject: INPUT TO CARLSBAD HOUSING PLAN UPDATE
Date: Wednesday, October 26, 2022 7:43:48 PM

Good Day Mister Donnell -

As with all plans, the first consideration is the obvious "driving Factor(s)".

In the case of the subject plan update, it is unclear what the driving factor is. Have we, as a City, determined that:

- 1) we need more affordable multi-unit housing units?
- 2) if so, when was this determination made, by whom and where have the data sets been published in the public record?
- 3) since that data had been captured and published (in the public record) has the defined/published need been affected by known population migration and or population changes brought about by the current COVID-19 virus?
- 4) if so, did we identify the number of units required to support that pre-defined need, and as adjusted by migration and or virus impacts?
- 5) has there been any consideration for re-zoning to other uses other than for moderate-to-low income multi-family housing units?
- 6) if there have been other considerations, what were those defined needs (e.g., green space, recreational-use space, etc.)?

The above are just a few that Carlsbad Citizens need to better understand, so that a more informed decision can be made.

There has been much kerfuffle regarding a perceived over development in downtown Carlsbad. From an "outside perspective", it appears that real estate developers have gained the largest advantage from the recent growth "spurt". It also appears that multi-unit housing development has not taken into consideration, such as, parking, traffic congestion, increased foot traffic and a possible lack of appropriate infrastructure. This now contributing to an increased amount of congestion and related safety issues.

Noted that a number of proposed areas would be inter-mixed with commercial/industrial space. It is unclear, from the proposals, if consideration has been made of the impact upon such an inter-mixing. It is also unclear why commercial/industrial space was not deemed feasible. Is it possible that there is a diminished demand for such use or is it because a re-zoning would make it more financially viable (and attractive) for the City (increased tax revenue, etc.).

Hopefully, this proposed re-zoning will take the time to more comprehensively address the aforementioned issues, as well as those being brought about by the Citizens of Carlsbad.

If you have any questions or require additional information, please let me know.

Thanks so much for the opportunity to weigh-in.

Semper Fortis,

Steven R. Medina

Captain, US Navy (Retired)

Phone: 626-252-6792

E-Mail: steven.medina55@yahoo.com

"**EVERYTHING** is Interconnected"

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From: [mmaichen \(null\)](#)
To: [Scott Donnell](#)
Subject: New plan for housing
Date: Saturday, September 24, 2022 12:38:16 PM

Hello,

I am concerned about the changes to the plans from years ago limiting growth and know that I am not alone. Let's not ruin Carlsbad with over- building. One of the most appreciated aspects of living here is the open spaces. They show not disappear.

Over the years more and more spaces have disappeared as huge developments have been built. We are reaching the tipping point of losing the cherished character of Carlsbad.

Done even get me started of southern California's lack of water. As a native Californian of a considerable age I, and others, have lived through the spray- painting green the dead lawns, the buckets in the shower to collect warm up water and the bricks in the toilet tanks during our droughts, only to see massive building continue. We don't have the resources to accommodate such growth.

Thank you!

Marianne Maichen

Sent from my iPhone

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From: [Madsen, Jackie](#)
To: [Scott Donnell](#)
Cc: [Scott Chadwick](#); [Priya Bhat-Patel](#); Geoff.patnoe@carlsbad.gov
Subject: Opposition of Re-Zoning Site 10
Date: Saturday, October 22, 2022 2:57:42 PM

Hello Scott,

My name is Jackie Madsen. I am a resident homeowner on Colt Place. I am writing to express my opposition to the rezoning of site 10. Please add my response to the Public Inquiry Summary report on record as a no.

I am concerned about identifying pollution issues in the environment, inclusive of, but not limited to air, water, and land. The influence of additional population on the environment, review of spill anticipation programs and dangerous waste regulations, wildlife protection / extensive study of wildlife, natural land, animal, insect, soil, plant protection, water concerns, safety, and usage. I am concerned of hazmat related problems, all waste problems, soil testing, emissions, all land, air and water possible containments or protection.

Please remove Site 10 from your consideration.

Best Regards,
Jackie Madsen
6018 Colt Place, Unit 103

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From: [Kevin C.](#)
To: [Scott Donnell](#); Scott.Chadwick@carlsbad.gov; priya.bhat-patel@carlsbad.gov; Geoff.patnoe@carlsbad.gov
Subject: Planned rezoning Site 10
Date: Sunday, October 23, 2022 6:22:09 PM

All,

This email is in regard to the proposed rezoning of a vacant lot adjacent to the condominium community where I live. The site is off Colt Place in Bressi Ranch and is designated as Site 10 in the rezoning for housing purposes plan.

I would like to go on record as being against the rezoning of this lot for environmental reasons. The rezoning and development of this site would result in increased traffic, noise and pollution on Colt Place and in our Kensington condominium community.

Colt Place is a short cul-de-sac which is already heavily traveled by residents, visitors and those cutting through our community to get to the adjacent Sprouts/CVS commercial space. There would be a large increase in vehicular and pedestrian traffic and noise if site 10 was developed as residential. Parking is limited on Colt (especially in the evenings) and would worsen with more homes.

The environment would be further impacted by increased trash and animal waste. The city easement and sidewalk areas on Colt is currently in poor condition (dead grass and waste) and would worsen with additional residents and use. On any given day one can walk along the area and see large amounts of trash including fast food waste, smoking materials, used prophylactics and alcoholic beverage containers.

The environment would be directly impacted in a negative way if Site 10 is rezoned. Please drop this site from consideration. If this site and the much larger site, only a quarter mile to the east of Kensington are both rezoned and developed, Bressi Ranch on a larger scale would be greatly harmed.

Thank you for your efforts and consideration.

Kevin Carter
6002 Colt Pl. Unit 105
Carlsbad, CA 92009

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From: [Erin2Busy](#)
To: [Scott Donnell](#)
Subject: Planned Sites
Date: Monday, September 26, 2022 10:52:58 AM

Hello, Scott.

I am unable to attend your upcoming meeting because of my job, but I wanted to give you my input. Unfortunately, I know that what I request will probably not be what ends up being done, based on the make-up of the commission and the council who continue to push as much low income into D1 as possible. Spreading the low income housing throughout the community is what's best for the community.

I run a nonprofit in Orange County and one thing that is always definitely clear is the value of spreading low income housing throughout the community. Students in schools with economically diverse students do better than low income and Title 1 schools. Parents that have the ability to transport their children to "better" schools do so, leaving the poorer school in even worse condition. Low income schools have less parent involvement and fewer students who participate in sports, band, etc. Parents are wrong when they assume that they can't have a lower income element in their schools as there are no studies confirming that children from low income homes are any more violent, disruptive or have less academic abilities. I hate to see residents in D3 and D4, and their representatives on the Council, continue to try to push lower income housing out of their community. It's elitist and unfair and a way to increase their property values.

In addition, not all low income jobs are in D1 and thus, having all the low income housing in D1 does not put them closer to where the jobs are and just because they are near to the train and bus stations does not mean that that's the way residents get to work. Most low income jobs do not pay for transportation, which is higher than the cost of driving and carpooling. The bus/train schedules do not always match work schedules and generally do not drop the rider off close enough to their jobs. Council members and the commissioners who think that having all of Carlsbad's low income housing at the mall location because it is near to the transit center are unrealistic and will increase their property values at the expense of D1 property values.

Finally, traffic between the 78, El Camino and Jefferson is already difficult and pouring more traffic onto these streets due to higher density and the new Oceanside hotels is unwise. Residents in D3 and D4 go south and see themselves as part of Encinitas or go east. They rarely come to the Village or D1 so they don't see a problem with the increased density.

I'm writing today to please ask you to spread the developments between the Districts and take into consideration that D1 currently has the lion's share of low income housing. There is more room in the other Districts that you really don't need to shove it all on North Carlsbad.

Thank you,
Erin Nielsen

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From: [Megan Gonzalez](#)
To: [Scott Donnell](#)
Cc: [Scott Donnell](#); [Scott Chadwick](#); [Priya Bhat-Patel](#); Geoff.patnoe@carlsbad.gov
Subject: Planning for future housing in Carlsbad - notice Jan 28, 2022
Date: Saturday, October 22, 2022 9:23:02 PM
Attachments: [Site 10 - Bressi Ranch Colt Pl with letter.pdf](#)
[Site 11 - Bressi Ranch Gateway Rd with letter.pdf](#)
[Exh 11 - Existing Affordable Housing and Potential HE Sites - Aerial11x17.pdf](#)
[HE Table 10-34.pdf](#)

Carlsbad City Council, Planning Department,

My name is Megan Gonzalez and I am a resident homeowner on Colt Place in Kensington at the Square,

I want to place on record my opposition to the rezoning of site 10. Adding any additional housing on this site will be very detrimental to the existing homeowners. There is no access to Palomar Airport road from the site. All the additional traffic will be on the Colt Place cul-de-sac. This would be disastrous in the event of any emergencies requiring evacuation.

Please remove Site 10 and site 11 from your consideration.

Regards,

Megan Gonzalez

Resident Bressi Ranch

Hello Scott please note this as on record for today is October 22 of which your survey site has been inactivated for input.

Please add to them Public inquiry summary report.

Many homeowners have concerns with the site 10 location.

The impact of traffic on our private road and environmental impacts.

Rezoning would be a huge negative impact on the current issues at hand.

Put this on record as a no.

Thank you for your comments. They will be included in the public input summary report presented to the City Council early next year. You can also provide additional input through tomorrow via our online survey, available at <https://www.surveymonkey.com/r/housingsites> and continue to provide mail and email comments through October 22.

The lot should be developed as business/commercial in order to maintain consistency with past development on the surrounding larger parcel. Access to the 49 residences would be through a cul-de-sac that is already busy with traffic. 49 residences would only make things worse.

Megan González
Home Owner

Hi Megan,

Attached and below are resources to follow up our conversation yesterday.

- Fact sheets for sites 10 and 11 (Site 11 is another potential housing site in Bressi Ranch. It is located east of El Fuerte St and along Gateway) – attached
- Link to online interactive map of all 18 potential housing sites (note there is no site 13): <https://carlsbad.maps.arcgis.com/apps/webappviewer/index.html?id=4a5a710965bd4e6da387aa3183fd5ae2>
- Link to public input summary report on future housing in general and on each of the 18 sites): <https://www.carlsbadca.gov/home/showpublisheddocument/9002/637795746394770000>
- Link to information on the overall housing plan update and efforts to identify housing sites: <https://www.carlsbadca.gov/departments/community-development/planning/housing-plan-update>
- Link to Information bulletin explaining state housing mandates: <https://www.carlsbadca.gov/home/showpublisheddocument/4008/637702583633930000>.
- Link to city's affordable housing page: <https://www.carlsbadca.gov/departments/community-development/housing>.
 - The bottom of the left column links to the 2021 housing income limits.
 - The center column has "affordable rental housing" information and a map of all affordable rental housing in the city. Kensington is not identified here because it is an ownership, not rental, project.
- Map identifying existing, approved, and potential affordable housing (ownership and rental) throughout Carlsbad – attached.
- Housing Element table 10-34, recent affordable housing projects – attached (note table says Kensington has 17 affordable units; the correct number is 25).

Let me know if any questions.

Scott Donnell

Senior Planner

1635 Faraday Avenue

Carlsbad, CA 92008-7314

www.carlsbadca.gov

442-339-2618 | 760-602-8559 fax | scott.donnell@carlsbadca.gov

From: Megan Gonzalez <hoamegan@yahoo.com>

Sent: Thursday, February 24, 2022 2:02 PM

To: Scott Donnell <Scott.Donnell@carlsbadca.gov>

Cc: Megan Gonzalez <hoamegan@yahoo.com>; City Clerk <Clerk@carlsbadca.gov>

Subject: Planning for future housing in Carlsbad - notice Jan 28, 2022

Scott,

I left a voice message. I am the Vice President Board of Director for the Kensington at the Square Bressi Ranch community.

The homeowners received a notice dated Jan 28, 2022 planning for future housing in Carlsbad.

One of the areas designated lies between a commercial and residential land and is currently zoned as light manufacturing/industrial.

Colt Place 92009 - between Palomar Airport Road and Gateway Road

Map site #10.

Can you please share any information regarding the future use for this site?

Megan Gonzalez

Kensington at the Square

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From: [June Ainsworth](#)
To: [Scott Donnell](#)
Subject: Planning for low cost housing
Date: Tuesday, September 27, 2022 4:44:41 PM

Big yes to the property at the Carlsbad Shoppes. I always felt that to build housing where the old Sears store stands would be beneficial to all. Something attached to the actual shops would give the shopping center a much needed boost. Bring a grocery store (Frazier farms, Trader Joe's etc) would help too.

Big NO to site 14. Downtown Carlsbad is so crowded now. This will just bring more traffic. Us, love the historic feel by the transit center.

Building housing in the commercial areas that are vacant is a great idea too.

Finally, Big no on building by any of the open land. The diverse amount of wildlife is already suffering from over building. Leave the open spaces open!

[Sent from Yahoo Mail on Android](#)

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From: [Dean Taber](#)
To: [Scott Donnell](#)
Subject: Poinsettia Station Housing
Date: Friday, October 14, 2022 9:51:21 AM

Hello Scott,

I am Robin Taber, I live in the Waters End development on Seaward Ave, next the Coaster Station. I understand the need to add more housing to Carlsbad, and the need close to transit. The area already has 3 story density, with what I think was the Blue Water lofts. This was suppose to be a live work area that has not lived up what it was billed to be. The retail is spotty and the day care building never was leased. The building themselves seem to be more than 3 stories because of rumored ground water was encountered when building the underground garage, thus being about 3 & 1/2 stories tall. The building was also built without respect to the single family homes in Water End. They don't match anything next to them and seem on their way to becoming a future slum, since the building has not been painted since it was new.

Carlsbad's reaction to housing mandate seems to be clearly lacking any vision. The city seems to be reacting to the State on a law that is about to be challenged, since it does not make since to have a housing shortage and the state is losing population.

Housing should be build were the jobs are which are not at the train station. All along Palomar Airport road, downtown Carlsbad, and near the resorts, or in the resorts parking lots would appropriate.

That being said, I would support 3 story buildings (no to 4 & 5), as long as they respect the homes they will be next to.

Regards,

Robin D Taber

601 Seaward Ave.

Sent from [Mail](#) for Windows

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From: [Don Christiansen](#)
To: [Scott Donnell](#)
Subject: Potential Housing Sites
Date: Tuesday, October 25, 2022 1:33:24 PM

G'Day Scott!

I'd like to thank you and your fellow staff for putting together the "most excellent" interactive map AND for your public outreach on this subject.

Although I used the map to have a look at all the sites there are only three I will comment on.

From my perspective: Sites 1 and 2 are ideal candidates for increasing Carlsbad's housing supply. Highest and best use of Site 1 would be to fully develop it as multi-family housing. Site 2's highest and best use would be to keep the commercial areas that make "sustainable sense" and develop the remaining as multi-family housing. I've long thought that there is an opportunity for significant synergy between the businesses at the mall and the businesses and residents in the Village and Barrio. Housing at the mall could increase that synergy.

The sale of City owned Site 6 for residential development makes good sense to me. It's my understanding that the City is projecting a budget deficit within the next 5 years. Selling a non-performing asset like Site 6 makes much more sense than raising taxes.

That's it!

All the best,

Don Christiansen

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From: [Yolanda Higgins](#)
To: [Scott Donnell](#)
Subject: Propose Site 5 as a viable option
Date: Wednesday, October 12, 2022 8:25:37 AM

Good morning,

I propose site 5 as a viable option. It is in close proximity to transportation, grocery shopping, expressway, and outdoor free activities, I.e. the beach.

I live in close proximity to site 4 and we just had two senior communities built and the traffic congestion is already maxed.

Thanks for your consideration.

[Sent from Yahoo Mail for iPhone](#)

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From: [JOHN NIX](#)
To: [Scott Donnell](#)
Cc: john@primports.com
Subject: Proposed 200 Units / affordable housing
Date: Monday, September 26, 2022 5:59:31 PM

Mr Donnell,

I want to address the environmental impact of the proposed 200 Unit Affordable housing development being considered across the Railroad bridge in our community. We are residence and owners at 2321 Ocean St..... this development would impact property values in all of the surrounding area, and create more traffic which the area certainly does not need. During the summer months and holidays there is more out of community traffic that 200 units would add to, as well as increased crime.

Since when do we consider high value areas for Affordable housing ? We already experience high crime and police activity in this area. I do not believe the residence of this area, or the overall tax paying residence of Carlsbad support this. Your commission has already supported too many high density condo's in the village which is ruining what Carlsbad has always been know for. A quite residential beach community that ALL residence and owners have felt save in.

I encourage you and the commission to vote NO on this development.... It is BAD for Carlsbad and not supported by the residence of our proud community. We appreciate your consideration, and know you will make the correct decision in DECLINING THIS PROPOSAL.

Regards,

John H Nix

Joan P Nix

2321 Ocean Street

Carlsbad, California 92008

602 363 8619

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From: [Ashley Andrews](#)
To: [Scott Donnell](#)
Subject: Public meeting about resigning
Date: Tuesday, September 27, 2022 1:45:41 PM

Hi Scott,

I have corresponded with you before concerning zone 8, my property on Mariposa Road backs up to the potential 150 unit complex you guys would like to build. I am extremely opposed to this proposed increase in units. I would like to attend any and all meetings concerning this project. Is there one tonight? Please let me know. I will also let all of my neighbors know so they can attend as well. This area is already being built up (the warehouse/empty lot near 24 hour fitness is adding a ton of housing already) and our roads/schools/parks cannot accommodate the insane amount of people the city is proposing moving into the area. Seriously bonkers that this is a proposed location.

Thanks,

Ashley Andrews
(760) 500-4400
Sent from my iPhone

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From: [Mike Kurnow](#)
To: [Scott Donnell](#)
Subject: Questions regarding the influence of Palomar Airport on New Housing Plans
Date: Sunday, October 16, 2022 6:43:49 PM

I request that the following questions submitted by C4FA be addressed at the Community Input meeting to be held October 17:

- What regulations are in place to protect residents from:
 - High decibel **Noise** coming from the nearby Airport
 - **Air Pollution** coming from the nearby Airport, specifically
 - Lead
 - Particle Pollution
 - Ground Level GHG's
 - GHG's

- What provisions will be made to keep residents **safe** given new housing appears to be under the nearby Airport arrival paths?

- Will the City require a new comprehensive noise study to be performed to measure the impact of noise from Palomar Airport? The last one done for Palomar Airport was in 2005.

- Which of the various maps will delineate the Airport Influence Areas involved?
 - Will maps show changes to these Airport Influence Areas that will occur should the D-3 Airport be built per the Palomar Airport Master Plan?

- Will the maps be the same for Noise, Air Pollution, Resident Safety?
- Who has final approval for building sites?
 - What is the process?
 - Steps involved?
- For sites in the Airport Land Use Compatibility Plan, at what point will the Airport Land Use Commission (ALUC) be engaged?
- What and when in the process with there be further opportunities for citizen review?

As a resident of La Costa I am very concerned regarding any expansion of the Palomar airport, and change to its usage plans and / or operating hours impacting the quality of life of residents in the airport's influence areas.

Mike Kurnow

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From: gober2c@aol.com
To: [Scott Donnell](#)
Cc: [Planning](#); [Scott Chadwick](#); c4fa.info@gmail.com
Subject: Re Public Input on City of Carlsbad Environmental Study for Future Housing Sites
Date: Friday, October 21, 2022 2:20:43 PM

Scott Donnell, Senior Planner

City of Carlsbad

Planning Division

1635 Faraday Ave.

Carlsbad, CA 92008

Dear Mr. Donnell

The following environmental impacts need to be properly evaluated in the City of Carlsbad's study on potential properties that could be rezoned to accommodate future housing in accordance with California state mandates:

1. Traffic Considerations
2. Site Location and Aesthetic Considerations
3. Access to Relevant Existing Public Amenities
4. Impacts of the McClellan-Palomar Airport on any Future Planned Housing in Carlsbad, including a City of Carlsbad review and analysis of the airport's signed voluntary Noise Compliance Agreement with the FAA, including related obligations of the airport, and the required implementation of effective noise abatement policies and procedures.

Thank you very much for ensuring these impacts are properly considered and evaluated. Sincerely,

Giovanni and Anne Bertussi

Carlsbad, CA

This message is intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable Federal or State law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by a separate return email, and delete and permanently destroy the original message and all copies thereof immediately. Thank you.

From: planning@carlsbadca.gov
To: gober2c@aol.com
Sent: 10/14/2022 8:03:55 AM Pacific Standard Time

Subject: Reminder: Give input on environmental study for future housing sites



Reminder: Third meeting added to give input on environmental study for future housing sites

Remember to mark your calendar for Monday, Oct. 17, to give input on what environmental impacts should be evaluated in a study on [potential properties](#) that could be rezoned to accommodate future housing. A reminder that the city also extended the deadline to provide comments from Oct. 14 to Oct. 26.

Environmental Scoping Meeting
Oct. 17, 6 to 7:30 p.m.
City of Carlsbad

Faraday Administration Center
1635 Faraday Ave.

You can provide input via mail or email through Oct. 26 to:

Scott Donnell, Senior Planner
City of Carlsbad
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Next steps

After helping identify what environmental impacts should be evaluated, residents will have an opportunity to review and provide input on the draft report once it is developed. The supplemental environmental impact report will be presented to the City Council for consideration in 2023.

Background

The city is preparing a supplemental environmental impact report for its [General Plan](#), approved in 2015. The report is required as part of the city's [Housing Element Update](#), a state-required plan approved in July 2021 for how Carlsbad will accommodate projected housing needs through 2029.

As part of a Housing Element Update, the state also requires all cities analyze and update portions of their [Public Safety Element](#), a separate chapter of the General Plan that focuses on citywide topics including climate resiliency, wildfire hazards and evacuation routes. Updates proposed will respond to requirements of new state legislation related to these topics.

The city worked with the community last year to choose the potential sites, and the next step is to perform environmental studies. This analysis will help inform the final selection of sites.

Zoning changes

The city's housing plan includes proposed changes to zoning that would allow more housing units on certain properties. This study will evaluate the environmental impacts of those changes, including how it might affect things like transportation, aesthetics and greenhouse gas emissions.

Housing program implementation

The housing plan also includes programs that require the city to make changes to housing standards, such as allowing additional types of housing and higher densities to meet state requirements. The environmental review will analyze the impacts of implementing some of these programs.

Learn more

- [Housing Plan Update](#)
- [General Plan](#)

- Scott Donnell, Senior Planner, scott.donnell@carlsbadca.gov



Visit the Website



City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

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Sent by planning@carlsbadca.gov

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From: [Jackye Willis](#)
To: [Scott Donnell](#)
Subject: Re village apartments/parking structure
Date: Wednesday, October 19, 2022 8:20:24 AM

I think building more apartments (state mandate) would be better at the Shoppes at Carlsbad city owned property . It would be near public transit and would not require parking structure in the village, which is a bad idea. Jackye and George Willis, 2050 Laurie Cir, Carlsbad .

Sent from my iPhone

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From: [Warren Kato](#)
To: [Scott Donnell](#)
Cc: [Katherine Kato](#); [Warren Kato](#)
Subject: re: 3rd meeting added to give input on environmental study for future housing sites
Date: Wednesday, September 28, 2022 3:23:26 PM

Thank you for the opportunity to comment on future housing planning in the City of Carlsbad. We are given the opportunity to give vision to the City for the wonderful place that Carlsbad is to live.

I do have an objection that might be beyond the scope of this open inquiry to the community to make comment. From the map online we are given the choice of commenting on the following sites: 2, 3, 4, 5, 6, 7, 9, 12, 14, 15, 16, 17, 18, and 19 = 14 sites.

The problem is that we are given the opportunity to comment only on a limited number of locations and not the broader area of all of Carlsbad. There are many areas in Carlsbad that are not included in this potential survey. Changing zoning on a few individual lots does not meet, in any meaningful way, the requests by the California State Legislature in its most recent statutes regarding the increased availability of housing in that entire state for hundreds of thousands of people. It seems that Carlsbad's response is limited at this time, not only in breadth but in expanse, to wit limited to a needed look at affordable housing and only in certain limited areas. I appreciate the comment that the City is contemplating changing zoning in certain areas but it is difficult to comment on these plans without further information.

Specifically, I point out the Sunny Creek area of Zone 15. The Sunny Creek Specific Plan area is bounded on the south by the Sunny Creek drainage basin, the Eastern boundary is fixed at the Los Monos area, the north by the City of Oceanside and the Ocean Hills development, and the west by College Blvd. and open space. This area is approximately 600 acres and is partially permitted. However, large parts are unpermitted and remain undeveloped. Despite best efforts by developers and investors, no grading permits have been pulled. It is speculation that development has stalled because of financing concerns over the extension of College Blvd. and a bridge over Sunny Creek. Normally these costs are passed through to buyers. But in the Sunny Creek Specific Plan area, many lot sizes are a minimum of one acre. This makes development and more housing financially unfeasible at the present time.

The mandate by the State of California (or more kindly request) is that housing increase statewide. In a ham-fisted way, they have mandated ADUs for any lot, and most recently in AB916 allowed two additional bedrooms per housing unit without any public hearing. The City of Carlsbad has always prided itself in the manner in which the entire community was beautifully planned. By taking prospective action, this City has the opportunity to increase housing density without more State mandates.

It appears that the best solution to these two problems is a recommendation by this committee to encourage development in this area by recommending to the City Council and the City of Carlsbad that the City do more in terms of financing the infrastructure needs as well as zoning changes that have been mentioned. Further possible recommendations include an amendment of the Sunny Creek Specific Plan. The needs include not only the extensions of College Blvd. but also necessary changes in planning needs for roads, water, sewer, and fire protection.

I represent the Kato Family Limited Partnership which currently has its holding in an agricultural lease. But with the cost of water and labor in the Southern California region and in particular the Carlsbad area, agriculture is not financially feasible at least in the long term. And as stated above, development is also not financially feasible. It would be a shame that this property ended up as vacant land when it could instead be productive property, taking up the problem of our housing shortage and also increasing the tax base for the City.

Thank you for allowing this opportunity to express our concerns, dreams and needs.

--

Warren Kato
(714) 504-6081

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From: [David McFeaters](#)
To: [Scott Donnell](#)
Subject: Re: Environmental Scoping Meeting on Housing (OCT 17th)
Date: Wednesday, October 12, 2022 8:46:22 AM

Hi Scott, thanks for the update.

So great to hear the City of Carlsbad is giving more consideration to NC San Diego's urgent housing crisis. My group has put a ton of research into this idea in 2018-2019 with the idea of converting vacant & under used commercial properties into residential housing (possibly for senior citizens). At the time we had multiple standalone properties targeted and several property owners on board and willing to make the conversions. Getting zoning and the city's blessing on the projects is where the idea ended.

For years my family has owned and managed multiple commercial and residential properties in San Diego. We own a construction firm that has been in operation over 40 years. Our team was going to be able to build out and manage the entire solution once finished. There was also a local Carlsbad politician involved who supported us. I think we can help you with this venture. I'd like to offer our assistance to you with the same team that was spearheading this idea in 2019.

With this new interest, I'd like to bring this project back for consideration. We'd want to reach back out to those property owners who were interested and continue and complete one or two or these projects as a test. Maybe we could meet and explain our plans further.

Regards,

David McFeaters
2385 Outlook Ct
Carlsbad 92010

On Tue, Oct 11, 2022 at 8:37 AM Scott Donnell <Scott.Donnell@carlsbadca.gov> wrote:

Hi Mr. McFeaters,

On Feb. 15, 2022, the City Council did provide direction to staff on the sites to study for potential rezoning that would allow residential. These sites include a mix of commercial, industrial, and low density residential properties. The commercial properties include a mix of vacant (sites 6, 7 and 19) and underutilized sites (sites 1, 2, 16). These sites are shown on an online map available here: [Potential Housing Sites \(arcgis.com\)](#).

Like you, others have recommended the city look at commercial properties, particularly those that are underperforming, including vacant office buildings. The Housing Element

does contain a policy that encourages reuse of older commercial or industrial buildings. This year, the city also revised its Zoning Ordinance to permit both horizontal and vertical mixed use projects, which allows more flexibility in how residential is built in commercial areas.

Thank you for your comment.

Scott Donnell

Senior Planner

1635 Faraday Avenue

Carlsbad, CA 92008-7314

www.carlsbadca.gov

442-339-2618 o | scott.donnell@carlsbadca.gov

From: David McFeaters <mcfete@gmail.com>

Sent: Monday, October 10, 2022 3:15 PM

To: Scott Donnell <Scott.Donnell@carlsbadca.gov>

Subject: Environmental Scoping Meeting on Housing (OCT 17th)

Hello City of Carlsbad

I wanted to provide input on what environmental impacts should be considered in rezoning property to help with housing problems in Carlsbad. Three years ago I approached the city with these ideas with zero interest.

One idea I had was to look at some of the excess commercial properties we have in Carlsbad that have sat vacant and idle for years at a time. There are a number of areas locally that have vacant commercial property that could be rezoned for housing. Ideally, stand alone properties could provide short or even long term rentals that would be affordable to most.

I don't think this type of housing would be good for families but certainly elderly or temporary housing would be a good choice in that there may not be the need for extra parking spaces, less traffic, fewer visitors and less need for parks or open spaces nearby associated with the space.

Sincerely

--

David McFeaters

2385 Outlook Court

Carlsbad CA 92010

760-586-2645

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--

David McFeaters

2385 Outlook Court

Carlsbad CA 92010

760-586-2645

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From: [Randi Greene](#)
To: [Scott Donnell](#)
Subject: Re: Housing and Environmental Impact
Date: Thursday, September 29, 2022 8:15:18 PM

The buena vista lagoon and creek must be considered for environmental impact report done by scientists and input from fish and game.

Sent from my iPhone

On Sep 29, 2022, at 5:10 PM, Scott Donnell <Scott.Donnell@carlsbadca.gov> wrote:

Dear Randi,

Thank you for taking the time to comment. The city's adopted Housing Element does contain programs to consider commercial properties and underutilized commercial, office and industrial space as appropriate. Nevertheless, your comment is appreciated.

Scott Donnell
Senior Planner
1635 Faraday Avenue
Carlsbad, CA 92008-7314
www.carlsbadca.gov

442-339-2618 o | scott.donnell@carlsbadca.gov

From: Randi Greene <randigreene2003@gmail.com>
Sent: Wednesday, September 28, 2022 9:17 AM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Subject: Housing and Environmental Impact

Scott, I feel strongly that we should be looking at empty office buildings. There would be no environmental impact on those spaces that are already built.

Here is a story about the other cities that are doing just that:

Cities and states across the country are looking to transform vacant office buildings into housing — a solution for both empty downtowns and housing shortages.

<!--[if !supportLists]-->• <!--[endif]-->**Adaptive reuse** of existing buildings also is gaining popularity for [environmental benefits](#), *Kate Marino writes for [Axios Markets](#)*.

Why it matters: Commercial districts with little to no residential presence turned into near ghost towns during the pandemic, becoming a blight on the cityscape and a detriment to surviving businesses.

Reality check: Even though offices are still only half-full in many cities, these types of conversions have yet to really pick up steam. They're expensive, and loads of red tape and zoning laws usually get in the way.

What's happening: A few big cities are creating new incentives they hope will unleash a wave of housing conversions in the decade ahead.

<!--[if !supportLists]-->• <!--[endif]-->**Chicago this week** proposed an initiative to repurpose high-vacancy buildings in its downtown financial district into homes, offering tax credits and incentives along with financing tools.

<!--[if !supportLists]-->• <!--[endif]-->**In New York City**, real estate trade association REBNY [estimates](#) that a "conservative" conversion rate of 10% of NYC's lower-tier office buildings could generate approximately 14,000 new residential units.

<!--[if !supportLists]-->• <!--[endif]-->**The L.A. City Council** is expected to consider an [updated ordinance](#) that would provide financial incentives to convert downtown office buildings. A Rand [study](#) in L.A. found underutilized commercial properties that could collectively produce 92,000 housing units.

California's [2023 budget](#) allocates \$400 million in incentive grants for office-to-residential conversions.

<!--[if !supportLists]-->• <!--[endif]-->**Denver** is also [funding studies](#).

<!--[if !supportLists]-->• <!--[endif]-->**D.C. Mayor Muriel Bowser** [pitched](#) a 20-year tax abatement tied to these kinds of conversions.

The bottom line: Saying goodbye to concentrated office districts

and 9-to-5 downtowns is a process that probably will play out for decades — part of the pandemic's lasting impact on our lifestyles and communities.

--

Randi Greene

831.869.8325

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From: juliebdecker@gmail.com
To: [Shannon Harker](#); [Scott Donnell](#)
Cc: jaimie.augustine@copangroup.net
Subject: Re: Housing Element Site No. 10
Date: Saturday, October 22, 2022 2:11:18 PM
Attachments: [image001.gif](#)
[Site 10 - Bressi Ranch Colt Pl with letter.pdf](#)

Hi Scott,

After additional counsel, our community actually needs any application requests or interest submitted to the City over the last (10) ten years for usage or development by any developer, builder or interested party.

Also, to help define concerns re: development on housing site #10 for your environmental study please formally note the Concerns listed below.

CONCERNS for environmental impact: identifying pollution issues in the environment, inclusive of, but not limited to air, water, and land. The influence of additional population on the environment, review of spill anticipation programs and dangerous waste regulations, wildlife protection / extensive study of wildlife, natural land, animal, insect, soil, plant protection, water concerns, safety and usage. Concerns of any and all hazmat related problems, any and all waste problems, soil testing, emissions, any and all land, air and water possible containments or protection.

Thank you Scott. It was great listening to you on Monday and really appreciate all that you are doing to support the residents in the community. Thank you so much.

Julie Decker
(c) 619.977.0400
Sent from my iPhone

On Oct 22, 2022, at 9:32 AM, juliebdecker@gmail.com wrote:

Thank you Shannon.
We are grateful for your communications.
I was at the meeting on Monday and heard Mr. Donnell speak.
We have many concerns about the environmental impact on the community if development on site #10 is approved.

Mr. Donnell, do you have time for a call prior to October 26, 2022. Given this deadline, it is important that we speak early next week. We will stay flexible to accommodate your calendar.

Please note this email as an official record of our concerns re: housing site number 10.

Could you also provide the RFP responses, requirements and disclaimers of the

awarded planning consultant and any past relationship the committee or members have had with the awarded consultant? Additionally, any application requests for land usage or development, of any nature, on what is currently lot #10 in the past five years.

Thank you and we certainly appreciate all that you do to keep our community safe and viable.

Julie Decker
(c) 619.977.0400
Sent from my iPhone

On Oct 21, 2022, at 11:46 AM, Shannon Harker
<Shannon.Werneke@carlsbadca.gov> wrote:

Hi Jaimie and Julie,

It was nice speaking with you both this morning. I understand you have some questions about the timing for the planning process that is currently underway to study the change in the land use designation for the vacant property located in Bressi Ranch, specifically at the terminus of the cul-de-sac for Colt Place, APN No. 213-262-17. The property you are inquiring about is identified as Potential Housing Site No. 10. Attached please find a fact sheet summarizing the proposal to change the designation from Planned Industrial to Residential, 19 to 23 dwelling units per acre. As we discussed, the city is currently studying the change in the designation at this site as well as several other sites as part of an Environmental Impact Report (EIR).

In speaking with the project manager, Scott Donnell (cc'd on this email), while the EIR process to study the impacts associated with the land use change won't be completed until sometime in 2023, there is a deadline of next Wednesday, October 26 to provide feedback on what should be studied as part of the EIR for the potential housing sites. If you would like additional information on the process, I've included a link to the Housing Update webpage:

<https://www.carlsbadca.gov/departments/community-development/planning/housing-plan-update>

If you have any addition questions about the process or you would like to provide specific comments on Housing Site No. 10, please contact Scott Donnell. Thanks!

Shannon

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SHANNON HARKER

Senior Planner
Community Development Department
1635 Faraday Avenue
Carlsbad, CA 92008
www.carlsbadca.gov
442-339-2621 | shannon.harker@carlsbadca.gov

SUBMITTAL APPOINTMENT:

Phone: 442-339-2600, option 2

Email: planning@carlsbadca.gov

Online: <https://www.carlsbadca.gov/departments/community-development/book-an-appointment>

From: [Marcia Venegas-Garcia](#)
To: [Scott Donnell](#)
Subject: Re: Housing Element
Date: Wednesday, October 19, 2022 1:48:32 PM

Hi Scott,
I was thinking more in terms of the proposed plans for the Palomar Airport and potential pollution caused by larger aircraft over housing that seniors might inhabit as part of an argument against that possibility.

Don't know if that will make sense to you, but happy to clarify.

Commissioner Venegas-García

On Oct 19, 2022, at 1:20 PM, Scott Donnell <Scott.Donnell@carlsbadca.gov> wrote:

Hi Commissioner Venegas-Garcia,

I don't know the answer to your question but will provide your comment to our environmental consultant. The consultant is helping the city study the environmental impacts associated with the project.

You may recall discussion about a smoke-free ordinance for multi-family housing. The approved Housing Element does contain a program calling for that ordinance's consideration:

<ATT09403 1.jpg>

Thank you.

Scott Donnell
Senior Planner
1635 Faraday Avenue
Carlsbad, CA 92008-7314
www.carlsbadca.gov

442-339-2618 o | scott.donnell@carlsbadca.gov

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

From: Marcia Venegas-Garcia <marciav07@gmail.com>
Sent: Wednesday, October 19, 2022 12:18 PM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Subject: Housing Element

What consideration has been given to the growing number of seniors who may be more vulnerable to lung diseases caused by air pollution?

Marcia Venegas-García, Senior Commissioner

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From: [Megan Gonzalez](#)
To: [Scott Donnell](#)
Cc: [Priya Bhat-Patel](#)
Subject: Re: Planning for future housing in Carlsbad - notice Jan 28, 2022
Date: Saturday, October 22, 2022 11:47:16 AM
Attachments: [Site 10 - Bressi Ranch Colt Pl with letter.pdf](#)
[Site 11 - Bressi Ranch Gateway Rd with letter.pdf](#)
[Exh 11 - Existing Affordable Housing and Potential HE Sites - Aerial11x17.pdf](#)
[HE Table 10-34.pdf](#)

Hello Scott please note this as on record for today is October 22 of which your survey site has been inactivated for input.

Please add to them Public inquiry summary report.

Many homeowners have concerns with the site 10 location.

The impact of traffic on our private road and environmental impacts.

Rezoning would be a huge negative impact on the current issues at hand.

Put this on record as a no.

Thank you for your comments. They will be included in the public input summary report presented to the City Council early next year. You can also provide additional input through tomorrow via our online survey, available at <https://www.surveymonkey.com/r/housingsites> and continue to provide mail and email comments through October 22.

The lot should be developed as business/commercial in order to maintain consistency with past development on the surrounding larger parcel. Access to the 49 residences would be through a cul-de-sac that is already busy with traffic. 49 residences would only make things worse.

Megan González
Home Owner

Hi Megan,

Attached and below are resources to follow up our conversation yesterday.

- Fact sheets for sites 10 and 11 (Site 11 is another potential housing site in Bressi Ranch. It is located east of El Fuerte St and along Gateway) – attached
- Link to online interactive map of all 18 potential housing sites (note there is no site 13): <https://carlsbad.maps.arcgis.com/apps/webappviewer/index.html?id=4a5a710965bd4e6da387aa3183fd5ae2>

- Link to public input summary report on future housing in general and on each of the 18 sites):
<https://www.carlsbadca.gov/home/showpublisheddocument/9002/637795746394770000>
- Link to information on the overall housing plan update and efforts to identify housing sites: <https://www.carlsbadca.gov/departments/community-development/planning/housing-plan-update>
- Link to Information bulletin explaining state housing mandates:
<https://www.carlsbadca.gov/home/showpublisheddocument/4008/637702583633930000>.
- Link to city's affordable housing page:
<https://www.carlsbadca.gov/departments/community-development/housing>.
 - The bottom of the left column links to the 2021 housing income limits.
 - The center column has “affordable rental housing” information and a map of all affordable rental housing in the city. Kensington is not identified here because it is an ownership, not rental, project.
- Map identifying existing, approved, and potential affordable housing (ownership and rental) throughout Carlsbad – attached.
- Housing Element table 10-34, recent affordable housing projects – attached (note table says Kensington has 17 affordable units; the correct number is 25).

Let me know if any questions.

Scott Donnell

Senior Planner

1635 Faraday Avenue

Carlsbad, CA 92008-7314

www.carlsbadca.gov

442-339-2618 | 760-602-8559 fax | scott.donnell@carlsbadca.gov

From: Megan Gonzalez <hoamegan@yahoo.com>
Sent: Thursday, February 24, 2022 2:02 PM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Cc: Megan Gonzalez <hoamegan@yahoo.com>; City Clerk <Clerk@carlsbadca.gov>
Subject: Planning for future housing in Carlsbad - notice Jan 28, 2022

Scott,

I left a voice message. I am the Vice President Board of Director for the Kensington at the Square Bressi Ranch community. The homeowners received a notice dated Jan 28, 2022 planning for future housing in Carlsbad.

One of the areas designated lies between a commercial and residential land and is currently zoned as light manufacturing/industrial. Colt Place 92009 - between Palomar Airport Road and Gateway Road

Map site #10.

Can you please share any information regarding the future use for this site?

Megan Gonzalez
Kensington at the Square

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From: Sonck4@roadrunner.com
To: [Scott Donnell](#)
Subject: RE: Potential housing sites-Cottage Row/Site 8
Date: Thursday, September 22, 2022 1:32:14 PM

Thank you for your response, Scott. I know your job is not an easy one!!

My wife and I are 28 year residents of Carlsbad. It is such a great place to live, Mayors Lewis and Hall, along with current and past city councils, have done a tremendous job in mitigating over-development and ensuring our continued wonderful quality of life. I realize the nut jobs in Sacramento will only go on with their over-reach in making demands of local government and the City's hands are somewhat tied as it relates to housing, and particular affordable housing. That said, it seems to my eyes that as outlined in some of the other proposed sites, that those that possess government and/or commercial property and are located further north and east within the city borders, would be best suited to meet the state's mandate. I look forward to keeping engaged of the progress.

Regards,

Don Sonck Mobile: 760.330.0525

From: "Scott Donnell"
To: "Sonck4@roadrunner.com"
Cc:
Sent: Thursday September 22 2022 11:40:47AM
Subject: RE: Potential housing sites-Cottage Row/Site 8

Mr. Sonck,

Thank you for providing input on Site 8 and taking the time to do so. It's helpful to hear about people's concerns. Your comments will be included in the draft environmental impact report prepared for the Housing Plan Update.

Scott Donnell

Senior Planner

1635 Faraday Avenue

Carlsbad, CA 92008-7314

www.carlsbadca.gov

From: Sonck4@roadrunner.com <Sonck4@roadrunner.com>
Sent: Friday, September 16, 2022 7:56 AM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Subject: Potential housing sites-Cottage Row/Site 8

Good day Mr. Donnell. I have reviewed the city's housing plan and as a resident of ShorePointe must protest the suggestion of building 150 units on The Cottage Row site8 area! Our community will be slammed by traffic from these units, particularly Mariposa Drive, Aviara Parkway and PlumTree Lane! We are a community of families with K-12 kids as well as retirees!! With the city already having plans for development of the northwest and northeast corners of Aviara Drive and Palomar Airport Road, The resulting traffic and accompanying exhaust fumes, noise, and congestion will wreak havoc upon our community and is a huge public safety concern! Aviara Parkway has become a drag strip over the past several years with the construction and occupancy of the Laurel Tree Apartments located at Mariposa and Aviara Parkway! Our community has been saturated enough with new housing and associated traffic; NO MORE!!!! Go develop at some of the other 15 sites listed, particularly those that are currently commercial and government-owned properties!!! Stay away from our area! Enough is enough!!!

Respectfully,

Don Sonck

6482 Torreyanna Circle Mobile: 760.330.0525

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From: gober2c@aol.com
To: [Planning](#); [Scott Donnell](#); [Scott Chadwick](#); [Council Internet Email](#)
Cc: c4fa.info@gmail.com
Subject: Re: Give input on environmental study for future housing sites
Date: Sunday, September 25, 2022 11:42:23 AM

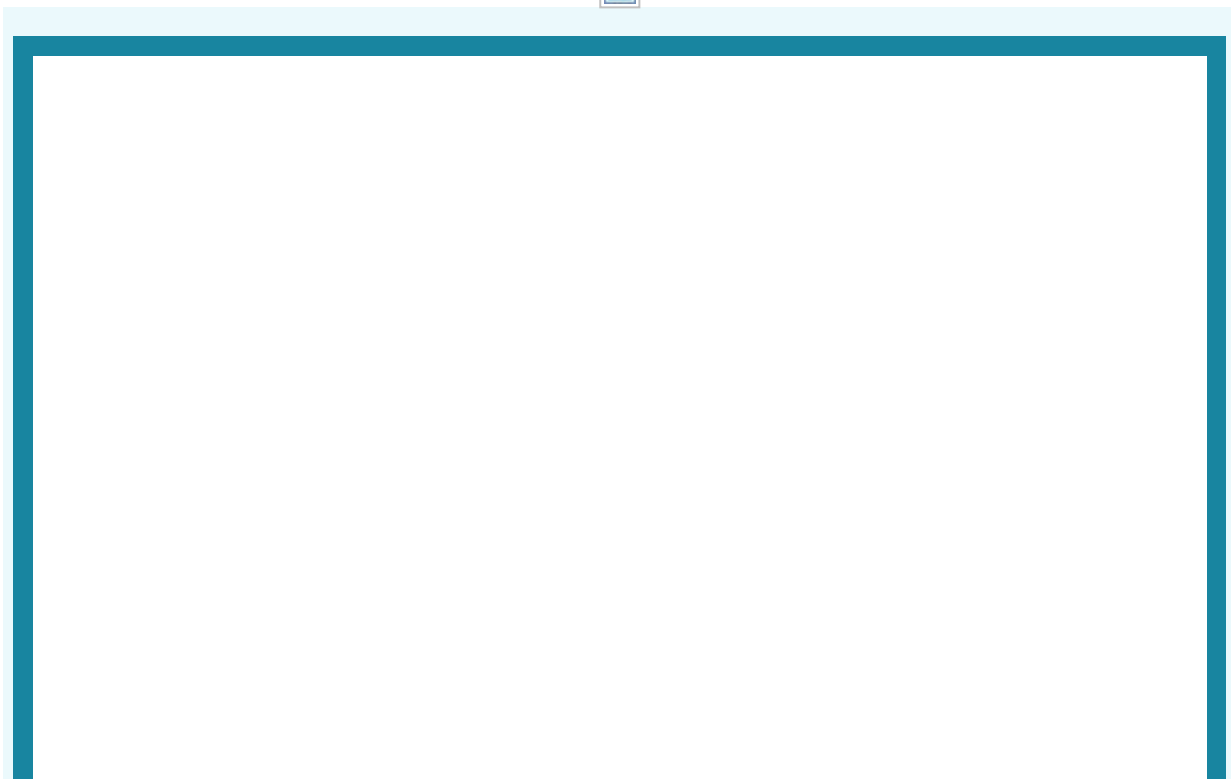
Dear Ladies and Gentlemen,

Once again, the City of Carlsbad Planning Department is not properly noticing the public to provide reasonable time for meaningful public research, evaluation and communication of potential environmental impacts of planned projects and projects under consideration in the City of Carlsbad in accordance with the California Environmental Quality Act, and other rules and regulations. Please reevaluate and properly notice the public to provide reasonable time for meaningful public research, evaluation and communication of potential environmental impacts of the planned projects and projects under consideration by the City of Carlsbad, as detailed below, and as only very recently communicated to us below. Thank you very much. Sincerely,

Giovanni and Anne Bertussi
Carlsbad, Ca

This message is intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable Federal or State law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by a separate return email, and delete and permanently destroy the original message and all copies thereof immediately. Thank you.

From: planning@carlsbadca.gov
To: gober2c@aol.com
Sent: 9/23/2022 4:47:08 PM Pacific Standard Time
Subject: Give input on environmental study for future housing sites



Give input on environmental study for future housing sites

The City of Carlsbad is seeking public input on what environmental impacts should be evaluated in a study on [potential sites](#) that could be rezoned to accommodate future housing.

- This is part of the city's plan to promote the creation of more affordable housing, called the [Housing Element Update](#), which was approved by the state in 2021.
- The city worked with the community last year to choose the potential sites, and the next step is to perform environmental studies.
- This analysis will help inform the final selection of sites.

How to provide input

The first of two meetings where residents can share their input will take place on Monday. Residents can provide input three ways:

In person meeting
Sept. 26, 6 p.m.
Faraday Administration Center
1635 Faraday Ave.

Virtual meeting
Sept. 28, 6 p.m.
[Register online](#)

Via mail or email through Oct. 14 to:
Scott Donnell, Senior Planner
City of Carlsbad
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Next steps

After helping identify what environmental impacts should be evaluated, residents will have an opportunity to review and provide input on the draft report once it is developed. The supplemental environmental impact report will be presented to the City Council for consideration in 2023.

Background

The city is preparing a supplemental environmental impact report for its [General Plan](#), approved in 2015. The report is required as part of the city's [Housing Element Update](#), a state-required plan approved in July 2021 for how Carlsbad will accommodate projected housing needs through 2029.

As part of a Housing Element Update, the state also requires all cities analyze and update portions of their [Public Safety Element](#), a separate chapter of the General Plan that focuses on citywide topics including climate resiliency, wildfire hazards and evacuation routes. Updates proposed will respond to requirements of new state legislation related to these topics.

Zoning changes

The city's housing plan includes proposed changes to zoning that would allow more housing units on certain properties. This study will evaluate the environmental impacts of those changes, including how it might affect things like transportation, aesthetics and greenhouse gas emissions.

Housing program implementation

The housing plan also includes programs that require the city to make changes to housing standards, such as allowing additional types of housing and higher densities to meet state requirements. The environmental review will analyze the impacts of implementing some of these programs.

Learn more

- [Housing Plan Update](#)
- [General Plan](#)
- [Public Notice for Preparation of Supplemental Environmental Impact Report](#)
- Scott Donnell, Senior Planner, scott.donnell@carlsbadca.gov



Visit the Website



City of Carlsbad | 1200 Carlsbad Village Drive, Carlsbad, CA 92008

[Unsubscribe gober2c@aol.com](mailto:gober2c@aol.com)

[Update Profile](#) | [Constant Contact Data Notice](#)

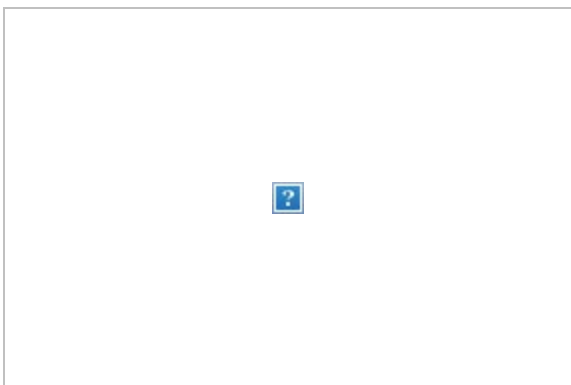
Sent by planning@carlsbadca.gov

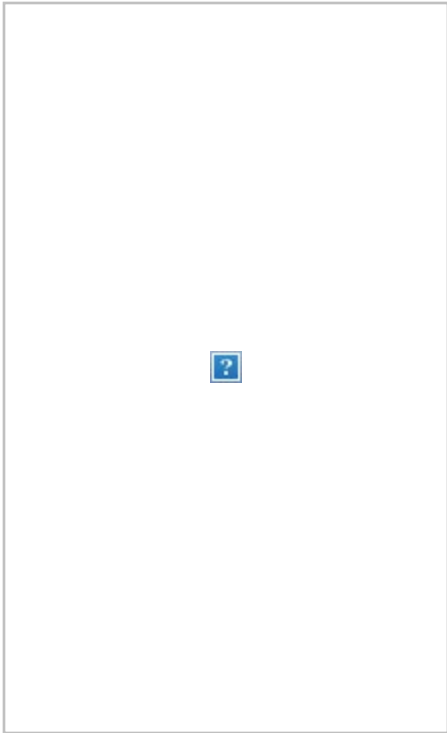
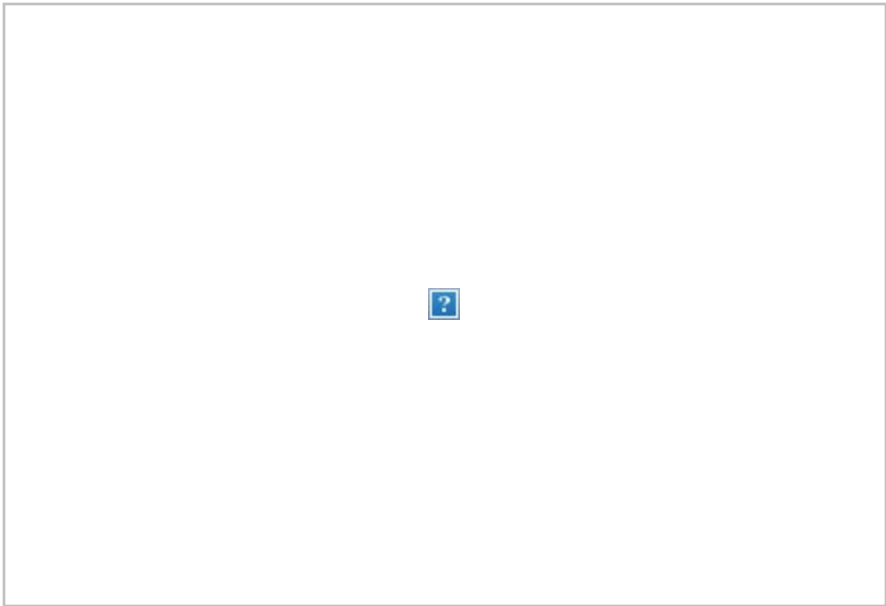
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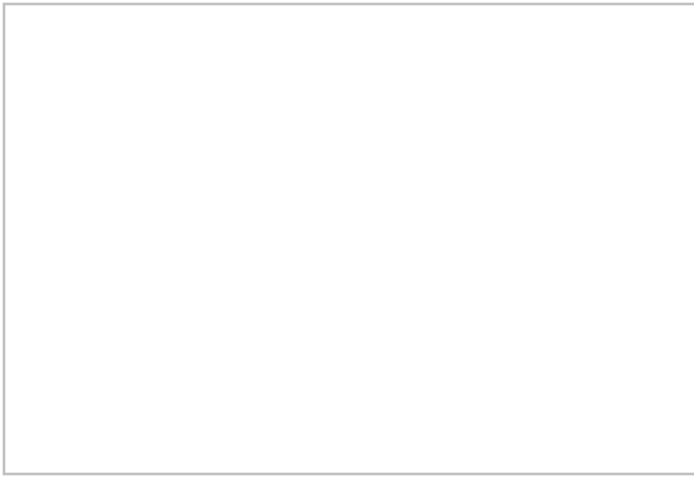
From: [Patrick Goyarts](#)
To: [Scott Donnell](#)
Subject: RE: Reminder: Give input on environmental study for future housing sites
Date: Friday, October 14, 2022 11:26:47 AM
Attachments: [6B4952047AB844F4A5A026B5A631B274.png](#)
[C46E377DC2574EF8AE895FD5D9B33B0A.png](#)
[image003.png](#)
[image002.png](#)

Hello Scott,

- We've always talked about high density affordable housing at Sites 1 & 2 by public transportation – high rise condos, block towers. How many units are possible on this site to meet the projected +6,000 units by 2050? 2,000 units?
- Protect the coast, no more housing along the coast. South Ponto Park vs. development.
 - What we always fail to include for the citizens is all the other already planned development in the area, region, right across the border, ...
 - We approved a resort not knowing there's another resort already approved on the other side of Batiquitos lagoon (Alia Maria).
 - How many homes, units are already approved off La Costa Ave by the freeway? 100's? They will also need a South Ponto Park.
- Do not open the 60 acres along the coast. The reason it is so nice for everyone that lives here is because it is somewhat protected with limited parking.
- Do not allow more housing units along the coast – sites 18, 17...
- Is the city close to having approved ADU plans to choose from with approved affordable pre-built units? Is the city planning for 1,000's of ADUs and what are the rules for short term ADU rentals? What % are actually affordable?
- The city does not need any more resorts, hotels based on the last \$250K hotel occupancy survey 68%, and that was before Covid. Oceanside just added 15 new hotels, resorts? There are plenty for visitors to choose from.







Thanks, Patrick

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From: [Megan Gonzalez](#)
To: [Scott Donnell](#)
Cc: [Council Internet Email](#); [Keith Blackburn](#)
Subject: Reallocate future planning Site 10 & site 11 Bressi Ranch
Date: Tuesday, October 25, 2022 10:12:54 PM

Thank you for your response below, I would like this on record to reallocate site 10 and site 11 for future planning in other areas of Carlsbad.

Since early 2021 I have been in correspondence with your traffic division and planning division on solutions for traffic concerns and environmental issues that surround Kensington at the Square.

I have email correspondence with planning department, traffic division and Senior engineers who have also taken meetings with me on site to discuss the issues at hand.

Our Colt Place thoroughfare Private Road cuts our community in half - essentially a constant flow of vehicles and foot traffic. This road also connects our pool house and children's playground of which young children cross to and from each amenity area.

Our 125 homeowners have to maintenance this private road and the increased costs of repair would burden this small community.

Environmental concerns: emergency evacuations in a medium density with no main road route exits.

Our private resident only amenities areas that are not fenced for private access have already been abused as our HOA had to install signage to deter the onslaught of trespassers. Still ongoing issues with outsiders using our gas grills, picnic areas and play areas.

All reported to the Carlsbad Police Non- emergency.

Residential Break-in was reported to Carlsbad police. Numerous calls has been reported to Non-emergency over the past two years of this brand new community.

Geographical setting

High-to-very high expansion soils have been recorded 2014 and 2017. As noted in the study: Will not eliminate the potential for impacts due to highly expansive soils. Inherent risks associated with placing expansive soils near finished grade.

Many homeowners have concerns with the site 10 location and site 11 location.

The impact of traffic on our private road and environmental impacts.

Rezoning would be a huge negative impact on the current issues at hand.

Put this on record as a no.

Megan González
(760) 809-0608
Hoamegan@yahoo.com

On Oct 24, 2022, at 10:41 AM, Scott Donnell <Scott.Donnell@carlsbadca.gov> wrote:

Hi Megan,

Now I see what you mean about the link being inactivated. Yes, that was a link to a survey conducted last year, so it is not longer active.

However, as you probably know, we are now taking input on the environmental impacts to study that are related to the proposed housing sites and other project aspects through this Wednesday, Oct. 26.

Thank you.

Scott Donnell
Senior Planner
1635 Faraday Avenue
Carlsbad, CA 92008-7314
www.carlsbadca.gov

760-602-4618 | 760-602-8560 fax | scott.donnell@carlsbadca.gov

DURING THE CURRENT PUBLIC HEALTH EMERGENCY:
FOR ONGOING PROJECTS, PLEASE CONTACT YOUR PROJECT PLANNER TO SCHEDULE A RESUBMITTAL DROP-OFF APPOINTMENT.
FOR NEW PROJECT SUBMITTALS AND LANDSCAPE SUBMITTALS/RESUBMITTALS/ASBUILTS, PLEASE CALL OR EMAIL YOUR REQUEST FOR A SUBMITTAL DROP-OFF APPOINTMENT:
Phone: 760-602-4610
Email: planning@carlsbadca.gov

From: Megan Gonzalez <hoamegan@yahoo.com>
Sent: Saturday, October 22, 2022 10:49 AM
To: Scott Donnell <Scott.Donnell@carlsbadca.gov>
Cc: Scott Chadwick <Scott.Chadwick@carlsbadca.gov>; Priya Bhat-Patel <Priya.Bhat-Patel@carlsbadca.gov>
Subject: Site 10 & site 11

Re: site 10; site 11

Hello Scott please note this as on record for today is October 22 of which your survey site has been inactivated for input (survey link below).
Please add to this to the Public inquiry summary report on record as a no.
Many homeowners have concerns with the site 10 location and site 11 location.
The impact of traffic on our private road and environmental impacts.
Rezoning would be a huge negative impact on the current issues at hand.

Put this on record as a no.

Megan Gonzalez
Resident homeowner
Kensington at the Square

Thank you for your comments. They will be included in the public input summary report presented to the City Council early next year. You can also provide additional input through tomorrow via our online survey, available at <https://www.surveymonkey.com/r/housingsites> and continue to provide mail and email comments through October 22.

The lot should be developed as business/commercial in order to maintain consistency with past development on the surrounding larger parcel. Access to the 49 residences would be through a cul-de-sac that is already busy with traffic. 49 residences would only make things worse.

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CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [Steve Linke](#)
To: [Scott Donnell](#)
Subject: Requested analyses for prospective housing sites
Date: Wednesday, September 28, 2022 1:07:17 PM

Conduct vehicle miles traveled (VMT) analyses using the standard VMT map or SANDAG model run method--not custom methods designed to show no impact. As an adjunct to the environmental analyses, conduct multimodal level of service (MMLOS) analyses (pedestrian, bicycle, vehicle, and transit, as applicable to the surrounding roadways) based on all vehicle trips projected to be generated--without subtracting fake trips that are not actually occurring.

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From: [Douglas Fullmer](#)
To: [Scott Donnell](#)
Subject: Resident of Carlsbad comment
Date: Monday, September 19, 2022 12:07:50 PM

Hello Scott - Doug Fullmer here resending my comment. Sorry about that.

I would like to know how we support new housing, but unfortunately we aren't the only city building out because of state run ignorance . My first thought is water and power as our reservoirs have never seen these lows and our aquifers are depleted from over ground water pumping- some year round rivers have dried up w / no relief in site. We are already having rolling black outs- I don't get it. By over building would be the largest nail in the coffin .

Sent from my iPad

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From: [Madeleine Szabo](#)
To: [Scott Donnell](#); [Council Internet Email](#)
Subject: Revising the Housing Element
Date: Thursday, October 13, 2022 12:55:28 PM

Dear City Council,

Why does Carlsbad need more housing? Instead concentrate on reducing the **costs** of current housing so people aren't forced into the only affordable option, smaller multi-family dwelling units without privacy and property. Lobby the state to get rid of dictatorial mandates that crowd our city with more people and destroy the environment.

Environmental impacts? Bringing in more residents means greater use of electricity, water, roads, schools, city services. Dense housing impacts everyone's environment. It means destruction of more trees and natural habitats. It means the further depletion of scarce resources. More residents packed in multi-family buildings result in pollution and more garbage overflowing our landfills.

During the September heat wave, there was hardly enough electricity to accommodate current residents. Even the governor asked that Californians not charge their electric cars. How can the City take on more residents? Why should current residents suffer the effects of more crowded conditions?

The only "housing crisis" California has is overly expensive dwellings (versus other states). Rather than build more dwelling units, make current housing more affordable by cutting taxes, reducing fees, and minimizing unnecessary regulations that drive up costs.

Carlsbad does not need more cars. Even if the City built more lanes and more roads, the impact on the air quality of more cars is detrimental to the environment and public health.

Stop the nonsense. Push back against the State's undemocratic and unfair mandates. The State is promoting dense multi-family dwellings which impact the environment and quality of life. City governments **only** should respond to the needs and wants of the residents, not the State government which is further away from the people.

Respectfully submitted,
Madeleine Szabo

5338 Forecastle Court
Carlsbad, CA. 92008
mbszabo@snet.net
760-814-2550

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Oct. 17, 2022

City of Carlsbad Planning Dept.
Attn: Scott Donnell
1635 Faraday Ave.
Carlsbad, CA 92008

Dear Mr. Donnell,

I would like to share my input with you regarding Site #3 which is being considered as a future higher density housing site in our neighborhood. I am opposed to this idea for safety issues. Building so many units at the corner of Chestnut Avenue and El Camino Real is a safety hazard for several reasons. With all the children walking across this busy intersection for school or to go to the pool, it is already congested, and now with the influx of e-bikes being ridden by children alongside automobiles, it is a recipe for future disasters.

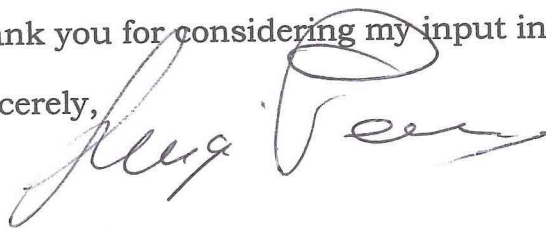
The driveways that would be needed for this project would have to be along the west side of El Camino Real, somewhere beyond the bus stop, so the flow of traffic in the right lane would be interrupted by busses, bikes, pedestrians, and cars exiting and entering the project at any given time. This is a dangerous plan when cars are driving at 55 MPH.

In addition, this area consists of exclusively single family homes, with only one condo project on the northwest corner. Residents of these homes/condos drive cars, and in the event of the need for evacuation, we would not be able to escape quickly enough from this area with the two main streets stopped with traffic. Adding more cars to this already dangerous intersection is not the wisest decision for our residents.

My suggestion is to plan for these proposed units to be built near already existing transportation hubs such as Poinsettia Station, Carlsbad Village Drive Station, or along Palomar Airport Road.

Thank you for considering my input in your decisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luigi Persico', written over a circular stamp or mark.

Luigi Persico



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED

Sep 13, 2022 11:27 AM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000734

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE - GPA
2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-001/EIR 2022-0007 (PUB2022-0010)

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

FILED IN THE OFFICE OF THE SAN DIEGO

COUNTY CLERK ON September 13, 2022

Posted September 13, 2022 **Removed** 10-13-2022

Returned to agency on 10-13-2022

DEPUTY D. Butler

**NOTICE OF PREPARATION of a
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

Pursuant to Section 15163(c) of the California Environmental Quality Act (CEQA) Guidelines, a supplement to an Environmental Impact Report (EIR) shall be given the same kind of notice and public review as is given a draft EIR under Section 15087. As stated in the CEQA Guidelines Section 15087, when an EIR is required for a project, a Notice of Preparation (NOP) describing the project and its potential environmental effects shall be prepared.

You are being notified of the City of Carlsbad's (city) intent, as Lead Agency, to prepare a Supplemental EIR (SEIR) for the Housing Element Implementation and Public Safety Element Update project as described below, which may be of interest to you and/or the organization or agency that you represent. The SEIR will be a supplement to the Carlsbad General Plan and Climate Action Plan EIR (State Clearinghouse # 2011011004), certified in 2015. This project is city-initiated.

PROJECT NAME: Housing Element Implementation and Public Safety Element Update - GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-001/EIR 2022-0007 (PUB2022-0010)

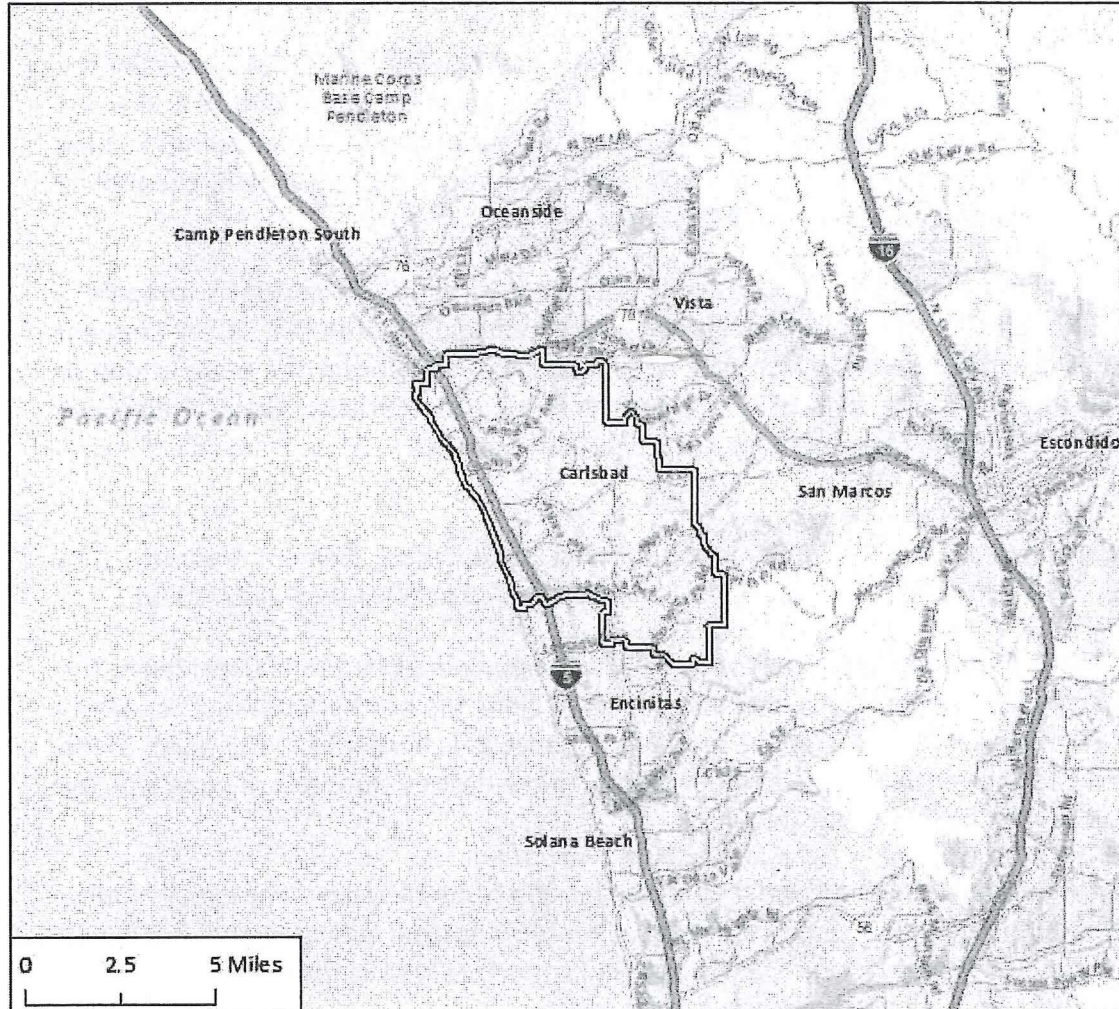
PROJECT LOCATION: Carlsbad is a coastal community with approximately 115,000 residents. The city is approximately 42 square miles in area and is located along the northern coast of San Diego County (about 30 miles north of the City of San Diego). Carlsbad is bordered to the north of the City of Oceanside, to the south by the City of Encinitas, to the east by the cities of Vista and San Marcos, and to the west by the Pacific Ocean.

The city contains a combination of industrial, commercial, and residential development, including a large regional shopping center, an auto-retail center, a large industrial park area, the LEGOLAND California Educational/Recreational Park, and a regional airport, as well as three lagoons, limited agricultural areas and large tracts of preserved open space.

Interstate 5, El Camino Real, and Carlsbad Boulevard provide the major north-south routes through the city, as does the San Diego Northern Railroad (SDNRR) line. Major east-west routes include Carlsbad Village Drive, Tamarack Avenue, Cannon Road, Palomar Airport Road, Poinsettia Lane, and La Costa Avenue.

The regional setting is depicted in Figure 1. The Planning Area consists of the existing city limits and is depicted in Figure 2.

Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2020.



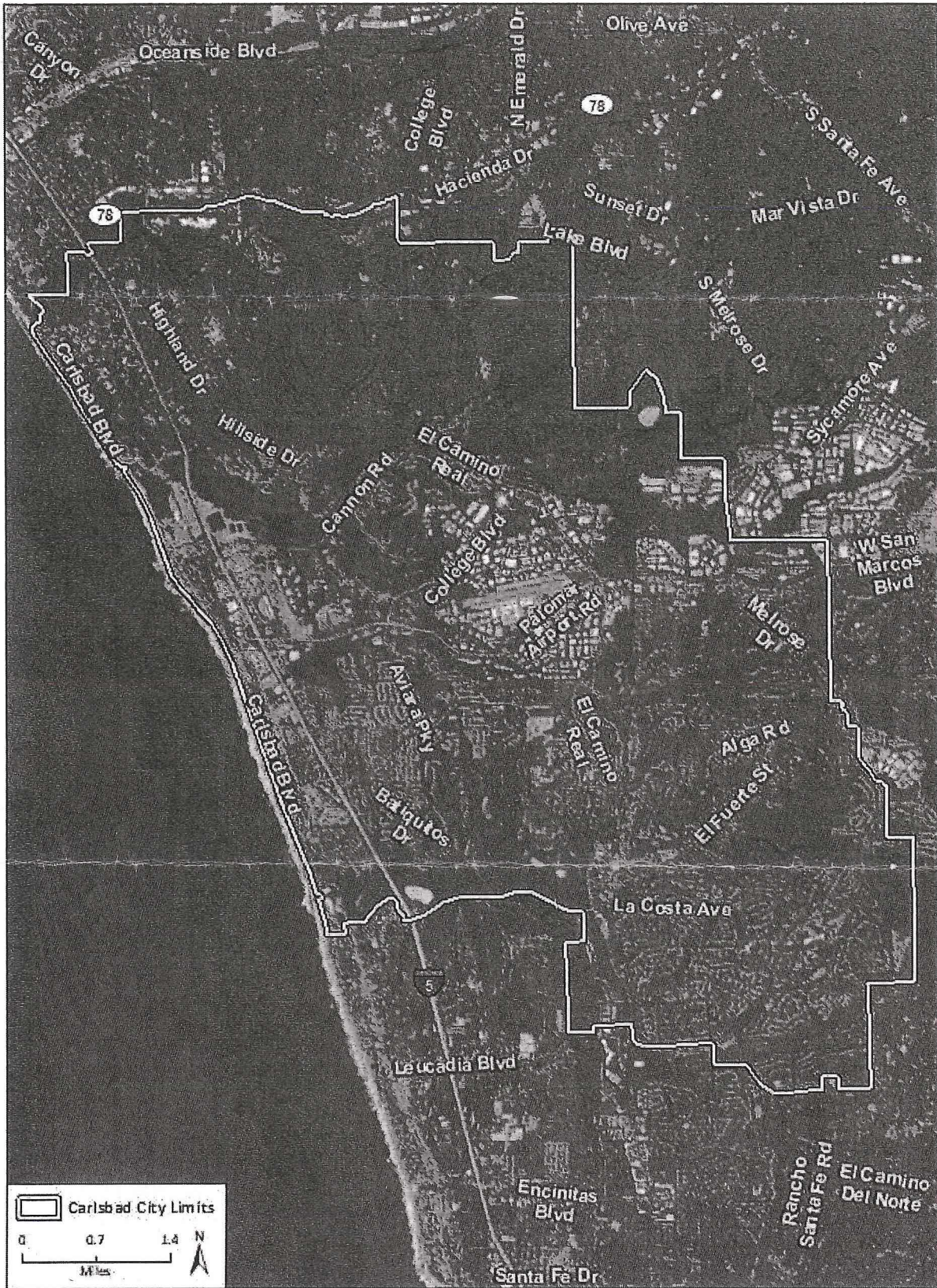
 Carlsbad City Limits 



Figure 2 Carlsbad City Boundaries



PROJECT DESCRIPTION: The project consists of updates to the General Plan, including the Land Use and Community Design Element and Public Safety Element, and updates to Carlsbad Municipal Code Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the city's Housing Element Update 2021-2029 (Housing Element), which was adopted by the Carlsbad City Council on April 6, 2021, and changes in state law.

General Plan Updates

Housing Element implementation triggers changes to the Land Use and Community Design Element. Furthermore, Housing Element approval and recently approved state housing and public safety legislation resulted in the need for changes to the Public Safety Element and the Zoning Ordinance. The Housing Element was analyzed under its own respective CEQA document, which was posted on the State Clearinghouse (SCH) website on April 22, 2021 (SCH#2011011004). Thus, this SEIR will solely analyze the potential impacts in relation to updates the city will propose to the General Plan, including the Land Use & Community Design Element and Public Safety Element, and to the city's Zoning Ordinance, discussed below.

Land Use & Community Design Element

The Land Use & Community Design Element provides the long-term vision, goals, and policies for Carlsbad through the year 2035. The overall focus is to accommodate change and growth in the city, while preserving and enhancing the features and attributes that make Carlsbad such a desirable place to live. Topics covered in the element include land use designations, revitalization of older neighborhoods, preservation of existing neighborhoods as well as environmental resources and open space, development of new neighborhoods with varied housing opportunities, land use constraints, and new opportunity areas. The element also includes goals and policies to help implement the element's vision and help maintain a healthy balance of development within Carlsbad.

As stated previously, implementation of the city's Housing Element triggers the need to make changes to the Land Use & Community Design Element, including the Land Use Map. These changes include the proposed addition of two new residential land use designations (R-35 and R-40) for the accommodation of higher density residential development, establishment of new minimum densities for some residential designations, miscellaneous, related changes to tables, text and policies, and changes to land use designations on multiple sites to accommodate the city's share of the Regional Housing Needs Assessment (RHNA).

The proposed changes to land use designations on multiple sites have been presented and discussed with the community on many occasions, including as part of the Housing Element adoption in April 2021, a City Council meeting in August 2021, public outreach conducted in fall 2021, and a City Council meeting on Feb. 15, 2022. At the February 2022 meeting, the City Council provided direction on specific sites to analyze environmentally as part of this SEIR and present for possible land use changes through the public hearing process, expected to occur in 2023.

More information on the potential housing sites identified, including a map, is available at carlsbadca.gov/housingplan.

Public Safety Element

The Public Safety Element is a required component of a City's General Plan that serves to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation associated with potential hazards. The recent approval of the Housing Element, including the identification of new housing sites for the 6th cycle Housing Element site inventory, have triggered required analysis and compliance with recent state safety legislation. The Public Safety Element Update will address the requirements of new State legislation and incorporate new policies based on updated local and regional data. The update will address these legislative requirements, including but not limited to:

- Senate Bill 99; Identification of two access points in all emergency evacuation routes in Carlsbad
- Senate Bill 379; Inclusion of a climate change vulnerability assessment
- Senate Bill 1035; Consideration of climate adaptation and resiliency
- Senate Bill 1241; Assessment of high fire hazard severity zones
- Assembly Bill 162; Assessment of flood hazard and management
- Assembly Bill 747; Evaluation of evacuation route capacity

Zoning Ordinance Update

Carlsbad Municipal Code (CMC) Title 21 is known as the Zoning Ordinance of the City of Carlsbad and consists of two main elements, the Zoning Ordinance and Zoning Map. To prevent incompatible land use relationships, the city's Zoning Ordinance and Zoning Map designate different areas or zones for different types of land uses and establish standards for development.

As a result of new policies and programs set forth in the Housing Element, along with recent state zoning legislation, updates to Title 21 will be made to ensure compliance with the General Plan and state law.

The Zoning Ordinance and Map implement the city's Local Coastal Program. Revisions to both will also trigger amendments to the Local Coastal Program that will be subsequently sent to the California Coastal Commission.

ENVIRONMENTAL ANALYSIS: Approval of the Housing Element Implementation and Public Safety Element Update project would not include approval of any physical development (e.g., construction of housing or infrastructure). However, the SEIR will assume that such actions are reasonably foreseeable future outcomes of the project. As such, the SEIR will evaluate the potential physical environmental impacts that could result from future actions for implementing the policies proposed under the project at a programmatic level, in accordance with CEQA Guidelines Section 15168. The topical areas that will be addressed in the SEIR are:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Greenhouse Gas Emissions
- Geology, Soils, and Seismicity
- Hazards & Hazardous Materials
- Hydrology, Flooding, and Water Quality
- Land Use
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire

In addition, the SEIR will address cumulative impacts, growth inducing impacts, alternatives, and other issues required by CEQA.

PUBLIC COMMENT PERIOD:

Written Comments

The public review period begins Sept. 14, 2022 and ends October 14, 2022. The City of Carlsbad welcomes and will consider all written comments regarding potential environmental impacts of the project and issues to be addressed in the SEIR. **Written comments must be submitted by Oct. 14, 2022.**

Please direct your comments to:

Mail: Scott Donnell, Senior Planner
 City of Carlsbad
 Planning Division
 1635 Faraday Avenue
 Carlsbad, California 92008

Email: Scott.Donnell@carlsbadca.gov

Please identify the name, phone number, and email address of a contact person at your agency. For members of the public, please also include your name and contact information, such as a phone number, email or postal address.

Scoping Meetings

The City of Carlsbad will host one in person SEIR Scoping Meeting and one SEIR Virtual Scoping Meeting. The purpose of the scoping meetings is to solicit input on the scope and content of the environmental analysis that will be included in the Draft SEIR for the Housing Element Implementation and Public Safety Element Update project. The date, time and link for the meeting are as follows:

Housing Element Implementation and Public Safety Element Update SEIR
Notice of Preparation
Page 7

In person meeting:

Sept. 26, 2022, 6 p.m.

Faraday Administration Center
1635 Faraday Avenue
Carlsbad, CA 92008

Virtual meeting:

Sept. 28, 2022, 6 p.m.

Register online at carlsbadca.gov/housingplan

MORE INFORMATION:

Call 442-339-2600 or visit carlsbadca.gov/housingplan

San Diego County



Transaction #: 6685551
Receipt #: 2022409515

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 09/13/2022
Cashier Location: SD

Print Date: 09/13/2022 11:28 am

Payment Summary

Total Fees:	\$0.00
Total Payments:	\$0.00
Balance:	\$0.00

Payment	
NO CHARGE PAYMENT	\$0.00
Total Payments	\$0.00
Filing	
CEQA - NOTICE	FILE #: 2022-000734 Date: 09/13/2022 11:27AM Pages: 8
Total Fees Due:	\$0.00
Grand Total - All Documents:	\$0.00



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED

Sep 13, 2022 03:36 PM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000737

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

HOUSING ELEMENT IMPLEMENTATION AND PUBLIC SAFETY ELEMENT UPDATE - GPA
2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-001/EIR 2022-0007 (PUB2022-0010)

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): **NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

FILED IN THE OFFICE OF THE SAN DIEGO

COUNTY CLERK ON September 13, 2022

Posted September 13, 2022 **Removed** 10-13-2022

Returned to agency on 10-14-2022

DEPUTY D. Butler

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

NOTICE OF PREPARATION of a

SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Pursuant to Section 15163(c) of the California Environmental Quality Act (CEQA) Guidelines, a supplement to an Environmental Impact Report (EIR) shall be given the same kind of notice and public review as is given a draft EIR under Section 15087. As stated in the CEQA Guidelines Section 15087, when an EIR is required for a project, a Notice of Preparation (NOP) describing the project and its potential environmental effects shall be prepared.

You are being notified of the City of Carlsbad's (city) intent, as Lead Agency, to prepare a Supplemental EIR (SEIR) for the Housing Element Implementation and Public Safety Element Update project as described below, which may be of interest to you and/or the organization or agency that you represent. The SEIR will be a supplement to the Carlsbad General Plan and Climate Action Plan EIR (State Clearinghouse # 2011011004), certified in 2015. This project is city-initiated.

PROJECT NAME: Housing Element Implementation and Public Safety Element Update - GPA 2022-0001/ZCA 2022-0004/ZC 2022-0001/LCPA 2022-001/EIR 2022-0007 (PUB2022-0010)

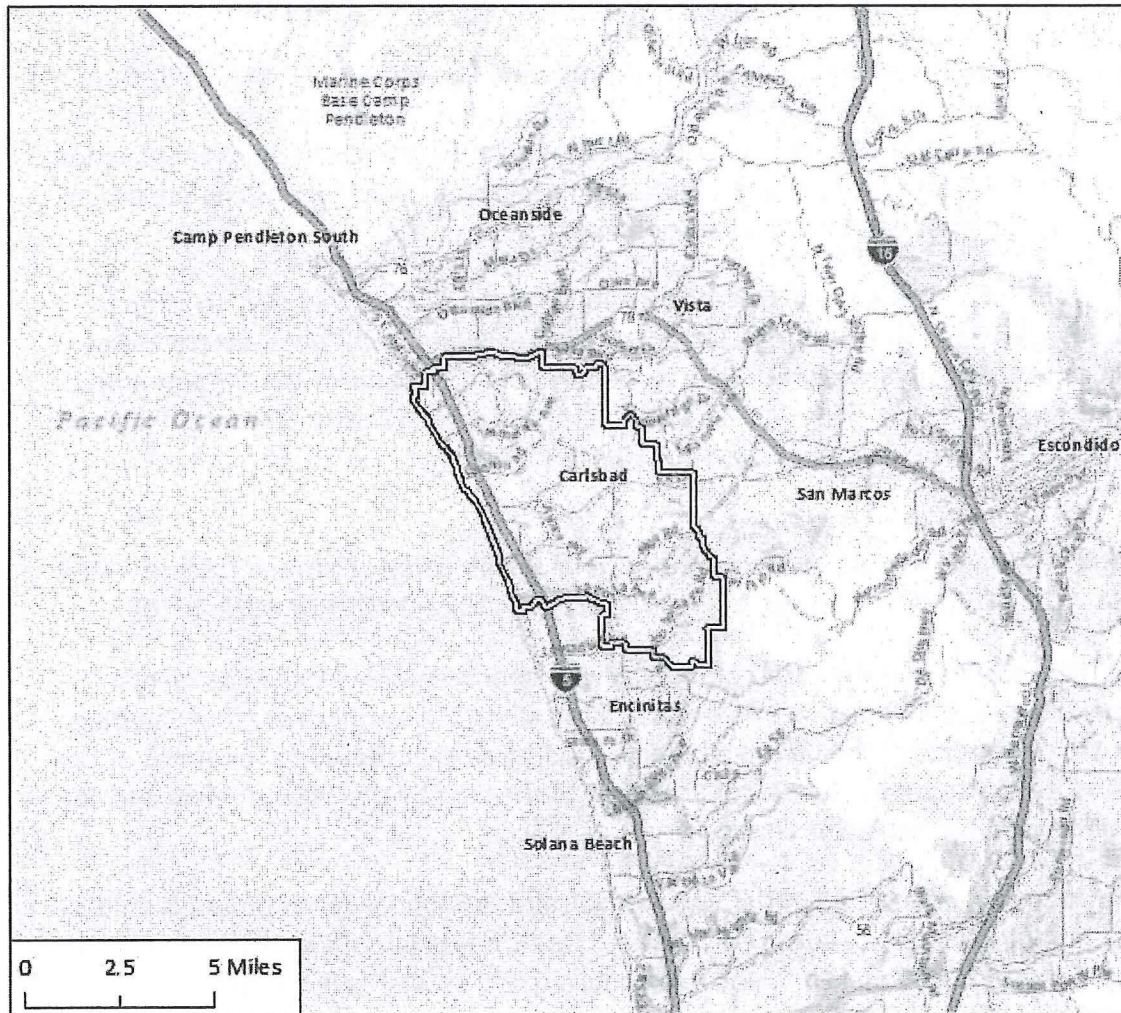
PROJECT LOCATION: Carlsbad is a coastal community with approximately 115,000 residents. The city is approximately 42 square miles in area and is located along the northern coast of San Diego County (about 30 miles north of the City of San Diego). Carlsbad is bordered to the north of the City of Oceanside, to the south by the City of Encinitas, to the east by the cities of Vista and San Marcos, and to the west by the Pacific Ocean.

The city contains a combination of industrial, commercial, and residential development, including a large regional shopping center, an auto-retail center, a large industrial park area, the LEGOLAND California Educational/Recreational Park, and a regional airport, as well as three lagoons, limited agricultural areas and large tracts of preserved open space.



Interstate 5, El Camino Real, and Carlsbad Boulevard provide the major north-south routes through the city, as does the San Diego Northern Railroad (SDNRR) line. Major east-west routes include Carlsbad Village Drive, Tamarack Avenue, Cannon Road, Palomar Airport Road, Poinsettia Lane, and La Costa Avenue.

The regional setting is depicted in Figure 1. The Planning Area consists of the existing city limits and is depicted in Figure 2.

Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2020.

 Carlsbad City Limits 

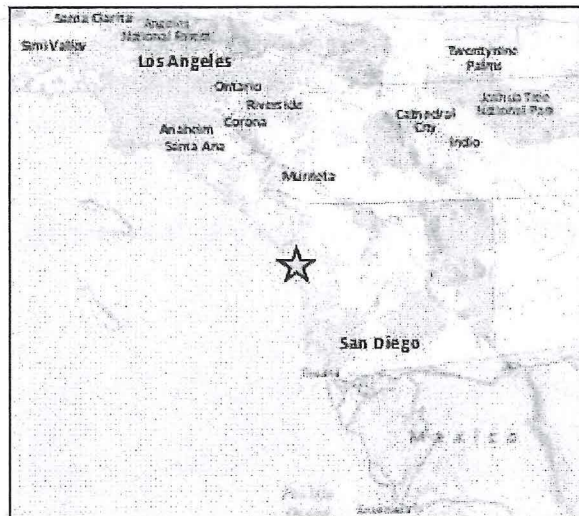
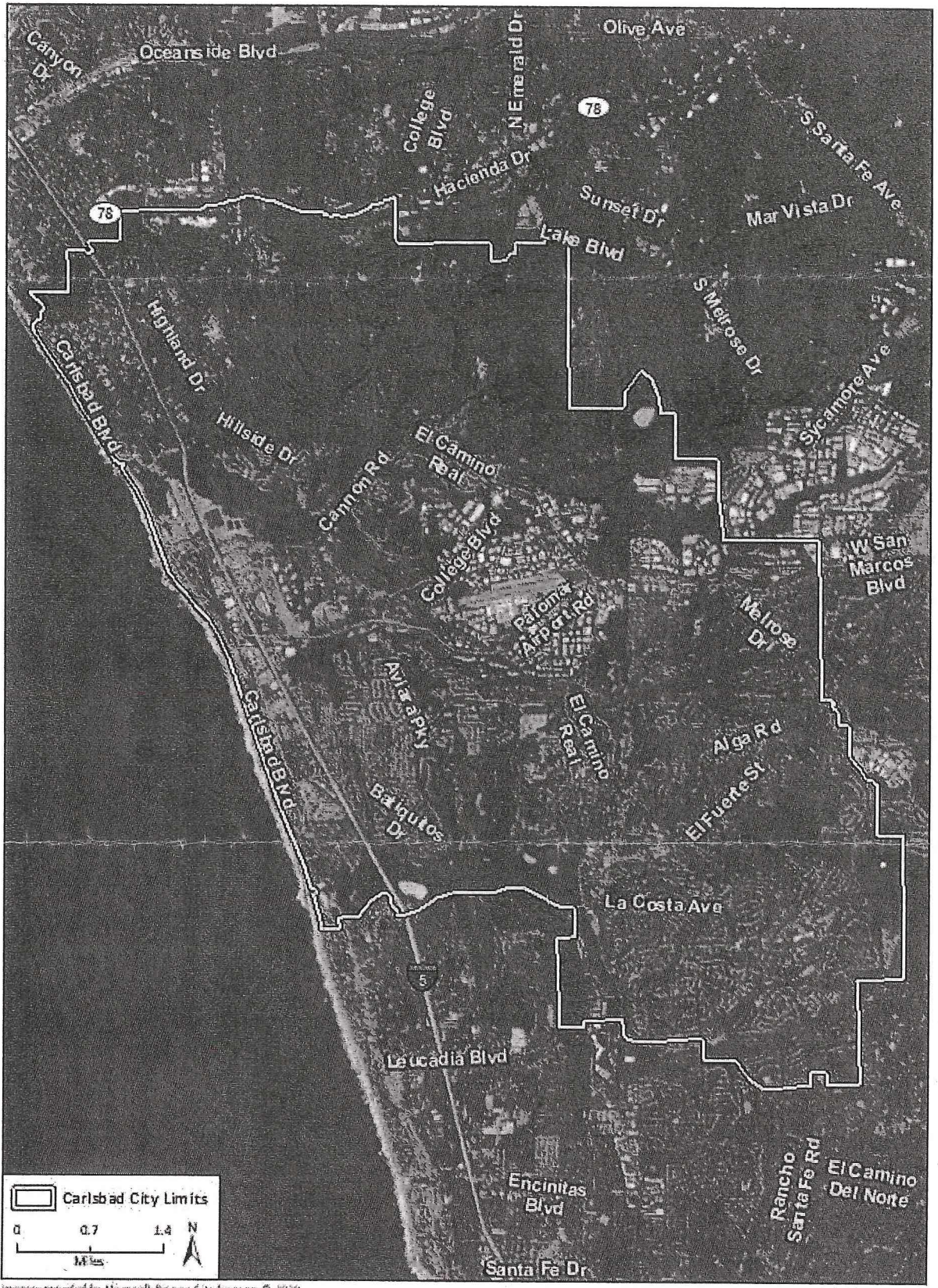


Figure 2 Carlsbad City Boundaries



PROJECT DESCRIPTION: The project consists of updates to the General Plan, including the Land Use and Community Design Element and Public Safety Element, and updates to Carlsbad Municipal Code Title 21, the Zoning Ordinance. The updates are necessary to implement the programs of the city's Housing Element Update 2021-2029 (Housing Element), which was adopted by the Carlsbad City Council on April 6, 2021, and changes in state law.

General Plan Updates

Housing Element implementation triggers changes to the Land Use and Community Design Element. Furthermore, Housing Element approval and recently approved state housing and public safety legislation resulted in the need for changes to the Public Safety Element and the Zoning Ordinance. The Housing Element was analyzed under its own respective CEQA document, which was posted on the State Clearinghouse (SCH) website on April 22, 2021 (SCH#2011011004). Thus, this SEIR will solely analyze the potential impacts in relation to updates the city will propose to the General Plan, including the Land Use & Community Design Element and Public Safety Element, and to the city's Zoning Ordinance, discussed below.

Land Use & Community Design Element

The Land Use & Community Design Element provides the long-term vision, goals, and policies for Carlsbad through the year 2035. The overall focus is to accommodate change and growth in the city, while preserving and enhancing the features and attributes that make Carlsbad such a desirable place to live. Topics covered in the element include land use designations, revitalization of older neighborhoods, preservation of existing neighborhoods as well as environmental resources and open space, development of new neighborhoods with varied housing opportunities, land use constraints, and new opportunity areas. The element also includes goals and policies to help implement the element's vision and help maintain a healthy balance of development within Carlsbad.

As stated previously, implementation of the city's Housing Element triggers the need to make changes to the Land Use & Community Design Element, including the Land Use Map. These changes include the proposed addition of two new residential land use designations (R-35 and R-40) for the accommodation of higher density residential development, establishment of new minimum densities for some residential designations, miscellaneous, related changes to tables, text and policies, and changes to land use designations on multiple sites to accommodate the city's share of the Regional Housing Needs Assessment (RHNA).

The proposed changes to land use designations on multiple sites have been presented and discussed with the community on many occasions, including as part of the Housing Element adoption in April 2021, a City Council meeting in August 2021, public outreach conducted in fall 2021, and a City Council meeting on Feb. 15, 2022. At the February 2022 meeting, the City Council provided direction on specific sites to analyze environmentally as part of this SEIR and present for possible land use changes through the public hearing process, expected to occur in 2023.

More information on the potential housing sites identified, including a map, is available at carlsbadca.gov/housingplan.

Public Safety Element

The Public Safety Element is a required component of a City's General Plan that serves to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation associated with potential hazards. The recent approval of the Housing Element, including the identification of new housing sites for the 6th cycle Housing Element site inventory, have triggered required analysis and compliance with recent state safety legislation. The Public Safety Element Update will address the requirements of new State legislation and incorporate new policies based on updated local and regional data. The update will address these legislative requirements, including but not limited to:

- Senate Bill 99; Identification of two access points in all emergency evacuation routes in Carlsbad
- Senate Bill 379; Inclusion of a climate change vulnerability assessment
- Senate Bill 1035; Consideration of climate adaptation and resiliency
- Senate Bill 1241; Assessment of high fire hazard severity zones
- Assembly Bill 162; Assessment of flood hazard and management
- Assembly Bill 747; Evaluation of evacuation route capacity

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Register online at carlsbadca.gov/housingplan

MORE INFORMATION:

Call 442-339-2600 or visit carlsbadca.gov/housingplan

San Diego County



Transaction #: 6743881
Receipt #: 2022425876

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 09/23/2022
Cashier Location: SD

Print Date: 09/23/2022 2:35 pm

Payment Summary

Total Fees:	\$0.00
Total Payments:	\$0.00
Balance:	\$0.00

Payment	
NO CHARGE PAYMENT	\$0.00
Total Payments	\$0.00
Filing	
CEQA - NOTICE	FILE #: 2022-000768 Date: 09/23/2022 2:31PM Pages: 8
Total Fees Due:	\$0.00
Grand Total - All Documents:	\$0.00

Planning Division
City of Carlsbad
1635 Faraday Ave.
Carlsbad, CA 92018
Dear Mr. Donnell,

Oct. 10, 2022

Thank you for the opportunity to comment on the future housing sites. My comments below are for Site # 3 at the corner of El Camino Real and Chestnut Avenue. I object to the proposed development at Site #3 for the reasons stated below, followed by alternative suggestions:

- 1) SAFETY- The additional traffic generated by the up-zoning and higher density as proposed creates a traffic safety hazard in an already congested and highly traveled intersection. This portion of El Camino Real currently serves as an alternative to Interstate 5 for drivers coming from the east on Highway 78. Vehicles are driving at 55 MPH or greater heading south to Tamarack Ave or Cannon Rd as an alternative to getting delayed in traffic at the I-5 and Highway 78 interchange. Traveling at that rate of speed, approaching and crossing the intersection of Chestnut, and then having to stop short after a slight downhill while approaching a possible stopped bus or for the numerous cars and e-bikes that could be exiting the proposed project on to El Camino Real is not safe. Not only is it dangerous, but it would inhibit the flow of traffic on this main thoroughfare.
- 2) ENVIRONMENT- The beautiful old growth grove of healthy, majestic eucalyptus trees are part of the character of Carlsbad. They took a lifetime to grow, beautify our neighborhood, and have become the home of owls, hawks, and other wildlife that all have a place and purpose in our natural environment. Without these predators, our rodent and pest population increases. Without these trees that clean our air and cool the temperature, our air quality and general quality of life suffers. Is it really worth losing this entire irreplaceable grove and its important role in preserving our neighborhood's character and quality of life for the sole benefit of adding more housing in an already densely packed area which is already built out?

I ask each of the decision makers to look at City Council Resolution No. 7642, Exhibit "A", titled "El Camino Real Corridor Development Standards". According to this document, the intent and purpose is to "maintain and enhance the appearance of the El Camino Real roadway area" and "reflect the existence of certain identified characteristics which the City considers worthy of preservation" as well as "a general design concept for the entire length of the 126 foot wide El Camino Real right of way" including "restrictions for private properties fronting on the roadway." Is this document no longer valid?

My suggestion for an alternative site to place the displaced units would be to slightly increase the density at each of the other proposed sites to accommodate the approximately 28 units planned.

As another alternative, the recently passed Assembly Bill 2011 allows for affordable housing to be built on commercially zoned land and along commercial corridors. Perhaps Site #'s 9, 10, 11, or 12 would be appropriate as those sites are located along the commercial corridor of Palomar Airport Rd. with easy access to I-5, bus routes, and the airport.

Since any development at Site # 3 would add a strong element of danger to drivers, e-bike riders, and pedestrians, as well as being detrimental to the environment, I suggest that the City consider using Proposition C funds to purchase the property as open space so that the existing neighborhoods can continue to enjoy the benefits of this natural habitat as the City maintains its commitment to "preserving unique city resources".

Thank you for the opportunity to be able to share my comments on Site #3.

Regards,



Diane Lech

PO Box 489

Carlsbad, CA 92018

619-322-8080



NATIVE AMERICAN HERITAGE COMMISSION

September 27, 2022

Scott Donnell
City of Carlsbad, Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
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Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2022090339, Housing Element Implementation and Public Safety Element Update Project, San Diego County

Dear Mr. Donnell:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse



NATIVE AMERICAN HERITAGE COMMISSION

City of Carlsbad

October 14, 2022

OCT 17 2022

Scott Donnell
City of Carlsbad, Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

Planning Division

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Luiseño

VICE CHAIRPERSON
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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2022090339, Housing Element Implementation and Public Safety Element Update Project, San Diego County

Dear Mr. Donnell:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

From: hopen51@att.net
To: [Scott Donnell](#)
Subject: Scoping Comments submitted by Citizens for a Friendly Airport
Date: Wednesday, October 26, 2022 4:50:57 PM
Attachments: [2022-10-26 Scoping comments to Scott Donnell.pdf](#)

Scott Donnell, Senior Planner
City of Carlsbad
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
Scott.Donnell@carlsbadca.gov

Mr. Donnell,

Please see the attached document from Citizens for a Friendly Airport (C4FA). This is to go on record as our group's comment regarding RHNA Scoping. We hope consideration will be given specific to McClellan-Palomar Airport impact on the sites in the Airport Impact Area before any final decisions are determined.

Thank you for the opportunity to comment.

Sincerely,
Hope Nelson
Mary Anne Viney
Representing C4FA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [Jim Plotkin](#)
To: [Scott Donnell](#)
Subject: Site 8 Potential Housing
Date: Saturday, September 24, 2022 3:49:40 PM

Scott,

I do not know what type of feedback the city is looking for on this topic.

We are against the City expanding the Cottages and the proposed new apartment units nearby as well.

I live in Shorepointe (and very close to the Cottages) along with a few hundred other homes. I did not move here to have 500+ or so apartment units built right around the corner. The Cottages being expanded from 24 to 150 is crowded. This property is very close to our property. Recently we had two teenagers on our slope behind our house (near the cottages) smoking pot, littering and drinking. They were on private property. We are not looking for more trespassing due to the overcrowding nearby.

On top of that I was under the impression that there are 300 or more apartment units going in right next to the cottages and across the street. In addition, we already have 1 or 200 hundred low-income housing units across the street. I understand the state is mandating all of this housing, but shoving it in right on top of single-family developments is not the reason most or all of us moved into this area and neighborhood. When we purchased this home, our only concern was the airport noise not hundreds of new apartments. We have been in this neighborhood since March of 2002 and this area since 1997.

Maybe my stats or information are not spot on, but living in a nice neighborhood with 500 plus apartment units right on top of us is not my idea of why I live in this neighborhood or in Carlsbad. 24-hour fitness and their clients plus all of these apartments will create traffic issues and overcrowding. I doubt most City employees and council members are looking to move into a new neighborhood with 500 apartments right around the corner from their home.

If you're looking for different feedback, please advise.

Thanks,
Jim Plotkin
Calmeria Place

[CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.](#)

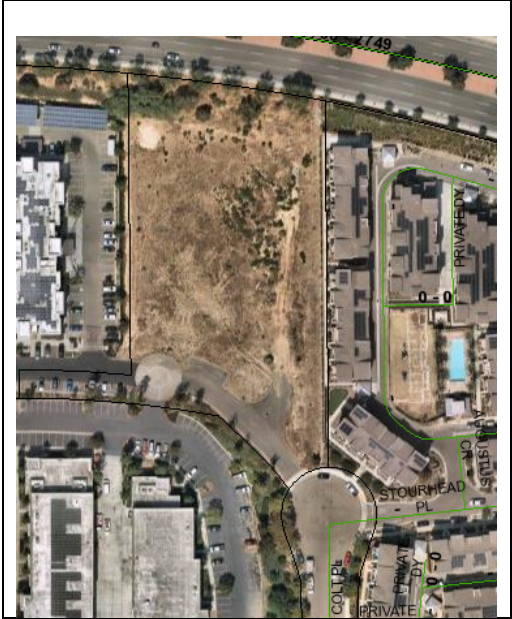
POTENTIAL HOUSING SITES

Site Number: 10 – Bressi Ranch Colt Place industrial parcel

SITE DESCRIPTION

The site consists of a vacant 2.6-acre lot between the new Kensington at the Square townhomes to the east and the Staybridge Suites to the west. It is accessed from the north end of Colt Place and backs to Palomar Airport Road.

The lot has been previously graded. About .60 acre of the property along Palomar Airport Road is restricted by the McClellan-Palomar Airport Safety Zone 2, which allows only low-density residential development. This portion can count toward determining the site’s density but cannot itself be developed with any dwelling units at the density proposed. None of the lot is impacted by airport noise such that residential construction would be precluded.



SITE FEATURES

- Vacant
- Graded
- Industrially designated
- Utilities accessible
- Airport constraints
- Close to services and jobs

SITE OPPORTUNITY

Under consideration are changes to the properties land use designation from PI, Planned Industrial, to R-23. The R-23 designation would permit a density range of 19 to 23 dwelling units per acre (du/ac). This density is the same as that applied to the Kensington at the Square townhomes to the east. Development of the parcel at the minimum density could potentially yield approximately 50 units.

The property owner is supportive of the designation change from PI to R-23, and a letter is attached.

To change the properties’ designations to R-23, amendments to the General Plan, Zoning Ordinance, and Bressi Ranch Master Plan would be necessary and would require City Council approval. If the amendments were approved, industrial uses would no longer be permitted on the property.

The table below summarizes information about the site.

Parcels Numbers	213-262-17	GMP Quadrant	Southeast
Ownership	Private	Parcel Size	Approximately 2.6 acres
Current General Plan Designation	PI (Planned Industrial)	Proposed General Plan Designation	R-23 (Residential, 19 to 23 du/ac)
Current Residential Opportunity	0 units	Proposed Residential Opportunity	Approximately 50 units (at 19 du/ac)
Income category of units (based on minimum density)	Moderate		



September 15, 2020

Don Neu, City Planner
City of Carlsbad – Planning Department
1635 Faraday Avenue,
Carlsbad, CA 92008

SUBJECT: Housing Element Update – Additional Site for Housing – Bressi Ranch – APN 213-262-17

Mr. Neu,

The purpose of this letter is to formally request that the Carlsbad Housing Element Advisory Committee and the Planning Department Staff consider an additional site for housing within the Bressi Ranch Master Plan area.

The requested site is located at the end of Colt Place on a vacant 2.6 acre parcel (APN 213-262-17) located between the existing Staybridge Suites hotel to the west and the Uptown Bressi residential project built by Shea Homes to the east. The proposed site location would be appropriate for high density residential.

The proposed project site meets many of the general plan goals, smart growth guidelines, comments made by the City Council and comments provided by the public.

Carlsbad General Plan - Land Use and Community Design

Goal 2 -G.1 – Promotes the “arrangement of varied uses that serve to protect and enhance the character and image of the city” by providing additional housing adjacent to existing high-density housing within a Master Planned Community already containing varied uses.

Goal 2 – G.2 – Promotes “a diversity of compatible land uses throughout the city to enable people to live close to job locations, adequate and convenient commercial services and public support systems such as transit, parks school and utilities”. This project achieves all of these by being located within the Bressi Ranch Master Plan and adjacent to Palomar Airport Road.

Goal 2 – G.3 – Promotes “infill development that makes efficient use of limited land supply”. The proposed site is one of the last remaining vacant properties in Bressi Ranch and would continue to enhance the Bressi Ranch overall all theme of a walkable community.

Goal 2 – G.4 – “Provide balanced neighborhoods with a variety of housing types and density ranges.” The proposed density at an R-30 level would provide for a new higher density that further enhances the workforce housing desperately needed in this are of the City of Carlsbad.

Goals 2 – G.5 – “Protect the neighborhood atmosphere and identity of existing residential area.” This site is located within the Bressi Ranch Master Plan and the master owner’s association would help ensure the protection of the neighborhood atmosphere.

Smart Growth -

According to SANDAG, “Smart growth is a compact, efficient, and environmentally-sensitive urban development pattern. It focuses future growth and infill development close to jobs, services, and public facilities to maximize the use of existing infrastructure and preserve open space and natural resources. Smart growth is characterized by more compact, higher density development in urbanized areas throughout the region. These areas are walkable, bike-friendly, near public transit, and promote good community design, resulting in housing and transportation choices for those who live and work in these areas.” This project site fits near perfectly into this definition. The location as specified previously is close to jobs, services and shopping. It is walkable, bike friendly and near public transportation and is adjacent to a major transit corridor.

City Council –

Provision of Workforce Housing – Similar to the General Plan Goal 2-G.2, the proposed site is located in very close proximity to many employment opportunities and the price point at the higher density should provide for more affordable type workforce housing.

Housing for Hospitality Sector – This proposed site would be located adjacent to two hotels.

Housing Along Transit Corridors – This proposed site is adjacent to Palomar Airport Road.

Public Comments –

Desire for Affordable Housing – Many comments expressed a desire for housing that is more affordable. This site proposes housing at a higher density and would therefore be more affordable.

Support for Housing in Industrial Areas – As a part of the survey questions, the highest-ranking location for new housing was “At vacant industrial sites that have been converted to residential use”.

The current owner of this property also owns the hotels to the west and would like to provide the opportunity for his employees to live, work and shop in close proximity to the hotels. Additionally, this would also provide another opportunity for local employers to encourage their employees to live closer to their places of work. This will provide the ability to decrease VMTs and reduce carbon emissions. We believe support for such housing would be high within the Bressi Ranch employment centers.

Please include this location as a part of the list of properties to be reviewed by the Housing Element Advisory Committee. We appreciate your consideration of this request and look forward to working with the Housing Committee and City Staff on this effort. If you have any questions, please feel free to contact me.

Sincerely,



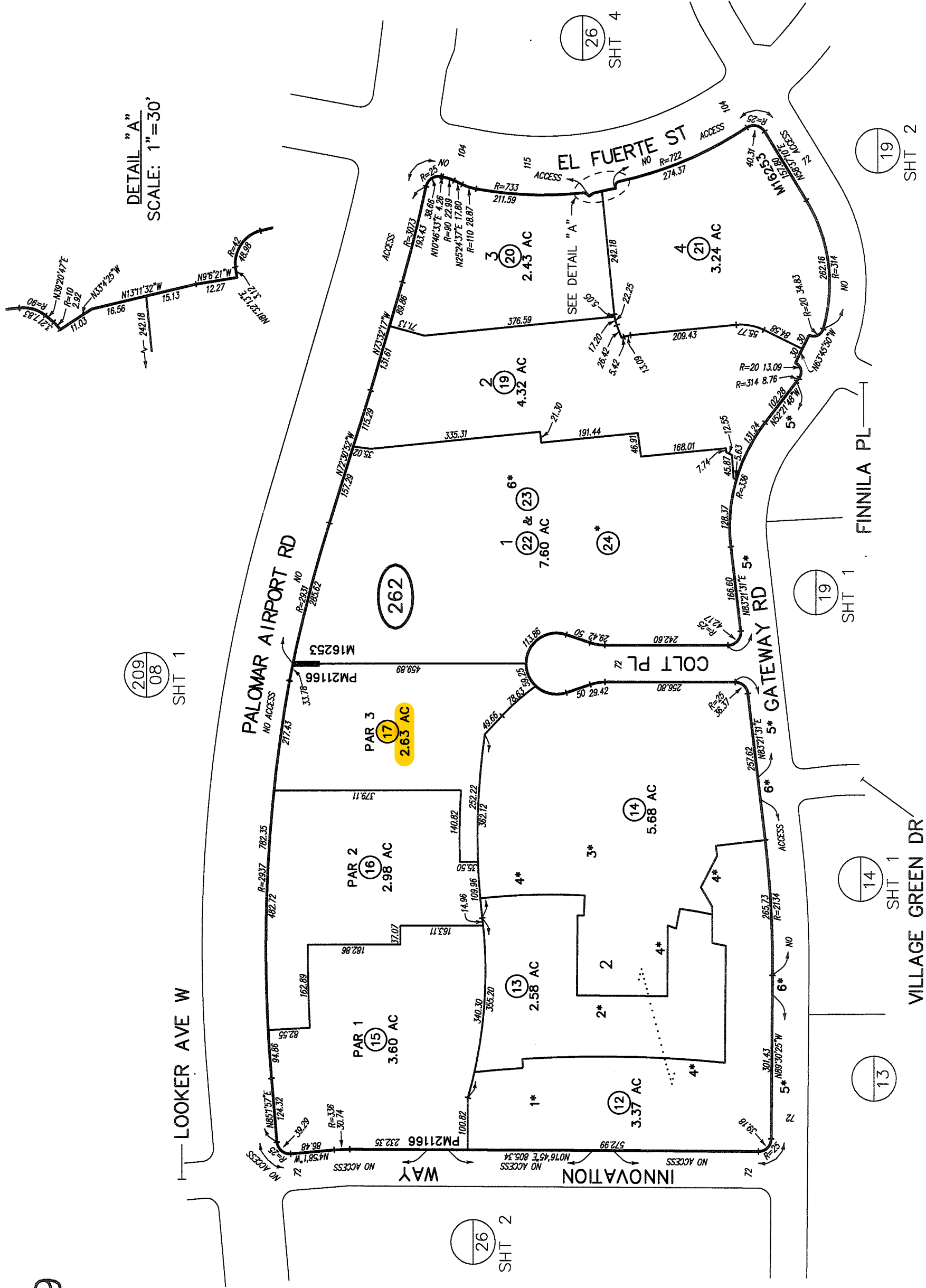
Stan Weiler, AICP
HWL - President

CHANGES

BLK	PRIOR APN	NEW APN	YR	CUT NO.
262				
	01 THRU 05	10	07	1653
	11, 12, 13, 14 & CONDO	15 THRU 17	15	1144
	06, 08, & 09	18 THRU 21	19	3
	07 & 18	22	19	1285
	22	22, 23, SIDS & 24	20	562

*** COMMON AREA**

- 1* CONDO
THE TOWERS AT BRESSI RANCH
PHASE I
DOC2007-0660041
(SEE SHT 5)
- 2* CONDO
THE TOWERS AT BRESSI RANCH
PHASE II
DOC2007-0667829
(SEE SHT 5)
- 3* CONDO
THE TOWERS AT BRESSI RANCH
PHASE III
DOC2007-0667830
(SEE SHT 5)
- 4* SEE CONDO PLANS FOR
BRGS & DISTS
- 5* NO ACCESS
- 6* CONDO
KENSINGTON AT THE SQUARE
DOC2019-0230474
(SEE SHT 6)



MAP 16253 - CARLSBAD TCT NO. 14-09 UPTOWN BRESSI RANCH
 MAP 15630 - CARLSBAD TCT CT 06-20 THE TOWERS AT BRESSI RANCH
 MAP 14960 - CARLSBAD TCT CT 02-15

POTENTIAL HOUSING SITES

Site Number: 11 – Bressi Ranch Gateway Road industrial parcels

SITE DESCRIPTION

The site consists of two vacant industrial parcels south of Palomar Airport Road in Bressi Ranch. The adjacent parcels are along Gateway Road, just east of Pizza Port. The two parcels total about 5.33 acres.

There are no known physical constraints to development due to environmentally sensitive areas and the parcels are located outside the McClellan-Palomar Airport safety zones. Airport noise as well is not a constraint to residential development.



SITE FEATURES

- Vacant
- Graded
- Industrially designated
- Utilities accessible
- No site constraints
- Close to services and jobs

SITE OPPORTUNITY

Under consideration is a change of each property’s land use designation from PI, Planned Industrial, to R-40, a new high-density residential land use designation. The R-40 designation would permit a density range of 37.5 to 40 dwelling units per acre (du/ac). This proposed designation is typical of apartments up to four to five stories tall. Together, both parcels could yield about 200 homes if developed at the minimum density.

The property owner is supportive of the designation change from PI to R-40.

To change the properties’ designations to R-40, amendments to the General Plan, Zoning Ordinance, and Bressi Ranch Master Plan would be necessary and would require City Council approval. If the amendments were approved, industrial uses would no longer be permitted on the properties but would continue to be permitted on surrounding properties.

The table below summarizes information about the site, including affordability of the units that could yield from the site’s development.

Parcels Numbers	213-263-19, 213-263-20	GMP Quadrant	Southeast
Ownership	Private	Parcel Size	Approximately 5.33 acres (both parcels)
Current General Plan Designation	PI (Planned Industrial)	Proposed General Plan Designation	R-40 (Residential, 37.5 to 40 du/ac)
Current Residential Opportunity	0 units	Proposed Residential Opportunity	Approximately 200 units (at 37.5 du/ac)
Income category of units (based on minimum density)	Lower		

From: willowbrookapple@aol.com
To: [Scott Donnell](#)
Subject: Site 14
Date: Friday, September 23, 2022 6:32:19 PM

Mr Donnell,

Thank you for the opportunity to express my concerns regarding the proposed 200 unit low income development near the village train station.

I bought a town home nearby for well over a million dollars. I feel we are being punishment doubly for buying close to transit. Not only do I hear the incessant train and buses and have to deal with the homeless, now it is an excuse to use expensive property close to the beach to meet state mandates. This area is already overwhelmed with problems. Please do not add 200 low cost units into the mix. This proposal will drive away the very people you want to live in the village. Those who can afford to support the local businesses year round. Do not create an undesirable area centered around transit. You will ultimately destroy the very thing our village needs, individuals happy to buy expensive housing which happens to come with lots of tax dollars for our beautiful city. Please help keep the village a place where people choose to live. I urge you to discontinue considering site 14.

Cheryl Swanson

[Sent from the all new AOL app for Android](#)

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From: [Michael Kroopkin](#)
To: [Scott Donnell](#)
Subject: site plan
Date: Friday, September 16, 2022 2:06:33 PM

Sorry I won't be able attend as that date is a major Jewish Holiday. However, I feel it is important to strongly protest the use of Site 4,, That area is always one of the most congested areas along ECR and to build multiple housing units there would only increase the problems, On paper it might look good but for everyone that lives in that general area it would be a major problem. I am asking that you reconsider for the good of the City.

Often I feel like my comments fall on deaf ears, I hope this is not one of those times.

Michael J. Kroopkin
2322 Masters Rd
760-931-6786

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From: [Christine Amato](#)
To: [Scott Donnell](#)
Subject: Sites 10 & 11
Date: Saturday, October 22, 2022 3:02:15 PM

Hello Scott,

Please note this as on record for today, October 22, as your survey has been inactivated for input.

Please add to the public inquiry summary report on record as a no. Many homeowners have concerns with sites 10 and 11, and the impact of traffic on our private road and the environmental impact. Rezoning would be a huge negative due to the issues at hand. Our community is already dealing with inadequate street parking for overflow and guests, and many many people using our street to gain access to the shopping center. This is a hazard to our families as many children ride bikes and scooters in street

I will again reiterate a no to sites 10 and 11 in Carlsbad.

Christine Amato
Kensington At The Square
Resident and homeowner

Sent from my iPhone

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From: [Michael Kroopkin](#)
To: [Scott Donnell](#)
Subject: The environment
Date: Wednesday, October 12, 2022 3:41:14 PM

I know I have written before regarding my great concern over building low income housing on el Camino real. The impact of another possibility of a thousand more cars on ecr is very concerning not only from a traffic issue but for our environment. Carlsbad does not have a good situation regarding our air pollution both because of the high amount of traffic limited to just three east and west bound arteries but also because of the airport. Adding additional traffic is just adding to our already existing issues. Please reconsider any additional building along el Camino There has to be a better way. Thank you Michael kroopkin 2322 masters rd.

Sent from my iPhone

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From: [Kervin Krause](#)
To: [Scott Donnell](#)
Subject: The Shoppes Mall Property
Date: Friday, September 16, 2022 10:22:47 AM

Hello,

Please give us an update on the future plans at the Shoppes Mall location with so much potential. This is partly in response to the email sent about developing city-owned land. 5 years ago the council denied an application to develop our much-needed housing in such an amazing location! And this would actually offer the much needed affordable housing than the \$1.5-2M condos taking over "The Village".

We enjoyed shopping at Westfield mall since the late '80s. Although now we do most of our shopping online, in The Village or along the PCH101 - although we do occasionally go to a movie or one of the restaurants here. We understand the city owns the parking lot. Our family feels this is an amazing yet underutilized location. So close to the 5 & 78 yet most of the parking lot sits empty most of the time. The transit area is dystopian in ugliness, it even feels dangerous at night being so far away from everything else.

Here is some further info I found on the proposed project.

“We would be taking a blighted area and a sea of asphalt into a walkable, livable community with additional green space for the community,” Goldman said.

Brian Harper, CEO of Rouse Properties, sent a letter to the city in March explaining why this development is a positive for the city and Rouse.

“We see The Shoppes at Carlsbad as the premiere multi-dimensional experience in the area and we believe the current improvements are simply the foundation for a first-class property,” Harper wrote. “The west end of the property, partially under city ownership, is currently a large and underutilized parking lot that represents surplus parking not required for the shopping center’s operations or compliance with city parking codes.”

<https://thecoastnews.com/carlsbad-denies-application-for-mixed-use-development>

Thank you,
Segovia-Krause Family
1220 Stratford Lane

Carlsbad Village by-the-Sea

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