



PUBLIC NOTICE

NOTICE OF AVAILABILITY OF DRAFT LOCAL COASTAL PROGRAM AMENDMENT

Please be advised that the City of Carlsbad is considering text amendments to its Local Coastal Program (LCP) as summarized below. This LCP Amendment is being proposed by the City of Carlsbad and is currently under review. This notice hereby opens a six-week review period after which the Planning Commission and City Council will consider all comments and act on the proposed LCP Amendment. The Planning Commission and City Council public hearings are expected to take place in fall/winter 2024. Notice of the Planning Commission and City Council public hearings for this project will be published at a later time.

Copies of the LCP Amendment are available for review at the following locations: (1) Carlsbad Planning Division, 1635 Faraday Avenue; (2) City Clerk's Office, 1200 Carlsbad Village Drive; (3) Carlsbad Main Library, 1775 Dove Lane; (4) Georgina Cole Library, 1250 Carlsbad Village Drive; and (5) the California Coastal Commission, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-4402. The LCP Amendment is also posted on the city's website at <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notice>.

Project Number and Title: GPA2024-0001/ZCA2024-0003/LCPA2024-0021 (PUB2024-0008) – Code Amendments for New and Expanded Airports

Project Applicant: City of Carlsbad

Comment Period: The public review period begins on **Tuesday, May 21, 2024** and ends on **Monday, July 8, 2024**. Your comments may be submitted in writing to the City of Carlsbad Planning Division, Attn: Mike Strong, Assistant Community Development Director, 1635 Faraday Avenue, Carlsbad, California 92008, or via e-mail to mike.strong@carlsbadca.gov no later than 5 p.m. on July 8, 2024.

Project Address/Location: The area affected is citywide. The proposed project consists of General Plan, Zoning Code, and Local Coastal Program Amendments.

Project Description: The proposed project consists of code amendments for new and expanded airport uses. The draft code amendments specify and clarify code requirements and permit review procedures for new or expanded airport uses, or where there is an acquisition of property beyond the current boundaries of the airport.

The draft General Plan Amendment is as follows: The proposed amendment would amend the text and define "airport" and "airport expansion" and allow an airport with approval of a conditional use permit by the City Council only within the boundary of McClellan-Palomar

Community Development Department

Planning Division | 1635 Faraday Avenue | Carlsbad, CA 92008-7314 | 442-339-2600

Airport and prohibit an airport in all other zones and on all other properties within the city. The current Airport Reference Code for McClellan-Palomar Airport, defined in the FAA's Airport Design Advisory Circular, is a B-II design classification. The proposed amendment would also add language that support a B-II Enhanced Alternative McClellan-Palomar design classification, as set forth in the Airport Master Plan, so long as that classification does not require a runway extension.

The draft Zoning Code Amendment is as follows: The proposed amendment would amend Zoning Ordinance text and define "airport" and "airport expansion" and allow an airport with approval of a conditional use permit by the City Council only within the boundary of McClellan-Palomar Airport proposed on the city's Zoning Map and prohibit an airport in all other zones and on all other properties within the city.

The city's General Plan and Zoning Code (Title 21; Zoning Ordinance) are considered part of the city's Coastal Land Use Plan and Coastal Implementation Plan for the city's LCP. Accordingly, the LCP Amendment is necessary to ensure consistency between the city's proposed General Plan and Zoning Code amendments and its LCP.

Changes proposed to the General Plan, Zoning Code, and LCP are attached. The city will carry out the amendment in accordance with the Coastal Act. Pursuant to the Coastal Act, final action by the City Council on the LCP Amendment will not occur prior to six weeks after publication and mailing of this "Notice of Availability of draft Local Coastal Program Amendment." The LCP Amendment will take effect automatically upon Coastal Commission approval. Please note the airport and proposed boundary around it are outside the Coastal Zone. Amendments to the General Plan and Zoning Code would become effective outside of the Coastal Zone 30 days after adoption.

Further information about McClellan-Palomar Airport and related City and County actions is available at <https://www.carlsbadca.gov/residents/about-carlsbad/getting-around/mcclellan-palomar-airport>. If you have any questions, please contact Mike Strong, Assistant Community Development Director, at (442) 339-2721 or mike.strong@carlsbadca.gov. Written comments should be sent to the Planning Division at 1635 Faraday Avenue, Carlsbad, California 92008.

PUBLISH DATE: May 24, 2024

Notes: If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The draft amendment is available for review at the times and places described here within this notice. If you have questions regarding the draft amendment to the Local Coastal Program or this notice, please contact Mike Strong, Assistant Community Development Director, at (442) 339-2721 or mike.strong@carlsbadca.gov.

City of Carlsbad Proposed General Plan and Zoning Code Amendments

SECTION 1. GENERAL PLAN AMENDMENTS

Amend the policy 2-P.39 of the Land Use Element portion of the General Plan to read as specified below, signified as replacements, additions, or revisions to existing text. Revisions to existing text are shown in order by section number, with ~~strikeout~~ typeface (i.e. ~~strikeout~~) illustrating deletions and underline typeface (i.e. underline) illustrating new text.

A clean-copy of the proposed changes will be provided as an attachment to the resolution that is presented to Planning Commission for review and consideration.

2-P.39 New and Expanded Airport Uses.

- a. The current Airport Reference Code for McClellan-Palomar Airport, defined in the FAA's Airport Design Advisory Circular, is a B-II design classification. The city supports a B-II Enhanced Alternative McClellan-Palomar design classification, as set forth in the Airport Master Plan, so long as that classification does not require a runway extension. The city opposes any changes to the McClellan-Palomar Airport Master Plan that would increase the wingspan or approach speed design for the airfield (for example, a reclassification as D-III Modified Standards Compliance as described in the Airport Master Plan), or that would otherwise accommodate larger aircraft than currently in use at the airport.
- b. Require new or expanded airport uses to obtain a conditional use permit or a conditional use permit amendment, subject to City Council approval. Permit airport development only within the current boundary of McClellan-Palomar Airport (as shown in Figure 2-1).
- c. Prohibit approval of any zone change, general plan amendment or other legislative action that authorizes expansion of McClellan-Palomar Airport, unless authorized to do so by a majority vote of the Carlsbad electorate. (Section 21.53.015, Carlsbad Municipal Code.)
- d. Utilize the State Public Utilities Code definition of "airport," which includes any area of land which is used or intended to for the use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights of way, and all airport buildings and facilities located thereon. Airport safety areas and any protection zones that are designed for the safety of aircraft and airport operations or to protect the safety of people and property on the ground are included within this definition.
- e. Utilize the State Public Utilities Code definition of "airport expansion," which includes the acquisition of any interest in real property for (a) protection zones that are designed for the safety of aircraft and airport operations or to protect the safety of people and property on the

ground, (b) the purpose of any other airport facility expansion, (c) construction of a new runway, extension or realignment of an existing runway, or (d) any other expansion of the airport's physical facilities or real property boundaries for the purpose of accomplishing or which are related to these purposes.

SECTION 2. ZONING ORDINANCE AMENDMENTS (TITLE 21)

Amend the various titles and sections of the Zoning Ordinance to read as specified below, signified as replacements, additions, or revisions to existing text. Revisions to existing text are shown in order by section number, with ~~strikeout~~ typeface (i.e. ~~strikeout~~) illustrating deletions and underline typeface (i.e. underline) illustrating new text.

A clean-copy of the proposed changes will be provided as an attachment to the resolution that is presented to Planning Commission for review and consideration.

21.04.024 Airport

“Airport” means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights of way, and all airport buildings and facilities located thereon. Airport safety areas and any protection zones that are designed for the safety of aircraft and airport operations or to protect the safety of people and property on the ground are included within this definition. This definition shall be used by the city when applying any requirements of the California Public Utilities Code Section 21661.6.

21.04.140.1 Expansion.

“Expansion” means to enlarge or increase the size of an existing structure or use including the physical size of the property, building, parking and other improvements. In the context of airports, “expansion” includes the acquisition of any interest in real property for (a) protection zones that are designed for the safety of aircraft and airport operations or to protect the safety of people and property on the ground, (b) the purpose of any other airport facility expansion, (c) construction of a new runway, extension or realignment of an existing runway, or (d) any other expansion of the airport's physical facilities or real property boundaries for the purpose of accomplishing or which are related to these purposes.

Section 21.07.020 Table A

Use	P	CUP	Acc
Airports		3	

Section 21.29.030 Table A

Use	P	CUP	Acc
Airports		3	

Section 21.30.010 Table A

Use	P	CUP	Acc
Airports		3	

Section 21.32.010 Table A

Use	P	CUP	Acc
Airports (see note 3 below)		3	

3. Permitted by issuance of a conditional use permit by the city council and only within the boundary of McClellan-Palomar Airport as depicted on the zoning map of the city.

Section 21.34.020 Table A

Use	P	CUP	Acc
Air courier services (see note 1 below)	X		
Airlines offices, general offices (see note 1 below)	X		
Airports (see note 6 below)		3	

6. Permitted by issuance of a conditional use permit by the city council and only within the boundary of McClellan-Palomar Airport as depicted on the zoning map of the city.

21.54.125 Amendments to development permits.

A. For purposes of this section, “development permit” means any permit, entitlement or approval required pursuant to Title 21 of this code, or pursuant to any applicable master, specific, or redevelopment plan.

B. Any approved development permit may be amended by following the same procedure required for the approval of said development permit (except that if the city council approved the original permit, the planning commission shall have the authority to act upon the amendment), and upon payment of the application fee contained in the most recent fee schedule adopted by the city council.

C. If an approved development permit was issued pursuant to the provisions of Section ~~21.54.042~~ 21.54.040 of this title, any amendment to said permit shall be acted on by the decision-making authority that approved the original permit, except that if the city council approved the original permit, the planning commission shall have the authority to act upon the amendment.

D. Notwithstanding subsections B and C, the City Council shall retain the decision-making authority for amendments to development permits for new or expanded airport uses.

E. Amendments to approved development permits are reviewed under the city ordinances, policies, or standards in effect at the time of the amended permit application is filed and deemed complete or determined to be complete. In granting an amendment, the decision-making authority may impose new conditions and may revise existing conditions.