

June 12, 2024

Re: Public comment on Carlsbad Village Mixed Use project (June 19, 2024 agenda)

Dear Planning Commission:

This is an update to my June 3, 2024 public comment letter.

The Carlsbad Village Mixed Use developer submitted a fatally flawed Vehicle Miles Traveled (VMT) Analysis¹ to gain a CEQA exemption², which allowed them to inappropriately avoid a detailed VMT study with mitigation measures. The Planning Commission should recommend that staff go back and work with the developer to make changes to the project and its conditions of approval and unprecedented development waivers to make it more consistent with the CEQA exemption criteria, and to implement measures that address the new mileage the project will generate.

VMT analyses are supposed to be conducted in conformance with the Carlsbad VMT Analysis Guidelines (“VMT Guidelines”)³ and the Office of Planning and Research (OPR) VMT Technical Advisory (“OPR Technical Advisory”)⁴, from which the VMT Guidelines were derived, and which is frequently cited by the VMT Guidelines as an authoritative source of additional details. The developer cited two main screening criteria from the VMT Guidelines for its exemption, both of which were erroneously accepted by staff: (1) Projects Located Near Transit (§ 3.3.2), and (2) Redevelopment Projects That Result in a Net Reduction of VMT (§ 3.3.6).

For the "**Projects Located Near Transit**" screen, both the VMT Guidelines and the OPR Technical Advisory clearly indicate that the project should have been disqualified due to its **high levels of vehicle parking**—in excess of Carlsbad’s standards. More details on that below.

For the "**Net Reduction of VMT**" screen, the developer inappropriately **subtracted** the ~46,000 existing daily miles being driven to the current shopping center from the new mileage their apartments will be generating. However, as the developer acknowledges in their own analysis, that existing mileage will not disappear—it will be **redistributed** to other stores in the surrounding area.

This huge subtraction was how the developer achieved its alleged “net reduction,” but that relies on narrowly restricting the analysis to the project site itself. And that flawed approach is inconsistent with both the VMT Guidelines and the OPR Technical Advisory, which clearly indicate that **net VMT** effects must be assessed over the **entire area impacted by a project**—not just the project site. So, the project will lead to a net increase in VMT, invalidating the screen. More details on that below.

¹ [Carlsbad Village Mixed Use – Vehicle Miles Traveled Analysis](#), Linscott, Law & Greenspan (LLG), 2/23/2024

² [CEQA Determination of Exemption](#), Carlsbad Village Mixed Use (SDP 2023-0014; DEV2023-0078), 2/29/2024

³ [Vehicle Miles Traveled Analysis Guidelines](#), City of Carlsbad, 5/31/2023

⁴ The California Governor’s OPR [Technical Advisory on Evaluating Transportation Impacts in CEQA](#), 12/2018

Project not eligible for “Projects Located Near Transit” screen

This VMT screen is rooted in the theory that proximity to major transit correlates with reduced vehicle ownership. Consistent with that, the State of California encourages substantially reduced parking for these projects—to the point of preventing **any** parking minimum (**zero spaces**). Projects are ineligible for this screen if they have high levels of parking, and, at a minimum, this includes any project that provides more parking than a jurisdiction’s standard, which applies to the current project, as detailed below.

VMT Guidelines (§ 3.3.2):

“Certain types of projects that are located near transit would not have a presumption of a less than significant transportation impact even if located near transit. This would include, for example, projects with...high levels of parking. OPR Technical Advisory includes additional detail on determining the status of projects located near transit...”

OPR Technical Advisory (pp. 13-14):

"...[The] presumption would not apply...if project-specific...information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project...[i]ncludes more parking for use by residents, customers, or employees of the project than required by the jurisdiction...If any of these exceptions to the presumption might apply, the lead agency should conduct a detailed VMT analysis to determine whether the project would exceed VMT thresholds..."

Staff Report (project parking exceeds minimum jurisdictional requirements for both the residential and commercial components):

TABLE D - PARKING STANDARDS

Type of Use	No. of Res. Units	Commercial	VBMP Required	CMC 21.86 Required	Proposed
Studio	15	--	1 space per unit (15 spaces)	0.5 space per unit (8 spaces)	284 spaces (1.3 spaces per unit)
1-Bdrm	87	--	1 space per unit (87 spaces)	0.5 space per unit (44 spaces)	
2-Bdrm	90	--	1.5 spaces per unit (135 spaces)	0.5 space per unit (45 spaces)	
3-Bdrm	26	--	1.5 spaces per unit (39 spaces)	0.5 space per unit (13 spaces)	
Residential Totals:			276 spaces	110 spaces	284 spaces
Retail	--	9,800 SF	1 space per 415 SF (24 spaces)	--	56 spaces
Restaurant	--	4,000 SF	1 space per 170 SF (24 spaces)	--	
Commercial Totals:			48 spaces	--	56 spaces
Overall Totals:			324 spaces	--	340 spaces

Net changes in VMT must be assessed areawide, not just at the project site

It is ridiculous, on its face, to think that a project that is adding 218 new apartments full of people and eliminating local-serving retail (which is a natural reducer of VMT) will lead to a net reduction in VMT. Both the VMT Analysis Guidelines and the OPR Technical Advisory clearly indicate that the full, areawide impacts of a project need to be assessed when calculating its “net effect” on VMT, as detailed below.

VMT Analysis Guidelines (§ 3.3):

“There may be circumstances where a project meets one of the screening criteria, but evidence suggests that the project may increase **areawide VMT**...[An] example is **redevelopment of core services** (basic grocery shopping, general needs stores/services, etc.) that the existing population relies on. Removing these core services, without replacing them, may cause VMT to increase as existing residents travel farther to access these services...Further guidance on screening criteria can be found in OPR’s Technical Advisory.” (emphasis added)

OPR Technical Advisory (p. 30, 18):

"[E]stimating the *change in total VMT* with and without the project can evaluate whether a project is likely to divert existing trips, and what the effect of those diversions will be on total VMT. This method answers the question, '**What is the net effect of the project on area VMT?**'...The analysis should address the **full area over which the project affects travel behavior**, even if the effect on travel behavior crosses political boundaries." (emphasis added)

"Land Use Plan. **As with projects**, agencies should analyze VMT outcomes of land use plans across the **full area** over which the plan may substantively affect travel patterns, including beyond the boundary of the plan of jurisdiction's geography..." (emphasis added)

Reasonable vs. developer estimates of net effect on VMT

In my 6/3/2024 letter submitted for the original 6/5/2024 hearing date, I detailed how the project will actually increase daily VMT by 31,000 to 38,000 miles (round-trips) when accounting for its areawide impacts in and around the project site—not reduce VMT by 20,000 miles, as claimed by the developer.

Sample project changes and additional conditions of approval

The applicant is seeking several waivers that need to be scrutinized. Most are requesting seemingly unprecedented new height limits—up to 68 feet maximum!

If decision-makers really believe that the project will not increase VMT and/or should be exempt from CEQA due to its distance from major transit or any other evidence presented,

then the applicant should be required to change its project to be consistent with the evidence that supports these screening criteria.

For example, the evidence of no VMT impact by residents who live close to major transit is rooted in the assumption that they opt to use transit rather than owning and using vehicles. The project could substantially reduce or completely eliminate the parking garage and, instead, use the land to build a third residential building, which, in turn, would allow all of the residential buildings to remain within the current height limits without the need for the waivers.

Related changes to the project/conditions of approval could include, but not be limited to:

- Unbundled parking: Significantly reduced parking with residents charged a separate fee that is high enough to discourage vehicle ownership
- Provide free or subsidized transit passes to residents
- Provide alternative modes of travel to residents
- Provide on-site car-sharing

Sincerely,
Steve Linke
Carlsbad
splinke@gmail.com

From: [Martin Danner](#)
To: [Eric Lardy](#)
Cc: [Jason Goff](#); [Cynthia Vigeland](#); [Planning](#)
Subject: Re: Request for Continuance of Public Hearing for Project SDP 2023-0014 CVMU
Date: Friday, June 14, 2024 12:35:32 PM
Attachments: [2024-01-17 Planning Commission Resolution 7506.pdf](#)

Mr. Lardy,

Please forward this message to the members of the Carlsbad Planning Commission as correspondence and add as a public comment for project SDP 2023-0014 CVMU.

Dear Commissioners,

I respectfully request that you consider my request for a continuance, sent to the City Planner on June 12th, 2024. (see below). Please make a motion to continue this hearing until July 17th, 2024, and pass that motion, based on this request. The public has a right to the same courtesy you've shown the developer.

According to Planning Commission Resolution 7506, Section III.C :

CONTINUATION: At any time that it appears to the Chairperson or a majority of the Commission through the Chairperson, that inadequate evidence has been presented to afford judicious consideration of any matter before the Commission at the time of a public hearing, or for other just cause, a continuation of said hearing may be ordered to afford the applicant, **the public**, or the city staff adequate time to assemble additional evidence for the Commission's consideration.

The full resolution is attached. Thank you for your consideration.

Martin Danner
Carlsbad Resident

On Wed, Jun 12, 2024 at 5:23 PM Eric Lardy <eric.lardy@carlsbadca.gov> wrote:

Mr. Danner,

Thank you for this email. This message and request has been forwarded to the Planning Commission as part of the agenda application package.

A decision regarding if to grant a continuance would be up to the Planning Commission, and need to be in the form of a motion approved by a majority of the Planning Commissioners present.

Any additional public correspondence received, on this or any topic, will be sent to the Planning Commission and posted online.



Eric Lardy, AICP

City Planner

Community Development Department

City of Carlsbad

1635 Faraday Ave.

Carlsbad, CA 92008

www.carlsbadca.gov

442-339-2712 | eric.lardy@carlsbadca.gov

[Facebook](#) | [Twitter](#) | [You Tube](#) | [Pinterest](#) | [Enews](#)

From: Martin Danner <martin@danner.org>

Sent: Wednesday, June 12, 2024 8:24 AM

To: Eric Lardy <eric.lardy@carlsbadca.gov>

Cc: Jason Goff <jason.goff@carlsbadca.gov>; Planning <planning@carlsbadca.gov>

Subject: Request for Continuance of Public Hearing for Project SDP 2023-0014 CVMU

Mr. Lardy,

On behalf of the citizens of Carlsbad, I respectfully request a continuance of the planning commission hearing on project SDP 2023-0014 CVMU scheduled for June 19th, 2024.

This is a very important decision that impacts the residents of Carlsbad Village and the Barrio more than most development projects because it involves the destruction of affordable retail space for businesses that provide essential services to these communities. In

fact, this decision impacts senior citizens the most, as they are the most dependent on having these services nearby.

The planning commission requires all the factual information available to make this important decision. We have a highly qualified expert who intends to present his factual findings to the planning commission at the hearing. However, he needs at least two weeks to prepare.

For this reason, I hereby request a continuance to the regularly scheduled July 17th, 2024 meeting of the Planning Commission.

Sincerely,

Martin Danner
1826 Magnolia Ave
Carlsbad, CA 92008

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PLANNING COMMISSION RESOLUTION NO. 7506**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING PLANNING COMMISSION PROCEDURES.**

The Planning Commission of the City of Carlsbad hereby resolves as follows:

The Planning Commission is charged with reviewing for conformance with law and city policy all land use developments, elements of the general plan, city ordinances, local facilities management plans, and other plans and programs requiring discretionary approval within the City of Carlsbad. Projects are reviewed for consistency with the general plan, zoning, the growth management plan, local facilities management plans, and the local coastal program, among other things.

In reaching its decisions, the Commission must at all times be sensitive to citizen concerns as expressed in public hearings and public correspondence, while at the same time ensuring the long-term welfare of the city and acting with consistency and continuity in its application of the law and city policies. In the same manner, the Commission must weigh the needs and desires of applicants who come before it.

To assist them in reaching their decisions, the Commissioners will receive ongoing technical and background information and guidance from the staff, including instruction on matters of policy, city standards and procedures, City Council decisions and staff's recommendations as to what provides the greatest benefit to the citizens of Carlsbad. The Commissioners are also expected, on their own initiative, to take such additional steps as they feel necessary to discharge their duties in a well-informed and conscientious manner.

The Commission's actions are final in some instances, and in matters reserved by the Council, advisory only. The goal of the Commission in all matters is to act in the best interests of the City of Carlsbad and its citizens as a whole.

Planning Commission Resolution No. 7442 is hereby rescinded and replaced in its entirety by this resolution.

Chapter 1.20 of the Carlsbad Municipal Code contains procedures applicable to the conduct of Planning Commission Meetings. In regard to the application of Chapter 1.20 to the conduct of business by the Planning Commission references in Chapter 1.20 to "City Council" should be replaced with "Planning Commission", the word "Mayor" should be replaced with "Chairperson", the word "Council Member" with "Planning Commissioner", and "City Manager" with "City Planner".

The following procedures and rules for the conduct of Planning Commission Meetings are adopted to supplement the requirements contained in Chapter 1.20 and 2.15 of the Carlsbad Municipal Code: Sections:

- I. Officers:
 - A. Powers and duties of Chairperson
- II. Meetings of the Planning Commission
 - A. Types of meetings:
 1. Regular
 2. Study sessions or workshops
 - B. Voting:
 1. Disqualification for conflict of interest

2. Failure to vote
- C. Meeting Agenda:
 1. How and when prepared
 2. Preparation of resolutions
- D. Correspondence:
 1. Available at meeting
 2. Authority of City Planner
- E. Conduct of business: readiness for meeting
- F. Call to order
- G. Roll call
- H. Order of business

III. Public Hearings:

- A. When held
- B. Procedure and order of business
- C. Continuation
- D. Termination of public testimony
- E. Decision
- F. Closing
- G. Reopening

IV. Resolutions:

- A. Commission action
- B. Adoption

V. Correction of documents

VI. Failure to observe procedures

VII. Ralph M. Brown Act

I. **OFFICERS:**

A. **POWERS AND DUTIES OF CHAIRPERSON:**

1. The Chairperson of the Commission shall be the Presiding Officer at all meetings of the Planning Commission.
2. The Chairperson may move, second debate, and vote from the Chair. The Chairperson shall not be deprived of any of the rights and privileges of a Commissioner by reason of acting as Chairperson.
3. The Chairperson, or such person as the Chairperson may designate, may verbally restate each motion immediately prior to calling for the vote. Following the vote, the Chairperson shall announce whether the motion carried or was defeated.
4. The Chairperson shall be responsible for the maintenance of order and decorum at all meetings, and shall decide all questions of order and procedure, subject, however, to an appeal to a quorum of the Commission, in which case the matter shall be determined by majority vote of the quorum.
5. The Chairperson shall sign all resolutions and other documents requiring their signature which were adopted in their presence unless he or she is unavailable, in which case an alternate Chairperson may sign such documents.

II. MEETINGS OF THE PLANNING COMMISSION:

A. TYPES OF MEETINGS:

1. Regular Meetings: The Planning Commission shall hold regular meetings on the first and third Wednesday of each month at the hour of 5:00 PM, in the Council Chambers at the City Hall, 1200 Carlsbad Village Drive, Carlsbad, or such other place as shall be duly noticed. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the Council Chambers, the meetings may be held for the duration of the emergency at such other place as designated by the Chairperson of the Commission, or if the Chairperson fails to act, by a majority of the quorum of the Commission. When the day for any regular meeting falls on a legal holiday, such meeting shall be held at the same hour and place on the next succeeding day not a holiday or such other time as designated by the Planning Commission. At least 72 hours before a regular meeting, the agenda of the meeting shall be posted in a location that is freely accessible to members of the public. No action shall be taken on any item not appearing on the agenda.

2. Study Session or Workshop: The Commission may from time to time adjourn to meet in study sessions. The purpose of such sessions shall be for hearing reports from the staff and reviewing, discussing and debating matters of interest to the Planning Commission. No official action shall be taken at a study session. Study sessions shall be considered public meetings, in accordance with the Ralph M. Brown Act, and shall be open to the public. However, the comments of the public in such session shall be subject to the discretion of the Chairperson.

B. VOTING:

1. Disqualification for conflict of interest: If a Commissioner has reason to think a conflict of interest may exist, he/she shall give the facts of the matter to the City Attorney and request advice thereon prior to the meeting.

Any Commissioner who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Chairperson state the nature of such disqualification in the open Commission meeting. A Commissioner who is disqualified by reason of a conflict of interest in any matter shall request and be given the permission of the Chairperson to step down from the Commission seat and leave the chamber. A Commissioner stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

2. Failure to vote: Every Commissioner should vote unless disqualified by reason of conflict of interest. A Commissioner who abstains from voting acknowledges that a majority of the quorum may decide the question voted upon.

C. MEETING AGENDA:

1. How and when prepared: In order to facilitate the orderly conduct of the business of the Commission, an agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by the majority vote of the members of the Commission, the City Planner or the City Attorney. Whenever feasible, each item on the agenda shall contain the project name and case number, location (within the city), brief description, the specific Commission action requested and a staff recommendation. At least 72 hours before a regular meeting, the agenda of the meeting shall be posted in a location that is freely accessible to members of the public.

2. Preparation of Resolutions: All resolutions shall be prepared by the City Planner or City Attorney. No resolution shall be presented to the Commission unless its form has been approved by the City Attorney. This approval need not be indicated on the resolution.

D. CORRESPONDENCE:

1. Available at meeting:

a. Correspondence received specific to an agenda item shall become a part of the record for that agenda item and be filed with the Minutes Clerk of the Commission. Correspondence shall not be read aloud at a Commission meeting unless requested by a majority vote of the Commission.

b. Sufficient copies of each item of correspondence shall be provided so that each Commissioner, City Planner and City Attorney will have a copy in a timely manner. In addition, three additional copies for public inspection at the meeting shall be provided.

2. Authority of City Planner:

The City Planner is authorized to open and examine all mail or other written communications addressed to the Planning Commission, except correspondence addressed to individual Planning Commission members, and to give it warranted attention to the end that all administrative business referred to in said communications and not requiring Planning Commission action may be acted upon between Commission meetings provided that all communications and any action taken pursuant thereto shall be reported to the Planning Commission.

a. Correspondence deemed to be of an important or urgent nature may be submitted for Commission consideration at a Planning Commission meeting.

E. CONDUCT OF BUSINESS: READINESS FOR MEETING: At the time set for each regular meeting, each member of the Commission, the City Planner, Minutes Clerk, City Attorney and such department heads or others as have been requested to be present shall take their regular places in the Council Chambers. The business of the Commission shall be conducted in substantially the order and in the manner herein provided.

F. CALL TO ORDER: The Chairperson, or in their absence the Vice-Chairperson, shall take the chair at the hour appointed for the meeting and shall call the Commission to order. In the absence of the Chairperson and the Vice-Chairperson, the City Planner shall call the Commission to order, whereupon a temporary Chairperson shall be elected by the Commission members present. Upon the arrival of the Chairperson or the Vice-Chairperson, the temporary Chairperson shall relinquish the chair at the conclusion of the business then before the Commission. Whenever the term 'Chairperson' is used in these rules, and the Chairperson is absent, it shall apply equally to the Vice-Chairperson, and if they are also absent, to the Chairperson elected pursuant to this section.

G. ROLL CALL: Before proceeding with the business of the Commission, the Minutes Clerk or Chairperson shall call the roll of the Commission Members and the names of those present shall be entered in the minutes.

H. ORDER OF BUSINESS: The order of business established on the agenda shall be followed unless the Chairperson, with the consent of a majority of the Commission, permits a matter to be taken out of the regular agenda order:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Minutes

5. Comments from the public on items not listed in the Agenda
6. Statement of Planning Commission Procedures
7. Continued Items
8. Public Hearing(s)
9. Non-public Hearing(s)
10. Planning Commission Member Comments
11. City Planner Comments
12. City Attorney Comments
13. Adjournment

III. PUBLIC HEARINGS:

A. WHEN HELD:

1. Whenever by law the Commission is required to hold a public hearing on any matter before it, such hearing will be held in accordance with the rules contained in the Carlsbad Municipal Code Chapter 1.20 and procedures set forth in this resolution. Nothing herein shall prohibit or limit the Commission from holding a public hearing on the matter before it, whether required by law or not. Nothing herein shall prohibit or limit any member of the public from addressing the Commission in accordance with the procedures provided for in these rules irrespective of whether or not a public hearing is held.

2. All public hearings shall be scheduled to begin at a time certain which shall be the hour the Commission convenes. The Commission shall hold such hearings in order, in accordance with the schedule on the agenda at that time or as soon thereafter as practicable.

B. PROCEDURE AND ORDER OF BUSINESS:

1. The Chairperson shall announce that it is the time and place for a public hearing scheduled on the agenda.

2. Prior to all Commission public hearings copies of the Commission's agenda with attachments, including the staff report, if any, shall be available at the Office of the City Planner at least twenty-four hours prior to commencement of the hearing; provided, however, the Commission may allow in its discretion the filing of supplemental materials which shall be made public at the commencement of the hearing. Any materials presented to the Commission which have not previously been made available for public inspection shall be made available as soon after the meeting as practicable.

3. The order of the hearing shall be as follows unless otherwise required by law:

- a. Presentation of Staff Report
- b. Questions from the Commission to Staff
- c. Presentation, if any, by the Applicant
- d. Questions from the Commission to the Applicant
- e. Testimony of Public
- f. Response of Applicant
- g. Termination of public testimony
- h. Discussion by Commission – Further Questions of Staff
- i. Planning Commission Vote
- j. Public Hearing Closed

4. The Commissioners should raise issues or concerns during the course of a public hearing so that the applicant or the public has an opportunity to address those issues. If a proposed condition is discussed

for the first time after the public testimony is closed, the Chairperson shall allow sufficient time to the applicant to address the change or addition. Members of the general public may also be allowed to address the change if directly impacted by the proposed condition.

C. CONTINUATION: At any time that it appears to the Chairperson or a majority of the Commission through the Chairperson, that inadequate evidence has been presented to afford judicious consideration of any matter before the Commission at the time of a public hearing, or for other just cause, a continuation of said hearing may be ordered to afford the applicant, the public, or the city staff adequate time to assemble additional evidence for the Commission's consideration. Any continuation ordered by the Commission through its Chairperson may be to a date certain, which said date shall be publicly announced in the Council Chambers and shall constitute notice to the public of the time and place that further evidence will be taken. No further notice is necessary; however, the continuation may be to a date uncertain, in which case it shall be announced that the matter will be re-noticed. If the hearing is continued to a time less than 24 hours after the time specified in the notice of hearing, a copy of the notice of continuance of hearing shall be posted immediately following the meeting at which the order of continuance was made. The public announcements provided for herein shall constitute notice to the applicant and public of time and place when further evidence will be taken by the Commission. The Commission shall also have the option to set the matter to a new hearing.

D. TERMINATION OF PUBLIC TESTIMONY: When the public has no further evidence to present, when in the opinion of the Chairperson no new public evidence is being presented or when in the opinion of the Chairperson the evidence is not substantive, the Chair may close the presentation of evidence.

E. DECISION:

1. When neither the applicant, the public, nor the city Staff have further evidence to produce, or when in the opinion of the Chairperson sufficient evidence has been presented, no further evidence either oral or written will be accepted by the Commission; provided, however, that this rule may be relaxed by the Chairperson or the majority of the Commission through the Chairperson when it appears that good cause exists to hear further evidence concerning the matter which is the subject of the public hearing. The Commission shall consider all evidence properly before it in accordance with these procedures. The Commission shall then act upon the item. The Commission may instruct the City Planner to return with the documents necessary to affect the decision, including findings as may be appropriate to the matter. Upon return of such documents, the Commission shall determine if the findings are supported by the evidence before it at the hearing and if the decision is supported by the findings and, after making any changes, render its decision by taking action on the documents. The Commission's decision is not final until adoption of the documents.

2. A Commissioner who was absent from all or a part of a public hearing shall not participate in a decision on the matter unless they have examined all the evidence including listening to a recording of the oral testimony, if a recording is made, or listening to a recording of the minutes or reading a transcription of same and can represent that they have a full understanding of the matter.

F. CLOSING: Following a vote by the Commission, the Chairperson shall close the public hearing.

G. REOPENING: A public hearing on any matter once closed cannot be reopened on the date set for hearing unless the Chairperson determines that all persons who were present when the hearing closed are still present. Nothing herein, however, is intended to prevent or prohibit the reopening of a public hearing at any subsequent regular or special meeting of the Commission. No public hearing may be reopened without due and proper notice being given to the applicant and the public designating the time and place of said opening.

V. RESOLUTIONS:

A. COMMISSION ACTION: Formal Commission action on all items before it shall be made by resolution. When necessary, the resolution shall contain appropriate findings and declarations.

B. ADOPTION:

1. Where a particular resolution has been prepared and is before the Commission, it shall be adopted by motion, second, discussion and vote. It is not necessary to read the resolution by title or in full provided it is identified by the Chairperson. Upon request of any member of the Commission, the resolution shall be read by title or in full.

2. Where a particular resolution has not been prepared, a motion to direct the City Planner to prepare the document and return it to the Commission is in order.

3. Where necessary, a resolution may be presented verbally in motion form together with instructions for written preparation. Upon execution of such a resolution, it shall become an official action of the Commission.

VI. CORRECTIONS OF DOCUMENTS: Upon occasion, resolutions or other documents are submitted in draft form or on-the-spot amendments occur, or typographical or other technical errors are found which necessitate retyping of the document. Such redraft, when properly executed, shall become the original document.

VII. FAILURE TO OBSERVE PROCEDURES: These rules are adopted to expedite the transaction of the business of the Commission in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting if it is otherwise held in conformity with law.

VIII. RALPH M. BROWN ACT: The provisions of the Ralph M. Brown Act as may be amended from time to time are incorporated herein by reference.

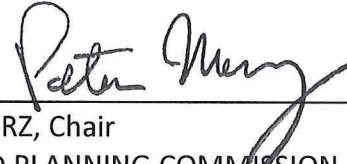
PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Planning Commission the City of Carlsbad on the 17th day of Jan. 2024 by the following vote, to wit:

AYES: Merz, Hubinger, Kamenjarin Lafferty, Meenes, Sabellico and Stine

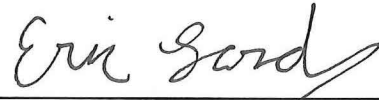
NAYS:

ABSTAIN:

ABSENT:



PETER MERZ, Chair
CARLSBAD PLANNING COMMISSION



ERIC LARDY, City Planner