

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to you, because your interest may be affected, that the City Council of the City of Carlsbad will hold a public hearing at the Council Chamber, 1200 Carlsbad Village Drive, Carlsbad, California, at 5 p.m. on Tuesday, July 30, 2024, to consider approving an ordinance, adding Chapter 61.5 to the Carlsbad Municipal Code, to prohibit smoking in multi-unit residences (ZCA2024-0004).

The proposed ordinance would ban smoking (including vaping) inside and outside multi-unit buildings (including apartments, condominiums, townhomes, senior and assisted living facilities, and long-term health care facilities) containing three or more units. It would apply to both rental and for-sale housing units. If approved, the new rules would go into effect Jan. 1, 2025. Because the Police Department and Code Enforcement Division currently have minimal resources to conduct additional enforcement efforts, the draft ordinance recommends shifting the enforcement role from the city to private persons, meaning landlords, HOAs, and other tenants may take legal action against violators via civil action.

The City Planner has determined that the proposed ordinance to strengthen the city's smoking regulations for indoor air quality does not qualify as a "project" within the meaning of the California Environmental Quality Act, as it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Those persons wishing to speak on this proposal are cordially invited to attend the public hearing. The staff report will be available on and after Friday July 26, 2024. If you have any questions, please contact Mike Strong, Assistant Director of Community Development, at (442) 339-2721 or mike.strong@carlsbadca.gov. The meeting can be viewed online at <https://www.carlsbadca.gov/city-hall/meetings-agendas> or on the City's cable channel. In addition, written comments may be submitted to the City Council at or prior to the hearing via U.S. Mail to the attention of Office of the City Clerk, 1200 Carlsbad Village Drive, Carlsbad, CA 92008, or via email to clerk@carlsbadca.gov.

If you challenge the ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Carlsbad, Attn: City Clerk's Office, 1200 Carlsbad Village Drive, Carlsbad, CA 92008, at or prior to the public hearing.

CASE FILE: ZCA2024-0004

CASE NAME: SMOKE-FREE MULTI-UNIT HOUSING ORDINANCE

PUBLISH: FRIDAY, JULY 12, 2024

CITY OF CARLSBAD
CITY COUNCIL