



# City Council

## POLICY STATEMENT

Policy No. 84  
Date Issued 11/12/2024  
Resolution No. 2024-250

**Subject** Development Project Public Involvement Policy

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### **Purpose**

To help ensure applicants proposing certain development projects are aware of and have considered input from interested and affected stakeholders prior to project consideration by city decision makers. The policy is intended to supplement and not replace or conflict with legal noticing requirements or any other required public involvement for development applications.

### **Background**

This policy provides the requirements for project applicants to identify potentially interested and affected members of the public; provide additional opportunities for input; and report public input and how it was considered to city staff, stakeholders and city decision makers during the public hearing process.

### **Statement of policy**

To require that certain development projects considered by the Planning Commission, or the City Council engage the public to inform and solicit input from interested and affected stakeholders prior to project consideration by city decision-makers. Failure to comply with the requirements set forth within this policy shall cause the application to be deemed incomplete pursuant to Carlsbad Municipal Code Section 21.54.010(F).

### **Procedure**

The following establishes the minimum requirements necessary to notify and seek input from stakeholders on applications that require approval by the Planning Commission or City Council. Applicants are encouraged to begin engaging and soliciting public input prior to application submittal, however outreach conducted prior to submittal does not satisfy the requirements of this policy.

### **CATEGORY A – EARLY PUBLIC NOTIFICATION**

The following applies to all applications requiring approval from the Planning Commission or City Council, irrespective of project size, permit type or location.

#### **Early Public Notice – Content**

Applicants are required to prepare a public notice that contains the following minimum materials and information:

- A brief description of the proposed project, including the following:
  - Project name
  - Address and nearest cross streets

- The proposed use, anticipated number of dwelling units, project features
- Building square footage(s)
- Maximum height
- The applicant name, contact person, telephone number and email address.
- City project planner name, telephone number, and email address
- 8-1/2" x 11" site plan and building elevations
- How the public can provide input.

**Early Public Notice – Recipients**

The applicant shall mail the early public notice to the following stakeholders, within the timeframe and method specified:

- Notice shall be postmarked within 30 days following the date of application submittal.
- Notice shall be delivered via U.S. Postal Service, First Class Mail.
- Property owners within a 600-foot radius of the subject property according to the latest equalized assessment rolls current as of the date of the application. If the 600-foot radius yields fewer than 20 properties, the project applicant shall extend the radius until 20 or more properties are reached.
- The homeowners association of which the subject property is a part (if any). Notice shall be mailed to both the property management company and HOA board of directors.
- Occupants within a 100-foot radius of the subject property.

**Early Project Notification Sign – Content & Installation**

The project applicant shall post a project notice sign on the project site consisting of the following information, within the timeframe and method specified:

Timing:	Sign shall be posted within 30 days of the application submittal date
Duration:	Sign shall remain posted, legible and in good physical condition until final action is taken on the permit application by the decision-making authority
Content:	<ul style="list-style-type: none"><li>● Project name and city assigned case number(s)</li><li>● Brief project description. At a minimum, the description shall include number of planned residential units, square footage of commercial space, maximum height, and buildings proposed for demolition</li><li>● Project applicant and representative (if different) contact information</li><li>● City project planner contact information</li></ul>

Format:	Utilize a template provided by the City of Carlsbad
Location:	Clearly visible from the street that fronts the subject property and located at the most highly trafficked portion of the property.

### **Early Public Notice – Documentation**

The project applicant shall sign and submit an affidavit, signed under penalty of perjury, on a form provided by the city that the notice was prepared and mailed, and that the project notice sign was prepared and posted, in accordance with this policy. The affidavit shall be signed and provided to the city within 15 days following the notice mailings or sign posting, whichever comes last.

### **CATEGORY B – ENHANCED PUBLIC ENGAGEMENT**

Significant development applications are required to complete additional enhanced public engagement as described below.

#### **Applicability**

The following proposed development applicants shall complete enhanced public engagement for private or public entity development applications that require a permit approval by the Planning Commission or City Council:

- Residential development consisting of 10 or more residential lots or residential units
- Non-residential development project proposing a total of 50,000 square feet or more of habitable space
- Mixed-use development project (residential and non-residential uses in the same building or on the same site), irrespective of size or unit count
- A Conditional use permit (excludes Minor Conditional Use Permit)
- A development project that requires a variance (excludes minor variance).
- A development project that requires a General Plan amendment, zone change, a master plan or specific plan
- A development project that requires a major amendment to a master plan or a specific plan.
- A development project that requires an amendment to the city's Habitat Management Plan

The provisions of this policy shall not apply to permit applications for streamlined approval pursuant to SB35 (Gov. Code 65913.4).

### Enhanced Public Engagement Notice – Content

Eligible projects mail additional information to additional community members as part of their project notice mailing packet (referred to as the “enhanced public engagement notice”). The additional mailed information must include the following minimum information.

- Site plan and elevations or renderings, each provided on minimum 8½” x 11” paper
- Written description of the proposed project. The description needs to provide enough information to offer a general understanding of what is being proposed and where to go to learn more about the project. At a minimum, the description shall include the following information:
  - Project name and city assigned case number(s)
  - Project address and nearest cross streets
  - Type of permit(s) being requested
  - Name of the applicant and representative (if different) and their mailing address, telephone number and email address
  - Name of the city project planner assigned to process the application and their mailing address, telephone number and email address
  - A description of proposed uses, major project features and amenities, and uses planned to be demolished
    - For residential projects, the description page shall include the following:
      - Total dwelling units currently proposed
      - How many dwelling units will be market-rate and how many affordable
      - Square footage range of the market-rate and affordable units
      - Total number of buildings and each building’s square footage and building height shown in stories and feet (e.g., one story/35 feet)
    - For nonresidential projects, the description shall include the following:
      - Total number of buildings and each building square footage and height shown in stories and size (e.g., one story/35 feet)
      - Intended purpose and use of each building
    - For mixed-use projects (combination of residential and non-residential uses), notices shall contain the information required for residential and nonresidential projects.
  - Total number of proposed parking stalls and size and height of parking structures, if proposed.

- If the project proposes deviation of city adopted development standards, a description of the current city standard and how the applicant proposes it be changed
- Project website address
- Expected entitlement timeline (estimated date the project will be considered for decision by the city) and which decision-making body will consider the project for approval
- Description of how the public can provide input and to be added to a list for future project related updates

**Enhanced Public Engagement Notice – Recipients**

The enhanced public engagement notice shall be mailed to the following recipients:

- All property owners and occupants located within a 600-foot radius of the project, measured from the property line of the project site.
- If the 600-foot radius yields fewer than 30 properties, the project applicant shall extend the radius until 30 or more properties are reached.
- The homeowner association of which the subject property is a part (if any). Notice shall be mailed to both the property management company and HOA board of directors.
- Notice shall be postmarked within 30 days following the date of application submittal.
- Notice shall be delivered via U.S. Postal Service, First Class Mail.

**Enhanced Public Engagement Project Notification Sign – Content & Installation**

The project applicant shall post a project notice sign on the project site consisting of the following information, within the timeframe and method specified:

Timing:	Sign shall be posted within 30 days of the application date and at least 14 days prior to the public outreach meeting
Duration:	Sign shall remain posted and in good legible and physical condition until final action is taken on the permit application by the decision-making authority
Content:	<ul style="list-style-type: none"><li>● Project name and city assigned case number(s)</li><li>● Brief project description. At a minimum, the description shall include number of planned residential units, square footage of commercial space, maximum height, and buildings proposed for demolition</li><li>● Project applicant and representative (if different) contact information</li><li>● City project planner contact information</li><li>● Project website address</li></ul>

Format: Utilize a template provided by the City of Carlsbad

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- Location:
- Sign shall be freestanding (not affixed to an existing structure)
  - Sign shall be clearly visible from the street that fronts the subject property and located at the most highly trafficked portion of the property.
  - If the project fronts multiple public streets (public alleyways excluded), a sign is required along each street frontage.
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### **Public Outreach Meeting**

Project applicants shall conduct at least one in-person public outreach meeting with the community. Additional meetings are encouraged and recommended but not required. The minimum requirements of the public outreach meeting shall include the following:

- The public outreach meeting shall be held in the evening (after 5 p.m.) or on the weekend to maximize participation. On-site meetings are encouraged.
- The public outreach meeting shall take place within 60 days following the application submittal.
- Announcement of the public outreach meeting shall be mailed to those recipients included in the enhanced public engagement notice mailing packet, as well as other parties who have notified the applicant or the city that they wish to be informed about the project.
- Announcement of the public outreach meeting shall be post marked at least 14 days in advance of the outreach event and posted to the project's website.
- Announcement of the public outreach meeting may be included as part of the enhanced public engagement project notice mailing packet, so long as it is postmarked at least 14 days before the meeting date.
- If the announcement of the public outreach meeting is not included in the enhanced public engagement notice, the project applicant must mail a separate notice announcing the meeting that is postmarked at least 14 days in advance of the public outreach meeting. The notice must be sent to the same list of recipients required for the enhanced public engagement notice and should include the same information as the enhanced public engagement notice along with meeting date and time, meeting location name and address, and parking, directional information and any other logistics people would need to know to be able to easily access the location where the outreach meeting will be held.

### **Public Outreach Website**

Project applicants shall create and maintain a project website that complies with the following minimum requirements.

- All the information provided in the Enhanced Public Engagement Notice Mailing shall be included on the project website.
- The website shall either allow individuals to provide comments via an online public comment form or forum or offer alternative ways to provide comments via email or U.S. mail.
- The website shall be published at least 30 days following the application submittal date and at least 14 days prior to the public outreach meeting and remain visible until the decision-making authority makes a final determination on the application.

### **Documentation**

The project applicant shall submit an Enhanced Public Engagement Report to the city's project planner assigned to the project, in a format provided by the city, documenting the following:

- A comprehensive summary describing the outreach that was conducted, including:
  - Individuals/organizations invited to participate
  - Individuals/organizations who participated
  - A summary of **ALL** input provided to the applicant by the public via the public outreach meeting, website, email and phone calls
  - The applicant's response to this input, including commitments or follow-up actions that were/will be taken by the applicant
- A spreadsheet listing, at a minimum, the names and addresses of those notified and those who asked to be notified in the future.
- Copies of all notices and any other informational materials provided to the public, noting the method and date of distribution.
- Screen shots of all pages of the project website.
- Copies of comment cards, survey results, emails, letters and comments in any other form submitted to the applicant.

Along with the Enhanced Public Engagement Report, the applicant shall sign and submit an affidavit, signed under penalty of perjury, on a form approved by the city, that the contents of the outreach report are accurate and true and that all requirements set forth within this policy have been met.

The Enhanced Public Engagement Report and affidavit shall be submitted to the Planning Division for review in conformance with this policy within 120 days following initial submittal of the permit application.

Once the Planning Division confirms that the report is complete and meets the requirements of the policy, the project applicant shall provide a copy of the report (in print and/or electronic

form) to any stakeholder that requests a copy. In addition, members of the public may obtain a copy of the report from the city, once accepted as complete.

City staff shall include in the staff report to the Planning Commission or City Council a brief synopsis of the project applicant's outreach activities and results as documented in the outreach report and shall include the Enhanced Public Engagement Report in its entirety as an attachment to the staff report.

### **Notes on Stakeholders and Noticing**

Stakeholders who become aware of a project application after the project applicant has conducted early stakeholder outreach may still request to be notified regarding the project from city staff. However, the outreach report is not required to be updated once it has been accepted as complete by the city. It is at the project applicant's discretion whether to engage in additional stakeholder outreach once the requirements of this policy have been met.

Regular noticing by the city for public hearings is not a part of this process and would commence when the application is deemed complete and is scheduled for public hearings by city staff. Additionally, public notice and review requirements under other local ordinance, state or federal law are independent of and not fulfilled by the outreach requirements of this policy. This would include but is not limited to requirements under Carlsbad Municipal Code, the California Coastal Act, the California Environmental Quality Act, or the National Environmental Policy Act.

### **Project Changes**

Enhanced public engagement must be done within the first 30 days of project submission. Changes to project design are anticipated and encouraged to respond to stakeholder input. However, significant changes to the project following initial project noticing will require mailing of an updated enhanced public engagement notice and installation of an updated project sign, consistent with the requirements specified in Category B. Significant changes are defined as:

- Change in 20 percent or more of unit numbers or square feet of non-residential development
- The number of affordable housing units provided changes by 5% or more
- Site plan changes resulting in a shift in lot coverage of 20% or more
- Change in building height by 5 or more feet

### **Administration**

The City Planner shall be responsible for administering this policy. The City Planner, in consultation with the City Attorney's Office is authorized to create and modify forms, hand-outs and guidelines as they deem appropriate to effectively administer this policy.

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The Planning Division shall maintain a list of applications subject to this policy and keep records of individuals and organizations who request to be notified of such applications, and shall furnish such records to project applicants for purposes of complying with this policy.