



# Agenda

Nov. 19, 2024, 10 a.m.

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

## Welcome to the Economic Development Subcommittee Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the Economic Development Subcommittee and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website.

### How to watch

#### In Person



City Council Chamber  
1200 Carlsbad Village Drive

#### Online



Watch the livestream at  
[carlsbadca.gov/watch](https://carlsbadca.gov/watch)

### How to participate

If you would like to provide comments to the Economic Development Subcommittee, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the Clerk before the item begins.
- When it's your turn, the Clerk will call your name and invite you to the podium.
- Speakers have three minutes, unless the presiding officer (usually the chair) changes that time.
- You may not give your time to another person, but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the City Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the City Council.
- **In writing:** Email comments to [clerk@carlsbadca.gov](mailto:clerk@carlsbadca.gov). Comments received by 8 a.m. the day of the meeting will be shared with the subcommittee prior to the meeting. When e-mailing comments, please identify in the subject line of the agenda item to which your comments relate. All comments received will be included as part of the official record. **Written comments will not be read out loud.**

### Reasonable accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or [manager@carlsbadca.gov](mailto:manager@carlsbadca.gov) by noon on Monday to make arrangements. City staff will respond to, and seek to resolve, requests before the start of the meeting in order to maximize accessibility.

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF MINUTES:**

Minutes of the Regular Meeting held Sept. 24, 2024

**SUBCOMMITTEE COMMENTS & ANNOUNCEMENTS:**

**PUBLIC COMMENTS:**

**NEW BUSINESS:**

1. CARLSBAD BUSINESS ORGANIZATION AND BUSINESS UPDATES – Receive informational reports from Carlsbad business organizations, discuss and provide recommendations. (Staff contact: Matt Sanford, Economic Development Department)

**Recommendation:** Receive the informational reports and provide feedback.

2. DRIVE-THRU RESTAURANT RESTRICTIONS - INFORMATIONAL REPORT & DISCUSSION  
Receive report and presentation on potential options for regulating drive-thru restaurants, discuss and evaluate the degree to which drive-thru restaurants should be permitted, conditionally permitted, or prohibited in the city’s zoning districts and to provide a recommendation. (Staff contact: Kyle Van Leeuwen, Community Development Department)

**Recommendation:** Receive the informational report and provide a recommendation.

3. SUSTAINABLE MATERIALS MANAGEMENT PROGRAM UPDATE – Receive an informational report on the implementation of the city’s Sustainable Materials Management (SMM) Program, discuss and provide recommendations. (Staff contact: Jamie Wood, Environmental Sustainability Department)

**Recommendation:** Receive the informational report and provide feedback.

4. ECONOMIC DEVELOPMENT STRATEGIC ACTIONS UPDATE – Receive an informational report on the implementation of current economic development strategic actions, discuss and provide recommendations. (Staff contact: Matt Sanford, Economic Development Department)

**Recommendation:** Receive the informational report and provide feedback.

**SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:**

**ADJOURN:**



## ECONOMIC DEVELOPMENT SUBCOMMITTEE

# Minutes

Sept. 24, 2024, 10 a.m.  
Special Meeting

Council Chamber  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

**CALL TO ORDER:** 10 a.m.

**ROLL CALL:** Blackburn, Bhat-Patel.

**APPROVAL OF MINUTES:**

Minutes of the Regular Meeting held May 21, 2024

Motion by Mayor Pro Tem Bhat-Patel, seconded by Mayor Blackburn, to approve the minutes as presented. Motion carried unanimously, 2/0.

**PUBLIC COMMENT:** No public comment requests throughout the meeting.

**SUBCOMMITTEE COMMENTS & ANNOUNCEMENTS:** None.

**NEW BUSINESS:**

1. **CARLSBAD BUSINESS ORGANIZATION AND BUSINESS UPDATES** – Receive informational reports from Carlsbad business organizations, discuss and provide recommendations. (Staff contact: Matt Sanford, Economic Development Department)

**Recommendation:** Receive the informational reports and provide feedback.

The subcommittee received informational reports from Carlsbad Chamber of Commerce President and CEO Brett Schanzenbach, Carlsbad Village Association Executive Director Christine Davis, and Visit Carlsbad President and CEO Kim Sidoriak.

The subcommittee received the reports.

2. **ECONOMIC DEVELOPMENT STRATEGIC ACTIONS UPDATE** – Receive an informational report on the implementation of current economic development strategic actions, discuss and provide recommendations. (Staff contact: Matt Sanford, Economic Development Department)

**Recommendation:** Receive the informational report and provide feedback.

Economic Development Manager Matt Sanford presented the report with a Power Point presentation (on file in the Office of the City Clerk).

The subcommittee received informational reports

3. **SMALL BUSINESS LIAISON PROGRAM UPDATE** – Receive an informational report on the implementation of the Small Business Liaison Program, discuss and provide

recommendations. (Staff contact: Matt Sanford, Economic Development Department)

**Recommendation:** Receive the informational reports and provide feedback.

Economic Development Manager Matt Sanford introduced Senior Program Manager Rachel Maltz who presented the report with a PowerPoint presentation (on file in the Office of the City Clerk).

The subcommittee received the report.

**SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS:**

Mayor Pro Tem Bhat-Patel, in response to the report from Carlsbad Chamber of Commerce, requested to agendaize an all-encompassing sustainability update from city staff to include the impact of city and state guidelines have on Carlsbad businesses.

Mayor Blackburn, in response to the Economic Development Strategic Plan, requested a future item on the city's former Façade Improvement Program.

**ADJOURN:** Mayor Blackburn adjourned the duly noticed meeting at 10:49 a.m.

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Robin Nuschy, Minutes Clerk  
Executive Assistant



## ECONOMIC DEVELOPMENT SUBCOMMITTEE

# Staff Report

**Meeting Date:** Nov. 19, 2024

**To:** Economic Development Subcommittee

**From:** Matt Sanford, Economic Development Director

**Staff Contact:** Matt Sanford, Economic Development Director  
matt.sanford@carlsbadca.gov, 442-339-5987

**Subject:** Carlsbad Business Organization and Business Updates

### Recommended Action

Receive informational reports from Carlsbad business organizations, discuss, and provide recommendations.

### Executive Summary

Carlsbad businesses fuel the city's economic vitality and Carlsbad's business organizations play a critical role in supporting them. This item provides a regular opportunity to hear an update from local business organizations, as well as from other key industry clusters and businesses, on current programs and initiatives, perceived challenges, and opportunities for engagement.

### Explanation and Analysis

Carlsbad has three primary, local business organizations, including Carlsbad Chamber of Commerce, Carlsbad Village Association, and Visit Carlsbad. These three organizations are heavily engaged in the local business community. Representatives of these organizations will provide feedback to the subcommittee on what challenges businesses are facing, as well as projections for what they see coming up in the future.

Updates will be provided by:

1. Carlsbad Chamber of Commerce
2. Carlsbad Village Association
3. Visit Carlsbad

### Fiscal Analysis

This action has no financial impact.

### Next Steps

Staff will continue to engage with Carlsbad business organizations, economic development organizations, and other business support organizations that support the local economy, business programming, and businesses themselves.

### Exhibits

None

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Item #1

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## ECONOMIC DEVELOPMENT SUBCOMMITTEE

# Staff Report

**Meeting Date:** Nov. 19, 2024

**To:** Economic Development Subcommittee

**From:** Kyle Van Leeuwen, Associate Planner, Community Development

**Staff Contact:** Kyle Van Leeuwen, Associate Planner; 442-339-2611;  
kyle.vanleeuwen@carlsbadca.gov

**Subject:** Drive-Thru Restaurant Restrictions - Informational Report & Discussion

### Recommended Action

Receive report and presentation on potential options for regulating drive-thru restaurants. No action is required at this time except to discuss and evaluate the degree to which drive-thru restaurants should be permitted, conditionally permitted, or prohibited in the city's zoning districts, and to provide a recommendation.

### Executive Summary

This project examines the city's land use controls for drive-through or drive-thru restaurant uses in each zoning district (i.e., principally permitted, conditionally permitted, or prohibited land uses). The objective of the Nov. 19, 2024 meeting is for the Economic Development Subcommittee to receive an overview of the existing prohibition on new drive-thru restaurant uses, and provide input on what, if any, changes the subcommittee recommends.

On May 21, 2024, the City Council adopted a minute motion that, in part, directed staff to develop a series of options for the regulation of drive-thru restaurant facilities and to present the options to the Planning Commission and Economic Development Subcommittee for their recommendation before returning to the City Council for consideration and possible direction. This staff report responds to the May 21, 2024, City Council direction.

The Planning Commission reviewed and considered the item on Nov. 6, 2024. The Planning Commission staff report provided a detailed history of the drive-thru restaurant prohibition, the location of existing drive-thru restaurants, etc. The Nov. 6, 2024 Planning Commission staff report and meeting recording are included for reference as Exhibits 1 and 2, respectively, and should be utilized to provide more related background information.

After receiving feedback from the Planning Commission and Economic Development Subcommittee, staff will present the information to City Council, who may direct staff to pursue changes and draft amendments to the Carlsbad Municipal Code (CMC), Title 21. Any amendments to the city's Zoning Ordinance (Title 21) would require Planning Commission recommendation and City Council adoption.

This staff report, together with the Nov. 6, 2024 Planning Commission staff report, outline the background of the drive-thru restaurant prohibition, the options for regulating drive-thru restaurant uses if the prohibition were eased or lifted, and provides an opportunity for input and feedback from subcommittee members prior to a full city council discussion on the topic.

### Planning Commission Informational Report

The attached Planning Commission Staff Report (Exhibit 1) discusses the background and history of existing prohibition, provides information on the existing drive-thru restaurants within Carlsbad, and explores drive-thru regulation options if the prohibition were to be lifted. Please refer to the Nov. 6, 2024 Planning Commission staff report for more background information. A link to the recoding of the November 6, 2024, Planning Commission meeting has also been provided (Exhibit 2). As of this writing, meeting minutes have not been adopted.

### Options for Regulation

Options for regulating drive-thru restaurants range from the continued prohibition of all new uses citywide, to permitting new drive-thru restaurant uses in all non-residential zones. In response to council direction, Planning Commission comments, and staff evaluation, five options have been developed for consideration.

1. Continued prohibition: This option does not recommend changes to existing policy. If this option is selected, it would reflect the Subcommittee's recommendation to continue the prohibition of all new drive-thru restaurant uses citywide.
2. Permit new drive-thru use in the Local Shopping Center (C-L) Zone: This option would allow for the development of new drive-thru restaurant uses only in established, local-serving, shopping centers. C-L Zone areas are larger developed shopping centers, all of which contain a grocery store or market and generally are more car-oriented. Many of these shopping centers: 1) already have specific sites and structures that are designed for drive-thru uses (restaurants or otherwise); 2) may be able to repurpose parking lots to extend restaurant spaces; or 3) may contain undeveloped pads that could be developed as such. As these shopping centers are typically larger in size with sizable parking areas, there are more opportunities to implement various site and building design measures to minimize impact to surrounding land uses.
3. Permit new drive-thru uses in the three typical "restaurant" commercial zones: This option would allow new drive-thru restaurant uses in the three zones that most frequently accommodate restaurant uses; the Local Shopping Center (C-L) zone, General Commercial (C-2) zone, and Commercial Tourist (C-T) zone. In addition to the rationale provided in option 2 for the C-L zone, areas zoned C-2 contain other shopping centers serving regional retail and dining uses. C-2 zone properties include the Shoppes at Carlsbad mall and North County Plaza (just west of the mall). The C-T zone is similar to the C-2 zone, with restaurants and hotels being the primary uses within the C-T zone. All seven existing drive-thru restaurants located outside of the village, are zoned either C-L or C-T.

4. Permit new drive-thru uses in the five most common non-residential zones: This option would include those zones discussed in option 2 and 3 above and permit new drive-thru restaurant uses in the Planned Industrial (P-M) zone and Heavy Commercial (C-M) zone. These two additional zones are mostly located in the “center” of the city, adjacent to Palomar Airport Rd. and north of the airport. While these zones are typically associated with business parks and industrial/manufacturing businesses, there are a few areas in these zones that facilitate restaurants and retail uses, such as the Island at Carlsbad (northwest corner of College Blvd. and Faraday Ave.) and Carlsbad Oaks Business Center (northwest corner of Palomar Airport Rd. and Loker Ave. West). Some characteristics of these sites, such as being on low-traffic streets and/or low visibility, may naturally make drive-thru restaurants unattractive to develop in the P-M and C-M zone.
5. Permit new drive-thru uses in all Commercial, Industrial, and Office zones: This option would include those zones listed in option 2 through 4 above and include the Industrial (M) and Office (O) zones. While these zones are not typically associated with restaurant uses, this would open this option for businesses looking to redevelop or convert a property.

The level of review required for new uses (decision-making body) is also part of the discussion on potentially easing the prohibition on drive-thru restaurants. However, a Conditional Use Permit (CUP) approved by the Planning Commission was frequently cited as the appropriate level of review by the Planning Commission at the Nov. 6, 2024, meeting; and Planning Commission approval of a CUP was the requirement for new drive-thru uses prior to the prohibition being enacted. For those options provided above, the use of the word “permit” is implied to mean a CUP approved by Planning Commission would be required. If the subcommittee members are of the opinion that new uses should require a lower level of review, such as a CUP approved by the City Planner or being allowed as a by-right use with no CUP required, that feedback is also being requested. In the alternative, a higher level of review could also be put in place, which would require approval of a CUP by the City Council.

The above options also do not include discussion on sites located within the Village and Barrio Master Plan area. As the master plan has a separate list of allowed and conditionally allowed uses within the plans, any changes to those uses would be taken up on a separate effort specifically for the Village and Barrio area.

### **Public Outreach & Comment**

The Community Development and Communication & Engagement Departments developed a comprehensive approach to outreach and communication, which includes a dedicated page on the city website, posts on city social media channels, news releases, and emailed newsletters. Citizens and other stakeholders can also provide comments at noticed public hearings. Public correspondence received on this topic as of Nov. 13, 2024 has been provided in Exhibit 3.

### **Fiscal Analysis**

Receipt of this report has no fiscal impact, beyond the use of staff time and resources as directed by City Council. If City Council ultimately directs staff to initiate an update to the zoning ordinance,



staff will return to the Planning Commission and City Council with those proposed updates.

If an amendment is initiated, staff anticipates a processing time of 8-16 months (outside the Coastal Zone) and 20-34 months (inside the Coastal Zone) at a cost of roughly \$150,000 for the environmental review and \$50,000 of staff time for outreach and planning's preparation of documents. The total cost is estimated to be \$200,000.

### Next Steps

Staff will incorporate feedback from subcommittee members into the staff report presented to the City Council for further discussion.

### Exhibits

1. Planning Commission Staff Report, Nov. 6, 2024
2. [Planning Commission Meeting Recording, November 6, 2024](#)
3. Public Correspondence received before 10:00 a.m., Nov. 13, 2024



# Staff Report

**Meeting Date:** Nov. 6, 2024

**To:** Planning Commission

**Staff Contact:** Kyle Van Leeuwen, Associate Planner; 442-339-2611; kyle.vanleeuwen@carlsbadca.gov

**Subject:** Drive-Thru Restaurant Restrictions - Informational Report & Discussion

**Location:** Citywide

**CEQA Determination:**  Not a Project    Exempt    IS/ND or IS/MND    EIR  
 Other:

**Commission Action:**    Decision    Recommendation to City Council    Informational (No Action)

### Recommended Actions

Receive report and presentation on potential options for regulating drive-thru restaurants. No action is required at this time except to discuss and evaluate the degree to which drive-thru restaurants should be permitted, conditionally permitted, or prohibited in the city’s zoning districts.

### Project Description

This project examines the city’s land use controls for drive-through or drive-thru restaurant uses in each zoning district (i.e. principally permitted, conditionally permitted, or prohibited land uses). The objective of the Nov. 6, 2024 meeting is for the Planning Commission to receive an overview of the existing prohibition on new drive-thru restaurant uses, and provide input on what, if any, changes the commission recommends.

On May 21, 2024, the City Council adopted a minute motion that, in part, directed staff to develop a series of options for the regulation of drive-thru restaurant facilities. This staff report responds to the May 21, 2024, City Council direction. After receiving feedback from the Planning Commission, staff will present the information to City Council, who may direct staff to pursue changes and draft amendments to the Carlsbad Municipal Code (CMC), Title 21. Any amendments to the city’s Zoning Ordinance (Title 21) would require Planning Commission recommendation and City Council adoption.

### Background and History of Existing Prohibition

During the public outreach and entitlement process for the Legoland Theme Park, concerns were raised by residents that commercial development like that found around Disneyland (particularly drive-thru restaurants) could occur in some areas of the City of Carlsbad. In response, staff was directed by the City Council in Spring of 1996 to study fast food (drive-thru restaurant) land uses. The study’s objective centered around preventing proliferation of poorly designed fast-food sites which can cause adverse impacts to pedestrian movements and circulation, traffic generation/circulation, signage, litter, noise, odor, air quality (idling engines) and visual aesthetics. The study included an inventory of existing restaurants with drive-thru facilities, likely future sites, an overview of regulations, and a survey of other cities’ regulations including cities that prohibited drive-thru facilities for restaurant uses.

On Feb. 4, 1997, the City Council reviewed the land use study and the associated staff report (Exhibit 1) and after discussion on possible regulatory options (i.e., complete ban, additional controls and limitations, higher level of city review), the item was continued to Feb. 18, 1997, with direction for staff to return with an urgency ordinance. An

urgency ordinance would amend the zoning code to require City Council review of a Conditional Use Permit (CUP) for restaurants with drive-thru lanes (Exhibit 2, City Council Minutes-February 2, 1997).

On Feb. 18, 1997, staff presented, and the City Council adopted a Resolution of Intention (No. 97-53) declaring council's intent to consider a zone code amendment that would establish various findings and criteria for the review and approval of new fast-food restaurants (Exhibits 3, and 4, Staff Report, Resolution, Minutes). In addition to the adopted resolution, staff also presented City Council with two draft urgency ordinances: Ordinance No. NS-396 & NS-397. Both of these urgency ordinances would have prohibited the acceptance, processing, or approval of any new drive-thru restaurants until additional criteria were put in plans or a zone code amendment was completed (Exhibit 3). These urgency ordinances were not adopted due to lack of the required 4/5<sup>th</sup>s majority vote needed to adopt an urgency ordinance (Exhibit 4).

After the Feb. 18, 1997, action by the City Council, the Planning Commission approved an application for a new drive-thru restaurant, located at 925 Palomar Airport Road, and the department received inquiries for at least two other locations for new drive-thru restaurant uses.

The topic of drive-thru restaurants was brought back to the City Council on June 3, 1997 (Exhibit 5, Staff Report). At this meeting, the City Council adopted a new Resolution of Intention (Resolution No. 97-474) declaring its intent to consider a zone code amendment that would prohibit all new drive-thru restaurants in all non-residential zones in the city (Exhibit 5). This resolution (No. 97-474) had the effect of superseding the previously approved resolution (No. 97-53), which did not aim to prohibit new drive-thru uses.

On Dec. 2, 1997, City Council again discussed the prohibition and the recommendations of the Planning Commission and Design Review Board (Exhibit 6, City Council Staff Report-Dec. 2, 1997) and directed staff to prepare documents to establish the prohibition (Exhibit 7, City Council Minutes - Dec. 2, 1997). On Jan. 6, 1998, the City Council adopted Ordinance No. NS-439 (Exhibit 8), which prohibited "drive-thru restaurants" (restaurants that include a drive-thru lane to serve customers in motor vehicles) in all zones throughout the city, including within specific plan areas. The term "restaurant" includes all establishments where the primary business is the preparation, service, and retail sale of ready-to-eat food and/or drinks for consumption on or off premises. This definition includes bakeries, candy and confectionery stores, coffee shops, and ice cream and other frozen dessert stores. The ordinance did not affect the allowance of drive-thru facilities for non-restaurant businesses, such as a pharmaceutical pickup window at a CVS or Walgreens, or drive-thru facilities at financial and banking businesses. Drive-thru facilities for non-restaurant uses continue to be allowed in certain zones with an approved CUP. The Coastal Commission approved the amendments on July 8, 1998.

The ordinance also specified that existing restaurants with drive-thru facilities are allowed to continue operation. Currently, there are 12 such drive-thru facilities located throughout the city. The ordinance allows these facilities to be remodeled subject to the nonconforming regulations in the Carlsbad Municipal Code, but they cannot be expanded or relocated to a different site in the city. The prohibition has remained codified and largely unchanged since its adoption in January 1998.

Today, the ban is codified as CMC section 21.42.140(50) and referenced in the commercial and/or industrial zones permitted use tables (sections 21.26.010, 21.29.030, 21.31.030, etc.). The Community Development Department continues to receive requests from commercial real estate brokers and property owners wishing to construct drive-thru restaurant uses. These requests have increased significantly through the COVID-19 pandemic. Given the amount of time that has passed and renewed interest in the issue, in May 2024, the City Council asked staff to develop options for potential changes to city regulation of drive-thru establishments.

### **Existing Drive-Thru Restaurants**

There are currently 12 restaurant uses with drive-thru facilities within the city (Exhibit 9). Nine of these locations are clustered in just two areas: five locations in Carlsbad Village (Exhibit 10) and four near the Palomar Airport Road/Interstate 5 intersection (Exhibit 11). Additionally, there are two locations within the Poinsettia Village

shopping center (southeast corner of Poinsettia Lane and Avenida Encinas) and one location off El Camino Real, south of the 78 freeway.

**TABLE A – EXISTING LOCATIONS**

Restaurant	Address	Opened	Location	Quad
Taco Bell/KFC	745 Carlsbad Village Dr.	1974	Carlsbad Village	NW
Jack In the Box	901 Carlsbad Village Drive	1982	Carlsbad Village	NW
Carl’s Jr.	950 Carlsbad Village Drive	1975	Carlsbad Village	NW
Vallarta Express	2952 Harding Street	1966	Carlsbad Village	NW
Super Donut	2885 Roosevelt Street	1960/70s?	Carlsbad Village	NW
McDonalds	5990 Avenida Encinas	1985	5 Frwy & P.A.R.	NW
In N Out	5950 Avenida Encinas	1993	5 Frwy & P.A.R.	NW
Taco Bell	6017 Paseo Del Node	1996	5 Frwy & P.A.R.	SW
Carl’s Jr.	925 Palomar Airport Road	1998	5 Frwy & P.A.R.	SW
Jack In the Box	7050 Avenida Encinas	1989	Poinsettia Village	SW
El Pollo Loco	7120 Avenida Encinas	1989	Poinsettia Village	SW
Carl’s Jr	2608 El Camino Real	1978	El Camino Real (N)	NE

**City Council Direction**

During the City Council’s approval of the Planning Commission’s Work Program on May 21, 2024, a minute motion was made directing staff to develop a series of options for the regulation of drive-thru restaurant facilities. These options to range from a continued ban to the citywide allowance of new drive-thru restaurant uses. These options will be presented to the Planning Commission and Economic Development Subcommittee for their recommendation before returning to City Council for consideration. The developed options will also include time and cost estimates to implement.

**Drive-Thru Regulation Options**

The Planning Commission is being asked to evaluate the degree to which drive-thru restaurants should be permitted, conditionally permitted, or prohibited in the city’s zoning districts. Changes under consideration include permitting certain types of businesses “by right” – meaning they could start business without a public hearing process as long as they meet specific standards defined in the zoning code. For a drive-thru restaurant use that requires a CUP, proposed updates could clarify and streamline the permitting process, while ensuring that concerns are fully addressed. New siting, development, and performance standards may also be considered to help provide clear expectations for the planning, design, and review of new development proposals in the city. There are a wide range of changes that could be suggested, if any, both in terms of location and level of CUP review required. It is important to note that during public discussion, new options may be suggested – and these new ideas should be considered alongside those included within this staff report.

**Location**

With respect to location, land use controls may be utilized to divide a city or county into districts (zones or zoning districts) and establish what type of land uses and activities are allowed. In most cases, each land use class category is broken down into more defined categories, which includes almost any type of land use that might be proposed. For example, the portion of the code permitting commercial land use activity corresponds to Neighborhood Commercial Zone (C-1 Zone), Office Zone (O Zone), General Commercial Zone, (C-2 Zone), Commercial Tourist Zone (C-T Zone), Heavy Commercial Zone – Limited Industrial Zone (C-M Zone), and Local Shopping Center Zone (C-L Zone). Each zoning designation permits and/or regulates a different level of activity. Related to this study, options for allowing new drive-thru restaurant uses would include any of the following: (1) a continued ban to the citywide allowance of new drive-thru restaurant uses; (2) allowing new uses in one single zone such as the Local Shopping Center Zone (C-L Zone); (3) allowing new drive-thru restaurant uses to be

located in any zone where restaurants are currently allowed; or (4) to the citywide allowance of new drive-thru restaurant uses.

The following zones currently allow restaurant uses, by-right or with approval of CUP, and may be candidate zoning districts to allow for some sort of accessory drive-thru facilities.

**TABLE B – RESTAURANT PERMITTING REQUIREMENTS**

<b>Zone</b>	<b>Use Permit Required?</b>
C-1, Neighborhood Commercial	No
Office	Yes (Minor)
C-2, General Commercial	No
C-T, Commercial Tourist - If adjacent to residential	No Yes (PC approval)
C-M, Heavy Commercial	Yes (Minor)
C-L, Local Shopping Center	No (SDP Req for Shopping Center)
M, Industrial	Yes (Minor)
P-M, Planned Industrial	Yes (Minor)

Additional zones such as the Village Barrio Zone and Planned Community Zones may allow for restaurant uses as described within the master and/or specific plans that regulate development and uses in that area. If the master or specific plan allows uses per the CMC for certain zones/areas, then no additional analysis for these areas is needed. If the master or specific plan provides for specific regulations on use types allowed, such as the Village and Barrio Master Plan area, the appropriateness of allowing drive-thru uses within that area should be discussed during review of those specific plan documents.

**Conditional Use Permit Requirement**

The purpose of a CUP is to allow special consideration for certain uses because of their characteristics. Such uses may only be suitable in specific locations in a zone or only if such uses are designed or laid out in a particular manner on the site or are subjected to specific conditions to assure compatibility within the zone and its surroundings. If the prohibition on new drive-thru restaurant uses is reconsidered, options for the level of review and approval required to allow a new drive-thru restaurant use should also be discussed. This would range from requiring no CUP, and allowing the use in accordance with what is required for a restaurant use currently, to requiring City Council approval of a CUP (with review and a recommendation from the Planning Commission). The four options for review are listed below:

1. No Conditional Use Permit Required: This level of review would require no discretionary review to allow a drive-thru component to an existing or approved restaurant. This would require that only objective design and operational standards be developed for new drive-thru restaurant uses, which could be applied through the building permit review process. While this approach to permitting is an option, staff does not recommend this level of review as it would not allow for public input or any level of discretion on proposed new drive-thru restaurant uses.
2. Minor Conditional Use Permit Required: This level of review would be discretionary and would allow for the public to be notified of a pending decision, made by the City Planner, prior to a final decision on the proposed new drive-thru restaurant use. Minor CUPs that are approved by the City Planner do not require early notification of the project and this level of review would be less than what was required for new drive-thru restaurant uses prior to their prohibition.

3. Conditional Use Permit- Planning Commission: The level of review would be a discretionary review that requires approval by the Planning Commission. As with most projects that require approval by the Planning Commission, this level of review would require early notification of the project consistent with Policy 84. Any action by the Planning Commission on the use permit, approval or denial, could be appealed by the applicant or the public and be heard by the City Council.
4. Conditional Use Permit – City Council: This level of review would be a discretionary review that requires approval by the City Council, after review and recommendation by the Planning Commission. As with most projects that require approval by the City Council, this level of review would require early notification of the project consistent with Policy 84.

If the city were to update commercial and/or industrial zones permitted use tables with new drive-thru restaurant uses, the level of review for new uses can vary from one zoning district to another, or if the level of review should be the same in all zoning districts. For example, the Local Shopping Center (C-L) Zone typically contain larger established shopping centers that include sizable parking lots, which may lessen concerns about the impact a drive-thru restaurant use may have, and therefore approval by the Planning Commission may be sufficient compared to the development of an empty or redeveloped lot needing CUP approved by City Council.

**Common Concerns with Drive-Thru Restaurants and other potential regulation options for a future ordinance**

Concerns about drive-thru restaurants and their potential impacts are typically the same no matter the location or level of review. These main areas of concern are as follows:

- Vehicular queuing lines that spill into the public right-of-way
- Blocked driveways that impact access to nearby properties
- Disruption to traffic flow (both within public streets and private parking lots)
- Safety of adjacent streets
- Site and building design (impact of “corporate” architecture)
- Air quality and greenhouse gas emissions
- Noise and light pollution during the late-night hours
- Number and size of signs, banners, and attention getting devices
- Increased littering caused by more restaurant patrons consuming food outside
- Over-concentration or proliferation of uses around tourist and high traffic areas
- Relationship of drive-thrus with areas that are designated to be oriented to pedestrian or bicycle modes of transportation, such as the Village and Barrio Master Plan Area

Some discussion of these concerns are provided in the Fast-Food Land Use Study completed in 1997, contained in Exhibit 1. To reduce some of the negative impacts listed above, new siting, development, and performance standards for drive-throughs may be considered. Standards for each permitted drive-thru restaurant use type, defined in the zoning code, would provide the core tool for ensuring these concerns are addressed. Some options to consider are provided below.

- Explore limiting business hours of operation
- Explore development standards to address the amount of space for cars to line up
- Explore limiting cross-thru lane movement (intersecting pedestrian walkways)
- Explore how to limit the total number of drive-thru restaurant uses along a corridor, at an intersection, or within a given shopping center
- Explore establishing a separation requirement between drive-thru uses

- Explore use limitations or development standards to buffer drive-thru restaurant uses from residential areas
- Explore how to limit ingress and egress points near street intersections
- Explore how to require sites with drive-thrus to meet certain design standards, such as where the drive-thru lane is located in relation to the rest of the site or how to screen drive-thru queuing
- Explore development standards for enhanced building and site design
- Explore on-site traffic control to limit impacts to other businesses and within the right-of-way
- Explore architectural requirements when proposed in an area with existing architectural styles
- Explore development standards to limit the proliferation of signage
- Certain areas of the city where drive-thrus would remain prohibited, such as along certain roadways in areas that could impact coastal resource access or the Village and Barrio Master Plan area.

Other considerations would be how permits can be reviewed over time for impacts or how to enforce violations. Following the Nov. 6, 2024, Planning Commission meeting, city staff will further refine the menu of options based on input received and continue to solicit feedback from the community.

### **Public Outreach & Comment**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

In addition to the legally required notice for the Planning Commission meeting, additional outreach was provided to interested parties including business groups and other stakeholders. A notice of this meeting date to discuss drive-thru regulations was provided on Oct. 23, 2024, and recipients were informed that the Planning Commission hearing would be the opportunity to provide comments and concerns related to drive-thru restaurant uses. Public comments received up to 5:00 pm on October 29 are provided as Exhibit 12.

### **Fiscal Analysis**

Receipt of this report has no fiscal impact, beyond the use of staff time and resources as directed by City Council. If City Council ultimately directs staff to initiate an update to the zoning ordinance, staff will return to the Planning Commission and City Council with those proposed updates.

If an amendment is initiated, staff anticipates a processing time of 8-16 months (outside the Coastal Zone) and 20-34 months (inside the Coastal Zone) at a cost of roughly \$150,000 for the environmental review and \$50,000 of staff time for the outreach and planning preparation of documents. Total cost is estimated to be \$200,000.

### **Environmental Review**

This is a discussion item only. Pursuant to Public Resources Code section 21065, this action does not constitute a "project" within the meaning of CEQA in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore, does not require environmental review.

Because the request involves only a preliminary discussion of whether drive-thru restaurants should be permitted, conditionally permitted, or prohibited in the city's zoning districts (and whether the city should process an application for an amendment, and not the amendment itself), this item does not have a legally binding effect on any possible future discretionary action. In accordance with CEQA, all project requests that are defined as a "project" under CEQA are required to have an environmental assessment to determine potential environmental impact, if any, prior to taking any action or to carry out the project. The proposed amendments, if initiated, would be subject to environmental assessment to determine potential environmental impacts in accordance with CEQA at that time.

## Conclusion

Staff is requesting feedback from the Planning Commission on drive-thru restaurant policies and in what areas of the city. Changes may be warranted for a variety of reasons, such as facilitating better land use planning, protecting the city's retail trade, quality economic development, economic prosperity, etc. This staff report provides an opportunity to build study context, establish a menu of potential regulatory options, and create a framework for future public engagement. When the Planning Commission completes its review, the options will be presented to the City Council. If directed by City Council, staff would prepare draft amendments to the Zoning Ordinance (Title 21) for review and approval at a later date.

## Exhibits

1. [Council Staff Report and Land Use Study, February 4, 1997](#) (on file in the Office of the City Clerk)
  2. [City Council Meeting Minutes, February 4, 1997](#) (on file in the Office of the City Clerk)
  3. [City Council Staff Report and Resolution of Intention \(No. 97-53\), February 18, 1997](#) (on file in the Office of the City Clerk)
  4. [City Council Meeting Minutes, February 18, 1997](#) (on file in the Office of the City Clerk)
  5. [City Council Staff Report and Resolution of Intention \(No. 97-474\), June 3, 1997](#) (on file in the Office of the City Clerk)
  6. [City Council Staff Report, December 2, 1997](#) (on file in the Office of the City Clerk)
  7. [City Council Meeting Minutes, December 2, 1997](#) (on file in the Office of the City Clerk)
  8. [City Council Ordinance No. NS-439](#) (on file in the Office of the City Clerk)
1. Map – All Drive-thru Restaurants
  2. Carlsbad Village Drive-thru Restaurants
  3. Palomar Airport Road/I-5 Area Drive-thru Restaurants
  4. Public Correspondence received before 10:00 a.m., Oct. 30, 2024



Planning Commission Meeting Recording, November 6,  
2024

**From:** [sarahnzavalani@gmail.com](mailto:sarahnzavalani@gmail.com)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Planning](#)  
**Subject:** Drive thru input  
**Date:** Monday, October 28, 2024 7:54:43 PM

---

Just read about the current drive thru bans- I am from Carlsbad since 1988. Now raising my family here. I don't want any more drive thrus!

My input is that I'd like to keep the current ban as is.

Sent from my iPhone

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive through Dinning  
**Date:** Tuesday, October 29, 2024 8:20:29 AM

---

**From:** Mary Stanley <mfstanley@att.net>  
**Sent:** Tuesday, October 29, 2024 8:16 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** RE: Drive through Dinning

Subject: Consideration for Drive-Thru Restaurant Policy in Carlsbad

Hello,

Thank you for the opportunity to share my thoughts on this topic.

With all the recent housing developments in Carlsbad, it seems reasonable to revisit the policy on drive-thru restaurants. The recent opening of Chick-fil-A, for instance, highlights some of the challenges, as it's created an awkward and less-than-ideal experience for residents.

This approach may have suited Carlsbad when we were a smaller community, but as we grow, it's time to reconsider the "no drive-thru" policy to better serve our evolving needs.

Thank you for your commitment to our community.

Mary Frances Stanley

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive thru ban - comments  
**Date:** Tuesday, October 29, 2024 7:18:09 AM

---

**From:** Nancy Gilbert <njosephinegilbert@gmail.com>  
**Sent:** Monday, October 28, 2024 7:02 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Drive thru ban - comments

Dear City of Carlsbad,

My comment is, having a ban on drive through restaurants is bad. Parents rely on this mode. I think drive through restaurants should be limited to high traffic areas with lots of tourists and some space. Having a drive through in the middle of the Village doesn't make sense; having them out by Bressi Ranch, in Poinsettia area or Palomar Airport in a well-situated area does make sense.



Nancy Gilbert

M.A., Piano Pedagogy

mobile: [+1 \(760\) 814-0588](tel:+17608140588)

email: [njosephinegilbert@gmail.com](mailto:njosephinegilbert@gmail.com)

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: drive-throughs  
**Date:** Friday, October 18, 2024 8:54:06 AM

---

**From:** bonniemhammer@gmail.com <bonniemhammer@gmail.com>  
**Sent:** Friday, October 18, 2024 8:18 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** drive-throughs

Hi,

Though I've used drive-throughs in the past and like their convenience, I think that they should be limited to areas where the drive-through lines won't encroach on residential neighborhoods or clog up parking lots used for multiple storefronts.

Thanks,  
Bonnie

P.S. Your email address link was missing the "d".

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Keep the fastfood ban  
**Date:** Tuesday, October 29, 2024 7:18:02 AM

---

**From:** Brittany Stalica <bri2tt22@aim.com>  
**Sent:** Monday, October 28, 2024 5:53 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Keep the fastfood ban

Please keep the fastfood ban! They are an eyesore, disrupt traffic, and only offer low-paying jobs. They are a source of unhealthy food that we do not need to make more tempting by being convenient!

Thanks,  
Brittany Stalica

[Sent from AOL on Android](#)

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive throughs  
**Date:** Monday, November 4, 2024 6:50:18 AM

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**From:** Gregg Ferry <gregg@greggferry.com>  
**Sent:** Friday, November 1, 2024 4:47 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Drive throughs

Honorable Sirs and Madams,

I have to question why this was brought up at all. What has changed since the decision was made in 1997? The population increased by 40,000 people, an increase of 40%! Locally owned food establishments have dwindled.

Ask these questions:

What public benefit is derived from drive-thru/s? Service is quicker (maybe), tax revenue for the city.

What is the downside? idling ICE vehicles, enabling obesity, sloth and other health risks, increased litter, perpetuating an anti-social environment, doesn't promote climate change mitigation.

Well, if infinite wisdom the city council thinks they're a good idea, I guess there's nothing I can do about it, is there? I would be foolish to believe that my representative on the council would listen to any constituent that has an opinion different than hers.

--

Gregg Ferry  
3344 Appian Rd  
Carlsbad CA 92010  
(805) 743-3779

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive-Thru Restaurant Restrictions  
**Date:** Monday, November 4, 2024 6:50:39 AM

---

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

From: Gina Armbrust <[fiveinhive@gmail.com](mailto:fiveinhive@gmail.com)>  
Sent: Friday, November 1, 2024 5:27 PM  
To: Planning <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)>  
Subject: Drive-Thru Restaurant Restrictions

Hello,

Thank you for revisiting the city's ban on drive-thru restaurants. Drive-thrus are especially a very convenient way for parents with young children to get a quick dinner for their family. If you are a parent with two or three kids in carseats, you have to park your car, take them all out of their carseats and walk into a restaurant just to pick up dinner. Consider the working parents who may be picking up their kids from day care at the end of the day. I personally do not have any small children living at home any longer, but I am thinking about all the young parents in our City. Of course, we need to consider whether the drive-thru is feasible in any given area with traffic, parking, etc.

Thank you for the opportunity to address this issue.

Gina Armbrust

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Revisiting drive-thru rules in Carlsbad  
**Date:** Monday, November 4, 2024 6:51:41 AM

---

**From:** Aaron Williams <aaronswilliams@gmail.com>  
**Sent:** Sunday, November 3, 2024 6:48 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Re: Revisiting drive-thru rules in Carlsbad

How was Chick-fil-A developed if there has been a ban on drive thru restaurants?

Sent from my iPhone

On Nov 1, 2024, at 3:30 PM, City of Carlsbad <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)> wrote:



### Checking in on Carlsbad's drive-thru rules

Following the development of several major projects in the 1990s, including LEGOLAND California, Costco (Carlsbad's first "big box" store), and what is today known as Carlsbad Premium Outlets, residents became increasingly concerned about protecting Carlsbad's community character and quality of life.

To address those concerns, as well as worries about traffic congestion, traffic safety and community aesthetics, in 1997 the City Council directed staff to study options for potentially regulating drive-thru restaurants.

- The City Council ultimately passed a ban on new drive-thru restaurants.
- As a result, today Carlsbad has just the original 12 drive-thrus that were already in place when the ban took effect.
- We originally had 13, but one closed, and that property was redeveloped.

Given the amount of time that has passed and renewed interest in the issue, in May 2024, the City Council asked staff to develop options for potential changes to city regulation of drive-thru establishments.

### **Considering options**

Since it's been a while since we looked at this issue, staff started by reviewing how other cities are handling drive-thrus. Here are some of the more common regulations and requirements:

- Prohibiting or limiting drive-thrus in certain parts of a city, such as a historic downtown area
- Requiring certain architectural treatments, sign standards and landscaping to protect community aesthetics
- Limiting hours, such as prohibiting 24-hour drive-thrus
- Requiring a public hearing to approve new drive-thrus (a conditional use permit)
- Requiring a traffic study or restricting drive-thrus based on how they would affect local traffic patterns
- Requiring sites with drive-thrus to meet certain design standards, such as where the drive-thru lane is located in relation to the rest of the site or requiring a minimum amount of space for cars to line up

### **What do you think about drive-thrus?**

As a preliminary step, city staff will present options to the Planning Commission and the City Council's Economic Development Subcommittee for feedback. These public meetings will also be an opportunity for you to learn about the options and provide input. Both meetings will be held in the City Council Chamber at 1200 Carlsbad Village Drive.

#### **[Planning Commission meeting](#)**

Wednesday, Nov. 6, 5 p.m.

View the [agenda](#) and [staff report](#)

#### **[City Council Economic Development Subcommittee](#)**

Tuesday, Nov. 19, 10 a.m.

- You are welcome to attend and provide comments in person or watch the [livestream](#). You can also email your comments in advance

to [planning@carlsbadca.gov](mailto:planning@carlsbadca.gov).

### Next steps

- After gathering input on the options, city staff will present them to the City Council, which will make the final decision about how to proceed.
- If the City Council directs staff to develop an updated ordinance, staff will seek input from the community and interested businesses on the proposed ordinance.

[Learn more](#)



[Visit the website](#)



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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Revisiting drive-thru rules in Carlsbad  
**Date:** Monday, November 4, 2024 6:51:02 AM

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**From:** Julia Jones <jonesjj02@gmail.com>  
**Sent:** Sunday, November 3, 2024 1:44 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Re: Revisiting drive-thru rules in Carlsbad

Hello!

Is there something I'm missing?

The only water fountains that work in the whole of Alga Norte park are the ones in the dog park ( apart from the one that the general public don't have access to outside one if the community rooms).  
Julia Jones

On Fri, Nov 1, 2024, 3:30 PM City of Carlsbad <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)> wrote:



### Checking in on Carlsbad's drive-thru rules

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proposed ordinance.

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive Thru Restaurants Permitting & Management  
**Date:** Monday, November 4, 2024 4:11:20 PM

---

**From:** Bill OConnell <billfed@aol.com>  
**Sent:** Monday, November 4, 2024 4:01 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Drive Thru Restaurants Permitting & Management

Pursuant to the informational brief emailed out recently

I offer a few feedback points

I think most Carlsbad Residents would agree with the standrads as published and listed below.

- Prohibiting or limiting drive-thrus in certain parts of a city, such as a historic downtown area
- Requiring certain architectural treatments, sign standards and landscaping to protect community aesthetics
- Limiting hours, such as prohibiting 24-hour drive-thrus
- Requiring a public hearing to approve new drive-thrus (a conditional use permit)
- Requiring a traffic study or restricting drive-thrus based on how they would affect local traffic patterns
- Requiring sites with drive-thrus to meet certain design standards, such as where the drive-thru lane is located in relation to the rest of the site or requiring a minimum amount of space for cars to line up

Drive thru opportunities can be a valuable asset to the community especially when replacing decades old & commercially defunct legacy sites that have been grandfathered into the Carlsbad community fabric!

Renovation and innovation should be a major requirement as resident consumer utilization in the modern everyday city of Carlsbad.

Typical fast food locations have distinct advantage over modern franchised & corporately operated outlets. So agreed the City Council needs to review and modify historical & prospective sites in the city.

Needed are variety, consumer choices and flexibility for residents and families who at times need to utilize the more viable, successful and robust community supporting

locations.

Council should revisit their mandates in an innovative manner!

My resident feedback !

Bill O'Connell

[billfed@aol.com](mailto:billfed@aol.com)

(760) 942-1081

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: drive thru  
**Date:** Tuesday, November 5, 2024 1:15:33 PM

---

**From:** B Plante <b\_plante@hotmail.com>  
**Sent:** Tuesday, November 5, 2024 11:15 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** drive thru

no

Disclaimer: Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, I would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Carlsbad Drive-thru  
**Date:** Tuesday, November 5, 2024 7:03:14 AM

---

**From:** Manager <info@babacoffee.com>  
**Sent:** Tuesday, November 5, 2024 6:27 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Carlsbad Drive-thru

To Whom it may concern,

As business owners with the type of business which thrives via drive-thru, we support any effort to include drive-thru locations.

To give an example of how a drive-thru shop vs sit-down only compares financially; a drive-thru/sit-down will produce twice the revenue of sit-down only.

That is huge to a business like ours where customers prefer to order via their car. Thank you for re-considering drive-thru options in Carlsbad, Reagan Lessie and Robert Pastor

--

*Respectfully,*

*Manager*

**Baba Coffee**  
**2727 State Street**  
**Carlsbad CA 92008**  
**(760) 994-0666**  
[info@babacoffee.com](mailto:info@babacoffee.com)

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**From:** [Planning](#)  
**To:** [Cynthia Vigeland](#)  
**Subject:** FW: TRC Public Comment - Drive Thru Ordinance  
**Date:** Tuesday, November 5, 2024 10:34:28 AM  
**Attachments:** [image001.png](#)  
[TRC Comment Letter Carlsbad PC Drive Thru Ordinance 11062024.pdf](#)

---

**From:** Byron de Arakal <[byron@trcretail.com](mailto:byron@trcretail.com)>  
**Sent:** Tuesday, November 5, 2024 10:34 AM  
**To:** Planning <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)>  
**Cc:** Kyle Van Leeuwen <[Kyle.VanLeeuwen@carlsbadca.gov](mailto:Kyle.VanLeeuwen@carlsbadca.gov)>; Eric Lardy <[Eric.Lardy@carlsbadca.gov](mailto:Eric.Lardy@carlsbadca.gov)>  
**Subject:** TRC Public Comment - Drive Thru Ordinance

Good morning –

TRC is submitting the attached letter for the Carlsbad Planning Commission’s consideration as part of Item 3 on the Commission’s 11/6/24 Meeting Agenda re: Information Report & Discussion of the City’s Drive-Thru Restaurant Restrictions.

Thank you.

Byron de Arakal

## **BYRON DE ARAKAL**

*Consulting Director*

*Entitlement Planning and Special Projects*



4695 MacArthur Court | Suite 700

Newport Beach, CA. 92660

**M** 714.227.4620

[Byron@TRCRetail.com](mailto:Byron@TRCRetail.com)

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4 November 2024

CARLSBAD PLANNING COMMISSION  
City of Carlsbad  
1200 Carlsbad Village Drive  
Carlsbad, CA. 92008

RE: Drive-Thru Restaurant Restrictions – Informational Report & Discussion

Dear Chair Kamenjarin, Vice Chair Meenes and Honorable Commissioners:

TRC is owner and operator of the La Costa Town Square shopping center, one of more than 30 regional and neighborhood retail centers we own and manage throughout California. As La Costa Town Square represents our flagship center in San Diego County, we are encouraged by the City Council’s initiative to revisit Carlsbad’s existing municipal code prohibiting new drive-through restaurant uses. Thank you for the opportunity to share our perspective with you on this important issue.

TRC respectfully requests the Planning Commission recommend lifting the 26-year-old prohibition in favor of a new land-use policy that allows for drive-through restaurants as conditionally permitted uses. We do so for three important reasons.

**Adopted in a different time for a different era**

Adopted in 1998, Carlsbad’s drive-through restaurant ban – CMC 21.42.140(50) – sought to prevent “commercial development like that found around Disneyland (particularly drive-thru restaurants)” at a time when a major new entertainment use was being welcomed to the City. But rather than narrowly tailor a restriction to the major transportation corridors immediately adjacent to the new amusement park, the prohibition was adopted citywide. The ordinance has essentially shut out a powerful economic engine that generates significant sales tax revenues for jurisdictions where they are allowed.

Today, the fast casual/quick serve restaurant (QSR) industry has fundamentally changed and continues to evolve:

- During the pandemic (2019 – 2022) drive-through restaurant traffic rose 30 percent. The trend has survived the pandemic. Drive-through traffic now accounts for two-thirds of all fast casual/QSR purchases while in-store dining has fallen by nearly 50 percent. *Source: Restaurant News*
- Nearly half (47%) of consumers won’t even consider frequenting a fast casual restaurant, bank, drug store or other retail establishments unless it sports a drive-thru, according to a survey by OnePoll. The most-cited reasons were faster service (mentioned by 61% of respondents), the comfort of staying in their cars (61%) and avoiding long lines (52%). And among those who prefer the drive-thru, one-third of them (32%) say they will “always” choose that option when it’s available. *Source: Restaurant News*

- As drive-through sales increase while indoor dining decreases, the major fast casual/QSR brands are reducing or eliminating indoor dining space in favor of faster, more efficient, higher volume drive-through and pick-up only facilities. Chick-fil-A, Raising Cane's, Taco Bell, Del Taco and McDonald's have all announced plans to reduce or eliminate indoor dining space in their new restaurants. *Sources: Restaurant News; QSR Magazine*

Our experience informs us that the continued prohibition of drive-through restaurants in Carlsbad may well discourage national chains from permitting/developing *any* new fast casual/QSR restaurants in the City as they reduce or abandon less profitable indoor dining-only restaurants.

### **Cumulative Unrealized Sales Tax Revenues**

As national fast casual/QSR brands introduce new technology and greater efficiencies into their drive-through operations, annual per-store sales volumes are reaching all-time highs and are delivering significant sales tax revenues to local jurisdictions where they are permitted. Class A fast casual/QSR brands, for instance, are achieving average annual per-store sales of between \$8.5 million and \$10 million, representing \$85,000 to \$100,000 in annual local sales tax revenue per restaurant. In that context, it's not an unreasonable estimate that more than \$10 million in sales tax revenue have gone unrealized over the 26 years the current ordinance has been in place.

Absent a new land-use policy allowing drive-through restaurants as conditionally permitted uses, cumulative unrealized sales tax revenue from even a small number of new stores will continue.

### **Survey: Carlsbad Residents Favor Allowing New Drive-Through Restaurants**

In 2022, TRC commissioned a survey of 300 randomly selected registered voters residing in Carlsbad to measure 1) their awareness of the Carlsbad ordinance prohibiting coffee shops and restaurants with drive-throughs, and 2) their support or opposition to changing the ordinance to allow for drive-throughs, and 3) the strength of their support or opposition when presented with more information. The survey found that 9 out of 10 Carlsbad residents are unaware of the City's drive-through prohibition, more than 6 out of 10 residents support changing the law, and that up to 5 in 10 residents are more likely to support changing the law when presented with more information.

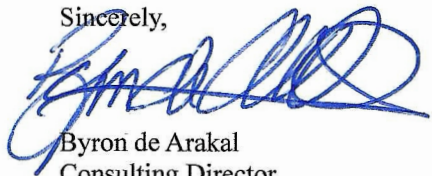
- Question 1: Prior to this survey, were you aware that Carlsbad has a law that prohibits businesses like coffee shops and restaurants from operating drive-through windows to allow customers to purchase items without leaving their cars?
  - No, not aware – 91%
  - Yes, aware – 8%
  - Unsure – 1%
- Question 2: Generally speaking, do you support or oppose changing the law, so that coffee shops and restaurants can operate drive-through windows, if they get proper zoning approval from the City?
  - Support – 64%
  - Oppose – 23%
  - Unsure – 13%

- Question 3: Would you be more or less likely to support changing the law to allow drive-through windows if you heard that:
  - Cars using the drive-throughs would enter and exit through a service road within the shopping center complex, so it would not affect the traffic on adjacent streets?
    - More likely to support – 52%
    - Less likely to support – 11%
    - No difference – 34%
  - Drive-through restaurants can provide faster service, so customers do not have to spend as much time waiting for their orders?
    - More likely to support – 43%
    - Less likely to support – 12%
    - No difference – 42%
  - The law prohibiting drive-throughs was made over 25 years ago, and is an antiquated regulation that does not reflect the needs and time concerns of today’s customers?
    - More likely to support – 42%
    - Less likely to support – 16%
    - No difference – 39%

Replacing the blanket prohibition of new drive-through restaurants with a formal discretionary review process, CEQA examination, and important public input preserves the City’s ability to thoroughly vet drive-restaurant applications on a case-by-case basis while achieving significant new economic benefit and substantial new revenues streams going forward.

We hope you agree.

Sincerely,



Byron de Arakal  
Consulting Director  
Entitlement Planning and Special Projects

**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Comment on: CT 2023-0005/PUD 2023-0007/CDP 2023-0058 - JUNIPER COAST HOMES  
**Date:** Tuesday, November 5, 2024 10:46:09 AM

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**From:** Carey Fox <careyfox@gmail.com>  
**Sent:** Tuesday, November 5, 2024 10:43 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Comment on: CT 2023-0005/PUD 2023-0007/CDP 2023-0058 - JUNIPER COAST HOMES

Hi - I am a resident at 318 Juniper Ave. My family owns our property and have owned it for nearly 30 years. I live there with my husband and our two young children. We love the coastal Carlsbad community near the village. It has been sad to see how much new modern developments have changed the landscape of the area and how much of our community is for short term renters vs. people who live, work, attend school, and are really a part of where we live.

It is disheartening to see that developments continue to get approved that are not only unpleasant in the amount of space they take up but also in their purpose. The constant addition of housing that is in no way accessible for the majority of people and is often used as income properties to short term renters is hurting our neighborhoods. Rincon's expectation to put in one very low priced affordable unit and then the rest of the inflated units in no way helps the housing crisis the majority of people are facing. A responsible project would prioritize many affordable units and housing opportunities for more economically diverse needs.

I have said this in previous emails but the plans for the property at 270 Juniper will cut out the sun and sky from my home and all the other West facing units in my development. It is very upsetting that Carlsbad is not concerned with protecting my neighbors and my living environment. Imagine all of your windows that have been open to air flow and sunshine being suddenly blocked by a massive structure. Where is our compensation for losing something vital to our everyday lives? I believe it will also reduce the value of all of our properties to be next door to a massive build.

Juniper Ave. is basically a one way street as it is. If you have spent any time on that street at nearly any time of day you know that you have to pull off to the side to let other cars pass. The addition of so many units and new cars will be a huge mess making it difficult everytime we come and go - which for someone like me who is juggling two different schools and kid's activities multiple times a day. The flow of traffic will be disastrous.



Rincon have proved to be bad actors. Their last project on Juniper Ave. led to a lot of garbage on our streets during the building process. Their employees and contractors take up space, are loud, and not respectful of our street.

Rincon is not respectful of the rules and procedures- we saw over the summer when they began moving trucks and land on that property when they were not supposed to be there. I personally called and complained and appreciated that the city took swift action to rectify the situation.

I believe Rincon knew they did not have the permits and were not supposed to be doing that work and did it anyway. That is disrespectful of the city and of our community.

I believe many of these 21 units will be purchased and used for short term rentals. This is a growing problem. We have issues with traffic, noise, increased garbage from people who come here for short periods of time and have no allegiance to our communities or the safety of our children.

I will forever be angry that the city didn't see this land as an opportunity to expand our greenspaces and community gardens. Our closest park is Pine Ave park - which is still necessary for my family to cross the train tracks to access. Our closest dog park is across El Camino Real. This space could have been used as a community space if you had made efforts to secure the land and allow for something beautiful and connecting to exist - but instead a few people are going to make a lot of money.

I could not be more disappointed.

Sincerely,  
Carey Fox

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Maintain the Ban on Drive-thru Restaurants  
**Date:** Tuesday, November 5, 2024 9:12:39 AM  
**Attachments:** [Carlsbad Drive Thrus.docx.pdf](#)

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**From:** JP Bruner <jbruner@sandiego.surfrider.org>  
**Sent:** Tuesday, November 5, 2024 8:21 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Cc:** Mitch Silverstein <msilverstein@sandiego.surfrider.org>  
**Subject:** Maintain the Ban on Drive-thru Restaurants

To Carlsbad Planning Commission,

Please see attached for Surfrider San Diego's comment on drive-thrus in Carlsbad.

Thank you,

--

JP Bruner  
Executive Committee  
The Surfrider Foundation San Diego County Chapter| he/him/his  
[jbruner@sandiego.surfrider.org](mailto:jbruner@sandiego.surfrider.org)  
Support the mission, become a [Surfrider member](#) today!

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**November 5, 2024**

Delivered via email

To: Carlsbad Planning Commission

**Re: Maintain the Ban on Drive-thru Restaurants**

The Surfrider Foundation is a nonprofit grassroots organization dedicated to the protection and enjoyment of our world's ocean, waves, and beaches, for all people, through a powerful network.

Climate change is one of, if not the greatest, threats to the ocean today and we must do all we can to avoid the worst potential consequences. That means, where possible, no matter how big or small, we must continue to push for new and maintain current policies that reduce the use of fossil fuels. While acknowledging that drive-thru restaurants are likely not a major contributor to climate change, they are indeed still a factor that should be considered as a source of greenhouse gas emissions and air pollution. Automobile transportation accounts for 51% of Carlsbad's greenhouse gas emissions according to the City's Draft Climate Action Plan Update, making it the single largest contributor to climate change locally by a wide margin. Drive-thrus are absolutely not an essential economic driver that warrant special consideration to be preserved. For these reasons, we ask that you maintain the ban on new drive-thrus in Carlsbad.

Sincerely,

JP Bruner  
Executive Committee Member  
San Diego County Chapter, Surfrider Foundation

Phone: 858.800.2282 | [info@surfridersd.org](mailto:info@surfridersd.org) | [surfridersd.org](http://surfridersd.org)  
3295 Meade Ave., Suite 221, San Diego, CA 92116



[jbruner@sandiego.surfrider.org](mailto:jbruner@sandiego.surfrider.org)

Mitch Silverstein  
San Diego County Policy Manager  
Surfrider Foundation  
[msilverstein@sandiego.surfrider.org](mailto:msilverstein@sandiego.surfrider.org)

Phone: 858.800.2282 | [info@surfridersd.org](mailto:info@surfridersd.org) | [surfridersd.org](http://surfridersd.org)  
3295 Meade Ave., Suite 221, San Diego, CA 92116

**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: drive through restaurants  
**Date:** Tuesday, November 5, 2024 9:11:15 AM

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**From:** Shirley Nestico <shirleynestico@gmail.com>  
**Sent:** Tuesday, November 5, 2024 8:51 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** drive through restaurants

Well, I can say, the area where IN and OUT is located near Palomar off ramp, is a total mess with Chick fil A going in next door!! Who approved that?

Shirley Nestico

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Cc:** [Cynthia Vigeland](#)  
**Subject:** FW: Drive-thrus  
**Date:** Wednesday, November 6, 2024 12:56:00 PM

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**From:** bventinove@yahoo.com <bventinove@yahoo.com>  
**Sent:** Wednesday, November 6, 2024 11:43 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Drive-thrus

To Whom It May Concern,

I am 100% in favor of allowing new drive-thrus in the City of Carlsbad. The problems with parking are due to the asinine decision to allow developers in-lieu fees for required parking spaces and giving restaurants the option the use their parking as additional business space. Whether a new establishment uses space for parking or for cars to pass through has no impact on traffic, if the site is designed correctly. People who do not have the money to go to a restaurant but have limited time to eat while travelling or at work, badly need drive-thrus. Just allow them in areas that are not busy streets or throughfares and require that they implement a system for orders to be placed and paid online and that wait times are clearly and accurately provided to shoppers, so that the lines run smooth and fast. Drive-thrus could be limited to window service or be able to also offer seating depending on availability of on-site parking besides ample drive-thru lane space.

Thank you for your consideration,  
Roberta Malaman

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# Carlsbad Social media comments on drive-thru regulation options

## Facebook

 City of Carlsbad  
Published by Loomly  
October 28 at 5:14 PM

How should Carlsbad keep or change its ban on drive-thru restaurants? 🤔

City staff will present options to the Planning Commission and the City Council's Economic Development Subcommittee in November for feedback. Tell us what you think.




In person meetings at City Council Chamber - 1200 Carlsbad Village Drive

- Planning Commission meeting  
Wednesday, Nov. 6, 5 p.m.
- City Council Economic Development Subcommittee  
Tuesday, Nov. 19, 10 a.m.

Email comments in advance to [planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)

Learn about the options: <https://loom.ly/1b5Nff0>  
[Carlsbad Economic Development](#)



-  Ryan Taylor  
Would've nice to think about before chik fil a was put directly next to the in and out in a stroke of absolute genius ...
- 1w Like Reply Hide
-  Diana Ricker  
Ryan Taylor  ...
- 6d Like Reply [Send message](#) Hide

## Instagram comments



s\_fiust How can In n Out have a drive thru in the same parking lot as Chick Fil A but Chick Fil A wasn't approved for one? We drive Oceanside or San Marcos for drive thru options since there aren't many options in Carlsbad.



1w 13 likes Reply

— Hide replies



js92009 @s\_fiust As I understand it, the number of drive throughs is capped, but existing ones were grandfathered. In-n-Out must have had or bought an existing one.



1w Reply



carlsbadcagov @s\_fiust Thanks for your question. In-N-Out is one of the original 12 drive-thrus that were already in place before the ban on new drive-thru restaurants took effect in 1998. Chick-Fil-A came after the ban. City Council passed the ban following the development of several major projects in the 1990s, including LEGOLAND California, Costco (Carlsbad's first "big box" store), and what is today known as Carlsbad Premium Outlets, to address resident concerns about traffic congestion and protecting Carlsbad's community character and quality of life.



1w 1 like Reply



mrs.weigand We need drive thrus for the people that have kids!!! It's so much easier for the MOMS



1w 23 likes Reply

— Hide replies



steph\_huey @mrs.weigand yes!!



1w Reply



kylieshellstrom Drive thru restaurants aren't the problem, building up the village with big condo complexes are!!!! Please stop building!



1w 14 likes Reply

— Hide replies



aleen.val @kylieshellstrom Genuinely curious, why are condos bad? I don't know too much about this and would like to learn this perspective



1w Reply





**lindzaddae** Drive thru coffee ☕

1w 2 likes Reply



**heidimarie\_sd** But Carlsbad does have drive through restaurants. 🙄

1w 3 likes Reply



**bonner.ellie** We don't use drive throughs, but a lot of people like them and want them. I know some that were disappointed when Chic-Fil-A opened without one.

1w 5 likes Reply



**fletchandsus** DON'T YOU HAVE MORE IMPORTANT THINGS TO BE VOTING ON? 🗳️

1w 1 like Reply



**wildblueberrydreams** Allow drive thru - ban high buildings at the village.

1w 5 likes Reply



**tylerjreese** Not allowing drive-thrus has forced businesses to become more mobile-user friendly which in turn marginalizes an entire group of people who may not be privy to technology. Let's get rid of this 30 year-old ban on Drive-Thrus that will help to drive more tax-revenue to a city with a glooming, depleted budget in a couple of years. There is still a way to do this while honoring and preserving the beauty that is Carlsbad

1w 1 like Reply



**mrsstephaniegriffin** Chick fil A has no drive through... buuuuut everyone sits in their car and idles. It seems like a silly attempt at environmentalism.


1w 11 likes Reply



**dougsellsocial** I find that I can get out of the car go inside, order walk out, get in my car faster than sitting in the drive-through running my engine, burning gas..but that's just me



1w Reply



- 


ajvpartyof3 Keep them banned. Sleepy little town is starting to turn into a LA neighborhood.


5d Reply


  
- 

christinemicha Let me get this straight. You allow illegals to land in boats on our beaches but we can't have drive thrus?



1w 15 likes Reply



View replies (1)
  
- 



sdp408 @christinemicha go cry some more. Whatsboutism much?

1w Reply


  
- 



christinemicha Just a reality check and if you don't like it, we know why. #truthhurts

1w Reply



  
- 

sdp408 @christinemicha why?



1w Reply



  
- 



dohobro The highest level of dip shittery





**Nextdoor comments**

 Christina M. • Rancho La Costa North • 1w •   
When I had my son 5 years ago, and was on disability, I wondered why there were no drive thrus! They are great for parents driving around sleeping babies or parents with no energy, or even just people with disabilities! I'd drive to San Marcos for in n out, but with their line, could take me an hour total, so I've always wished there was something closer!



Like Reply Share  5

 Brenda B. • Poinsettia • 1w •   
was the in n out in Carlsbad off the 5 not there 5 years ago?



Like Reply Share  2

 Christina M. • Rancho La Costa North • 1w • Edited •   
Brenda I'm not sure, honestly. I only found it recently. I live in between the two, and I must be closer to the one in San Marcos since that's the one navigation sent me to. But I would really love a healthier drive thru closer! Like if Sweet Greens had a drive through or poke or something!



Like Reply Share  2

 Ryan J. • Navarra • 1w •   
Brenda Been there since 1948. When I was going to high school living in Terramar over 20 years ago my dad and his girlfriend would send us down there a couple times a week to pick up munchie's.1948 "In-N-Out Burger Restaurant located in Carlsbad, CA. Serving the highest quality burgers, fries and shakes since 1948. Reference: Carlsbad, CA, 5950 Avenida Encinas. - In-N-Out Burger"

Like Reply Share  1























 David B. • La Costa Valley • 1w •   
We need a Raising Canes in the worst way and they won't come without a drive in. Make it happen!!!

Like Reply Share  2

 Christina M. • Rancho La Costa North • 1w •   
David my daughter would also be stoked about this!

Like Reply Share  2

- S** Sandra E. • Village • 1w ...  
 Most appreciative for links ✨  
 Like Reply Share 1
- H** Heidi R. • Rancho La Costa Central • 1w ...  
 Do we really need more fast food places? No. Keeping Carlsbad less commercialized keeps it beautiful.  
 Like Reply Share 2
- D** Diane L. • Tamarack Point • 1w ...  
Heidi It's already commercialized. A few drive thrus for convenience won't destroy the city. I'd rather see a few drive thrus than Miami Beach style ugliness of pack n stacks in the Village, which is seemingly allowed thanks to the draconian state of CA.  
 Like Reply Share 8
- R** Ryan J. • Navarra • 1w ...  
Diane You got that right!  
 Like Reply Share 1
- M** Melissa S. • Rancho La Costa South • 1w ...  
 Does the new Chic-fil-A not have a drive through?  
 Like Reply Share 1
- J** Jason M. • Rancho Carrillo • 1w ...  
Melissa I like how you spelled it right!  
 Like Reply Share 1
- A** Anna V. • Village • 1w ...  
Melissa no it does not have a drive-thru, same with the starbucks that is on tamarack by the freeway that opened not so long ago  
 Like Reply Share 1
- M** Michelle A. • San Pacifico • 6d ...  
Melissa no! It's a joke  
 Like Reply Share 1

- Like Reply Share  1
-  Annie G. • San Pacifico • 1w ...
- Drive throughs are convenient for seniors, families who have kiddos and babies, disabled, and when raining, eliminates slips/falls. Parking lot congestion is also reduced, as is sick people indoors coughing everywhere. Fast food isn't fast when you have to park your car.
- Like Reply Share   8
-  Carla K. • Stagecoach Park • 6d ...
- Annie One hundred percent agree with you. Nothing better than driving around with a car full of hungry kids in car seats. Of course one of them finally fell asleep.
- Like Reply Share  2
-  Lucas K. • Rancho La Costa Central • 1w ...
- I'd imagine that drive-thrus increase pollution from idling cars.
- Like Reply Share    5
-  Brian D. • Bressi Ranch • 1w ...
- Lucas not from idling EVs and hybrids. :)
- Like Reply Share  3
-  Ryan J. • Navarra • 6d ...
- Lucas turn the GD car off then. Feeble.
- Like Reply Share
-  Ryan J. • Navarra • 6d ...
- Brian Thanks for the info much appreciated.
- Like Reply Share
-  Merilee A. • La Costa Valley • 1w ...
- Bring back the drive thrus ! They help people in many difficult situations
- Like Reply Share   4
-  Michelle A. • San Pacifico • 6d ...
- Please allow! Get over ourselves!
- Like Reply Share
-  Steve L. • Olde Carlsbad • 6d ...
- You ban these, but allow so many other bad projects. You only want places you have to go into, but yet there is still no parking added. And taking away the Plaza and all the businesses to add more condos/apartments... just doesn't make sense to me...
- Like Reply Share  1
-  Mellissa S. • Poinsettia • 3d ...
- ridiculous - In-n-Out wouldn't provide nearly the revenue without a drive thru. Can't believe Chic-fil-A doesn't have one because Carlsbad is weird.
- Like Reply Share  1

**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Subject:** FW: Carlsbad considers lifting 'drive-thru' ban for new businesses  
**Date:** Thursday, November 7, 2024 10:46:44 AM

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**From:** Monte Newcom <monewcom@gmail.com>  
**Sent:** Thursday, November 7, 2024 10:45 AM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Re: Carlsbad considers lifting 'drive-thru' ban for new businesses

To whom it may concern,

In reference to this news article: [Carlsbad considers lifting 'drive-thru' ban for new businesses](#)

As a disabled resident, I'd like to voice my support of drive-thrus. I understand the motivations of the original ban, however Carlsbad is no longer the sleepy little beachside hamlet of 60k that it was in the early 1990s. Our population has nearly doubled, with far more local and through-traffic.

Shortly after it opened, I went to the new Chik-Fil-A on Avenida Encinas and was surprised to find they didn't have a drive thru. I had to download the app, which is 100MB over the cellular connection, just to place a single order. I was still there in my car. I'm not sure I see any advantage to the extra hassle. While some people do go to fast food restaurants to sit and have a meal, I believe far more people just want to grab a bite to eat, and get on with their day.

I can see why the city might not want too many new drive thrus in some areas, eg. The Village, but most of the city would benefit from the extra convenience.

Thank you for your time and attention,  
Montgomery Newcom  
Carlsbad Resident

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Subject:** FW: Strongly Oppose lifting the ban on drive-thru's  
**Date:** Tuesday, November 12, 2024 7:15:06 AM

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**From:** Joe Sardina <joesardina@proton.me>  
**Sent:** Monday, November 11, 2024 12:50 PM  
**To:** Council Internet Email <council@carlsbadca.gov>; Planning <planning@carlsbadca.gov>  
**Subject:** Strongly Oppose lifting the ban on drive-thru's

I am strongly opposed to the City lifting the ban on drive-thru's!  
If anything the ban is needed now more than ever. I can see no benefit for people who actually live here while there are significant downsides to the environment, esthetics, and to the character of the city that the city is supposed to be committed to maintain. They do NOT make the city more attractive or desirable to live in or to visit.  
Please maintain the ban!

~ Joe Sardina  
4009 Canario St  
Carlsbad 92008

Sent with [Proton Mail](#) secure email.

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

**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Subject:** FW: Comment on drive-thru restaurant rules  
**Date:** Tuesday, November 12, 2024 1:16:16 PM

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**From:** Michael Fabiano <mdfabiano@gmail.com>  
**Sent:** Tuesday, November 12, 2024 1:05 PM  
**To:** Planning <planning@carlsbadca.gov>  
**Subject:** Comment on drive-thru restaurant rules

Hello,

I have lived in north Carlsbad for more than 20 years, and I would like to comment on the drive-thru restaurant issue for the consideration of the city council and the planning commission.

10 of the 12 drive-thru restaurants in Carlsbad today are north of Palomar Airport Road. That is more than enough. There should be no new drive-thrus permitted north of Palomar Airport Road.

If residents who live south of Palomar Airport Road would like to have drive-thrus in their own neighborhoods, that is for them to decide and I have no objection to whichever way they would want to go. As for north Carlsbad, we have more than enough, and there should be no new ones permitted.

Thank you to the city council and planning commission for taking this into consideration.

Regards,

Michael Fabiano

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**From:** [Planning](#)  
**To:** [Kyle Van Leeuwen](#)  
**Subject:** FW: Drive-through ban feedback  
**Date:** Tuesday, November 12, 2024 2:19:11 PM

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

From: Whitney Drolen <[whitneydrolen@gmail.com](mailto:whitneydrolen@gmail.com)>  
Sent: Tuesday, November 12, 2024 2:13 PM  
To: Planning <[planning@carlsbadca.gov](mailto:planning@carlsbadca.gov)>  
Subject: Drive-through ban feedback

To whom it may concern,

The Carlsbad drive-through ban is ridiculous. Carlsbad is comprised of mostly families with children. We need more options with drive throughs for convenience. Why would you not want to grow the city with more convenient options, rather than push that money to neighboring Vista and Encinitas?

From what I can surmise, this was put in place in the early 90s. It is now 2024 and it's time to evolve. I actually can't believe this passed in the first place, stating that it preserves charm? The average Joe does not associate having more convenient options with a lack of charm or vice-versa.

Bottom line, life is hard enough in 2024 and I'll spare you all the reasons because I'm sure you're painfully aware of them. Let us have the small joy and convenience of a drive-through, and get rid of this inane ordinance.

Thank you,

Whitney Drolen

Carlsbad resident and homeowner

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## ECONOMIC DEVELOPMENT SUBCOMMITTEE

# Staff Report

**Meeting Date:** Nov. 19, 2024

**To:** Economic Development Subcommittee

**From:** Jamie Wood, Environmental Sustainability Director

**Staff Contact:** Jamie Wood, Environmental Sustainability Director  
jamie.wood@carlsbadca.gov, 442-339-2584

**Subject:** Sustainable Materials Management Program Update

### Recommended Action

Receive an informational report on the implementation of the city's Sustainable Materials Management (SMM) Program, discuss and provide recommendations.

### Executive Summary

Senate Bill (SB) 1383 mandates that cities implement organics recycling programs to reduce organic waste in the landfills. Additionally, the Carlsbad City Council approved a single-use plastics ban to reduce plastic pollution in both the environment and landfills. City staff are working diligently with Carlsbad businesses to ensure compliance with all of these new regulations.

This report provides an update on the SMM Program implementation and a discussion of actions taken to date.

### Explanation and Analysis

#### **State-mandated organics recycling**

The State of California established statewide targets to reduce the amount of organic waste disposed of in landfills by 75% by 2025 in SB 1383. The 2016 law also set a goal to recover at least 20% of currently disposed edible food by 2025 and redirect that food to people in need. Organic waste is defined by the state as including food waste, landscape and pruning trimmings, lumber, wood, manure, cardboard, paper products, printing and writing paper, and other plant and animal-based products.

The six new requirements of SB 1383 are:



Provide organics collection services to all residents and businesses



Establish an edible food recovery program



Conduct education and outreach to the community



Procure recyclable and recovered organic waste products



Secure access to recycling and edible food recovery capacity



Monitor compliance and conduct enforcement

Additionally, the City Council approved a phased-in single-use plastic foodware ban that added Chapter 6.20 to the Carlsbad Municipal Code. These ordinances include:

- A plastic bottle ban at city facilities and city-affiliated events
- A plastic bag ban
- A ban on the intentional release of balloons

Staff have visited and provided technical assistance to all businesses in the City of Carlsbad to support progress toward compliance with these new ordinances. Despite an extensive education campaign and staff engagement with businesses to provide support and resources in making the transition, some businesses have noted continued difficulty in meeting the new requirements.

Staff will provide the Subcommittee with a breakdown of actions taken to date, the reaction from affected businesses, and continued efforts to ensure compliance.

### **Focus Group Discussion**

On Nov. 7<sup>th</sup>, 2024, City staff hosted a focus group discussion with several food-serving establishments focused on supporting businesses as they transition to sustainable practices, as part of the City's ongoing efforts surrounding the single-use plastic ban. This session, held in partnership with the Chamber of Commerce, Carlsbad Village Association and the Economic Development Department, examined challenges experienced by businesses related to Carlsbad's single-use plastics ban. Eight businesses attended and shared their experiences and concerns as they navigate sourcing and implementing eco-friendly alternatives.

The discussion centered on operational and financial challenges, such as the high costs of compliant products, supply chain issues, difficulty communicating information to customers, and mixed customer reactions. Businesses expressed a need for resources, including vetted supplier lists and potential partnership-supported initiatives such as bulk purchasing programs and or grants to offset the cost of the transition to sustainable materials. Participants emphasized the importance of public education on sustainability mandates, suggesting more city-led outreach to foster community understanding and support.

### **Fiscal Analysis**

This action has no financial impact.

### **Next Steps**

Staff will continue to work with businesses to ensure compliance with federal, state and local regulations.

### **Exhibits**

None



## ECONOMIC DEVELOPMENT SUBCOMMITTEE

# Staff Report

**Meeting Date:** Nov. 19, 2024

**To:** Economic Development Subcommittee

**From:** Matt Sanford, Economic Development Director

**Staff Contact:** Matt Sanford, Economic Development Director  
matt.sanford@carlsbadca.gov, 442-339-5987

**Subject:** Economic Development Strategic Actions Update

### Recommended Action

Receive an informational report on the implementation of current economic development strategic actions, discuss and provide recommendations.

### Executive Summary

The Economic Development Strategic Plan is a roadmap that guides the city's economic development activities over a five-year period, which began in 2023. The Economic Development Strategic Actions Plan is the annual implementation of the tactical steps to achieve the goals and objectives of the Economic Development Strategic Plan and outlines the tactical actions that are taken to achieve its goals and objectives. This report provides an update on economic development activities and the implementation of the approved strategic actions.

### Explanation and Analysis

#### **Current Trends**

Staff have been engaged with a number of businesses to better understand workforce challenges that are increasingly impacting the Carlsbad's business community. Employers across multiple sectors and of varying sizes continue to report difficulty in finding and retaining employees, which is creating a ripple effect on business operations and could impact future growth. This trend is influenced by several interrelated factors.

One of the primary drivers of these workforce challenges is the high cost of living in Carlsbad. Despite a leveling off of home values, housing costs and limited availability of workforce housing make it difficult for businesses to attract talent from outside the region. For some existing employees, these financial pressures have led to relocation or extended commutes as they pursue more affordable options, further straining the local labor market.

Additionally, competition for skilled workers remains intense. High-growth sectors such as technology, life sciences, and advanced manufacturing are particularly affected as they compete not only with other local businesses but also with regional and national employers offering remote opportunities. This dynamic underscores the need for enhanced workforce development and retention strategies that focuses on worker, as well as company needs.

Programs like the Job-Readiness Room, Candidate Marketplace, and the internship housing initiative collectively begin to address these challenges. They offer targeted solutions to help businesses connect with qualified candidates, provide support for new talent, and help Carlsbad workers upskill to be better qualified for jobs in our key industries. These efforts have seen early success, but the scale of the challenge requires sustained engagement with both employers and regional partners. Staff will continue to adapt these programs to maximize impact.

Carlsbad's businesses continue to show resilience despite these challenges. Staff remain committed to working closely with employers to develop solutions, including facilitating partnerships with educational institutions, advocating for workforce housing, and expanding city-led talent attraction initiatives. Ongoing efforts will focus on understanding and addressing these workforce issues while supporting a vibrant and sustainable local economy.

### **Retail Establishments**

Based on feedback from the subcommittee, staff are analyzing potential Storefront Improvement Program (SIP) models in collaboration with UCSD's I4x Innovation Sprint program. This partnership leverages UCSD's research capabilities to assess how a SIP or alternative program could be structured to provide meaningful support to small businesses in aging properties. Through the program, UCSD is conducting a comprehensive study of storefront improvement practices in other cities, identifying successful strategies, proposing program guidelines, and evaluating best practices from similar existing programs. This research will examine how such a program could encourage property owners to upgrade the exterior of their buildings, thereby enhancing the visual appeal of Carlsbad's retail corridors, increasing foot traffic, and supporting long-term vitality in commercial areas.

This aligns with the city's objectives to foster a vibrant business environment that meets the evolving needs of our community and supports the growth and sustainability of local small businesses.

### **Progress on Current Actions**

The following are recent highlights from the implementation of the Economic Development Strategic Plan and reflect progress toward the approved actions.

#### **Small Business Liaison Program Development**

The Small Business Liaison (SBL) Program, launched as part of Carlsbad's Economic Development Strategic Plan, has already begun to make strides in strengthening the city's small business community. In December, the program will introduce a series of training workshops to address key industry trends, with a specific focus on lease negotiation strategies—a critical issue due to rising lease rates across the region. These sessions will feature insights from local real estate professionals, providing small business owners with practical guidance to navigate lease terms and ensure fair agreements.

#### **Direct Business Support**

Since establishing the SBL Program, the city has directly assisted 12 small businesses with a range of individualized support. This includes help with permitting and zoning, workforce resources, signage guidance, and assistance in understanding city ordinances and regulations. The Small Business Liaison acts as a single point of contact, streamlining connections for business owners

to city processes and connecting businesses with the necessary resources to promote growth and operational efficiency.

### **Digital Resource Hub**

To further support Carlsbad’s small businesses, the city has selected a software provider to host a comprehensive digital hub, anticipated to launch in early 2025. This hub will serve as a centralized resource for business owners, offering tools and information on funding opportunities, regulatory guidance, and best practices. The city has partnered with regional organizations, including the local Small Business Development Center (SBDC) and the California Office of Small Business Advocate (CalOSBA), to ensure that the hub provides up-to-date information and resources tailored to the needs of the local business community. This digital platform will be continuously updated, creating a reliable source of support for small businesses in Carlsbad.

### **Business Visits**

In October, City staff facilitated a site visit to the Omni La Costa Resort and Spa to learn more about the industry trends for “Group Travel.” Attendees also gained an appreciation for the resort’s role in Carlsbad’s tourism economy and its impact on the local business community. This visit offered an opportunity for staff and council members to gain insights into the resort’s operations, including a behind-the-scenes look at group bookings, event planning, and the resort’s broader economic influence.

### **Startup Week**

In October, San Diego Startup Week 2024 kicked off in Carlsbad Village, launching a weeklong celebration of entrepreneurship and innovation across San Diego County and Tijuana. Carlsbad’s opening day, themed “Making Waves in the Creative Economy,” brought together entrepreneurs, innovators, and leaders from North County for a day filled with startup expos, mentorship sessions, and discussions on regional growth. Attendees engaged with local businesses, explored expo booths, and connected with potential investors, gaining valuable insights into trends, challenges, and collaboration strategies. The day concluded with a formal networking reception, setting an energetic tone for the rest of San Diego Startup Week. An estimated 400 attendees were present for the day.

### **Fiscal Analysis**

This action has no financial impact.

### **Next Steps**

Staff will continue to implement the Economic Development Strategic Plan actions for fiscal year 2024-25 and will keep the subcommittee informed of progress.

### **Exhibit**

None