



FOR IMMEDIATE RELEASE
Frank Sung (760) 213-9036
c4fa.info@gmail.com

Citizens for a Friendly Airport Files Additional Lawsuit Against City of Carlsbad and County of San Diego

City of Carlsbad gives zoning immunities to County and Private Contractors
around Palomar Airport for 20 years.

Carlsbad, CA/June 6, 2019 — [Citizens for a Friendly Airport \(C4FA\)](http://c4fa.org), a non-profit 501(c)(4) organization, has filed suit in the Superior Court of the State of California, County of San Diego-Central Division, against the City of Carlsbad and the County of San Diego. The subject of this lawsuit is known as the City of Carlsbad v. County of San Diego Lawsuit – Mutual Cooperation and Settlement Agreement for McClellan-Palomar Airport. The Settlement Agreement was approved by the City of Carlsbad first on March 28, 2019 in a closed-door meeting and again on May 7, 2019, at an open City Council meeting, to cure a potential Brown Act violation. The suit alleges that certain actions and approvals related to the [Settlement Agreement](#) violates California laws and the sovereignty of Carlsbad as a Charter City.

“The City gave away the right to zone land outside the airport perimeter and other policing powers for the next 20 years,” commented Hope Nelson, C4FA representative. “The County gained the right to expand outside the boundaries of the existing airport without Carlsbad voter approval, which is required in Carlsbad [Municipal Code 21.53.015](#) for any airport expansion,” she added.

The Settlement Agreement states “the County has immunities from City building and zoning ordinances and requirements...the Parties further agree that the County’s immunities may also apply to projects by airport lessees and contractors.” Nelson explained that this provision will allow off-airport functions such as car rental, parking and administrative offices to support the County’s intention to expand Palomar Airport’s runway, which would be equivalent in length to John Wayne Airport, making the path clear for Palomar Airport to become a large regional airport offloading air traffic from San Diego’s Lindbergh Field. “We maintain this Settlement Agreement severely impacts our future quality of life. It fails to protect residents in Carlsbad, the environment, and their safety. C4FA remains committed to representing the interests of the residents of Carlsbad, San Marcos, Encinitas, Oceanside, Vista, and surrounding communities,” concluded Nelson.

In this contested Settlement Agreement, the County is afforded favorable conditions for issues not included in the City’s original lawsuit against the County, such as the 20-year exemption for the County and its private partners from Carlsbad’s land use and zoning requirements. The Settlement Agreement contains no progress on noise monitoring, flight curfews, or penalties for violations, all important issues for residents in the flight paths of McClellan-Palomar Airport. The Settlement Agreement does not address many of the environmental concerns which were the basis of the City’s lawsuit, notably the County of San Diego’s Climate Action Plan which has been declared insufficient in court on three previous occasions, all of which the County has lost.

Cory Briggs, Attorney representing C4FA, stated “This Settlement Agreement limits the governing power of future Carlsbad elected officials and cedes their authority to the County. Citizens for a Friendly Airport’s litigation against the County is ongoing.”

About Citizens for a Friendly Airport—[C4FA](http://c4fa.org) is a non-partisan, all-volunteer, non-profit enterprise organized to educate Carlsbad and surrounding communities about important McClellan-Palomar Airport issues impacting the character and quality of life in North County. C4FA is dedicated to bringing transparency to the airport planning processes; advocate on behalf of environmental issues; respect the rights and history of the Carlsbad community; and to ensure a safe, functional, and fiscally sound McClellan-Palomar Airport. ###