

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF OCEANSIDE, CALIFORNIA REJECTING
4 CERTIFICATION OF THE FINAL ENVIRONMENTAL
5 IMPACT REPORT AND REJECTING THE ADOPTION OF
6 THE FINDINGS OF FACT AND MITIGATION AND
MONITORING REPORT FOR THE GUAJOME LAKE
HOMES PROJECT - STATE CLEARINGHOUSE NO.
2022110028

7 (Rincon Capital Group, LLC – Applicant)
8 (Jennifer Jacobs -Appellant)

9 THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
10 RESOLVE AS FOLLOWS:

11 WHEREAS, an Environmental Impact Report (EIR) for the Guajome Lake
12 Homes project was prepared and circulated for public and responsible agency review
13 and proper notification was given in accordance with the California Environmental
Quality Act (CEQA); and,

14 WHEREAS, the Planning Commission did on the 11th day of August 2025 conduct
15 a duly advertised public hearing on the content of the Final Environmental Impact Report
16 and the Mitigation Monitoring and Reporting program; and,

17 WHEREAS, on the 11th day of August 2025, the Planning Commission continued
18 the public hearing and afterwards re-noticed the public hearing to the 13th day of October
2025.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the
20 13th day of October, 2025 conduct a duly advertised public hearing as prescribed by law to
21 consider said application.

22 WHEREAS, following consideration of all applicable testimony and
23 evidence and deliberation, the Planning Commission, by a 5-1-1 vote (with one
Commissioner abstaining), adopted Resolution No. 2025-P23 certifying the Final EIR
24 (FEIR) and adopting the Findings of Fact and Mitigation Monitoring and Reporting
Program (“MMRP”); and by a 4-2-1 vote (with one Commissioner abstaining), adopted

1 Resolution No. 2025-P20 approving Tentative Map (T22-00004), Development Plan (D22-
2 00009), and Density Bonus (DB22-00005).

3 WHEREAS, on October 22, 2025, a timely appeal of the Planning
4 Commission's approval of said project was filed with the City Clerk; and

5 WHEREAS, on January 28, 2026, the City Council of the City of Oceanside held a
6 duly noticed public hearing and heard and considered evidence and testimony by all
7 interested parties concerning the Planning Commission's certification of the FEIR and
8 approval of the Tentative Map (T22-00004), Development Plan (D22-00009), and Density
9 Bonus (DB22-00005); and

10 WHEREAS, based on evidence comprising the entire Administrative Record,
11 including testimony of the applicant, the public and written submissions in opposition to
12 the project, the staff report, technical studies, the Final Environmental Impact Report and
13 Mitigation and Monitoring and Reporting Program, the City Council has determined that
14 there are certain significant environmental effects raised at the Public Hearing that have not
15 been adequately addressed by the Environmental Impact Report including an inaccurate
16 project description and potentially significant biological, traffic, safety, and air quality
17 related impacts. Specifically, the Planning Commission finds as follows:

18 FINDINGS OF FACT

19 A. Final Environmental Impact Report:

- 20 1. City Council following "de novo" review of the Project and associated
21 FEIR and MMRP including significant written and oral testimony finds
22 the FEIR to have failed to adequately analyze and mitigate for multiple
23 potentially significant impacts on the environmental document. Including
24 but not limited to, equestrian uses and activities, traffic impacts and
safety, wildlife and biodiversity, mitigation and corridor connectivity.
City Council makes further findings as identified below.
2. That the project site does not meet the definition of an infill site.
Pursuant to Public Resources Code (PRC) Section 21099 an "Infill site"
means a lot located within an urban area that has been previously

1 developed, or on a vacant site where at least 75 percent of the perimeter
2 of the site adjoins, or is separated only by an improved public right-of-
3 way from, parcels that are developed with qualified urban uses. A
4 qualified urban use is defined in PRC Section 21072 as any residential,
5 commercial, public institutional, transit or transportation passenger
6 facility, or retail use, or any combination of those uses. The project site is
7 located directly across Guajome Lake Road public open space that
8 constitutes approximately 26% of the perimeter of the project site. In
9 addition, the project site abuts land containing a hardline preserve with
10 riparian habitat to the north and south.

11 The subject EIR inadequately analyzed “growth inducing” effects due to
12 the extension of infrastructure. Specifically, the project will consist of
13 public infrastructure enhancements without analyzing cumulative impacts
14 to the area, such as, roadways, sewer, and water to support the project
15 and potential “growth inducing” impacts.

- 16 3. That biological impacts generated by the project have been inadequately
17 mitigated with regard to the loss of Coastal Sage Scrub proposing the
18 replacement of this resource outside of Oceanside and in the City of
19 Carlsbad. The City of Oceanside Subarea Habitat Conservation Plan
20 (SAP) has been referenced for guidance for habitat conservation within
21 an Offsite Mitigation Zone (OMZ) located outside of the Wildlife
22 Corridor Planning Zone (WCPZ), stating that natural vegetation may be
23 removed in these zones subject to SAP guidelines, which include offsite
24 mitigation. Impacts to biological resources within the OMZ must be
mitigated within the WCPZ or within Pre-approved Mitigation areas
according to the following order of preference (presented in order of
decreasing priority): (1) any lands within the WCPZ and south of SR-76;
(2) any land within the WCPZ and north of SR-76; (3) any Pre-approved
Mitigation Area; or (4) an existing mitigation bank within the City.

- 1 4. Public testimony introduced an inaccuracy within the EIR stating that the
2 off-site mitigation was the preferred mitigation method, however,
3 correspondence with the California Department of Fish and Wildlife from
4 January 22, 2026 stated preference to on-site mitigation and false claim
5 within the EIR for off-site mitigation. That wildlife movement and
6 connectivity have not been adequately analyzed between surrounding areas,
7 including the Jeffries Ranch Preserve, the project site and the San Luis Rey
8 River. Pursuant to the Preserve Planning Map within Figure 4-1 in the
9 Subarea Plan, at the rear of the property a portion of the project site consists
10 of a riparian forest connecting to Jeffries Ranch. The proposed development
11 would further fragment wildlife with the removal of corridors and habitat
12 linkages. These landscape linkages serve an essential pathway for facilitating
13 daily, annual, and seasonal movements, and for some species for permitting
14 dispersal to breeding and foraging areas. The biological study did not
15 adequately review the potential for a wildlife corridor from the project site to
16 the adjacent regional park.
- 17 5. Maps provided by the appellant and additional testimony from the public
18 referenced there was no baseline analysis of the wildlife connectivity and the
19 EIR states fractured, portions are insufficient and isolated within the riparian
20 corridor. As a result of this inadequacy, testimony from the public presented
21 exhibits of separation of wildlife habitat with no assessment of the wildlife
22 corridor.
- 23 6. That the Final Environmental Impact Report (FEIR) fails to adequately
24 consider, analyze, and mitigate the safety impacts. Guajome Lake Road
currently turns into a dirt road. If the development is approved a portion of
the road will be paved creating a major thoroughfare off of Highway 76. This
will exacerbate the already dangerous situation of traffic speeding down
Guajome Lake Road where park visitors park along the street. The analysis

1 should inform the City's decision about whether the Project's requested
2 waivers would result in a specific, adverse impact upon public health and
3 safety. Public testimony demonstrated there were unreported accidents due to
4 a failed analysis within the EIR that did not assess dust impacts and incurred
5 visual impacts to community members and the relationship of the increased
6 traffic generated by the project as it relates to these potentially significant
7 impacts.

- 7 7. That the EIR does not address impacts on equestrian use by all of the other
8 owners in the Equestrian Overlay District (EOD) or those equestrians
9 moving between Guajome Regional Park and other equestrian sites nearby.
10 The intent of the Equestrian Overlay District is to provide opportunities
11 establishing an equestrian trail network around Guajome Regional Park and
12 the San Luis Rey River within the Guajome Neighborhood Planning Area.
13 Guajome Lake Road is the street used for equestrian movement between the
14 Guajome Regional Park, and the stable and other equestrian properties to the
15 north of the park. The project will more than double average daily traffic
16 along Guajome Lake Rd, making crossing the road more dangerous for all
17 users. Testimony on record, including site visits to the subject site
18 referenced substantial equestrian usage of the area that was dismissed, such
19 that impacts to the equestrian overlay that were not adequately assessed
20 within the EIR and therefore not adequately mitigated.

- 21 8. That the EIR fails to adequately analyze and mitigate significant Greenhouse
22 Gas Impacts. The City's Climate Action Plan (CAP) relies on a screening
23 threshold based on land use size and a CAP (2019) Consistency Checklist to
24 determine whether a project's emissions would be consistent with GHG
emissions estimated within the City's CAP.

9. That the EIR fails to adequately analyze and mitigate significant air quality
impacts generated by the increase in vehicle trips and vehicle speeds on the

1 partially unpaved Guajome Lake Road. There is significant particulate matter
2 not addressed within the FEIR.

3 B. Tentative Map/Development Plan/Density Bonus

- 4 1. The required findings for approval of a tentative map are set forth in
5 Section 406.C of the Oceanside Subdivision Ordinance. Subsection
6 406.C.4 requires the City Council to make, among other findings, the
7 following finding: "That the design of the subdivision or the proposed
8 improvements will not cause substantial environmental damage or
9 substantially and avoidable injure fish or wildlife or their habitat.
10 (Notwithstanding the foregoing, the City Council may approve such a
11 tentative map if an environmental impact report was prepared and
12 approved and findings of overriding considerations are made in
13 accordance with the CEQA)." Subsection 406.D.4 of the Subdivision
14 Ordinance authorizes the City Council to deny the tentative map if it
15 finds, among other things, "that the design of the subdivision or the
16 proposed improvements is likely to cause substantial environmental
17 damage or substantially and avoidably injure fish or wildlife or their
18 habitat."
19
20 2. The required findings for approval of a development plan are set forth in
21 Section 4306 of the Oceanside Zoning Ordinance. Subsection 4306.A.4
22 requires the City Council to find, among other things, "that the project as
23 proposed is compatible with existing and potential development on
24 adjoining properties or in the surrounding neighborhood."
3. State Density Bonus Law (Govt. Code section 65915) and the Housing
Accountability Act (Govt. Code section 65589.5) allow local agencies to
deny housing development projects or requested incentives/concessions
or waivers only if (a) the project or requested
incentives/concessions/waivers would have a specific, adverse impact
upon the public health or safety (defined as "a significant, quantifiable,
direct, and unavoidable impact, based on objective, identified written

1 public health or safety standards, policies, or conditions as they existed
2 on the date the application was deemed complete”) and (b) there is no
3 feasible method to satisfactorily mitigate or avoid the adverse impact
4 other than the disapproval of the housing development project or the
5 approval of the project upon the condition that it be developed at a lower
6 density.

- 7 4. The City Council finds that there is no substantial evidence in the
8 administrative record to support the findings required by Section 406.C
9 of the Oceanside Subdivision Ordinance and Subsection 4306.A.4 of the
10 Oceanside Zoning Ordinance. As described in paragraphs A.1 through
11 A.13 above, the administrative record is supported by substantial
12 evidence that the project will cause significant biological, traffic,
13 greenhouse gas, and air quality impacts that were neither disclosed in the
14 EIR nor mitigated. As a result, the City Council is unable to make the
15 mandatory findings to approve the tentative map and development plan.

16 NOW, THEREFORE, BE IT RESOLVED as follows:

- 17 1. The City Council hereby affirms the appeal and rejects certification of the Final
18 Environmental Impact Report for the Guajome Lake Homes project and further
19 rejects adoption of Exhibit “A” (FINDINGS) and Exhibit “B” (MMRP) for the
20 Guajome Lake Homes project.
21 2. The City Council hereby denies the Tentative Tract Map (T22-00004),
22 Development Plan (D22-00009), and Density Bonus (DB22-00005).

23 PASSED AND ADOPTED Resolution No. 2025-P26 on October 13, 2025 by the
24 following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

City Clerk