

RESOLUTION NO.

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

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

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

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

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

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

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

WHEREAS, following consideration of all applicable testimony and 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 (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
FEIR and MMRP including significant written and oral testimony finds
the FEIR to have failed to adequately analyze and mitigate for multiple
potentially significant impacts on the environmental document. Including
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.
- 21 2. That the project site does not meet the definition of an infill site.
22 Pursuant to Public Resources Code (PRC) Section 21099 an "Infill site"
23 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.

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7. That the EIR does not address impacts on equestrian use by all of the other owners in the Equestrian Overlay District (EOD) or those equestrians moving between Guajome Regional Park and other equestrian sites nearby. The intent of the Equestrian Overlay District is to provide opportunities establishing an equestrian trail network around Guajome Regional Park and the San Luis Rey River within the Guajome Neighborhood Planning Area. Guajome Lake Road is the street used for equestrian movement between the Guajome Regional Park, and the stable and other equestrian properties to the north of the park. The project will more than double average daily traffic along Guajome Lake Rd, making crossing the road more dangerous for all users. Testimony on record, including site visits to the subject site referenced substantial equestrian usage of the area that was dismissed, such that impacts to the equestrian overlay that were not adequately assessed within the EIR and therefore not adequately mitigated.
8. That the EIR fails to adequately analyze and mitigate significant Greenhouse Gas Impacts. The City's Climate Action Plan (CAP) relies on a screening threshold based on land use size and a CAP (2019) Consistency Checklist to 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

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1. The required findings for approval of a tentative map are set forth in Section 406.C of the Oceanside Subdivision Ordinance. Subsection 406.C.4 requires the City Council to make, among other findings, the following finding: "That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (Notwithstanding the foregoing, the City Council may approve such a tentative map if an environmental impact report was prepared and approved and findings of overriding considerations are made in accordance with the CEQA)." Subsection 406.D.4 of the Subdivision Ordinance authorizes the City Council to deny the tentative map if it finds, among other things, "that the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat."
2. The required findings for approval of a development plan are set forth in Section 4306 of the Oceanside Zoning Ordinance. Subsection 4306.A.4 requires the City Council to find, among other things, "that the project as proposed is compatible with existing and potential development on 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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Council hereby affirms the appeal and rejects certification of the Final Environmental Impact Report for the Guajome Lake Homes project and further rejects adoption of Exhibit "A" (FINDINGS) and Exhibit "B" (MMRP) for the Guajome Lake Homes project.

2. The City Council hereby denies the Tentative Tract Map (T22-00004), Development Plan (D22-00009), and Density Bonus (DB22-00005).

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

AYES:

NAYS:

ABSENT:

ABSTAIN·

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2 Mayor of the City of Oceanside
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5 ATTEST:
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City Clerk