

**PLANNING COMMISSION****CITY OF OCEANSIDE**

---

DATE: October 13, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T22-00004), DEVELOPMENT PLAN (D22-00009), AND DENSITY BONUS (DB22-00005) FOR THE CONSTRUCTION OF 83 SINGLE-FAMILY HOMES ON A 16.78-ACRE SITE ON GUAJOME LAKE ROAD, SOUTHEAST OF ALBRIGHT STREET (APN:157-412-15-00) – GUAJOME LAKES HOMES PROJECT – APPLICANT: RINCON CAPITOL GROUP, LLC**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion take final action on the project by certifying or rejecting certification of the Environmental Impact Report (EIR) and by approving, modifying, or denying the project.

**OPTION 1:****Motion to Reject Certification of the Environmental Impact Report (EIR) and Deny the Project**

- 1) Reject Certification of the EIR by adopting—and based on the findings provided in—Planning Commission Resolution No. 2025-P26; and
- 2) Deny Tentative Map (T22-00004), Development Plan (D22-00009), and Density Bonus (DB22-00005) due to the adoption of Planning Commission Resolution No. 2025-P26 rejecting Certification of the EIR.

**OPTION 2:****Motion to Certify Environmental Impact Report and Approve the Project**

- 1) Certify the EIR and adopt the associated findings of fact and mitigation monitoring and reporting program, by adopting Planning Commission Resolution No. 2025-P23; and
- 2) Approve Tentative Map (T22-00004), Development Plan (D22-00009), and Density Bonus (DB22-00005) by adopting Planning Commission Resolution No. 2025-P20 with findings and conditions of approval attached herein.

## **BACKGROUND AND ANALYSIS**

On August 11, 2025 the Planning Commission considered approval of the Guajome Lake Homes project consisting of the following entitlement applications:

- Tentative Tract Map (T22-00004), for the subdivision of 16.78 acres into 83 single-family lots (Lots 1-83) and six common lettered lots (Lots A - F) for a private road, bio-filtration basins, recreational open space and natural open space.
- Development Plan (D22-00009) for the construction of 83 detached single-family homes as associated improvements including landscaping and recreational areas with a development footprint of 9.86 acres and the remaining 6.92 acres to be designated as open space.
- Density Bonus (DB22-00005) for a 20% increase in dwelling units and seven waivers from development standards in exchange for reserving 5% of the proposed units (4 units) for very low-income households.

Following presentations provided by Planning staff and the applicant, the public hearing was opened during which over 30 community members expressed opposition to the project, raising a number of concerns including impacts to wildlife and the existing habitat, equestrian safety, increased traffic, and inadequate evacuation capacity. A number of letters were also submitted in opposition to the project including letters from Preserve Calavera and Chatten-Brown Law Group (on behalf of Preserve Calavera) received on the day of the hearing. After receiving public testimony, the public hearing was closed. The Planning Commission then posed a number of questions to the applicant with regard to the required mitigation land for coastal sage scrub, consistency with the General Plan and Zoning standards, the calculation of baseline density for the project site, the Scenic Park Overlay and Equestrian Overlay standards and the location of private entrances to the proposed development. The Planning Commission also raised concerns with the waiving of Equestrian Overlay standards. A motion to certify the EIR was made and seconded but failed to pass by a vote of 4 to 2.

The Commissioners voting against certification of the EIR cited as the basis of their votes the written comments provided by Chatten-Brown Law Group on behalf of Preserve Calavera, the testimony of public speakers questioning the adequacy of the analysis presented in the EIR, concerns with public safety relative to traffic, and the biological sensitivity of the area.

Staff has prepared Planning Commission Resolution No. 2025-P26 to reflect the Commissioners' stated concerns and reasons for voting against the motion to certify the EIR. If adopted, the resolution would reject certification of the EIR and deny the project due to unmitigated health and safety impacts and inconsistency with state law, as more fully set forth in Resolution No. 2025-P26.

Alternatively, the Planning Commission may certify the EIR, adopt the associated findings of fact and mitigation monitoring and reporting program, and approve the project by adopting Planning Commission Resolution Nos. 2025-P23 and 2025-P20, as recommended by staff on August 11, 2025.

At the August 11, 2025 hearing, Planning Commissioners and members of the public raised questions about the density calculation and requested waivers of equestrian overlay standards under state density bonus law. The following additional information supplements the responses given on August 11 regarding these issues:

#### Equestrian Overlay

Article 28 of the Zoning Ordinance imposes additional development standards for properties located within the Equestrian Overlay District. Density bonus law prohibits the city from applying any development standard that will have the effect of physically precluding the construction of a compliant project at the proposed density and affordability level. Accordingly, the applicant's request includes waivers of the requirements for (1) a horse yard area on each residential lot for the stabling and servicing of two horses, consisting of 7200 square feet of useable area, and (2) 10-foot-wide public equestrian trails with split rail fencing on all lots within the subdivision.

#### Density Calculation

As noted in the August 11, 2025 staff report, base density for the project was calculated by multiplying the allowable density in the RS District (5.9 du/acre) by the *net* acreage of developable land (12.45 acres), resulting in a total of 83 units. The applicant has accepted this method of calculation, notwithstanding recent guidance from the California Department of Housing and Community Development (HCD) clarifying that density calculations under density bonus law must be based on *gross* site acreage, regardless of whether the land is considered undevelopable. If gross site acreage were used instead of net site acreage, the project would be eligible to build 120 units, rather than the 83 units proposed.

#### Revisions to Environmental Impact Report

Since the meeting of August 11, 2025 the applicants have made minor revisions to the EIR in response to comments received by the public. A brief description is provided below.

Fire Protection Plan (FPP): Corrections to Figures 3 and 4 were made in response to public comment, along with related regulatory updates and clarifications that the Project site is located outside the Very High Fire Hazard Severity Zone (VHFHSZ) and that updated CAL FIRE hazard mapping completed this year confirmed this non-VHFHSZ designation; that no offsite maintenance is proposed; and that the applicant has voluntarily agreed to include Fuel Modification Zones (FMZs) and implement fire safety measures exceeding code requirements.

Final EIR, Chapter 2, Response to Comments: Responses were revised to align with the revised FPP.

Final EIR, Chapter 3 Errata: Final EIR, Chapter 3 Errata: Minor text and formatting corrections were made, including adding reference to CDFW in MM-BIO-7 and including omitted underlining in MM-BIO-9.

None of these corrections or changes constitute significant new information or have altered the environmental conclusions presented in the Draft or Final EIRs.

## **PUBLIC NOTIFICATION**

Because the hearing on the project was not continued to a date specific, the project was re-noticed. The legal notice was published and notices of the Planning Commission Public Hearing were sent to property owners of record within a 1,500-foot radius of the subject property, tenants within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant, and other interested parties. The Planning Commission has discretion to re-open the public hearing and receive additional testimony.

## **SUMMARY**

Staff recommends that the Planning Commission by motion take a final action on the project by certifying or rejecting certification of the Environmental Impact Report (EIR) and by approving, modifying or denying the project.

### **OPTION 1:**

Motion to Reject Certification of the Environmental Impact Report (EIR) and Deny the Project

- 1) Reject Certification of the EIR by adopting—and based on the findings provided in—Planning Commission Resolution No. 2025-P26; and
- 2) Deny Tentative Map (T22-00004), Development Plan (D22-00009), and Density Bonus (DB22-00005) due to the adoption Planning Commission Resolution No. 2025-P26 rejecting Certification of the EIR.

### **OPTION 2:**

Motion to Certify Environmental Impact Report and Approve the Project

- 1) Certify the EIR and adopt the associated findings of fact and mitigation monitoring and reporting program, by adopting Planning Commission Resolution No. 2025-P23; and

2) Approve Tentative Map (T22-00004), Development Plan (D22-00009), and Density Bonus (DB22-00005) by adopting Planning Commission Resolution No. 2025-P20 with findings and conditions of approval attached herein.

PREPARED BY:



Manny Baeza  
Principal Planner

SUBMITTED BY:



Danene Nicandro  
Development Services Director

Attachments:

1. Planning Commission Staff Report of August 11, 2025
2. Planning Commission Resolution No. 2025-P26
3. Planning Commission Resolution No. 2025- P23 Certifying the Final EIR
4. Planning Commission Resolution No. 2025- P20 approving the Project
5. Final Environmental Impact Report Updated (Including Mitigation Monitoring and Reporting Program, Technical Appendices, and Response to Comments) online at <https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/guajome-lake-road-subdivision-eir>
6. Project Plans
7. Other Attachments
  - a. Description and Justification
  - b. Community Outreach Report
8. Public correspondence regarding the project

PLANNING COMMISSION  
RESOLUTION NO. 2025- P26

A RESOLUTION OF THE PLANNING COMMISSION 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

APPLICATION NO: T22-00004, D22-00009, DB22-00005  
APPLICANT: Rincon Capital Group LLC  
LOCATION: Guajome Lake Road (APN 157-412-15)

THE PLANNING COMMISSION 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 11<sup>th</sup> 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 11<sup>th</sup> day of August 2025, the Planning Commission continued the public hearing and afterwards re-noticed the public hearing to the 13<sup>th</sup> day of October 2025.

WHEREAS, based on evidence comprising the entire Administrative Record, including testimony of the applicant, the public and written submissions in opposition to the project, the staff report, technical studies, the Final Environmental Impact Report and Mitigation and Monitoring and Reporting Program, the Planning Commission has determined that there are certain significant environmental effects raised at the Public Hearing that have not been adequately addressed by the Environmental Impact Report including an inaccurate project description and potentially significant biological, traffic,

1 safety, and air quality related impacts. Specifically, the Planning Commission finds as  
2 follows:

3 **FINDINGS OF FACT**

4 A. **Final Environmental Impact Report:**

5 1. That the project site does not meet the definition of an infill site.  
6 Pursuant to Public Resources Code (PRC) Section 21099 an “Infill site”  
7 means a lot located within an urban area that has been previously  
8 developed, or on a vacant site where at least 75 percent of the perimeter  
9 of the site adjoins, or is separated only by an improved public right-of-  
10 way from, parcels that are developed with qualified urban uses. A  
11 qualified urban use is defined in PRC Section 21072 as any residential,  
12 commercial, public institutional, transit or transportation passenger  
13 facility, or retail use, or any combination of those uses. The project site is  
14 located directly across Guajome Lake Road public open space that  
15 constitutes approximately 26% of the perimeter of the project site. In  
addition, the project site abuts land containing a hardline preserve with  
riparian habitat to the north and south.

16 2. 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;

1 (2) any land within the WCPZ and north of SR-76; (3) any Pre-approved  
2 Mitigation Area; or (4) an existing mitigation bank within the City.

3 3. That wildlife movement and connectivity have not been adequately analyzed  
4 between surrounding areas, the project site and the San Luis Rey River.

5 4. That biological impacts generated by the project have been inadequately  
6 mitigated with regard to the future management of the on-site riparian forest.  
7 The riparian habitat, which is potential habitat for the federally endangered  
8 Least Bell's Vireo, warrants protection through the establishing of a  
9 conservation easement over the forest and by assigning oversight  
10 responsibility of the forest to a professional habitat management organization  
11 in perpetuity rather than to the proposed Homeowners Association.

12 5. That the EIR inadequately analyzes Vehicle Miles Traveled (VMT) impacts  
13 as it concludes that the project screens out because it creates less than 1,000  
14 vehicle trips. The Project site's high VMT renders the City Guidelines' 1,000  
15 Average Daily Trip ("ADT") threshold inappropriate. Thresholds are not  
16 determinative and cannot be applied in a way that would foreclose the  
17 consideration of other substantial evidence tending to show the  
18 environmental effect to which the threshold relates might be significant.  
19 Because the project site is not infill but rural, the Project will result in  
20 significant VMT impacts. SANDAG identified the Project site as having a  
21 high VMT classification. The site is surrounded by rural, agricultural, open  
22 space, parks, and semi-rural uses. The site is not served by urban services,  
23 nor is it near any transit. The Project will increase automobile dependency in  
24 an area with no transit. The EIR failed to analyze, disclose, and mitigate the  
Project's significant VMT impacts.

6. That the project is inconsistent with the San Diego Association of  
Governments (SANDAG) Regional Transportation Plan (RTP) and  
Sustainable Communities Strategy (SCS). An EIR must discuss any  
inconsistencies between the proposed project and regional plans including

1 the RTP. The EIR failed to adequately disclose and analyze the project's  
2 inconsistencies with the RTP/SCS, which forecasts the site as "Spaced Rural  
3 Residential," which is a much lower density than as proposed by the Project.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

7. That the Final Environmental Impact Report (FEIR) fails to adequately 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 should inform the City's decision about whether the Project's requested waivers would result in a specific, adverse impact upon public health and safety.
8. That the EIR did not adequately analyze safety impacts with regard to the five-minute Oceanside Fire Safety Response Time Standard. The City of Oceanside standard is for 90% of priority one calls to be responded to within five minutes. The EIR concluded that the standard was not fully met and recommended that action to mitigate this be at the sole discretion of the OFD. In responding to comments about this, the emergency response time study was updated. This updated study still concludes that the majority of the project site cannot achieve the 5-minute standard. Instead of proposing new corrective action, it deleted the previously proposed corrective action and instead proposes to do nothing. Furthermore, the updated analysis only evaluated response time to the project site. There is no reason to assume that is the only parcel that will be impacted. Emergency response time will be degraded throughout the surrounding area. In addition, the increase in the traffic on Guajome Lake Road, much of which will remain unpaved, will also adversely impact emergency response times. Thus, this impact has not been adequately mitigated.

1 9. That the EIR does not address impacts on equestrian use by all of the other  
2 owners in the Equestrian Overlay District (EOD) or those equestrians  
3 moving between Guajome Regional Park and other equestrian sites nearby.  
4 Guajome Lake Road is the street used for equestrian movement between the  
5 Guajome Regional Park, and the stable and other equestrian properties to the  
6 north of the park. The project will more than double average daily traffic  
7 along Guajome Lake Rd, making crossing of the road more dangerous for all  
8 users.

9 10. That the EIR did not adequately analyze impacts to Guajome Regional Park,  
10 as the FEIR places a portion of the Fire Management Zone (FMZ) within the  
11 park. In addition, the project does not control and cannot guarantee that the  
12 existing vegetation within Guajome Regional Park will remain in an  
13 acceptable state to meet FMZ requirements.

14 11. That the EIR fails to adequately analyze and mitigate significant Greenhouse  
15 Gas Impacts. The EIR relied on an outdated California Air Resources Board  
16 (“CARB”) Scoping Plan as part of its GHG impact analysis, rather than the  
17 more recent 2022 CARB Scoping Plan. The FEIR did not adequately  
18 address this question in the Response to Comments stating that the City has  
19 the discretion to choose the significance threshold for discretionary projects.  
20 The City’s Climate Action Plan (CAP) relies on a screening threshold based  
21 on land use size and a CAP (2019) Consistency Checklist to determine  
22 whether a project’s emissions would be consistent with GHG emissions  
23 estimated within the City’s CAP. Per the second thresholds of significance  
24 the EIR asks: “Would the project generate conflict with an applicable plan,  
policy, or regulation adopted for the purpose of reducing the emissions of  
greenhouse gases?” The 2022 CARB Scoping Plan is an applicable plan  
adopted for the purpose of reducing GHG emissions. Thus, the FEIR fails  
consider this impact. Additionally, the project does not include features that  
will reduce estimated VMT by at least 15 percent below the regional average

1 for projects located outside of designated Smart Growth Opportunity Areas  
2 or beyond  $\frac{1}{4}$  mile of a priority Transit Oriented Development (TOD)  
3 corridor, as determined by the Smart and Sustainable Corridors Plan and/or  
4 SB 743 screen-out boundaries.

5

6

7

8

9

10 12. That the EIR fails to adequately analyze and mitigate significant air quality  
11 impacts generated by the increase in vehicle trips and vehicle speeds on the  
12 partially unpaved Guajome Lake Road.

13 13. That the EIR did not include a General Plan compliant project in the EIR's  
14 alternative analysis. The Existing Land Use Designation Alternative was  
15 considered but rejected for a detailed analysis.

16 B. Tentative Map/Development Plan/Density Bonus

17 1. The required findings for approval of a tentative map are set forth in  
18 Section 406.C of the Oceanside Subdivision Ordinance. Subsection  
19 406.C.4 requires the Planning Commission to make, among other  
20 findings, the following finding: "That the design of the subdivision or the  
21 proposed improvements will not cause substantial environmental damage  
22 or substantially and avoidably injure fish or wildlife or their habitat.  
23 (Notwithstanding the foregoing, the Planning Commission may approve  
24 such a tentative map if an environmental impact report was prepared and  
25 approved and findings of overriding considerations are made in  
26 accordance with the CEQA)." Subsection 406.D.4 of the Subdivision  
27 Ordinance authorizes the Planning Commission to deny the tentative map  
28 if it finds, among other things, "that the design of the subdivision or the  
29 proposed improvements is likely to cause substantial environmental  
30 damage or substantially and avoidably injure fish or wildlife or their  
31 habitat."

32 2. The required findings for approval of a development plan are set forth in  
33 Section 4306 of the Oceanside Zoning Ordinance. Subsection 4306.A.4  
34 requires the Planning Commission to find, among other things, "that the  
35 project as proposed is compatible with existing and potential

1 development on adjoining properties or in the surrounding  
2 neighborhood.”

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

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 Planning Commission 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 Planning Commission is unable to make the mandatory findings to approve the tentative map and development plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Planning Commission hereby 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 Planning Commission 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:

Tom Morrissey, Chairperson  
Oceanside Planning Commission

ATTEST:

Darlene Nicandro, Acting Secretary

I, Darlene Nicandro, Acting Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2025-P26.

Dated: October 13, 2025