

## Leslie Huerta

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**From:** Alison Aragon <alison.aragon@gmail.com>  
**Sent:** Tuesday, January 27, 2026 8:32 PM  
**To:** City Council; City Clerk  
**Subject:** Support families staying in Oceanside

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Dear Oceanside City Council,

I am an Oceanside resident and a working mom writing to **support the Guajome Lake Homes project**. As elected leaders, I ask that you continue to advocate for families like ours who aspire to homeownership in the community we love. While I recognize the serious concerns raised by neighbors and environmental advocates—particularly regarding wildlife corridors, traffic impacts on Guajome Lake Road, and the preservation of the area's rural character—I believe there may be a path forward that better addresses these issues while still meeting our region's housing needs.

Our family has treasured visits and bike rides to Guajome Park over the years. The natural beauty and wildlife habitat surrounding the park are irreplaceable, and the solace it provides is treasured in today's world. I understand why long-time residents are deeply concerned about protecting such a place. Valid points have been raised about inadequate buffers for riparian areas, impacts on the California Coastal Gnatcatcher, and whether the current road infrastructure can safely handle increased traffic.

That said, I also believe we must grapple with a difficult reality: multi-million-dollar equestrian estate lots serve very few families and are increasingly out of touch with what working families need and can afford. Perhaps the answer isn't simply approving or denying this project as proposed, but reimagining it to better serve both conservation and community goals. I would urge all involved to consider:

-Reducing overall density to allow for more meaningful habitat buffers and open space preservation.

-Continue championing affordable housing initiatives that strengthen our community, including leveraging city in-lieu fees from developers to support the development of additional affordable housing.

At some point, if we don't find creative solutions, generations of Oceanside residents and North County families will be priced out of the communities where they grew up. The city will lose its history, its diversity, and its identity. But this doesn't mean we should sacrifice the land and the animals who were here long before we were—we must do better on both fronts.

Many of us cannot attend long evening hearings, often because of no options for childcare, but our need for housing is real.

Best,  
Alison Aragon  
Oceanside Resident

## Stephanie Rojas

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**From:** Anna Fleming <afleming92054@gmail.com>  
**Sent:** Tuesday, January 27, 2026 2:15 PM  
**To:** City Council; City Clerk  
**Cc:** haleywonsley@gmail.com  
**Subject:** Letter of Support: Keeping Young Professionals and Nature Lovers in Oceanside

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Dear Oceanside City Council,

I am an Oceanside resident and nature lover who wants to stay here, but the lack of housing is pushing many of us out. I support the **Guajome Lake Homes** project because it balances new housing with the environmental preservation I value.

**Why I Support This Project:**

- **Nature-First Design:** The project clusters the homes to preserve **41% of the site (7 acres) as open space**. It will have **no significant environmental impacts** on Guajome Regional Park, and in fact will encourage more access!

- **Wildfire Preparedness:** The site is **not in a high fire hazard zone** and will use ignition-resistant building materials.

- **Sensible Growth:** I support the equestrian waiver; requiring 7,200 sq. ft. horse yards is infeasible for this generation who is not looking for multi-million dollar estate lots and would prevent these needed homes from being built.

- These homes will be attainable and even affordable for very low income families.

I hope you will value the input of residents who are trying to build a future in this city. Please **approve the Guajome Lake Homes project**.

Sincerely,  
Anna Fleming  
1221 Herby Way  
Oceanside, CA 92054

## **Stephanie Rojas**

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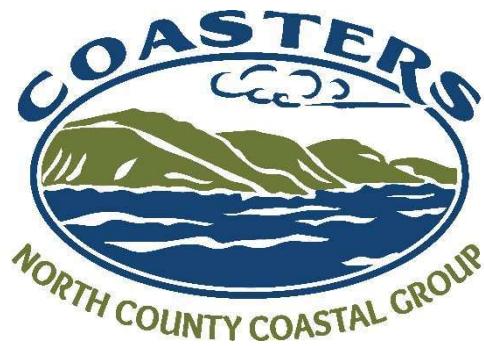
**From:** Barbara Collins <becollins92@gmail.com>  
**Sent:** Tuesday, January 27, 2026 4:03 PM  
**To:** City Clerk; City Council  
**Subject:** #16 Guajome Lake Homes Appeal  
**Attachments:** Guajome Lake Homes Appeal SC Comments.pdf

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I am submitting comments on behalf of the Sierra Club for the Guajome Lake Homes Appeal on the Council agenda tomorrow.

Thank you,  
Barbare Collins  
Sierra Club Coasters



Explore, Enjoy &  
Protect the Planet

January 26, 2026

Mayor Esther Sanchez and City Councilmembers  
City of Oceanside  
300 North Coast Highway  
Oceanside, California 92054

RE: FEIR Deficiencies Require Denial

Dear Mayor Sanchez and City Councilmembers:

On behalf of the Sierra Club, I am submitting comments regarding the Guajome Lake Homes project. The project requires significant waivers of Oceanside's development standards including reduced lot sizes, reduced setbacks, and removal of equestrian standards and violating the Scenic Park and Equestrian Overlay Zoning requirements.

Oceanside needs more housing; however this project is in the wrong place for its density and long list of waivers. It is a semi-rural site with an unpaved main road, adjacent to Guajome Regional Park, a 200 acre, key wildlife habitat with riparian wetlands, woodlands, and two lakes that attract migratory birds.

The Sierra Club supports Smart Growth and residential development in established areas that are close to public transit, jobs and services. We oppose Sprawl Growth in semi-rural areas that have crucial wildlife habitat and require VMT generating excessive GHGs to access all services.

We believe the City Council should Deny Approval of the project FEIR due to numerous deficiencies. These include:

#### **Habitat Destruction**

The site contains critical nesting areas for the threatened coastal California gnatcatcher and habitat for the Crotch's bumble bee (CBB), protected by the California Endangered Species Act. We have significant concerns about the destruction of coastal sage scrub, the habitat needed for the CAGN because the loss of its stepping stone habitat in this location has not been adequately addressed by the mitigation measure in another location. Mitigation measures for CBB were added in response to concerns raised by the California Department of Fish and Wildlife.

### **Scenic Park Overlay District (SPOD)**

The site is within the City's Scenic Park Overlay District (SPOD) which was enacted to "preserve and protect the valuable natural resources" specifically in and around Guajome Park.

In violation of SPOD, the development would destroy a crucial habitat corridor for local wildlife between Guajome Park and Jeffries Ranch. The area acts as a buffer zone, facilitating wildlife movement between the riparian, wetland, and chaparral habitats of the park and the surrounding, lower-density residential areas. The proposed development would act as a total barrier, severing the connection between the park and Jeffries Ranch and reduce the available buffer space for wildlife.

### **Wildfire Risk**

The location and high density of the project creates a dangerous wildfire risk for the residents during an evacuation.

Fuel modification zones (FMZ) are required by the Oceanside Fire Department and state law to extend 100 feet from structures to create defensible space. This project proposes FMZs that will be far less, within 30 feet for Zone 1 and between 30 to 100 feet in Zone 2.

Only some of the homes will use ignition-resistant materials.

### **Inadequate CEQA Growth Inducement Analysis**

CEQA Guidelines Section 15126.2(e) and Public Resources Code Section 21100(b)(5) explicitly require an Environmental Impact Report (EIR) to discuss a project's potential to induce growth. The project site is currently semi-rural and not connected to a sewer line. Guajome Lake Road is unpaved at the site. Placing a high density development and connecting it to infrastructure will encourage more high density development on Guajome Lake Road, forever changing the semi-rural character of the area and degrading not preserving and protecting the valuable natural resources of Guajome Park and the SPOD.

The FEIR does not adequately analyze the indirect growth it will induce. It states it will not induce growth in this area when it places a very high density subdivision onto a semi-rural site and connects it to infrastructure. Another factor that will induce growth is the waiver of the Equestrian Overlay District for the site. It removes the requirements for equestrian friendly features that the city adopted to protect equestrians and which helps to preserve Guajome Park and the area around it.

We urge the City Council to reject the FEIR and the project.

Thank you for your consideration of our comments.

Sincerely,

Barbara Collins  
Vice Chair, Sierra Club North County Coastal Group

## Leslie Huerta

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**From:** Thomas Schmiderer  
**Sent:** Tuesday, January 27, 2026 6:22 PM  
**To:** City Clerk  
**Subject:** FW: Comments regarding Rincon Homes  
**Attachments:** Subject\_Comments Regarding Health, Safety, and Environmental Impacts of the Guajome Development Rincon Homes Project (2).pdf



**Thomas Schmiderer**  
**Assistant City Clerk**  
**City of Oceanside**

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300 N. Coast Highway  
Oceanside, CA 92054  
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**From:** Donna Hein <[donnahein@att.net](mailto:donnahein@att.net)>  
**Sent:** Tuesday, January 27, 2026 2:39 PM  
**To:** City Council <[council@oceansideca.org](mailto:council@oceansideca.org)>  
**Subject:** Comments regarding Rincon Homes

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Dear Oceanside City Council,

The attached letter is submitted as part of the appeal and public record regarding the proposed Guajome development by Rincon Homes. The purpose of this correspondence is to clearly identify **specific, adverse impacts to health and safety**, as required by the Planning Commission's standards for consideration of this appeal.

Thank you,

Donna Hein (Founder of the San Diego Equestrian Community 6000 Members strong & growing)

Date: Jan 27, 2026

Subject: Comments Regarding Health, Safety, and Environmental Impacts of the Guajome Development  
Rincon Homes Project

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To Whom it May Concern,

This letter is submitted as part of the appeal and public record regarding the proposed Guajome development by Rincon Homes. The purpose of this correspondence is to clearly identify **specific, adverse impacts to health and safety**, as required by the Planning Commission's standards for consideration of this appeal.

## **Health, Safety, and Historical Impacts to Residents, Animals, and Wildlife**

The proposed development presents multiple foreseeable and significant risks to human health, domestic animals, equestrian use, and local wildlife, including but not limited to the following:

### **1. Chemical Exposure and Runoff**

- The use of herbicides, pesticides, and other chemicals for landscaping and weed control poses risks to grazing animals, neighboring properties, and downstream waterways.
- Chemical runoff into soil and water systems threatens livestock, pets, wildlife, and aquatic ecosystems.
- The anticipated use of rat poison is particularly concerning, as it harms non-target species, contaminates the food chain, and disrupts the local ecosystem.

### **2. Air Quality, Dust, and Pollution**

- Increased traffic on unpaved or rural roads will generate dust that can be inhaled by residents, equestrians, horses, and other animals.
- Light pollution from increased residential density will adversely affect neighboring properties and wildlife behavior.
- Construction and long-term occupancy will significantly increase particulate matter in an area currently characterized by rural conditions.

### **3. Equestrian and Public Safety Hazards**

- Increased traffic and reduced safety buffers pose a serious hazard to equestrians and horses traveling along Guajome Park Road and in surrounding areas, including Guajome Regional Park.
- The safety and well-being of equines, riders, bicyclists and pedestrians will be compromised due to traffic volume, speed, and limited infrastructure designed for mixed rural use.

### **4. Fire Risk**

- The proposed density and lack of sufficient spacing between homes substantially increase fire risk, particularly in a region already vulnerable to wildfire.
- Fireworks use by residents further exacerbates this risk, endangering people, animals, and natural habitat.

## Density Bonus Incentives and Waivers

Rincon Homes proposes 83 residential units, of which only four (4) are designated as low-income housing. Under the County Density Bonus guidelines, this equates to approximately 5% affordability and qualifies for **two incentives**, not unlimited incentives.

Reference: San Diego County Density Bonus FAQ (PDS-PLN-338)

<https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/PDS-PLN-338.pdf>

Despite this, the City of Oceanside appears to be granting an excessive and potentially unjustified number of incentives and waivers. This raises serious legal and procedural concerns that warrant further review by legal counsel, especially given the County's more liberal standards for denial when health and safety impacts are demonstrated.

## Environmental Review and CDFW Concerns – Crotch's Bumble Bee

The Final EIR relies heavily on the State Density Bonus Law and Housing Accountability Act to justify project approval. However, **biological impacts—specifically to the Crotch's bumble bee (*Bombus crotchii*)**—were inadequately addressed in the Draft EIR.

The California Department of Fish and Wildlife (CDFW) raised concerns and requested additional mitigation measures, including MM-BIO-9, which were initially omitted. The Final EIR acknowledges that:

- The project site lies within the known range of the Crotch's bumble bee.
- Coastal sage scrub on-site may provide suitable nesting, foraging, and overwintering habitat.
- Preconstruction surveys and a habitat assessment are required if the species is protected under CESA at the time of ground disturbance.
- An Incidental Take Permit may be required if impacts cannot be avoided.

Importantly, **Ocean Breeze Development in Bonsall was required to revise its project and set aside land specifically due to the presence of this species**, demonstrating precedent for meaningful project modification.

As of August 4, 2022, the Crotch's bumble bee is officially protected under the California Endangered Species Act. Candidate species protections apply, and failure to adequately address this issue prior to project approval undermines the sufficiency of the EIR.

## Legal Concerns and Process Issues

The City previously tabled this project in August pending legal counsel's response to concerns regarding waivers and incentives. While the City has cited the applicability of the Density Bonus Law to charter cities, **state law does not eliminate the City's obligation to protect public health and safety**, nor does it excuse inadequate environmental review.

Additionally, concerns have been raised regarding the professionalism and impartiality of staff involved in the EIR response process, including publicly reported allegations involving discriminatory remarks toward disabled equestrians. This context heightens the need for transparency, fairness, and careful review.

## **Historical Resources – Rancho Guajome Land Grant**

Oceanside City Council give appropriate consideration to the historical significance of this area. The property proposed for development was part of the original **2,219-acre Mexican Land Grant** associated with Rancho Guajome.

Reference: San Diego County Park brochures:

- Guajome Regional Park Brochure (see page 2):  
[https://www.sdparks.org/content/dam/sdparks/en/pdf/BrochuresMiscellaneous/2024\\_Guajome%20Regional\\_Brochure\\_WEB.pdf](https://www.sdparks.org/content/dam/sdparks/en/pdf/BrochuresMiscellaneous/2024_Guajome%20Regional_Brochure_WEB.pdf)
- Rancho Guajome Adobe Brochure:  
<https://www.sdparks.org/content/dam/sdparks/en/pdf/BrochuresMiscellaneous/RanchoGuajomeAdobeBrochure.pdf>

## **Land Use - Two Overlay Districts Protecting Guajome Regional Park and the adjacent Equestrian Area within the Guajome Neighborhood Plan Have been waived or overlooked.**

**These Overlays address health, safety, historical and environmental resources.**

- The specific purposes of the SP Scenic Park Overlay District is to: Conserve and protect valuable natural resources of recreational and scenic areas in and adjacent to the Guajome Regional Park and other public parks.
- The specific purposes of the EQ Equestrian Overlay District is to: Provide for recreational opportunities by establishing an equestrian trail network around Guajome Regional Park and the San Luis Rey River within the Guajome Neighborhood Planning Area.

## **Mitigation Bank Concerns**

Rincon Homes, using a Carlsbad address, proposes utilizing a Carlsbad mitigation bank rather than an available San Diego County mitigation bank. This is unacceptable given the existence of suitable North County mitigation options, including the San Luis Rey Mitigation Bank. Local impacts should be mitigated locally whenever feasible.

## **Conclusion**

The proposed Guajome development poses **specific, identifiable, and significant adverse impacts to health, safety, historical and environmental resources**. These impacts affect residents, livestock, equestrians, patriots of Guajome Regional Park, wildlife, and protected species. The appeal should be granted, or at minimum, the project should be substantially revised to address these concerns in compliance with CEQA, CESA, and public safety standards.

Thank you for considering these comments for the record.

Respectfully submitted,

Donna Hein

Founder of The San Diego Equestrian Community (6000 members strong & growing)

## Stephanie Rojas

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**From:** Ellen <ellen.calica@gmail.com>  
**Sent:** Tuesday, January 27, 2026 2:54 PM  
**To:** City Council; City Clerk  
**Subject:** Guajome Lake Homes Project

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Good afternoon Council,

I hope you are all having a wonderful day so far. First, I just want to thank you for what you do. I can imagine that your job isn't easy, so I appreciate your time.

I am writing to you in regards to the Guajome Lake Homes project here in Oceanside. I currently live near the area of the proposed project and while I am not opposed to building homes on the lot, I am opposed to the project as a whole. I understand that the Council is very limited in opposing new building but I urge you to deny the Environmental Impact Report.

- The project contradicts itself in many areas including claiming the area lacks scenic value, despite its proximity to the most beautiful protected parkland and open views intended to be preserved under City policy.
- It claims the project is compatible with surrounding land uses, even though the area contains large-lot equestrian homes. This project involves small, high density lots.
- The EIR does not meaningfully evaluate whether residents, emergency responders, and equestrians requiring horse trailers could safely evacuate during a wildfire, especially since parts of the road do not meet fire code standards and only part of the road would be paved. Please don't let our city end up like Pasadena in the wild fires of 2025.

Please do not feel rushed to approve any project that does not bring honor to your name or the City.

**I ask that you deny the certification of this report.**

Thank you,

Ellen Calica

## Leslie Huerta

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**From:** Isabella Coye <igc@chattenbrownlawgroup.com>  
**Sent:** Tuesday, January 27, 2026 4:42 PM  
**To:** City Clerk  
**Cc:** Steve Burke; City Council; Josh Chatten-Brown; Katie Pettit  
**Subject:** Comments Regarding City Council Agenda Item No. 16  
**Attachments:** 2026-1-27 Guajome Comments.pdf

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Dear Dr. Navarro:

On behalf of Preserve Calavera, we submit the attached comments regarding the proposed Guajome Lake Homes Project, to be heard on appeal as Agenda Item No. 16 by the Oceanside City Council on January 28, 2026.

Please confirm receipt of this email and the attached comments. Thank you.

Sincerely,  
Isabella Coye

**Isabella Coye**

Associate



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**Chatten-Brown Law Group, APC**  
Isabella Coye | Associate  
325 W. Washington Street, Suite 2193  
San Diego, CA 92103  
igc@chattenbrownlawgroup.com

January 27, 2026

*Via email*

City Council, City of Oceanside (*CityClerk@oceansideca.org*)  
c/o Dr. Zeb Navarro, City Clerk  
300 N. Coast Highway  
Oceanside, CA 92054

**Re: Proposed Guajome Lake Homes Project; Agenda Item No. 16**

Dear City Councilmembers:

On behalf of Preserve Calavera, we provide the following comments on the proposed Guajome Lake Homes Project (“Project”), scheduled to come before the City Council for the City of Oceanside (“City”) on appeal on January 28, 2026. We previously submitted comments on behalf of Preserve Calavera detailing the deficiencies of the Project’s Environmental Impact Report (“EIR”) (**Exhibit 1**). Preserve Calavera submitted its own comments regarding the same.

The Project first came before the Planning Commission on August 11, 2025, and the Planning Commission voted against the motion to certify the EIR and approve the Project. Commissioners who voted to oppose the certification identified public safety as one basis for doing so.<sup>1</sup> The Project came before the Commission again on October 13, 2025, and included Staff’s proposed findings supporting its denial. However, without explanation, the Commissioners changed course and voted to approve the Project and certify the EIR.

A voicemail transcript from the Project developer’s planning team to City Staff, dated only six days prior to the October hearing, indicated ongoing communications between the developer and the Commissioners between the two meetings:

*But I want to reach out to you to talk about possibly just doing a call this week to brief you on Jonathan’s conversations he is had with planning commissioners and probably give you a good understanding of what they talked about. I think he is had some good meetings with a few of them to give them a good understanding of the project and the density bonus components of it. So it might be very helpful for all of us to hop on a short call or Zoom call and then also just talk about any questions or less, you know, outstanding items as far as the planning commission goes.*

**(Exhibit 2.)**

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<sup>1</sup> City Council Staff Report (Jan. 28, 2026) Agenda Item No. 16 [“City Council Staff Report”].

The details of these off the record conversations between the applicant with individual Commissioners, and any communications shared directly or indirectly across Commissioners, should be disclosed on the record, to ensure the public knows the basis for the Planning Commission's change in vote to recommend the Project's approval, and to ensure conformity with the Brown Act. This applies to the extent Councilmembers met with the developer as well. The Brown Act and the California Environmental Quality Act ("CEQA") both require that the public have a full understanding of the reasoning behind the decisionmaker's vote. Furthermore, the impacts to public safety and deficiencies that plagued the EIR remain unresolved, and the Project continues to pose a substantial risk to public safety.

As detailed in the below comments, the City Council retains discretion to deny the Project, and should do so, given the EIR's numerous inadequacies and the Project's overall impact to safety. Preserve Calavera has prepared a redlined copy of the October 13, 2025, draft resolution incorporating staff's previously drafted findings in support of denying the Project. The original findings contained therein have already been drafted, approved and vetted by City Staff before they were presented to the Planning Commission, and Preserve Calavera concurs with the conclusions. The revised resolution is attached as **Exhibit 3**, for your review.<sup>2</sup> We respectfully request that you move to include these findings as part of any resolution denying the Project.

## **I. The City Council Can and Should Deny the Project, Because It Does Not Qualify as an Affordable Housing Development Project and It Poses a Significant and Unmitigable Safety Risk**

The Housing Accountability Act ("HAA") limits instances where municipalities may deny projects with specified affordable housing components, and is not applied exclusively of the State Density Bonus Law ("SDBL"). The HAA only mandates the approval of housing projects that fit certain affordability criteria.<sup>3</sup> This Project does not comply with these criteria and City Council retains discretion to deny the Project. Furthermore, the Project's location on an extremely hazardous stretch of unpaved road independently allows the City Council to deny the Project on public safety grounds.

### **A. The Housing Accountability Act Does Not Mandate Approval of the Project**

The HAA provides that a municipality shall not reject a "housing development project for very low, low-, or moderate-income households" unless the jurisdiction has met or exceeded its share of regional housing need, or the housing development project would have a "specific, adverse impact on public health and safety." (Gov. Code § 65589.5, subd. (d).) "Housing for very low,

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<sup>2</sup> Preserve Calavera removed findings in support of denial which have been separately addressed (i.e., the modification of the FMZ).

<sup>3</sup> See Gov. Code § 65589.5, subd. (d) & (h).

low-, or moderate-income households' means housing for lower income households, mixed-income households, or moderate-income households." (Gov. Code § 65589.5, subd. (h)(3)(A).) Housing for mixed income households means, as relevant here, a housing development where 10% of the total units are reserved for very low-income households. (Gov. Code § 65589.5, subd. (h)(3)(C).)<sup>4</sup> The Project would reserve only 5% of its units allowed under the base density for very low-income households. (City Council Staff Report, p. 5.) Project materials do not otherwise indicate that the remaining units would meet the affordability criteria for low or moderate-income households. As such, the HAA does not mandate the approval of this Project, as it does not qualify as a "housing development project for very low, low-, or moderate-income households."

In fact, City Staff has affirmed that the Project may be denied. In preparation for the October 13, 2025, Planning Commission hearing, City Staff prepared two sets of resolutions: one approving the Project, and *one rejecting certification of the EIR and denying the Project*.<sup>5</sup>

However, even Staff's Resolution No. 2025-P26 misstates the SDBL and HAA's applicability. The Resolution provides that the SDBL and HAA "allow local agencies to *deny housing development projects* or requested incentives/concessions or waivers only if" there are significant and unmitigable safety impacts. (City Council Staff Report, Attachment 6, Exh. A, p. 7.) Resolution No. 2025-P26 does *not* address the fact that the Project does not qualify as a Housing Development Project pursuant to the HAA and, as such, the City Council is not limited to denying the Project only for safety reasons.

## **B. The Project Is Surrounded by One Narrow, Unpaved Road, Posing a Significant and Unmitigable Safety Risk**

The Project further should and could still be denied if it would "have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low- and moderate-income households." (Gov. Code § 65589.5, subd. (d)(2).)

The portion of Guajome Lake Road that abuts the Project site and extends outward in each direction is currently unpaved. (DEIR, 4.15-4.) Though the Project proposes to pave a portion of the roadway in front of and to the north of the Project, Guajome Lake Road will remain unpaved

<sup>4</sup> Housing for lower and moderate income households refers to housing in which 100% of the units are reserved for lower income households or moderate-income households, respectively, which is not applicable. (Gov. Code § 65589.5, subd. (h)(3)(B) & (h)(3)(D).)

<sup>5</sup> City Council Staff Report, Attachment 2, Exh. A [Res. No. 2025-P23 certifying EIR], Exh. B [Res. No. 2025-P20, approving Project] & Attachment 6 [Res. No. 2025-P26, rejecting certification and denying Project]. The findings supporting denial are already included in the record, but are attached again as **Exhibit 3**.

to the south. (FEIR, p. 2-76.) The Project would more than double the average daily trips along this road. (City Council Staff Report, Attachment 5, p. 6.) Thus, a significant portion of Guajome Lake Road will remain unpaved and be burdened by *twice* as much traffic.

Furthermore, this section of road is already extremely hazardous, as emphasized by residents before the August 11, 2025, Planning Commission hearing:

- “The road is also twisty and dangerous already and the increase of traffic will lead to more accidents. Already, cars frequently run off the road into Guajome Lake Park and have to be hauled out.”
- “Guajome Lake Road currently turns into a dirt road and if this development is approved the road will be paved creating a major thoroughfare off the 76 highway. This will exacerbate the already dangerous situation of traffic speeding down Guajome Lake Road where visitors park along the street and unload kids and pets. Just last year a teenager riding a bike was hit by a car on this road.”
- “It is currently so bad that we are driving out of the way down North Santa Fe and around to Osborne just to get to our home at [redacted] Guajome Lake Road, so that we can be on the miserable dirt portion for less time. This is a SERIOUS accident waiting to happen. Tons of cars cut through Guajome Lake Road all the time, and currently they weave in and out of the pot holes trying to find the path that is least jarring.”
- “[T]he road will remain untouched at its most dangerous point . . . Guajome Lake Road is already tragedy waiting to happen, and I dread the day my only response will be ‘I told you so.’”
- “I was almost hit head on on Guajome Lake Road this past week, rounding a blind curve outside of my driveway. I have submitted 3 unanswered requests for road maintenance this past month due to the debilitating bumps in the dirt road... This road is a disaster waiting to happen.”

(City Council Staff Report, Attachment 5.)

Simply put, the Project as proposed constitutes an enormous safety risk by doubling the traffic on an already dangerous, unpaved road. City Staff have admitted that “future road improvements are warranted; however, there is no legal nexus requiring the completion of such additional off-site roadway improvements due to the proposed project.” (*Id.* at p. 11.) The safety risk remains unmitigable, and the City Council retains discretion to deny the Project.

The FEIR avoids analysis of this issue by summarily dismissing the public’s legitimate evidence submitted of the safety risk, despite acknowledging the “area is currently not up to fire code standards.” (FEIR, p. 3-65.) The FEIR further improperly relies on project design features to claim there will be no significant impacts, in violation of *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656.

The FEIR states the road will be paved to claim there will not be a significant impact. (*Ibid.*) Yet, this is not true – elsewhere, it admits only a portion of the road will be paved along the project frontage (FEIR, p. 2-69 [project will pave “segment” of Guajome Lake Road along project site frontage northwest to Albright Street, around 1,200 feet]; p. 2-126 [“The project does not propose improvements to an unpaved segment of Guajome Lake Road located southeast of the project site”]), further increasing risks. According to the U.S. Department of Transportation Federal Highway Administration:

Some unpaved roads have a smooth, wide, well maintained surface with wide shoulders. Others have narrow or no shoulders and loose, rutted, or washboard surfaces where vehicles may slide out of control due to a severely raveled surface. Unfortunately these problems are often the worst where vehicles turn and brake, such as curves and intersections where vehicle control is most critical. In addition, poor quality aggregate can lead to excessive dust, which can obscure a driver's view of the road and oncoming traffic....An abrupt change from a paved to an unpaved surface creates a risk of skidding and losing control of the vehicle... because of low traffic volumes and minimal law enforcement presence on many unpaved roads, drivers may travel at unsafe speeds. When inconsistencies are present, the driver may be taken by surprise, which can result in an increase in crash risk.

(Unpaved Roads: Safety Needs and Treatments)<sup>6</sup>

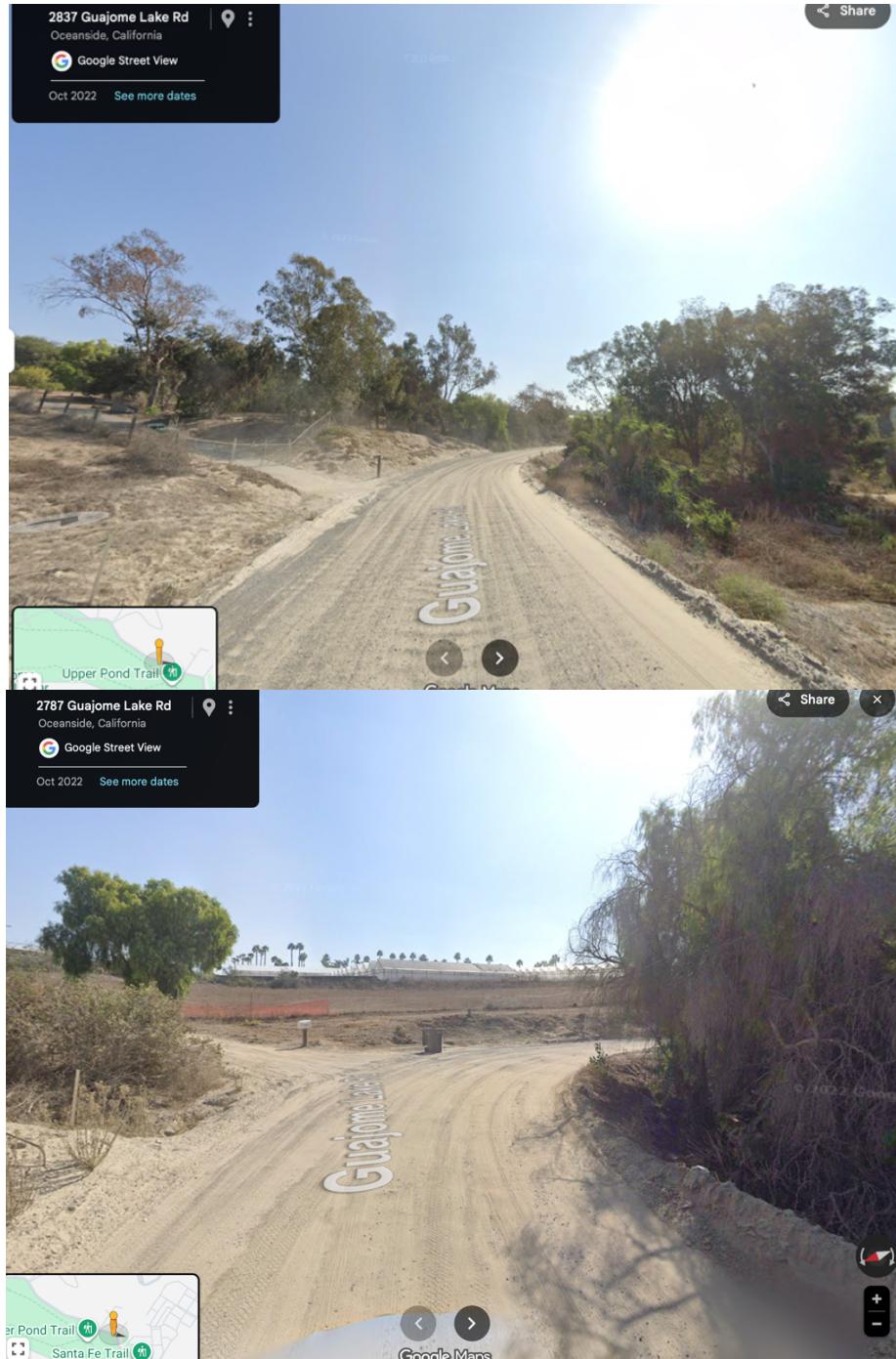
The following images are a few examples of unpaved, winding roads, that will remain unpaved after the Project construction, if the Project is approved.

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<sup>6</sup> Available at: <https://highways.dot.gov/safety/other/unpaved-roads-safety-needs-and-treatments#:~:text=An%20abrupt%20change%20from%20a,an%20increase%20in%20crash%20risk.>

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Finally, as described by community members, the current conditions and nature of the road further render the proposed addition of units a safety risk beyond the fact that the remainder of the road would be left unpaved, which has not been adequately studied or mitigated.

## **II. SDBL Authorizes the City's Denial of the Requested Waivers Because of Their Significant, Adverse, and Unmitigable Impact to Health and Safety**

Under SDBL, the City may deny an applicant's request for waivers of development standards that purportedly preclude development at allowable density under the SDBL if the waiver or reduction would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact, as well as if the waiver conflicts with state or federal law. (*Ibid.*)

The Project applicant seeks seven waivers pursuant to the SDBL: reduction of lot sizes, reduction of lot width, an increase in allowable lot depth to width ratio, reduction of required setbacks, an increase in lot coverage percentage, an increase in retaining wall heights, and the waiver of Equestrian Overlay District ("EQO"). (City Council Staff Report, Attachment 5, pp. 8-10.) The EQO development regulations require each lot within the overlay to provide space for horse yards and to provide a public equestrian trail at least ten feet in width, in addition to

compliance with other design and location requirements. (Oceanside Zoning Ordinance, Article 28, § 2806.)

As discussed in Section I.B, Guajome Lake Road is already a hazardous roadway, and would see twice as many average daily trips upon Project completion. Further, Guajome Lakes Road would still need to be utilized by equestrians because the Project intends to waive the requirement to provide public equestrian trails. This enormous increase in use on an already dangerous roadway utilized by vehicles and equestrians alike poses a clear, unmitigable safety risk, and renders the applicability of the SDBL waiver inappropriate in the context of the EQO. The applicant's requested waiver of the EQO further poses a significant safety hazard in that it will deprive equestrians of a safe, viable equestrian trail across the property, forcing these riders to continue travelling along Guajome Lake Road.

As demonstrated through several community member's comments and submission of evidence into the record, waiver of the EQO poses a significant and unmitigable safety risk, and the City Council is authorized to reject the waiver of the EQO.

### **III. The Project Continues to Improperly Rely on Inflated Density Bonus Numbers, Resulting in a Project That Exceeds Permitted Density**

In written comments submitted on behalf of Preserve Calavera on August 11, 2025, we alerted the City to its reliance on an inflated density for its density bonus calculations. (**Exhibit 1**, pp. 10-11.) In particular, these comments identified that the City utilized a density of 5.9 du/acre rather than the correct density of 3.6 du/acre. (*Ibid.*) The City's General Plan confirms that the Project site's base density is 3.6 du/acre, the maximum *potential* density is 5.9 du/acre, and that these two densities "*do not imply minimum and maximum densities that can be uniformly applied to any particular site.*" (*Ibid.*) The higher density provided serves only as a density potential that could be achieved on a site's developable portion if the proposed project exceeds the City's requirements or possesses an "*excellence of design features.*" (*Ibid.*) The General Plan further identifies that the "*base density shall be considered the appropriate density for development within each residential land use designation.*" (*Ibid.*)

Therefore, the maximum potential density of 5.9 du/acre is not the high end of a "range," but a density that can only be achieved in exchange for enhanced project design features. The underlying density is 3.6 du/acre, and the Project is not entitled to rely on a higher figure.

The City attempts to disregard this point by relying on recent HCD guidance, where HCD opines that density calculations should be based on gross site acreage. City staff claims that 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. (Attachment 6, p. 3; *see also* Attachment 5, p. 8.)

This explanation remains inaccurate. Even using the site's entire 16.78 acres consistent with recent HCD guidance and the correct density of 3.6 du/acre, the total number of units allowed

under the base density is 61. If the applicant reserved the required units for the density bonus of 20%, the applicant would be entitled to build 13 bonus units for a total of 74 units. That is nine units *less* than currently proposed, meaning the City's erroneous calculations still result in a Project that exceeds permitted density, even considering the new HCD guidance. The City must address this discrepancy, which it was alerted to as early as August of last year.

#### **IV. The Written Appeal Satisfies Ordinance 4604(A) and, As Such, Properly Initiated These Proceedings**

The City's zoning code sets forth the following procedure for appeals of Planning Commission decisions:

An appeal of a Planning Commission decision shall be filed in writing with the City Clerk and shall be accompanied by the required fees. In filing an appeal, the appellant shall specifically state the reasons or justification for an appeal. ~~In all cases, the reasons or justifications given by the appellant shall form the basis on which the appeal hearing before the appropriate appellate body shall focus. Issues not raised by the appellant in the written appeal cannot be considered in the appeal hearing.~~

(Oceanside Zoning Ordinance, § 4604(A).)

Notably, the stricken through language was removed from section 4604 by the City Council on June 18, 2025. (Staff Report & Ordinance, File No. 25-881, June 18, 2025.) These revisions indicate a marked shift from requiring a written appeal to be exhaustive in its inclusion of issues to be considered by City Council. Indeed, section 4605 was simultaneously amended to state that a hearing on appeal of a decision of the Planning Commission shall be heard *de novo*, affording further discretion to the City Council in its consideration of relevant issues. Lastly, section 4605 was amended to preclude the City Council from considering on appeal any issue which was not raised before the Planning Commission, with limited exception.

On October 22, 2025, Jennifer Jacobs filed the written appeal challenging the Planning Commission's approval of the Project, citing the fact that "The Environmental Impact Report for the project is inadequate." This appeal followed Ms. Jacobs, Preserve Calavera, and other members of the public's exhaustive, detailed written comments on the EIR's inadequacies, as well as spoken comments before the Planning Commission on both August 11 and October 13. Accordingly, the basis of the appeal was readily documented, and the City was certainly aware of the public's concerns about the Project and its environmental review. Furthermore, section 4605 now precludes the City Council from considering any issue that was *not* raised already to the Planning Commission, ensuring that the City Council receives adequate notice of the issues to be reviewed.

Yet, in a letter by the applicant's counsel, they argue that Ms. Jacob's appeal "do[es] not fairly apprise the City of the relevant concerns" and "does not present a legally sufficient or

procedurally appropriate basis for further review.” (Letter from Kimberly Foy to Barbara Hamilton, Oct. 24, 2025.)<sup>7</sup> According to the applicant, Ms. Jacob’s appeal fails to comport with the language of section 4604 regarding the need to specifically state the reasons for the appeal.

The City replied that the City was unable to reject the appeal, and that the “City Clerk cannot pass on the legal sufficiency of the justifications stated for an appeal, so long as some justification is provided as required by Section 4604(A).” (Letter from Steven Burke to Kimberly Foy, Oct. 30, 2025.) The City has deference in its interpretation of its own code. As alluded to in Mr. Burke’s letter, the City merely requires *some* justification to be provided to satisfy section 4604(A). Where, as here, the record before the Planning Commission contained ample information regarding the public’s concerns, it would be fundamentally unfair to retroactively deem an appeal invalid because the City has allegedly not been apprised of these very same concerns.

#### **V. The FEIR Still Mischaracterizes the Project as “Infill” While Compromising the City’s Infill Goals**

Our prior letter submitted on behalf of Preserve Calavera extensively detailed the FEIR’s misleading claims the Project is infill, as well as its failure to feasibly mitigate the Project’s Vehicle Miles Travelled (“VMT”) and Greenhouse Gas (“GHG”) impacts. (**Exhibit 1.**)

The following issues raised by Preserve Calavera in its prior letter continue to remain unaddressed:

- SANDAG identified the project site as having the second highest category of VMT in the County, the EIR admits there is no transit within 1.75 miles, and the Project conflicts with SANDAG’s Regional Transportation Plan forecasting the site as spaced rural residential. Yet, the EIR does not even conduct a VMT analysis.
- The Court of Appeal overturned the County of San Diego’s infill designations last year in *Cleveland National Forest Foundation vs. County of San Diego* (2025) 110 Cal.App.5th 948, 961, for lacking evidence and relying on vague, unfounded assertions regarding infill nature, similar to here.
- The FEIR relies on an outdated 2008 California Air Resources Board Scoping Plan, rather than the 2022 Plan, and avoids disclosure and mitigation of significant GHG impacts.
- The Project is inconsistent with the City’s Climate Action Plan because it conflicts with the CAP Checklist and far exceeds general plan zoning designation for the property.

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<sup>7</sup> Applicant’s counsel also cites to *Mani Brothers Real Estate Group v. City of Los Angeles* (2007) 153 Cal.App.4th 1385, 1396, in support of its position. However, this case relates to CEQA’s exhaustion requirement, not to the sufficiency of an administrative appeal, and the *Mani Brothers* court specifically held that the exhaustion requirement was sufficiently met *because* the petitioner had submitted extensive written comments and spoken numerous times at hearings.

- The FEIR fails to include a reasonable range of alternatives, including a project that reduces safety risks and complies with equestrian zoning overlays in the rural community. A previously proposed project in 2008 proposed a 33-unit project.

The most recent Staff Report and Findings of Fact reiterate the FEIR's unfounded infill claims. Several commenters raised this issue, but were summarily dismissed. (FEIR, p. 2-188, 2-220.)

The FEIR must be revised to adequately analyze and disclose the Project's significant impacts to VMT, GHG, and the City's infill goals and policies.

## **VI. The FEIR Still Fails to Adequately Disclose or Mitigate Impacts to Evacuation and Wildfire Safety**

CEQA requires the lead agency to adequately analyze and disclose a project's significant impacts, including its impacts to fire safety and evacuation. (*See, e.g., People ex rel. Bonta v. County of Lake* (2024) 105 Cal.App.5th 1222, 1230–32; Cal. Code Regs., tit. 14, § 15126.2, subd. (a); *see also* CEQA Guidelines, App'x G, XX [requiring analysis where a project is located in or near a state responsibility area].) Mitigation measures are required for impacts found to be significant, and such measures must be fully enforceable. (Cal. Code Regs., tit. 14, § 15126.4.)

The Project site is approximately 0.30 miles from the state responsibility areas at their closest points.<sup>8</sup> One of the critical considerations for such projects is whether the development would “expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.” (DEIR, p. 4.8-13; *see also* CEQA Guidelines, App'x G, XX.) The EIR addresses this issue, but summarily concludes that compliance with the Project's Fire Protection Plan Letter Report, as well as City and State requirements, would render the Project's impacts to wildfire risk to less than significant. (DEIR, 4.8-13.)

Yet, the EIR does not include any studies concerning the estimated time for evacuation. Furthermore, as discussed in Section I.B, Guajome Lake Road will remain unpaved south of the Project. The unpaved portion of Guajome Lake Road does not meet fire code standards. (FEIR, App'x O, p. 14; DEIR, p. 4.8-12 [“Guajome Lake Road is an unpaved dirt road from Albright Street to just east of Old County Road. This area is currently not up to fire code standard”].) Thus, for the purposes of emergency vehicle access, there is functionally only one means of ingress and egress to the Project site.

Multiple commenters flagged the Project's potential fire risk in their comments, but the City largely dismissed these concerns and noted that “[b]ecause the project site and surrounding area are not located within a very high fire hazard severity zone, an evacuation time study is not required.” (FEIR, p. 2-340.) Because an evacuation time study was not performed, the EIR obscures the Project's impact to evacuation along a road that will still be partially unpaved.

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<sup>8</sup> <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones>; Google maps measuring tool.

Dr. Michael Tenhover, a scientist with ample experience with in data modeling, also reviewed the Project's documents and Fire Protection Plan and identified numerous deficiencies with the analysis, including with the shortcomings of the modeling itself. Dr. Tenhover's comments have been separately submitted to the City Council for consideration. In particular, Dr. Tenhover identified that the Project's Genasys evacuation zone contains a significant amount of land within designated moderate and high fire severity zones, meaning the Guajome Lake Road evacuation corridor will potentially need to be utilized by Project residents and other residents fleeing from designated hazardous areas.

Furthermore, the Fire Protection Plan admits that the Project would be inconsistent with the Oceanside Fire Department's policy of responding to 90% of emergency calls within 5 minutes. (FEIR, App'x O, p. 19.)

The flaws with the analysis itself, as well as the omission of *any* evacuation time modeling, obscures the Project's impacts and precludes City Council from making an informed decision, in contradiction with CEQA's most fundamental purpose of ensuring adequate public disclosure. The FEIR *must* adequately analyze, disclose, and mitigate the Project's impacts to evacuation and wildfire safety.

## **VII. The Project Opted Out of Providing the Ten Percent Affordable Housing Required by the City's Inclusionary Ordinance**

The Project proposes four affordable units and 79 market rate units. The Staff Report claims the Project furthers affordable housing. Yet, the Project will not provide 10 percent affordable housing to satisfy the City's Affordable Housing inclusionary ordinance, but will instead opt to provide 5 percent affordable housing and pay an in lieu fee to cover the remaining 5 percent. (Condition of Approval #116.) Thus, rather than actually construct the entire 10 percent affordable homes, which could be done near actual infill and transit, the applicant is opting to pay a fee.

Other recently-approved projects by the City Council in walkable areas near transit highlight the misleading nature of calling the project "infill," the Project's conflicts with the City's climate and housing policies, and the Project's failure to meet its stated objectives. The City Council has collectively approved over 1,500 units just in the last year in the Townsite area, including but not limited to projects at North Myers Street (373 units), 901 Mission Avenue (273 units), Oceanside Transit Center (547 units), Regal Cinema Redevelopment (326 units). The State has consistently called for directing growth towards 1/2 mile of existing transit stations (see Cal. Code Regs. Tit. 14, § 15064.3 subd.(b)(1), and enacted Senate Bill 743 to allow more people to commute by biking and walking, reduce crash fatalities by allowing people to drive less, improve air quality from auto emissions, create a more equitable transportation system, build community by reducing commute time, streamline infill, preserving agricultural lands and open space for growing food, recreation, and ecological diversity; and conserve land surrounding cities that

make communities safer and more livable.<sup>9</sup> The Project and FEIR conflict with SB 743 and fail to disclose or mitigate this significant conflict.

Additionally, recent reports have dispelled the notion that simply increasing market rate housing will improve housing affordability, and instead point to key factors like increased income in an area, as well as income inequality, as reasons for increasing housing costs.<sup>10</sup> Thus, claims that the Project will improve housing affordability are specious and lack supporting evidence.

### **VIII. The FEIR Fails to Adequately Disclose or Mitigate the Project’s Impacts to Wildlife Connectivity**

Impacts to wildlife connectivity remain inadequately addressed and mitigated, as emphasized by numerous commenters, including the California Department of Fish and Wildlife. (*See, e.g.*, FEIR, p. 2-28.) This is particularly alarming given the documented presence of federally protected species on the Project site. (*Ibid.* [discussing identification of California gnatcatchers on site].)

Yet, the FEIR maintains that “proposed project would not result in the loss of wildlife corridors or habitat linkages because the riparian corridor, which would constitute the main area for wildlife movement, will not be impacted, and wildlife movement around and along the stream will not be restricted.” (FEIR, p. 2-57.) The FEIR further alleges that the development surrounding the site precludes its use as a wildlife corridor by large mammals. (*Ibid.*)

Doreen Stadtlander, retired U.S. Fish and Wildlife biologist, reviewed the Project documents and concluded the opposite. Ms. Stadtlander’s comments, summary of qualifications, and map identifying the wildlife corridor that traverses the Project site are attached as **Exhibit 4**, **Exhibit 5**, and **Exhibit 6**, respectively. In particular, Ms. Stadtlander identified that the “development” surrounding the site may be easily used by large mammals, and that the development of the Project site will “sever the linkage between two large conservation areas and result in a significant impact to wildlife movement between Guajome” and the Jeffries Ranch Preserve.

Indeed, Staff were also aware of this issue and included it as a basis for denial of the Project in its October resolution supporting denial. (City Council Staff Report, Attachment 6, Exh. A, p. 3 [“wildlife movement and connectivity have not been adequately analyzed between surrounding areas, the project site and the San Luis Rey River”].) This issue *must* be adequately addressed, not summarily disregarded by brief comment in the FEIR.

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<sup>9</sup> <https://lci.ca.gov/ceqa/sb-743/faq.html#:~:text=SB%20743%2C%20which%20was%20signed,air%20quality%2C%20and%20energy%20impacts>.

<sup>10</sup> [https://researchonline.lse.ac.uk/id/eprint/131070/1/III\\_Working\\_Paper\\_159.pdf](https://researchonline.lse.ac.uk/id/eprint/131070/1/III_Working_Paper_159.pdf);  
<https://www.frbsf.org/wp-content/uploads/wp2025-06.pdf>.

## IX. Conclusion

This Project does not meet the Housing Accountability Act's definition of "housing development project for very low, low-, or moderate-income households" and, as such, the City Council retains the discretion to deny the Project. This remains true even if the applicant suddenly offers to pave the entirety of Guajome Lake Road, because the City Council retains discretion to deny this Project regardless and can do so based on the numerous other flaws in Project design and deficiencies within the EIR. Additionally, even if the applicant returned with different affordability criteria, the Project's location on a partially unpaved and already dangerous road poses a significant and unmitigable safety hazard, even on the portion of the road that is to be paved, which also allows for denial of the Project.

Moreover, the City Council is not only free to deny the Project, it *should* deny the Project. Residents have repeatedly emphasized the severe danger of this road, even without the addition of *twice* as much traffic. In particular, the state of Guajome Lake Road poses a significant risk for evacuation, though the FEIR fails to disclose the severity of this risk entirely by refusing to perform any evacuation time modeling. The Project also fails to qualify as infill and fails to mitigate impacts to important habitat connections for wildlife, providing further reason to deny the Project.

Preserve Calavera reiterates the findings contained in the October 13, 2025, resolution supporting the Project's denial, including those in relation to the Project's unmitigated biological impacts, inconsistency with SANDAG's regional plan, and the FEIR's failure to consider impacts related to the waiver of the EQO, which again, the City is free to reject. Preserve Calavera submits this resolution as **Exhibit 3** with redlines consistent with this comment letter, and requests that the City Council move to deny this high-risk Project - for the safety of the Oceanside community - and adopt the findings set forth therein.

Sincerely,



Isabella Coye  
Josh Chatten-Brown  
Kathryn Pettit

*Cc:*

City Attorney *(TSBurke@oceansideca.org)*  
City Council & Mayor *(Council@oceansideca.org)*

# EXHIBIT 1



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August 11, 2025

City of Oceanside  
Planning Commission  
300 N. Coast Highway  
Oceanside, California 92054

Re: Comments on Behalf of Preserve Calavera Regarding the Guajome Lake Homes Subdivision Project and Final Environmental Impact Report, Agenda Item #4

Dear Planning Commissioners:

On behalf of Preserve Calavera, we provide the following comments regarding the proposed Guajome Lake Homes Subdivision development (“Project”) and Final Environmental Impact Report (“FEIR”). Preserve Calavera provided extensive comments on the Project Draft EIR (“DEIR”). Collectively, the DEIR and FEIR are referred to as the “EIR.”

The EIR attempts to greenwash a project that is antithetical to the City of Oceanside’s (“City”) stated climate and smart growth goals. The DEIR lists as the second “project objective”: “Provide...residential units on an infill development site.” In responding to Preserve Calavera’s comments on the DEIR, the FEIR repeatedly points to the Project’s “infill nature.”<sup>1</sup> Yet, the EIR’s repeated claims that the Project is “infill” lack any evidence, data, or legitimate basis.

The Court of Appeal recently overturned the County of San Diego’s similar attempt to classify areas as “infill” without any evidence or data, finding this to be a violation of the California Environmental Quality Act (“CEQA”). (**Exhibit A.**)

Here, the data shows the opposite from the EIR’s unfounded claims that the Project is “infill.” SANDAG has identified this area as having the second highest possible Vehicle Miles Travelled (“VMT”) designation. (**Exhibit B.**) The closest transit is over 1.75 miles away, as admitted by the DEIR.<sup>2</sup>

The FEIR further failed to address additional deficiencies raised by Preserve Calavera in its comments on the DEIR, as detailed herein.

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<sup>1</sup> FEIR, 2-232, 2-290 to 29, 2-307; see also DEIR, ES-15, 3-1, 4.1-7, 4.10-12 [claiming consistency with the SANDAG RTP/SCS on this basis]; 8-8.).

<sup>2</sup> In fact, Google Maps shows it would take almost one hour to walk to the closest transit station (Melrose Station)—the actual walking distance is 2.4 miles.

## I. Contrary to the FEIR's Assertions, The Project is Not Infill

As the Court of Appeal recently explained, an agency “cannot simply assume that infill development projects will generate per capita VMT below [its] average when all the evidence is to the contrary.” (*Cleveland National Forest Foundation v. County of San Diego* (2025) 110 Cal.App.5th 948, 961 (*Cleveland National Forest Foundation*)).

The DEIR claims that the site is “identified in an infill area in the General Plan,” yet fails to provide any citation or additional rationale for this claim. (DEIR, ES-15.) The only potential rational given for the EIR’s claim that the site is infill lies in its analysis of aesthetic impacts:

California Public Resources Code (PRC) Section 21099 (d)(1) states that “aesthetic and parking impacts of a residential...project on an **infill site within a transit priority area** shall not be considered significant impacts on the environment.” According to Section 21099(a)(4), an “infill site” is defined as “a lot located within an urban area that has been previously developed, or on a vacant site where at least 75% of the perimeter of the site adjoins or is separated only by an improved public right-of-way from parcels that are developed with qualified urban uses.” The project site is located on a primarily vacant lot, and more than 75% of the project boundary is adjacent to “qualified urban uses” (i.e., residential) per PRC Section 21072, such that the site is an “infill site.”

(DEIR, p. 4.1-7, emphasis added.)

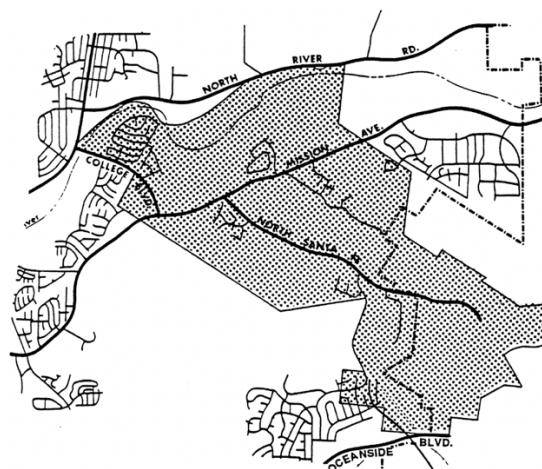
The Project is squarely *not* within a transit priority area, as described in **Section II**. The definition provided by the EIR was for purposes of Section 21099, which requires the infill site to be within a transit priority area (“TPA”) for elements of the section. Meaning, while all infill sites are within a TPA, not all lots within a TPA meet the “infill” definition. Senate Bill 743 provides additional context for identifying “infill,” as described by one Court of Appeal: “During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions....” (*Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 729.)

Furthermore, in contrast, Public Resources Code Section 21061.3 defines “infill” as sites within urbanized areas “immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, *and the remaining 25 percent of the site adjoins parcels that have previously been developed for qualified urban uses.*” (Emphasis added.) This site is surrounded by a preserve, riparian habitat, equestrian uses, and agricultural uses.

The site's VMT data further speaks for itself. SANDAG has identified that the Project site will produce VMT at levels over "100% to 125% of Regional Mean" (Exh. B.) There is no transit nearby. (See DEIR, 4.1-7.) The seller even advertised the property as "Great views and location in this *semi-rural area*," and provided photos showing the site is far from "infill." (**Exhibit C**, emphasis added.) The FEIR admits the Project site is currently not served by existing utilities or services. (FEIR, 2-232) Google Satellite imagery of the Project site reveals the site is surrounded by rural equestrian and farming-related uses, serviced by dirt roads and lacking any sidewalks:



Comments by community members on the EIR and Agenda echo the same: this is a *rural area*, not infill. The City's current General Plan indicates that the site is abutted by agricultural and open space uses, in conflict with the EIR's own claimed infill definition. Furthermore, the City's General Plan Land Use Element ("LUE") identifies the site as lying within the Special Management Area for Guajome Regional Park:



(General Plan, Land Use Element, Figure LU-15)

The General Plan references the “open space nature” of the adjacent Guajome Regional Park, identifies the Project site as being on the fringe of the City limits (LUE, p. 43, 94), and maps the Project site as within “areas of severe limitation of homesite development.” (Environmental Resource Management Element, Figure ERM-4.)

The City’s own draft Subarea Habitat Plan maps the site as being currently used and surrounded by “rural residential,” agricultural, and open space uses, identifies part of the site as “hardline preserve” and identifies the site as bordering riparian forest woodland.<sup>3</sup>

To paint the Project as “infill” is to spout fiction, and completely undermines the EIR’s role as an informational and accountability document for the public and elected decision-makers. If the City is to approve the Project, it must do so clear-eyed, understanding the significant VMT and GHG emission impacts. It must also mitigate those impacts. CEQA requires no less.

The EIR’s unsupported claim that the Project is “infill” undermines much of the EIR’s analysis, including its analysis of whether the Project meets the stated objectives, as well as analysis of Project alternatives, GHG emission impacts, and VMT impacts, among others.

Inaccurate descriptions of the Project and alternatives in the EIR and final CEQA findings ultimately “mislead[] the reader about the relative magnitude of the impacts and benefits the agency has considered.,” including about the “project’s advantages and disadvantages.” (See *Woodward Park Homeowners Assn., Inc., v. City of Fresno* (2007) 150 Cal. App. 4th 683, 718.)

Sure enough, the alternatives analysis relied on the Project’s purported “infill” nature to conclude that the Reduced Development Footprint Alternative and No Project alternatives would not fulfill project objectives. (DEIR, p. 8-6, 8-8 “[Reduced Development] would implement less housing compared to the proposed project and less efficiently promote infill development.”].)

Ultimately, the EIR fails as an informational document to the public.

## **II. The FEIR Fails to Analyze and Mitigate Significant Transportation and Vehicle Miles Travelled Impacts**

The EIR ultimately concludes there will be no significant transportation impacts, and therefore requires no mitigation measures from the Project. (DEIR, p. 4.15-17.) The EIR declined to conduct a VMT analysis of the Project on the grounds that the City’s Transportation Study

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<sup>3</sup> Maps available at the following links:

<https://www.ci.oceanside.ca.us/home/showpublisheddocument/11570/638120572959930000>;  
<https://www.ci.oceanside.ca.us/home/showpublisheddocument/11554/638120572911670000>  
<https://www.ci.oceanside.ca.us/home/showpublisheddocument/11544/638120572877430000>

Guidelines (“Guidelines”) “screens” the Project out, given the Project creates less than 1,000 trips. (DEIR, 2-292.) First, as described in **Section III**, the Project is not consistent with the General Plan, and therefore should not qualify to be screened out by the Guidelines.

Thresholds are not determinative and cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect to which the threshold relates might be significant. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2016) 2 Cal. App. 5th 1067, 1081.) Furthermore, while lead agencies have discretion in their choice of thresholds, they cannot apply them in a manner that downplays or overlooks potentially significant impacts. (*King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 892-894.)

The Project site’s high VMT renders the City Guidelines’ 1,000 Average Daily Trip (“ADT”) threshold inappropriate.<sup>4</sup> For the reasons described in Section I, there is substantial evidence that the Project will result in significant VMT impacts. SANDAG identified the Project site as having a high VMT classification. The site is surrounded by rural, agricultural, open space, parks, and semi-rural uses. The site is not served by urban services, nor is it near any transit. The area does not even provide sidewalks. (See Section I.)

The Project will undoubtedly increase automobile dependency in an area with no transit. The EIR failed to analyze, disclose, and mitigate the Project’s significant VMT impacts.

The FEIR also fails to adequately consider, analyze, and mitigate the safety impacts that were detailed by residents in their comments on the DEIR and on the Agenda for the Planning Commission hearing. One resident detailed, “Guajome Lake Road currently turns into a dirt road and if this development is approved the road will be paved creating a major thoroughfare off the 76 highway. This will exacerbate the already dangerous situation of traffic speeding down Guajome Lake Road where visitors park along the street and unload kids and pets. Just last year a teenager riding a bike was hit by a car on this road.” Another warned, “I was almost hit head on on Guajome Lake Road this past week, rounding a blind curve outside of my driveway. I have submitted 3 unanswered requests for road maintenance this past month due to the debilitating bumps in the dirt road... This road is a disaster waiting to happen.”

The EIR completely omits an analysis of this potentially significant impact, and only considers whether the project would propose a sharp curve of dangerous intersection. (DEIR, p. 4.15-17.) The EIR must be revised to fully analyze and mitigate the broader transportation safety impacts of the Project.

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<sup>4</sup> The Court of Appeal overturned the County of San Diego’s 110 ADT threshold. (Exhibit A.) As noted in the opinion, the State Office of Planning and Research recommends a much lower “small trip” threshold—almost 90% lower—than the one relied on by the Project FEIR here.

This 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.”

### **III. The FEIR Fails to Analyze and Mitigate Significant GHG impacts**

The EIR concludes there will be no significant GHG impact and requires zero mitigation measures from the Project. (DEIR, p. 4.7-26.)

Preserve Calavera aptly questioned why the DEIR relied on an outdated California Air Resources Board (“CARB”) Scoping Plan as part of its GHG impact analysis, rather than the more recent 2022 CARB Scoping Plan, which calls for over a 20% reduction in VMT. In response, the FEIR deflects answering this question, and claims:

The commenter states that the Draft EIR references the [CARB] 2008 Scoping Plan but should address CARB’s 2022 Climate Change Scoping Plan because it provides more specific guidance for local jurisdictions.... In response, as the lead agency, the City has the discretion to choose the significance threshold for discretionary projects. 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.

(FEIR, p. 2-309.)

First, the second threshold of 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?” (DEIR, p. 4.7-25.) The 2022 CARB Scoping Plan is an applicable plan adopted for the purpose of reducing GHG emissions. Thus, the FEIR failed to even consider this impact. As described in Section I, the Project will significantly increase VMT, in conflict with the 2022 CARB Scoping Plan target to reduce VMT by over 20 percent, along with other specified local actions.<sup>5</sup>

Moreover, the EIR’s entire GHG analysis rests on its assumption that “The project site is consistent with the current land use and zoning designations...” (DEIR, p. 4.7-24.) The EIR simply relies on the Project’s general single family residential zoning to claim consistency with the CAP. (FEIR, 2-311.) Under this cursory logic, *any* single family residential project could be

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<sup>5</sup> <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf> [Local Actions]; <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf> [Table 2-1: Actions for the Scoping Plan Scenario: AB 32 GHG Inventory sectors: “VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045”.]

considered “consistent,” even if the project proposes several times the General Plan-consistent density in a high VMT area. Further, the Project is not consistent with the General Plan.

Despite the fact that the Project conflicts with zoning requirements, including those related to the equestrian and park overlay, the EIR claims in response to Preserve Calavera’s comments, “No amendment to the land use and zoning designations is proposed or required; thus, this criterion is not applicable to the project and no analysis pertaining to this criterion is required.” (FEIR, p 2-312.) This is not only unsupported, it is belied by the Project’s long list of requested waivers from the Zoning Code and General Plan policies, including requests to:

- Reduce lot sizes by over 50% of City requirements
- Reduce lot width by almost 50% of City requirements
- Reduce building setbacks by 50-70% of City requirements
- Increase lot coverage percentage by over 50% of City requirements
- Increase of allowable retaining wall heights by double the City requirements
- Increase lot depth to width ratio from 2.5:1 to 3.7:1
- Waive equestrian development standards
- Increase allowable density by up to two times the City requirements

(DEIR, p. ES-3; 3-8.)

Nor is the Project consistent with the CAP checklist,<sup>6</sup> which requires the following:

Consistent with state law (AB 743), the City’s CEQA review process includes assessment of impacts on vehicle miles traveled (VMT). In general, projects located in walkable, transit-rich areas are expected to generate less VMT than those located in peripheral areas with more dispersed land use patterns. **Projects not meeting locational criteria 1 or 2 are required to incorporate project features that reduce VMT by at least 15 percent below the regional average**, consistent with the City’s Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment. Is the project subject to this requirement?

Yes  No

If yes, will the project include features that will reduce estimated VMT by at least 15 percent below the regional average, consistent with the City’s Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment?

Yes  No

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<sup>6</sup> Available at:

<https://www.ci.oceanside.ca.us/home/showpublisheddocument/16005/638766171848800000>

As Preserve Calavera detailed in its DEIR comments, the Project does not achieve a 15% reduction in VMT, nor does the Project meet locational criteria 1 or 2. Therefore, per the CAP, the Project was required to reduce VMT by 15 percent per the CAP Checklist. Further, the FEIR's claims in responding to comments that the Project is "in-fill" lack substantial evidence, for the reasons described in Section I. (FEIR, p. 2-329.)

Finally, the City has admittedly failed to implement the majority of the CAP's measures. Preserve Calavera extensively detailed the City's shortcomings over a year ago in a letter to the City. This letter was provided by Preserve Calavera in its comments on the Project's DEIR, and is thus part of the administrative record for this Project. The FEIR's reliance on the CAP to claim the Project's GHG impacts will be mitigated further lacks substantial evidence, because the CAP is plainly *not* being implemented. Thus, the Project will not be mitigated by the CAP.

The EIR must be revised to adequately analyze the Project's GHG emissions, and to incorporate actual measures to reduce the Project's significant GHG impacts.

#### **IV. The FEIR Fails to Disclose the Project's Inconsistency with the SANDAG Regional Transportation Plan and Sustainable Communities Strategy**

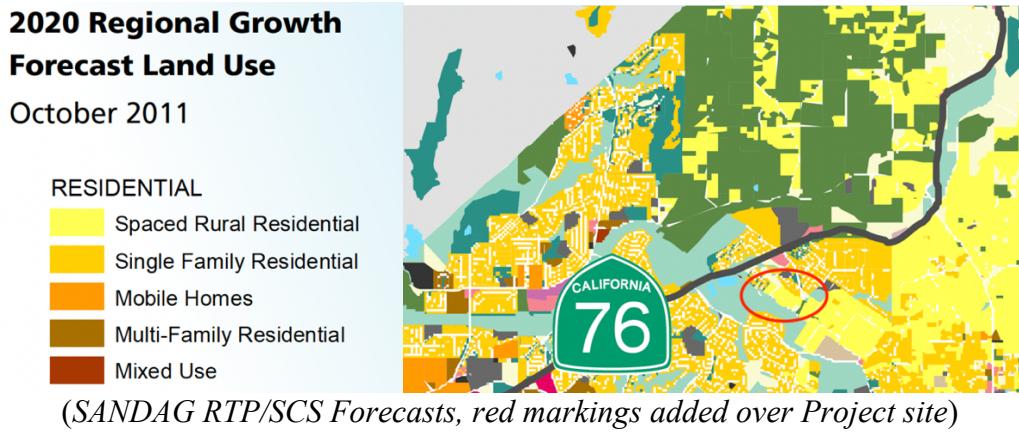
The EIR claims the Project is consistent with the SANDAG Regional Transportation Plan and Sustainable Communities Strategy ("RTP/SCS"). Preserve Calavera questioned this conclusion. In responding to Preserve Calavera, the FEIR simply pointed to overall SANDAG projections for the entire City of Oceanside.

An EIR must "discuss any inconsistencies between the proposed project and ... regional plans" including "regional transportation plans." (Guidelines, § 15125, subd. (d).) This determination must be supported by substantial evidence. (*Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, 540.) Further, CEQA requires disclosure of inconsistencies, not just whether a project is generally consistent with these plans. (*Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 356.)

The EIR failed to adequately disclose and analyze the project's inconsistencies with the RTP/SCS, which forecasts the site as "Spaced Rural Residential," and thus at a much lower density than as proposed by the Project.<sup>7</sup>

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<sup>7</sup> While the most recent Series 14 forecast did not provide a granular-level map, the prior forecast relied on the City's General Plan forecast projections. Since the City has not updated its General Plan, the prior forecast is also applicable.



Similarly, SANDAG does not plan any transit near the site. Nor does it identify the site as located within a mobility hub or transit priority area.<sup>8</sup>

Thus, the FEIR lacks evidence for its conclusion that the Project complies with the SANDAG RTP/SCS. The FEIR must be revised to adequately analyze and mitigate conflicts with the SANDAG RTP/SCS.

## V. The FEIR Conducts a Deficient Alternatives Analysis

We echo the comments by the MacDonald Law Firm, highlighting the EIR's failure to include a General Plan compliant project in the EIR's alternative analysis. The City has in its records a prior application for a 33 unit project on the site, submitted alongside a Mitigated Negative Declaration ("MND") in 2008. We have submitted a public records act request to the City for copies of the draft MND and related project materials. The For-Sale listing for the site even explained, "Zoned RS with scenic park and equestrian *overlay that will require a horse corral/facility.*" (Exhibit D, emphasis added.)

The EIR's list of Project objectives include:

- Ensure both visual and functional *compatibility* with other nearby land uses.
- Provide new, high-quality for-sale residential units on an infill development site.
- Provide new market-rate and affordable housing on a site that is *consistent* with the City of Oceanside (City) General Plan, Housing Element, Zoning Ordinance...

(DEIR, p. 3-1, emphasis added.)

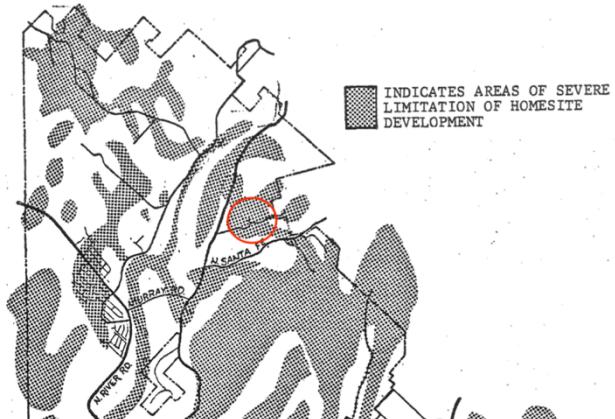
<sup>8</sup> <https://www.sandag.org/regional-plan/2021-regional-plan-/media/167A71B693904F04B81D9843511493ED.ashx>

Thus, the EIR's omission of a General Plan-consistent project from the alternatives analysis is an abuse of discretion. The Equestrian and Scenic Park overlays were enacted to ensure consistency. The EIR must be revised to include a General Plan and zoning-consistent project.

## VI. The Applicant Utilizes An Inflated Baseline for Density Calculations

The General Plan Land Use Element designates the site as "Single Family Detached," and assigns the site a "Base Density" of 3.6 units per acre, with a "Maximum Potential Density" of 5.9 units per acre where "Physical characteristics...can modify a site's density." (LUE, p. 62.) Meaning, where a project must *cluster* the allowed base density, the "maximum" density within that area can only be up to 5.9 units per acre.

The Project site is mapped as being within "areas of severe limitation of homesite development." (Environmental Resource Management Element, Figure ERM-4.)



The Applicant utilized the 5.9 units/acre to calculate the base density allowed according to the City's General Plan and the SDBL. Yet, The City's General Plan provides that the base density for this site is 3.6 dwelling units per acre. (LUE, Table LU-1.) The maximum *potential* density for the site is 5.9 dwelling units per acre. (*Ibid.*) The General Plan provides that these two figures "do not imply minimum and maximum densities that can be uniformly applied to any particular site." (*Ibid.*, emphasis added) Rather, the potential maximum density represents "density potentials that could be obtained on *developable* portions of the site." (*Ibid.*, emphasis added)

The maximum potential density is applied in the City's discretion for "[r]esidential projects that possess and excellence of design features," including by implementation of design standards or development standards that exceed the City's requirements, or by providing infrastructure beyond what is needed to meet the project's demands. (LUE, p. 63.) There are twelve total factors to be considered, and no factor alone is "sufficient to permit a project to achieve the maximum potential density." (LUE, p. 64.)

The Applicant utilized the maximum potential density of 5.9 dwelling units per acre, rather than the base density, to calculate the “base density” for the project. The State Density Bonus Law indicates at “if a *range* of density is permitted,” “Maximum allowable residential density” means “the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project.” (Gov. Code Section 65915 (o)(6), emphasis added.) The language of the City’s General Plan makes it clear that the “*base density shall be considered the appropriate density* for development within each residential land use designation.” (LUE, p. 63, emphasis added.) Thus, the General Plan does not provide a “range” to select from.

In fact, the intent behind the State Density Bonus Law definition of “maximum allowable residential density” is to identify the “realistic development capacity of the site” based on the existing General Plan designation and zoning code, and to use that number for the bonus calculations. (See Gov. Code Section 65915 (o)(6)(A).) The EIR admits that the General Plan only allows “44 units max” (DEIR, 3-8), yet uses a *base density of 74 units*. (DEIR, 4.12-8).<sup>9</sup>

For the purposes of the SDBL calculations, the Applicant must utilize the correct base density of 3.6 dwelling units per acre.

## VII. Conclusion

We ask the Planning Commission to decline to certify the EIR for the reasons identified above. The EIR must be re-circulated to accurately analyze, disclose, and mitigate the Project’s VMT and GHG impacts, and conduct an adequate alternatives analysis. We also ask that the City revise its Density Bonus analysis pursuant to the correct base density per the General Plan, and to consider the Project’s safety impacts, as detailed by community observations, in its consideration of whether to grant the requested waivers.

Thank you for your consideration of these comments.

Sincerely,

  
Kathryn Pettit

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<sup>9</sup> The EIR’s utilized base density further does not reflect any of the zoning requirements of the overlays.

# **EXHIBIT A**

## Cleveland National Forest Foundation v. County of San Diego

Court of Appeal of California, Fourth Appellate District, Division One

March 27, 2025, Opinion Filed

D083555

### **Reporter**

110 Cal. App. 5th 948 \*; 331 Cal. Rptr. 3d 264 \*\*; 2025 Cal. App. LEXIS 280 \*\*\*; 2025 LX 17750

CLEVELAND NATIONAL FOREST FOUNDATION et al., Plaintiffs and Appellants, v. COUNTY OF SAN DIEGO, Defendant and Respondent.

**Notice:** As modified Apr. 28, 2025.

**Subsequent History:** Time for Granting or Denying Review Extended [Cleveland Nat'l Forest Found. v. County of San Diego, 2025 Cal. LEXIS 4579 \(Cal., June 20, 2025\)](#)

Review denied by, Request denied by [Cleveland National Forest Foundation v. County of San Diego, 2025 Cal. LEXIS 4477 \(Cal., July 16, 2025\)](#)

**Prior History:** [\*\*1] APPEAL from an order of the Superior Court of San Diego County, No. 37-2022-00044215-CU-WM-CTL, Judge Joel R. Wohlfeil.

[Cleveland National Forest Foundation v. County of San Diego, 109 Cal. App. 5th 1257, 2025 Cal. App. LEXIS 195 \(Mar. 27, 2025\)](#)

**Disposition:** Respondent's request for judicial notice is granted in part. Reversed.

**Counsel:** Coast Law Group, Marco A. Gonzalez and Livia B. Beaudin for Plaintiffs and Appellants.

Michael P. Masterson, Deputy County Counsel, for Defendant and Respondent.

**Judges:** Opinion by Dato, Acting P. J., with Do and Kelety, JJ., concurring.

**Opinion by:** Dato, Acting P. J.

## Opinion

[\*\*266] **DATO, Acting P. J.**—Agencies responsible for approving a land-use development project under the [\[\\*\\*267\] California Environmental Quality Act \(CEQA\)](#)

[\(Pub. Resources Code, § 21000 et seq.\)](#) must address its potential significant [\*\*8] environmental effects. To streamline this process, these agencies may create “thresholds of significance” to assist in determining whether an environmental effect caused by a project must be evaluated. In 2022, the County of San Diego (County) adopted thresholds of significance that, if met, would in most cases obviate the need for the developer of a proposed project to perform an analysis of vehicle miles traveled (VMT), the metric generally used to determine the significance of transportation-related environmental effects.

Plaintiffs, two environmental groups, appeal their unsuccessful challenge to two of those thresholds: (1) “infill” projects proposed to be built within the County's unincorporated villages (the infill threshold), and (2) projects that are expected to generate no more than 110 automobile trips per day regardless of where they are built (the small project threshold). Plaintiffs claim the infill threshold was adopted in violation of [Public Resources Code section 21099, CEQA guidelines](#), and guidance from the Governor's Office of Planning and Research (OPR) because it omits a numeric VMT target.<sup>1</sup> They [\*953] also assert that both thresholds are based on unproven assumptions about transportation impacts unsupported by any substantial [\*\*9] evidence. In particular, they argue there is no evidence to show that these assumptions are necessarily valid for San Diego County. We agree that the record developed by the County fails to support the adopted thresholds, and on that basis we reverse.

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<sup>1</sup> All subsequent undesignated statutory references are to the Public Resources Code. We use “Guidelines” to refer to The Guidelines for the Implementation of the [California Environmental Quality Act \(Cal. Code Regs., tit. 14, § 15000 et seq.\)](#). Additionally, the relevant Guidelines refer to both land-use and transportation projects. Because only land-use projects are at issue, for efficiency, we will refer to them as “projects.”

## FACTUAL AND PROCEDURAL BACKGROUND

### A. Overview of the Relevant Aspects of CEQA

(1) “CEQA was enacted to advance four related purposes: to (1) inform the government and public about a proposed activity’s potential environmental impacts; (2) identify ways to reduce, or avoid, environmental damage; (3) prevent environmental damage by requiring project changes via alternatives or mitigation measures when feasible; and (4) disclose to the public the rationale for governmental approval of a project that may significantly impact the environment.” (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 382 [196 Cal. Rptr. 3d 94, 362 P.3d 792] (*Building Industry*)). To meet these goals, public agencies follow a multistep process when planning a project that falls within CEQA’s ambit. (*Building Industry*, at p. 382.) Relevant here is that this process requires determining whether a proposed project may have a *significant* environmental effect (*id.* at pp. 382–383), i.e., “a substantial, or potentially substantial, adverse change in the environment” (§ 21068).

(2) The Guidelines, adopted by the California Natural Resources Agency, encourage [\*\*\*10] public agencies to develop and publish thresholds of significance, with the aim of promoting consistency in their significance determinations.<sup>2</sup> (*Guidelines*, § 15064.7, subds. (b), (d).) A threshold of significance [\*\*268] is used to predict when a certain environmental effect will normally be insignificant. It is defined as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.” (*Id.*, subd. (a).)

### B. CEQA’s Shift to VMT as a Metric To Assess Transportation-related Environmental Effects

In 2013, the Legislature adopted Senate Bill No. 743 (2013–2014 Reg. Sess.) (Senate Bill 743) as part of its years-long effort to “chart[] a course of [\*954] long-term sustainability based on denser infill development,

reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions.” (*Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 729 [230 Cal. Rptr. 3d 550].) One purpose of Senate Bill 743 was for VMT to replace traffic congestion and automobile delays as the main measure of transportation impacts under CEQA. (Stats. 2013, ch. 386, §§ 1, 5.) To this end, section 21099, which was [\*\*\*11] part of Senate Bill 743, directed OPR to propose Guidelines revisions that “establish[] criteria for determining the significance of transportation impacts” and suggested VMT and “automobile trips generated” as appropriate criteria. (§ 21099, subd. (b)(1); see *id.*, subds. (a)(7), (c)(1).)

Guidelines section 15064.3, on which plaintiffs heavily rely, was adopted pursuant to section 21099.<sup>3</sup> (*Guidelines*, § 15004.) It provides that “[g]enerally, [VMT] is the most appropriate measure of transportation impacts” where VMT is “the amount and distance of automobile travel attributable to a project.” (*Guidelines*, § 15064.3, subd. (a).) It also states that “[VMT] exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.” (*Id.*, subd. (b)(1).)

Around the same time [\*\*\*12] its revisions to the Guidelines were adopted, OPR published its “Technical Advisory on Evaluating Transportation Impacts in CEQA” (Technical Advisory) to make “recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.”<sup>4</sup> The Technical Advisory is intended to be merely “a resource for the

<sup>3</sup> OPR’s proposed revisions to the Guidelines were adopted in December 2018 and became effective on July 1, 2020. (*Upland Community First v. City of Upland* (2024) 105 Cal.App.5th 1, 32 [325 Cal. Rptr. 3d 582].) Other OPR-proposed revisions that were adopted include Guidelines sections 15064, subdivision (b)(2), and 15064.7, subdivision (d). (*Guidelines*, § 15004.)

<sup>4</sup> Technical Advisory, *supra*, at page 1 <[https://www.lci.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://www.lci.ca.gov/docs/20190122-743_Technical_Advisory.pdf)> (as of Mar. 27, 2025), archived at <<https://perma.cc/244Q-FY5N>>.

<sup>2</sup> CEQA itself directs the agency to “certify and adopt the Guidelines that bind public agencies as they navigate the often technical and complex waters of CEQA.” (*Building Industry*, *supra*, 62 Cal.4th at p. 390.)

public to use at their discretion,” and thus, OPR is “not enforcing or attempting to enforce any part of [its] recommendations.” (Technical Advisory.)

With respect to VMT, OPR observed that “the State has clear quantitative targets for [greenhouse gas] emissions reduction set forth in law and based on scientific consensus, and the depth of VMT [\*\*269] reduction needed to achieve those targets has been quantified. ... Therefore, to ensure adequate analysis of [\*955] transportation impacts, OPR recommends using quantitative VMT thresholds linked to [greenhouse gas] reduction targets when methods exist to do so.” (Technical Advisory, *supra*, at p. 8.) OPR suggested that “a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold” when determining the significance of a specific project’s transportation impacts (the 15 percent [\*\*13] standard). (*Id.*, at p. 10, boldface omitted.)

But OPR’s Technical Advisory does not indicate that its 15 percent standard must be satisfied for every project. In some cases, thresholds of significance may be used “to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study,” i.e., without applying the 15 percent standard. (Technical Advisory, *supra*, at p. 12.) Thus, agencies may rely on appropriate thresholds to “screen out VMT impacts using project size, maps, transit availability, and provision of affordable housing.” (*Ibid.*)

OPR suggested four screening thresholds based on these project characteristics: (1) “[s]mall [p]rojects ... that generate or attract fewer than 110 trips per day”; (2) projects located in areas where VMT is already below the 15 percent standard (a so-called “low VMT” threshold); (3) projects located within a half-mile of either “a major transit stop” or a “stop along a high quality transit corridor”; and (4) projects consisting of 100 percent affordable housing built in infill locations. (Technical Advisory, *supra*, at pp. 12–15.) Only the second threshold incorporates OPR’s 15 percent standard, [\*\*14] and none of the other three includes any other numeric VMT target. (*Ibid.*) For projects not screened out of VMT analysis, OPR recommends that agencies aim to meet its 15 percent standard of per capita VMT for residential projects or per employee VMT for office projects. (*Id.*, at pp. 15–16.)

#### C. The County’s Transportation Study Guide

San Diego County encompasses more than 4,200 square miles in the southwest corner of the state. Not

surprisingly, its population of more than 3 million is concentrated on the western side of the County nearer the coast, which is where the incorporated cities—including most of the employment centers, commercial areas, and attractions—are located. The unincorporated portions of the County generally extend east from the County center. Because of their location, residential developments in the unincorporated areas of the County typically generate per capita VMT higher than the County average [\*956] because residents in these areas regularly travel to the incorporated portions nearer the coast for activities like jobs, shopping, and recreation.<sup>5</sup> (See appendix B.)

By resolution in September 2022, and following public review, the County adopted a Transportation Study Guide [\*\*\*15] (Transportation Guide) that attempts to implement the changes called for by Senate Bill 743. As recommended in the Technical Advisory, the County included in the Transportation Guide screening thresholds for general use that could obviate the need for a project-specific VMT analyses.<sup>6</sup> For a proposed project to which no threshold applies, the developer must conduct a “detailed evaluation of the VMT,” and the County will deem significant a value above OPR’s 15 percent standard. The County made a mapping tool available to model VMT impacts.

At issue in this appeal are the County’s infill and small project thresholds.<sup>7</sup> The infill threshold is for “projects located in infill village areas” within the unincorporated County likely to be provided with transit in the future. “Infill” refers, both [\*\*270] colloquially and for purposes of the Guidelines, to construction in areas that are ...

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<sup>5</sup> County figures reflect a per capita VMT for the entire County—which includes both the incorporated and unincorporated areas—of 21.85. By contrast, the per capita VMT for the County’s unincorporated areas—generally in the central and eastern portions of the County—was 32.54.

<sup>6</sup> (3) Significance thresholds for general use “must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process.” ([Guidelines, § 15064.7, subd. \(b\).](#))

<sup>7</sup> The following thresholds are not challenged: (1) projects in “VMT-efficient areas,” which is the same as OPR’s “low VMT threshold”; (2) projects located in transit-accessible areas; (3) locally serving retail or service projects or public facilities; (4) redevelopment projects that increase VMT efficiency as compared to the prior development; and (5) projects consisting of 100 percent affordable housing regardless of where they would be built.

largely developed[,] ... ‘typically but not exclusively in urban areas.’” ([United Neighborhoods for Los Angeles v. City of Los Angeles \(2023\) 93 Cal.App.5th 1074, 1080, fn. 2 \[311 Cal. Rptr. 3d 80\]](#), citations omitted.)

Accordingly, a consultant (infill consultant) identified infill areas within the County’s unincorporated regions by using baselines of housing density, intersection density, and job accessibility associated with urban areas. [\*\*\*16] Where an infill area’s boundary was not coextensive with the boundary of a village within which the infill area was located, the County expanded the infill area’s boundary to match that of the village. (See appendix A.) Neither the County [\*957] nor the infill consultant relied on any VMT-related analysis, by way of sampling or otherwise, to identify the areas that would fall under this threshold.<sup>8</sup>

The County’s small project threshold exempts from VMT analysis a residential or office project that is expected to generate fewer than 110 automobile trips. “Following guidance provided by OPR,” the County wrote, “projects generating less than 110 daily vehicle trips ... may be presumed to have a less than significant impact absent substantial evidence to the contrary.”<sup>9</sup> The County observed that OPR’s recommended small project threshold “was developed by evaluating projects across the State and was not developed based on a single jurisdiction.” Nonetheless, the County took the position that OPR’s version of this threshold need not “be adjusted based on the local jurisdiction’s VMT or how it compares to the Statewide average.”

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<sup>8</sup>Only two of the County’s adopted thresholds—the challenged infill threshold and the unchallenged VMT-efficient-area threshold—define exempt projects by the geographic area in which they are located without reference to the accessibility of transportation. As previously noted, the VMT-efficient-area threshold was recommended by OPR and exempts from a VMT analysis projects located in areas that are at or below OPR’s 15 percent standard. This means that a developer will need to invoke the infill threshold—which was not recommended by OPR—only if the project will be located in an area where per capita VMT is above the 15 percent standard, i.e., where the transportation effect is potentially significant.

<sup>9</sup>“Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day] generally may be assumed to cause a less-than-significant transportation impact.” (Technical Advisory, *supra*, at p. 12, fn. omitted.)

The record on appeal contains a smattering [\*\*\*17] of information concerning the VMT in the County. For purposes of measuring VMT impacts, the countywide data was used as the comparison. (See appendix B.) Using 21.85 as the per capita VMT for the County, projects requiring this type of VMT analysis can have a per capita VMT no higher than 18.57 to meet OPR’s 15 percent standard. According to our review of the maps provided by the infill consultant and the County, the infill locations and associated villages generally had per capita VMT values higher than the County average (and much higher than OPR’s 15 percent standard). (Compare appendix A with appendix B.)

#### D. *The Trial Court Proceedings*

Shortly after the County adopted the Transportation Guide, plaintiffs filed a petition for writ of mandate in the superior court challenging the infill and small project thresholds. They contended, among other things, that the infill threshold was not authorized by CEQA because it is qualitative in nature, that [\*958] is, it was not based on available VMT data. They also asserted the record did not contain substantial evidence [\*\*271] that projects screened out of VMT analyses under either threshold would generally cause a less-than-significant environmental effect [\*\*\*18] because the County’s justifications consisted of assumptions that had not been shown to be valid for local conditions.

The County argued that the infill threshold was appropriately adopted under the discretion [CEQA](#) affords agencies to develop thresholds of significance. It also maintained that substantial evidence supported the adoption of the infill threshold because it was based on quantitative data—i.e., household and intersection density and job availability—and what the County claims is the generally accepted assumption that development projects in denser areas, such as infill, do not significantly impact VMT. The small project threshold should be upheld, the County asserted, mainly because it is identical to a threshold OPR recommended in its Technical Advisory.

In December 2023, the trial court issued judgment in the County’s favor. In its written statement of decision, the court determined that the infill threshold was “consistent with [OPR’s] ‘Technical Advisory’ and [CEQA](#)” and that the methods and assumptions the County used to define it constituted substantial evidentiary support. As for the small project threshold, the court noted that it was materially the same as OPR’s recommendation [\*\*\*19] and that substantial evidence “justif[ied] use of this metric in the local jurisdiction.”

## DISCUSSION

### A. Standard of Review

(4) “When a public agency takes a quasi-legislative action,” such as adopting a threshold of significance, “judicial review of the action for CEQA compliance evaluates whether there was a prejudicial abuse of discretion.” (Golden Door Properties, LLC v. County of San Diego (2018) 27 Cal.App.5th 892, 901 [238 Cal. Rptr. 3d 559] (Golden Door)). “Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.” (§ 21168.5.) “We conduct an independent review to assess whether the public agency proceeded in the manner the law requires,” and therefore, “[a] threshold of significance that is “clearly erroneous and unauthorized” under CEQA must be set aside.” (Golden Door, at pp. 901, 902.) We “afford deference to factual conclusions, as long as they are supported by substantial evidence.” (Id. at p. 901.)

(5) Our review is guided by several well-settled principles. In the absence of a threshold mandated by statute, the County “has substantial discretion in [\*959] determining the appropriate threshold of significance to evaluate the severity of a particular impact.” (Mission Bay Alliance v. Office of Community Investment & Infrastructure (2016) 6 Cal.App.5th 160, 192 [211 Cal. Rptr. 3d 327].) We also “should afford great weight to the Guidelines when interpreting CEQA, unless a provision [\*959] is clearly unauthorized or erroneous under the statute,” an allegation neither party makes. (Building Industry, *supra*, 62 Cal.4th at p. 381.) And because OPR wrote both the Technical Advisory and Guidelines section 15064.3 heavily relied upon by plaintiffs, the former is relevant to interpreting the latter. (Building Industry, at pp. 389–390 [“an agency’s expertise and technical knowledge, especially when it pertains to a complex technical statute, is relevant to the court’s assessment of the value of an agency interpretation”].)

### [\*\*272] B. The Infill Threshold

Attacking first the infill threshold, plaintiffs initially claim that the County erred as a matter of law by adopting a standard that does not quantitatively “evaluate a project’s VMT or otherwise measure its transportation impacts in a manner required by Public Resources

Code section 21099, Guidelines Section 15064.3, or the Technical Advisory.” They argue that these authorities require a transportation-related significance threshold to incorporate OPR’s 15 percent standard when, as here, quantitative VMT data is available. Because the infill threshold is qualitative in nature—it exempts projects from VMT analyses just because they would be built in certain areas—plaintiffs contend that it runs afoul of CEQA. Further, plaintiffs claim that substantial evidence is lacking for the adoption of this threshold on the theory that [\*\*\*21] the County’s justifications consist of assumptions and general policy considerations that have not been shown to be valid for local conditions.

The County counters that the infill threshold takes VMT into account because Senate Bill 743 creates a presumption that infill development is not VMT significant and that nothing in these authorities mandates any particular methodology for accounting for VMT. As for plaintiffs’ arguments concerning the support for this threshold, the County contends that the statements plaintiffs rely upon are the considered opinions of its staff that can constitute substantial evidence.

1. CEQA does not prohibit a qualitative infill threshold as a matter of law.

(6) We can resolve plaintiffs’ legal challenge to the infill threshold in short order. Although plaintiffs recognize that the Guidelines expressly authorize qualitative thresholds for transportation impacts (see *ante*, at pp. 953–954), they argue that Guidelines section 15064.3, subdivision (b)(3) [\*960] “allows agencies to rely on qualitative VMT analysis but only where existing models or methods are *not* available to estimate VMT.” This provision, however, relates to specific projects and not thresholds of significance. By its terms it addresses the circumstance when [\*\*\*22] quantitative data is unavailable to estimate the VMT “for the particular project being considered.” (Guidelines, § 15064.3, subd. (b)(3).) Moreover, OPR’s Technical Advisory recommends transportation screening thresholds based on qualitative project characteristics such as size, transit availability, and whether it consists of affordable housing. (Technical Advisory, *supra*, at p. 12.) Accordingly, as a conceptual matter, CEQA does not prohibit the County from adopting a qualitative infill threshold. The more difficult question is whether the specific infill threshold the County chose to adopt is

supported by substantial evidence.<sup>10</sup>

*2. The infill threshold adopted by the County is based on assumptions not supported by substantial evidence showing that development consistent with the threshold will generally be VMT-insignificant under local conditions.*

(7) The purpose of a significance threshold is to identify when an environmental effect would normally be deemed insignificant. (*Guidelines, § 15064.7, subd. (a)*.) Plaintiffs claim that substantial evidence does not establish that the infill threshold adopted by the County accomplishes [\*\*273] this purpose. In particular, they contend that the County *assumes* projects to which the infill threshold applies will cause a [\*\*\*23] less-than-significant VMT impact merely because the Senate Bill 743-initiated focus on VMT was intended, in part, to promote infill development. In plaintiffs' view, the fact that infill development generally results in fewer VMT than noninfill development does not show that infill development, however defined, will be VMT insignificant. For its part, the County relies on the opinions of its staff that Senate Bill 743 was premised on a legislative conclusion that infill development will typically reduce VMT and greenhouse gas emissions.

(8) A significance threshold adopted for general use must be supported by substantial evidence. (*Guidelines, § 15064.7, subd. (b)*.) The Guidelines define substantial evidence as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (*Guidelines, § 15384, subd. (a)*.) "Argument, speculation, unsubstantiated opinion or narrative, [or] evidence which is clearly erroneous or inaccurate ... does not constitute substantial evidence." (*Ibid.*) Ultimately, substantial evidence must have a firm *factual* foundation. It "include[s] facts, reasonable assumptions predicated upon facts, and expert opinion [\*\*\*24] supported [\*961] by facts." (*Id., subd. (b)*.) In reviewing for substantial evidence, we must "resolve all conflicts in the evidence in support of the [agency's] action and indulge all reasonable inferences in favor of [its] findings." (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 910 [318 Cal. Rptr. 3d 336].)

In the context of this case, the County was required to make some showing that development consistent with

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<sup>10</sup> *Section 21099* does not impose any obligations on the County. Thus, we do not discuss this statute.

the adopted infill threshold will normally or likely result in an insignificant transportation effect.<sup>11</sup> In other words, will development in infill and village areas, as defined by the County, *generally* result in per capita VMT that is insignificant, even if it does not *always* do so? (See *Guidelines, § 15064.7, subd. (a)* [a threshold of significance predicts when the effect "will normally be determined to be significant"].) In framing the requirement in this manner, we have rejected plaintiffs' assertion that any threshold must meet OPR's 15 percent standard, as the Technical Advisory proposes three transportation significance thresholds that lack any specific VMT targets. (See *ante*, at p. 955.) At the same time, the County cannot simply assume that infill development projects will generate per capita VMT below the county average when all the evidence is to the contrary.

The record contains several [\*\*\*25] justifications by the County for the infill threshold, all of which are based on the general assumption that development in more dense areas, including infill development, does not significantly impact VMT. Representative of these justifications is the following statement in the Transportation Guide: "The switch from direct traffic impacts to a VMT analysis was adopted purposefully by the State legislature to promote infill development. Accordingly, development located in infill areas would not be VMT significant under *CEQA*." The County also opined in the Transportation Guide that "[d]evelopment in more dense areas with high job accessibility leads to more diversity in land use, demand for transit (bus and trolley) and multimodal infrastructure (walking and biking), and shorter vehicle trips, which reduce greenhouse gases and VMT." Elsewhere in the record, the County characterized as "substantial evidence" supporting its adoption of this threshold [\*\*274] the method its infill consultant used to identify infill locations.

Similar justifications support the County's decision to expand the boundaries of the infill areas to match the boundaries of any associated unincorporated village where the two [\*\*\*26] boundaries were not

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<sup>11</sup> This showing at the time a threshold is adopted is consistent with the requirement in the Guidelines that at the project stage, "the lead agency should briefly explain how compliance with the threshold means that the project's impacts are less than significant." (*Guidelines, § 15064, subd. (b)(2)*.) Further, such a showing appears feasible with respect to residential development, as the County made VMT modeling tools available and had determined the "total housing capacity within the infill areas is 3940 units."

coextensive—even though [\*962] this expansion covered areas that did not meet its infill definition—by equating villages with infill. In the Transportation Guide, the County wrote that Village Areas “can be considered an infill location because those locations represent the areas within the county that have the most compact land use pattern (as compared to rural areas).” In response to a public comment that this expansion of the infill boundaries was “overly broad,” the County wrote that “[t]he Village Buffer option … take[s] advantage of the higher densities and mixed-uses associated with the County villages … . The Village Buffer option builds upon the infill areas by including the entire boundary of the village and help account for inconsistencies with land-uses [sic] not adequately captured by the model but are otherwise consistent or have similar characteristics with the surrounding uses.”

At the same time, the Transportation Guide also contains information casting doubt on the County’s fundamental assumption that infill development will generally or most likely be VMT insignificant. Its appendix includes reports written by the County’s infill consultant and by another [\*\*\*27] consultant who was responsible for studying transportation expansion into the County’s unincorporated areas (transportation consultant). The infill consultant, who provided the maps we referenced earlier (see *ante*, at pp. 957–958) and was aware of Senate Bill 743’s emphasis on infill development, stated that defining appropriate screening criteria “would require evidence to support the determination that projects in these locations would have a less than significant transportation impact and meet the intent of [Senate Bill] 743.” The transportation consultant identified the same issue but concluded that “most locations within the County, even within suburban areas, tend to generate VMT at or about [rather than below] the regional mean.”

Both consultants’ comments are consistent with our review of the maps in the record. As we have noted, the unincorporated areas generally extend east from the central sections of the County. Due to the concentration of population and development near the Pacific Ocean, even infill development in the westernmost unincorporated areas of the County will likely generate per capita VMT in excess of the County average based on the assumption that residents of a [\*\*\*28] new development will exhibit transportation habits similar to their neighbors in existing developments.<sup>12</sup> (See *ante*,

at p. 956.) In other words, rather than showing that infill development as defined by the County [\*963] will normally or generally result in transportation effects that are VMT-insignificant, the County’s evidence indicates just the opposite. (See appendices A and B.)

This brings us to a publication by the California Air Pollution Control Officers Association (CAPCOA) that addresses how to mitigate greenhouse gas emissions and VMT, which the County contends provides substantial evidence for the infill threshold because County staff consulted it when preparing the Transportation Guide.<sup>13</sup> (Cal. Air Pollution Control Officers Assn., *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (Dec. 2021) (CAPCOA Handbook)). As it relates to VMT, the County observes that the CAPCOA Handbook “quantifies with mathematical precision” that VMT decreases with increased density, which is the principle underlying the infill threshold.

Although that characterization is generally true, the equations to which the County points [\*\*\*29] are valid only for an urban or suburban “project that is designed with a higher density of dwelling units compared to the average density in the U.S.” or that “is designed with a higher density of jobs compared to the average job density in the U.S.” Notably, the Transportation Guide does not support the infill threshold with information provided in the CAPCOA Handbook; in fact, it expressly exempts infill [\*\*275] development from the handbook’s VMT-related methodologies. Moreover, the CAPCOA Handbook neither defines infill nor describes density in a way that is analogous to how the County identified infill locations. Thus, the CAPCOA Handbook is not

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assuming that at some undefined point in the future, infill development will drive changes to travel patterns that could reduce per capita VMT. By way of comparison, the OPR recommendation of a screening threshold for affordable housing projects built in infill locations cites to evidence indicating that residents of such projects have per capita VMT significantly less than their neighbors in market rate housing. (Technical Advisory, *supra*, at pp. 14–15.)

<sup>13</sup> The County requests that we take judicial notice of three exhibits under *rule 8.252 of the California Rules of Court*: (1) the CAPCOA Handbook; (2) OPR’s 2013 “Preliminary Evaluation of Alternative Methods of Transportation Analysis”; and (3) the County’s response brief filed in connection with a challenge to a previous proposed Transportation Guide. We grant this request only with respect to the CAPCOA Handbook.

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<sup>12</sup> The County made no attempt to show otherwise, instead

helpful to the County's case.

The evidence that the County's infill consultant warned "would [be] require[d]" is precisely what is missing here. Such evidence is absolutely necessary to support a conclusion that projects in defined infill locations would generally "have a less than significant transportation impact" in terms of VMT. It is not enough to say that infill development is better than noninfill development in terms of transportation impact or that increasing development density is generally a good thing. Infill development can have positive [\*\*\*30] benefits and still create significant transportation effects that must be considered. The question is not a relative one, but rather one of significance versus insignificance as to the specific infill and village areas the County has identified where projects can be developed without the need for studying [\*964] VMT impacts. The County has failed to show it can be fairly assumed that development in these infill areas will usually generate per capita VMT below the County average. Indeed, the County's own evidence indicates such development will typically yield VMT at or above the County average.

(9) None of the "evidence" relied on by the County to support its assumptions concerning its infill threshold comes from independent outside sources or reflects anything other than unsubstantiated opinions about infill development generally. By definition, such opinions are not substantial evidence. ([Guidelines, § 15384, subd. \(a\)](#)) Although the County is correct that it may "rely upon the opinion of its staff in reaching decisions, and the opinion of staff has been recognized as constituting substantial evidence" ([Oakland Heritage Alliance v. City of Oakland \(2011\) 195 Cal.App.4th 884, 900 \[124 Cal. Rptr. 3d 755\]](#)), to be substantial, those opinions must be based on facts. The County made no attempt to establish facts showing how [\*\*\*31] often development in its designated infill and village areas will not cause a significant transportation-related impact as measured by VMT.

Case law confirms our common sense interpretation of the Guidelines' requirements for significance thresholds. In [Golden Door](#), we addressed whether there was substantial evidence to support a general-use threshold that incorporated a metric based on "statewide standards" for determining the significance of a project's greenhouse gas emissions. ([Golden Door, supra, 27 Cal.App.5th at pp. 898, 904](#).) We explained that such a threshold "must be justified by substantial evidence to explain why it is sufficient for use in projects in the County." ([Id. at pp. 904–905](#).) But the threshold at issue

neither "address[ed] the County specifically" nor "explain[ed] why using statewide data is appropriate for setting the metric for the County." ([Id. at p. 905](#).) Accordingly, we concluded that there was not substantial evidentiary support "explaining why statewide [greenhouse gas] reduction levels would be properly used in this context" and that, as a result, "the County fails to comply with [CEQA Guidelines](#)." (*Ibid.*, citing [Guidelines, § 15064.7, subd. \(c\)](#) [agency's adoption of another agency's threshold must be supported by substantial evidence].)

A similar analysis applies here. The County has chosen [\*\*\*32] to identify specific unincorporated areas as infill, where development can presumptively occur without performing a VMT analysis. But it has done so without providing any evidence that developing infill, as it has chosen to define it, would generally result in an insignificant transportation effect at the local county level.<sup>14</sup>

[\*965]

#### [\*\*276] C. The Small Project Threshold

Plaintiffs also challenge the County's small project threshold—projects generating fewer than 110 daily vehicle trips—as lacking substantial evidentiary support. They acknowledge that OPR has recommended a small project threshold based on statewide data, but they assert that the County has failed to support its adoption of this recommendation with evidence that projects screened out of VMT analysis under this threshold will likely cause a less than significant transportation effect in *San Diego County*. The County responds by arguing that OPR's inclusion of a similar threshold in its recommendations provides the substantial evidentiary support necessary for us to uphold its adoption, especially considering that [subdivision \(c\) of Guidelines section 15064.7](#) authorizes agencies to adopt another agency's significance threshold. Citing [Center for Biological Diversity v. Department of Fish & Wildlife \(2015\) 62 Cal.4th 204, 213 \[195 Cal. Rptr. 3d 247, 361](#)

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<sup>14</sup> Because we agree with plaintiffs that the County did not tailor the assumption underlying the infill threshold to the areas it identified as infill (and the associated villages), we need not address their arguments that substantial evidence was lacking for the County's reliance on transit in selecting infill areas, that the County failed to take the steps required by [section 21061.3](#) to designate the infill locations as "urbanized areas" (see *ante*, at p. 957, fn. 8), and that the village expansion of the infill areas will result in significant transportation impacts.

P.3d 342] (Biological Diversity), the County also maintains [\*\*\*33] that it need not provide evidence that the small project threshold is justified by local conditions because statewide goals may be used as significance thresholds.

(10) The Guideline cited by the County allows agencies to adopt thresholds promulgated by other entities, but only if “the decision of the lead agency to adopt such thresholds *is supported by substantial evidence.*” (Guidelines, § 15064.7, subd. (c), italics added.) And as we have already discussed (see *ante*, at pp. 963–964), substantial evidence in this context includes evidence that the threshold applies as intended in the local conditions. *Biological Diversity*—which explained that a statewide criterion is an acceptable significance threshold only if there is substantial evidence to support its application to a specific project—is in accord. (Biological Diversity, supra, 62 Cal.4th at pp. 226–227.)

Thus, the mere fact that OPR suggested or recommended a small project threshold cannot, by itself, excuse the County's failure to provide *any* evidentiary support for the assumption that small projects as defined do not create significant transportation impacts under local conditions.<sup>15</sup>

Moreover, as we have already noted, the County acknowledged before the Transportation Guide was adopted that OPR's small project threshold "was [\*\*\*34] [\*966] developed by evaluating projects across the State and was not developed based on a single jurisdiction." (See *ante*, at p. 957.) The County proceeded on the belief that it did not need to take VMT into account when adopting this threshold. (See *ante*, at p. 957.) These statements make clear there was no effort by the County to develop any evidence that small projects generating 110 or fewer trips are likely to cause a less than significant transportation effect in San Diego. [\*\*277] County. This burden is not an onerous one, but it must be addressed. Our independent review of the rest of the record confirms that no such evidence was

<sup>15</sup> In 2021, the County rescinded its previous Transportation Guide. In its defense of the current Transportation Guide, the County refers us to documents contained in the administrative record of the rescinded Transportation Guide indicating that in 2020, most of the housing construction was occurring in areas with short trip lengths. The County argues that this counts as “[c]ounty-specific analysis” to support the threshold. But where construction was occurring in the past generally, or at that point in time in particular, is insufficient absent evidence showing that conditions at the time the small project threshold was adopted remained the same.

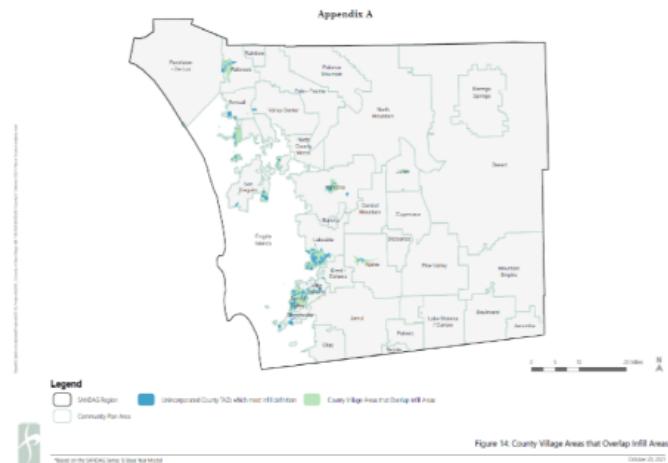
offered.<sup>16</sup>

## DISPOSITION

The judgment is reversed. The matter is remanded to the superior court with directions to vacate its denial of the petition for writ of mandate and to enter a new order granting the petition for writ of mandate consistent with the views in this opinion. Such order shall include only those mandates necessary to achieve compliance with CEQA in accordance with this opinion. Therefore, pursuant to subdivision (b) of section 21168.9, the superior court shall determine whether portions of the Transportation Guide are severable and may continue to be applied. Appellant is entitled to costs on appeal.

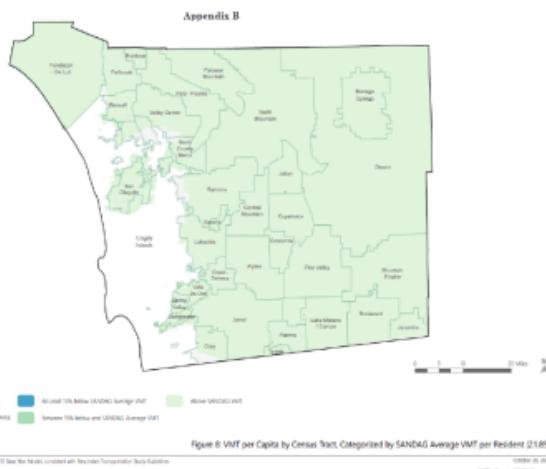
Do, J., and Kelety, J., concurred.

[\*967]



「\*968」

<sup>16</sup> We need not consider plaintiffs' arguments that substantial evidentiary support is lacking for the County's inclusion of residential developments in the threshold and that the threshold fails to account for the lengths of the trips that will be generated because those arguments are subsumed in our rationale for invalidating this threshold. Nor do we reach the County's argument that plaintiffs' concerns are "unfounded" because substantial evidence of a transportation-related effect will always have to be considered, even with a threshold of significance, due to the [\*\*\*35] County's failure to support this argument with citations to authority. (*Delta Stewardship Council Cases* (2020) 48 Cal.App.5th 1014, 1075 [262 Cal. Rptr. 3d 445].)



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# **EXHIBIT B**

39 Guajome Lake Road   Chappo

iw search results for 2839 Guajo...

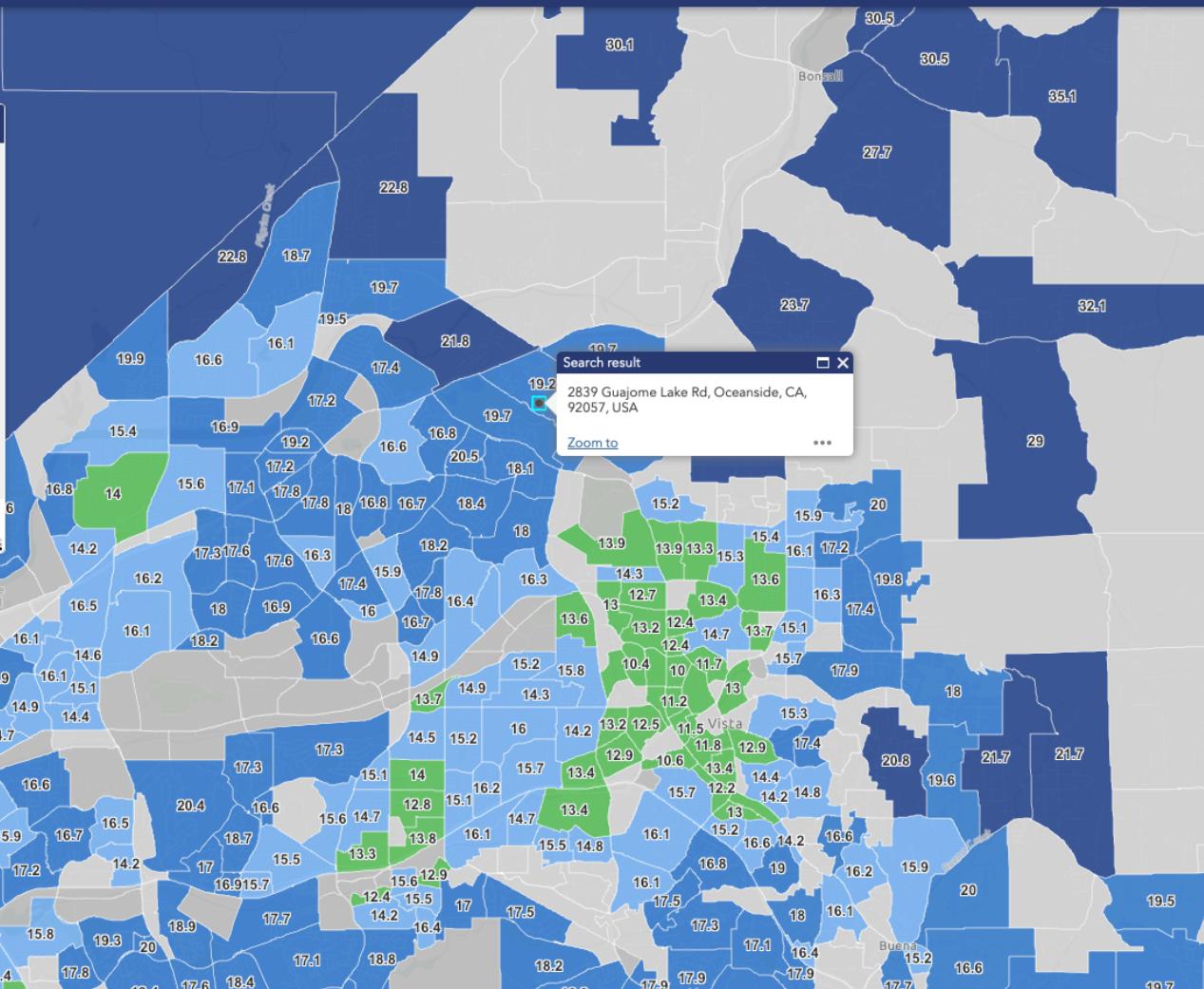
San Diego Region SB743 VMT Maps

Forecast / ABM Version is

Residents/Employees is

Geography is

Year is



## Map Legend / Disclaimer

## Map Legend

## Percent of Mean

- More than 125% of Regional Mean
- 100% to 125% of Regional Mean
- 85% to 100% of Regional Mean
- 50% to 85% of Regional Mean
- Less than 50% of Regional Mean
- No Data
- Not Enough Data

## Current Data

- 2016 - ABM2+ / 2021 RP (Scenario ID 458)  
Regional Mean = 18.9 VMT per Resident  
Regional Mean = 18.9 VMT per Employee
- 2025 - ABM2+ / 2021 RP (Scenario ID 462)  
Regional Mean = 17.7 VMT per Resident  
Regional Mean = 17.0 VMT per Employee
- 2035 - ABM2+ / 2021 RP (Scenario ID 475)  
Regional Mean = 16.6 VMT per Resident  
Regional Mean = 15.3 VMT per Employee
- 2050 - ABM2+ / 2021 RP (Scenario ID 459)  
Regional Mean = 16.0 VMT per Resident  
Regional Mean = 14.3 VMT per Employee

## Archived Data

- 2016 - ABM2 / 2019 RTP (Scenario ID 434)  
Regional Mean = 19.0 VMT per Resident  
Regional Mean = 27.2 VMT per Employee

## Disclaimer

The maps provided by SANDAG are an interpretation of the Senate Bill 743 Technical Advisory guidelines published by the California Office of Planning and Research and are provided as a resource to the jurisdictions in the San Diego region to use as they see fit. Users of the data should exercise their professional judgment in reviewing, evaluating and analyzing VMT reduction estimate results from the tool. Each agency should consult with CEQA experts and legal counsel regarding their own CEQA practices and updates to local policies. Refer to full disclaimer and additional information relating to the use of the SB 743 VMT Map Web Application.

While the data have been tested for accuracy and are properly functioning, SANDAG disclaims any responsibility for the accuracy or correctness of the data.

THE FOREGOING WARRANTY IS EXCLUSIVE AND ALL

# **EXHIBIT C**

# LAND FOR SALE

## 16.6 ACRES - OCEANSIDE DEVELOPMENT OPPORTUNITY

2839 Guajome Lake Road, Oceanside, CA 92057



Steve Relth  
srelth@lee-associates.com  
D 619.517.6429  
CaldRE #00674642

### PROPERTY DESCRIPTION

16.6 acres across from Guajome Regional Park, zoned for residential development. Previous planning and engineering for 33 residential lots completed and available. Well located property just minutes from Highway 76. Sellers will entertain offers that close on entitlement. **Great views and location in this semi-rural area.** One of the last parcels this size zoned for residential development.

### LOCATION DESCRIPTION

Guajome Lake Road, south of Hwy 76 and across from 394 acre Guajome Regional Park. Close proximity to Mission Vista High School and Mission Meadows Elementary. Many restaurants and services nearby.

### SALE PRICE

\$1,975,000. Submit Offers. Entitlement escrow will be considered by Seller with applicable quarterly deposits.

### APN

157-412-15

### PROJECT STATUS

RS-SP-EQ, Residential Single Family, 5.9 DUA, Raw land but previously engineered for 33 lot residential subdivision, **Equestrian overlay zone.**

### COMPS AND PROJECTIONS

Home sales in the neighboring community are in the \$850,000 - \$900,000 range; 3,000 square feet

### DEVELOPMENT OPPORTUNITY

Map for 6,000 to 13,000 SF lots was previously processed including a mitigated Negative Declaration and a draft resolution for approval of a 33-lot tentative map. Previous reports and studies are available.

All information furnished regarding property for sale, rental or financing is from sources deemed reliable, but no warranty or representation is made to the accuracy thereof and same is submitted to errors, omissions, change of price, rental or other conditions prior to sale, lease or financing or withdrawal without notice. No liability of any kind is to be imposed on the broker herein.

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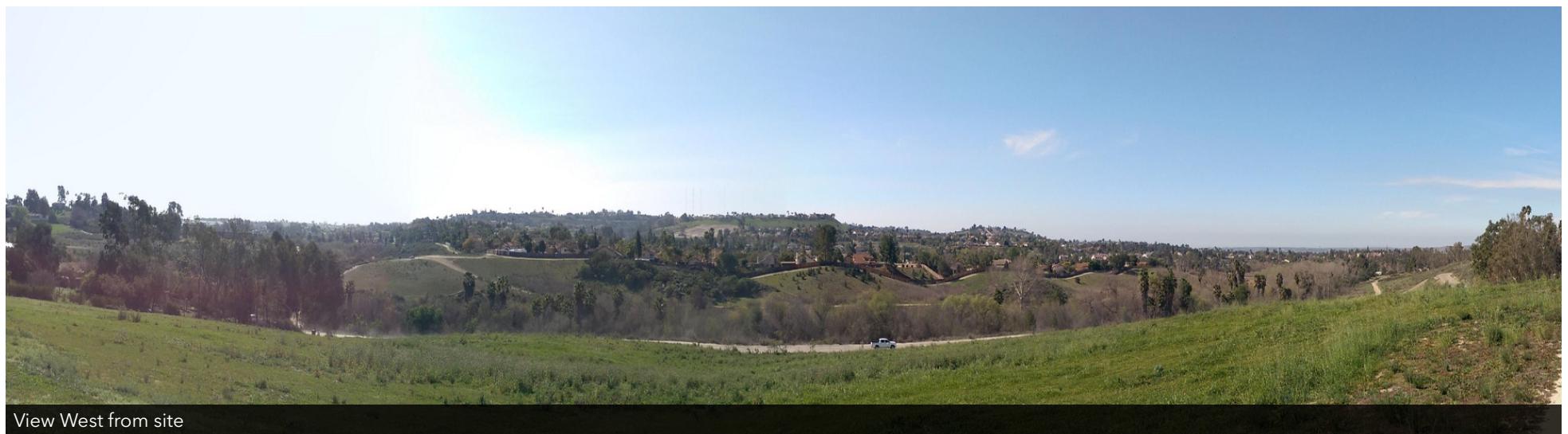


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**16.6 ACRES - OCEANSIDE DEVELOPMENT OPPORTUNITY**  
2839 Guajome Lake Road, Oceanside, CA 92057



View East from site



View West from site

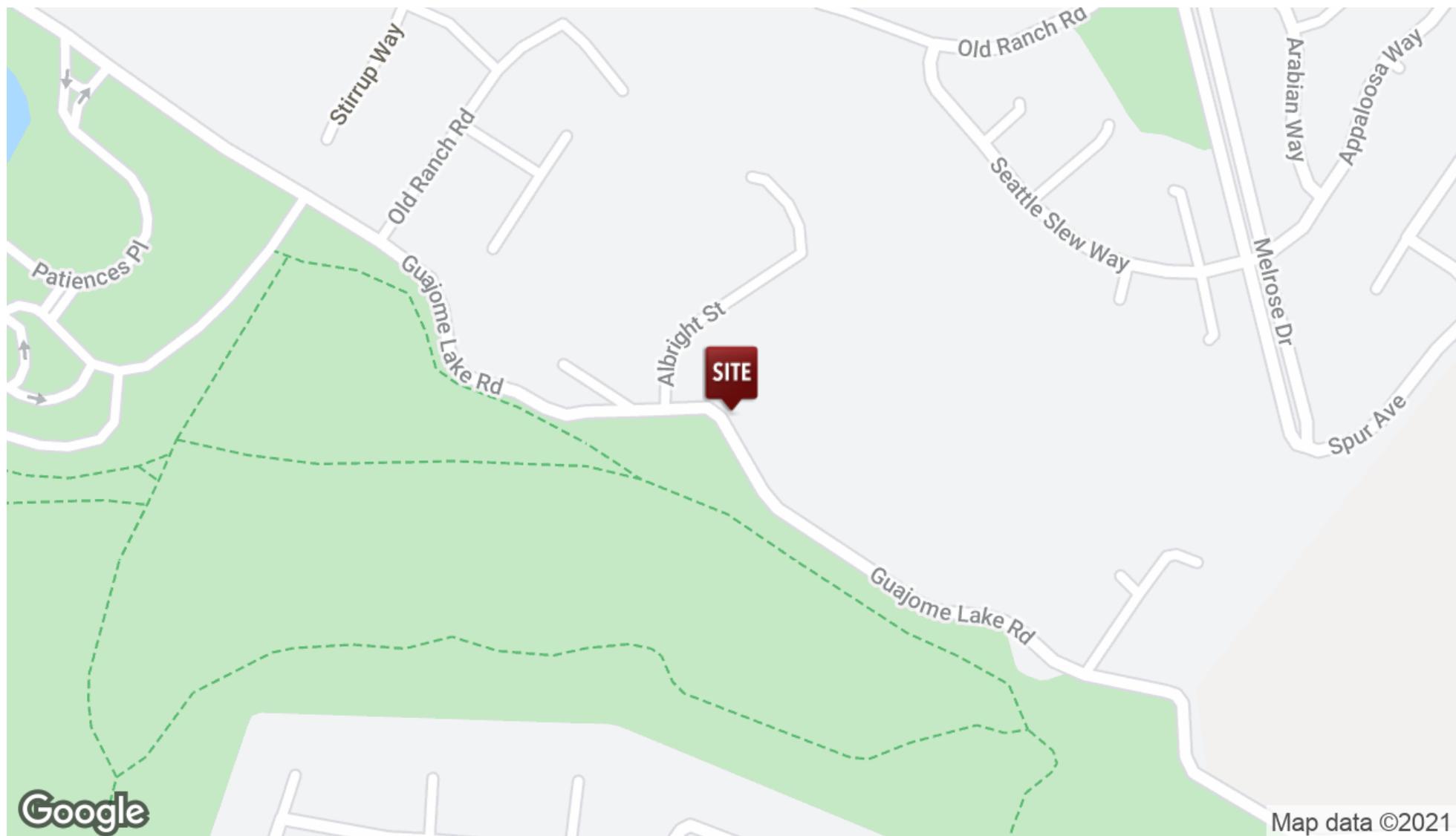
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Imagery ©2021, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency

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# LAND FOR SALE

## 16.6 ACRES - OCEANSIDE DEVELOPMENT OPPORTUNITY

2839 Guajome Lake Road, Oceanside, CA 92057

### GUAJOME CREST HOMES

landscape concept plan



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Caldre #00674642

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#### CONCEPTUAL PLAN PALETTE

**TREES 15 GAL. MIN.**  
QUERCUS ENGELMANNI - ENGELMANN OAK  
PLATANUS RACEMOSA - CALIFORNIA STYCAMORE  
LITHOCARPU S DENSIFLORUS - TANBARK OAK  
POPULUS FREMONTII - WESTERN COTTONWOOD  
LYONCHIANTHUS FLORIBUNDUS - CATALINA IRONWOOD  
AESCHIUS CALIFORNICA - CALIFORNIA BUCKEYE  
ARBUSSUS MARINA - MARINA MADRONE

#### SHRUBS AND GROUNDCOVERS 1-5 GAL.

COASTAL BACI SCRUB HABITAT:  
RHUS INTEGRIFOLIA - LEMONADE BERRY  
CEANOTHUS GROSSUS HORIZONTALIS 'TANAKA POINT'  
ENCIELIA CALIFORNICA - BUSH SUNFLOWER  
BACCHARIS EMBRYI - EMBRY BACCHARIS  
BACCHARIS GARDNERI - DESERT BROOM

#### INTERIOR SLOPES:

PHYLLOXERA X FRAGrans - NON  
LOBELIA FLORIBUNDA - NON

HYPERICUM PARVIFOLIUM - NON

#### ORNAMENTAL AND NIGHT-SHINE:

LIGUSTRUM JAPONICUM 'TEXANUM' - PRIVET

GARUA LINNHEIMERI - NON

COLOCASIA PULCHERRIMA - AUSTRALIAN PLUMA

HELICOTROPIUM APPER-MERITA - BLUE OAT GRASS

ARMERIA MARITIMA - COMMON THRIFT

EMERSONIA KARVINSKIANA - SANTA BARBARA DAISY

#### PASTURE TURF:

FESTUCA AMETHYSTINA - TALL FESCUE

#### EXISTING TREES:

PLATANUS RACEMOSA - TO REMAIN PROTECT IN PLACE  
WASHINGTONIA FILIFERA - TO REMAIN PROTECT IN PLACE

#### PROPOSED BMP'S FOR CIVIL PLAN

~ VEGETATED SWALE

CI Curb inlets with filter inserts

FILTRATION DEVICE / OUTLET

CI Curb inlets with filter inserts

FILTRATION DEVICE

SAND FILTRATION DEVICE

#### IMPORTANT NOTES:

PLANTING NOTES:  
THE PLACEMENT OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH SOIL CONDITIONERS, FERTILIZERS, AND APPROPRIATE SUPPLEMENTS BASED UPON SOIL SAMPLES TAKEN FROM THE SITE. GROUNDCOVERS AND/OR DARK MULCH SHALL FILL IN BETWEEN SWALES TO SHIELD THE SOIL FROM THE SUN, EVAPOTRANSPIRATION AND RAIN. ALL THE FLOWER AND SHrub BEDS SHALL BE MAINTAINED TO A DEPTH TO HELP CONSERVE WATER, LOWER THE SOIL TEMPERATURE AND REDUCE SEED GROWTH. THE DARK MULCH IS DESIGNED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES.

#### IRRIGATION NOTES

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. LOW PRECIPITATION EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM WATER LOSS DUE TO WATER RUN-OFF. ALL LANDSCAPE AND IRRIGATION IMPROVEMENTS SHALL BE INSTALLED AS PER THE PLANS AND SPECIFICATIONS. ALL LANDSCAPE AND IRRIGATION IMPROVEMENTS SHALL BE CONDUCTED BY A PROFESSIONAL CONTRACTOR. THE IRRIGATION SYSTEM SHALL USE HIGH QUALITY AUTOMATIC CONTROL VALVES, CONTROLLERS AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL COMPONENTS SHALL BE OF NONCORROSION MATERIAL. ALL DRIP SYSTEMS SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES AND WATER CONSERVATION ORDINANCE.

#### STREET TREES

STREET TREES ON PRIVATE LOTS SHALL CONFORM TO SPACING & PLACEMENT REQUIREMENTS OF THE CITY OF OCEANSIDE. STREET TREES ON PRIVATE LOTS SHALL BE INSTALLED IN THE HOA LANDSCAPE EASEMENT AND BE MAINTAINED BY THE HOME OWNERS' ASSOCIATION.

#### REPAIRAN AND DISTURBED HABITAT

NO EXISTING TREES SHALL BE ATTENDED BY DEVELOPMENT. THE RIPARIAN AND DISTURBED HABITAT AREAS SHALL BE PROTECTED IN PLACE. EXISTING TREES SHOWN ON THE PLAN SHALL BE MAINTAINED AND BE PROTECTED FROM CONSTRUCTION ACTIVITIES. RIPARIAN AND DISTURBED HABITAT AFFECTED BY CONSTRUCTION SHALL BE SUPPLEMENTED OR REPLACED AS DEEMED NECESSARY BY THE CITY LANDSCAPE INSPECTOR AT SITE INSPECTION.

#### SWALE/BMP'S

POST CONSTRUCTION SWALE/BMP'S SHALL BE IMPLEMENTED ON SITE. STREET TREES LOCATED ON PRIVATE LOTS SHALL BE MAINTAINED BY OWNER OR HOA. SITE SHALL MEET BIO-MITIGATION REQUIREMENTS. ROOF DRAINS FROM FUTURE ROOFS/ROOF TOPS WILL BE DIRECTIONED INTO LINED SWALES, DITCHES, NATURAL AREAS, OR DRIVEWAY CONVERSATION SYSTEMS. THE SWALE EACH OF THE PROPOSED LOTS WILL CONTAIN A VEGETATED SWALE AROUND ONE SIDE OF THE FUTURE HOUSES.

#### GENERAL

- GENERAL LANDSCAPE PLANS SHALL ACCURATELY SHOW PLACEMENT OF TREES, SHRUBS, AND GROUNDCOVERS.  
- LANDSCAPE ARCHITECT SHALL VERIFY UTILITY, SEWER, STORM DRAIN EASEMENT AND PLACE PLANTING LOCATIONS ACCORDINGLY TO MEETING CITY OF OCEANSIDE REQUIREMENTS.

**THE  
LIGHTFOOT  
PLANNING  
GROUP**  
PLANNING  
SITE DESIGN  
LANDSCAPE  
ARCHITECTURE



**North Star Homes**  
Guajome Crest Homes  
Oceanside, California

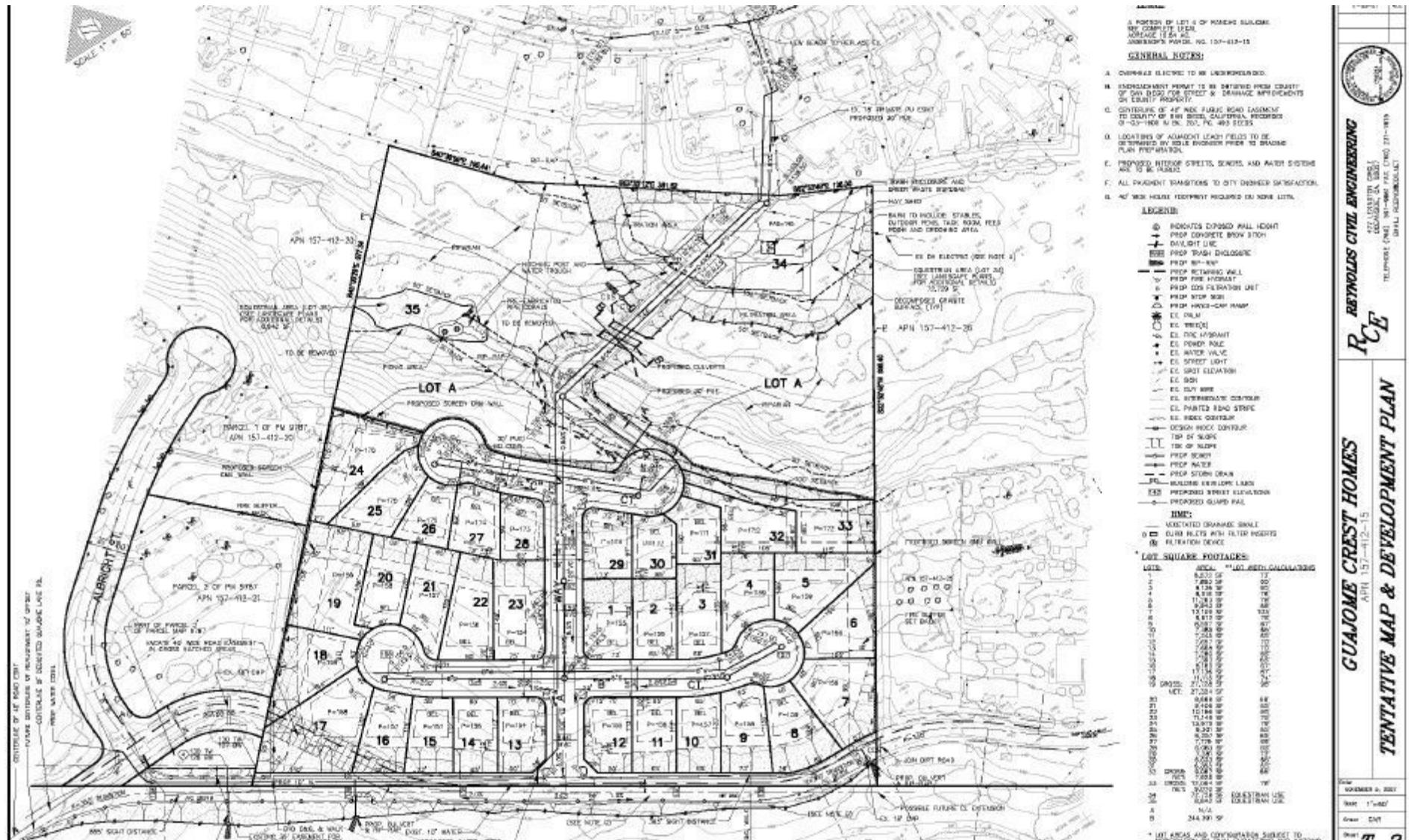
Site: Tbd  
Year: May 2009  
Status: In Progress  
Permit: 617-006-000  
City: City of Oceanside  
Rev: Rev. 1, 3, 4, 5-02

Landscaping  
concept  
Sheet # 1053-012  
Page 1  
Date: 10/26/12  
Scale: 1:1000  
Drawing No.: 1053-012  
Title: Guajome Crest Homes  
Oceanside, California

# LAND FOR SALE

## 16.6 ACRES - OCEANSIDE DEVELOPMENT OPPORTUNITY

2839 Guajome Lake Road, Oceanside, CA 92057



Steve Relth  
srelth@lee-associates.com  
D 619.517.6429  
CalDRE #00674642

All information furnished regarding property for sale, rental or financing is from sources deemed reliable, but no warranty or representation is made to the accuracy thereof and same is submitted to errors, omissions, change of price, rental or other conditions prior to sale, lease or financing or withdrawal without notice.  
No liability of any kind is to be imposed on the broker herein.

# **EXHIBIT D**

# 0 Guajome Lake Rd

Vista, CA 92084

\$3,500,000

Last Sold Price

725,274 / 16.65

Lot Size / Acres

 Save

 Share

COMPASS

City, Neighborhood, Address, School, ZIP



Buy

Rent

Sell

Compass  
Exclusives

New  
Development

Agents

Register/Sign  
In

← Search

Overview

Location

Property Info

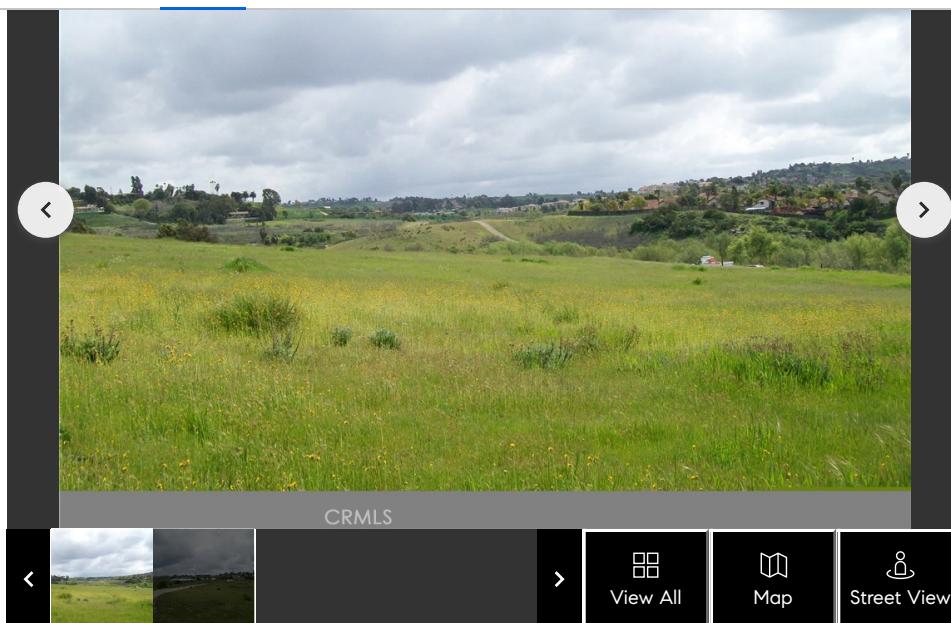
Property History

Schools

Similar Homes

 Save

 Share



Days on Market

438

Taxes

-

HOA Fees

-

Condo/Co-op Fees

-

Compass Type

Land

MLS Type

Land Lot

Year Built

-

Lot Size

16.65 AC

County

[San Diego County](#)

Large (16.65 Acres) development parcel just off Highway 76 in Oceanside. Property was previously mapped for a 33 lot subdivision which ran out of steam during the Recession. Located just minutes from the 76 and across from 500 acre Guajome Lake Regional Park. Seller will consider an entitlement-escrow. Many reports and studies and documents available that were created in 2008. Studies will need to be updated. Zoned RS with scenic park and equestrian overlay that will require a horse corral/facility. One of few remaining development parcels within the City limits that are zoned to this density. Call listing agent to arrange showing. Property is gated; please do not disturb tenant.

[Collapse ^](#)

Listed by Steven Relth · DRE #00674642 · Brokerage DRE #00674642 · Steven Lawrence Relth-Broker · 619-517-6429

## Property Details for 0 Guajome Lake Road

View	Panoramic, Park/Greenbelt	Lot Size Source	Assessor
Assessor Parcel Number	157-412-15-00	New Construction	No
Pool	No	View	Yes
Association	No	Association Fee	\$0.00

# **EXHIBIT 2**

From: [RingCentral <notify@ringcentral.com>](mailto:RingCentral <notify@ringcentral.com>)  
To: ["Manuel Baeza" <MBaeza@oceansideca.org>](mailto:Manuel Baeza)  
Date: 10/7/2025 1:55:23 PM  
Subject: New Voice Message from TLPG INC (760) 692-1924 on 10/07/2025 11:54 AM  
Attachments: 17606921924-1007-115454.mp3

EXTERNAL MESSAGE: Use caution when opening attachments, clicking links, or responding. When in doubt, please contact [CustomerCare@oceansideca.org](mailto:CustomerCare@oceansideca.org)



Voice Message

Dear Manuel Baeza,

You have a new voice message:

From: TLPG INC (760) 692-1924  
Received: Tuesday, October 07, 2025 at 11:54 AM  
Length: 01:20  
To: (760) 435-3519 Manuel Baeza

Voicemail Preview:

"Hi, Manny. Hey, Dan. NBM flight flip back in town. It is Tuesday the 7th. I am giving you a call just before noon. Hey, I saw the emails kind of going back and forth on on the environmental updates. And hopefully Jonathan is and you have gotten those things squared away. But I want to reach out to you to talk about possibly just doing a call this week to brief you on Jonathan's conversations he is had with planning commissioners and probably give you a good understanding of what they talked about. I think he is had some good meetings with a few of them to give them a good understanding of the project and the density bonus components of it. So it might be very helpful for all of us to hop on a short call or Zoom call and then also just talk about any questions or less, you know, outstanding items as far as the planning commission goes. So I just reached out on that if you can give me a call back this afternoon or drop me an email. Feel free to copy Jonathan on that this afternoon. That would be great to just get back in touch and hopefully we can set something up later this week that works for you. My direct line 760-692-1924, extension 230 or like I said, just feel free to email me too many. Hey, thanks, talk to you soon, bye."

Listen to this voicemail over your phone or by opening the attached sound file. You can also sign in to your [RingCentral account](#) with your main number, extension number, and password to manage and listen to voicemails.

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# **EXHIBIT 3**

## FINDINGS OF FACT

### A. Final Environmental Impact Report:

1. 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 developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. A qualified urban use is defined in PRC Section 21072 as any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. The project site is located directly across Guajome Lake Road public open space that 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.
2. ~~That wildlife movement and connectivity have not been adequately analyzed between surrounding areas, including the Jeffries Ranch Preserve, the project site and the San Luis Rey River.~~
3. The biological impacts generated by the project have been inadequately mitigated with regard to the future management of the on-site riparian forest. The riparian habitat, which is potential habitat for the federally endangered Least Bell's Vireo, warrants protection through the establishing of a conservation easement over the forest and by assigning oversight responsibility of the forest to a professional habitat management organization in perpetuity rather than to the proposed Homeowners Association.
4. That the EIR inadequately analyzes Vehicle Miles Traveled (VMT) impacts as it concludes that the project screens out because it creates less than 1,000 vehicle trips. The Project site's high VMT renders the City Guidelines' 1,000 Average Daily Trip (“ADT”) threshold inappropriate. Thresholds are not determinative and cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect to which the threshold relates might be significant. Because the project site is not infill but rural, the Project will result in significant VMT impacts. SANDAG identified the Project site as having a high VMT classification. The site is surrounded by rural, agricultural, open space, parks, and semi-rural uses. The site is not served by urban services, nor is it near any transit. The Project will increase automobile dependency in an area with no transit. The EIR failed to analyze, disclose, and mitigate the Project's significant VMT impacts.
5. 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

**Deleted:** <#>That biological impacts generated by the project have been inadequately mitigated with regard to the loss of Coastal Sage Scrub proposing the replacement of this resource outside of Oceanside and in the City of Carlsbad. The City of Oceanside Subarea Habitat Conservation Plan (SAP) has been referenced for guidance for habitat conservation within an Offsite Mitigation Zone (OMZ) located outside of the Wildlife Corridor Planning Zone (WCPZ), stating that natural vegetation may be removed in these zones subject to SAP guidelines, which include offsite 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.¶

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

6. 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 to approve the Project and whether the Project's requested waivers would result in a specific, adverse impact upon public health and safety.
7. 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.
8. 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. 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 of the road more dangerous for all users.
9. That the EIR fails to adequately analyze and mitigate significant Greenhouse Gas Impacts. The EIR relied on an outdated California Air Resources Board ("CARB") Scoping Plan as part of its GHG impact analysis, rather than the more recent 2022 CARB Scoping Plan. The FEIR did not adequately address this question in the Response to Comments stating that the City has the discretion to choose the significance threshold for discretionary projects. The City's Climate

**Deleted:** <#>That the EIR did not adequately analyze impacts to Guajome Regional Park, as the FEIR places a portion of the Fire Management Zone (FMZ) within the park. In addition, the project does not control and cannot guarantee that the existing vegetation within Guajome Regional Park will remain in an acceptable state to meet FMZ requirements.¶

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. Per the second thresholds of significance 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 for projects located outside of designated Smart Growth Opportunity Areas or beyond ¼ mile of a priority Transit Oriented Development (TOD) corridor, as determined by the Smart and Sustainable Corridors Plan and/or SB 743 screen-out boundaries.

10. 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 partially unpaved Guajome Lake Road.
11. That the EIR did not include a General Plan compliant project in the EIR's alternative analysis. The Existing Land Use Designation Alternative was considered but rejected for a detailed analysis.
12. That the EIR fails to adequately disclose and mitigate potentially significant impacts to evacuation by not performing any modeling on the timing of evacuation from the site.

B. Tentative Map/Development Plan/Density Bonus

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 required the Planning Commission 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 Planning Commission 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 Planning Commission 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 required the Planning Commission to find, among other things, "that the project as proposed is

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compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.”

3. The Housing Accountability Act (Govt. Code section 65589.5) allows local agencies to deny housing development projects that do not qualify as “housing development project for very low, low-, or moderate-income households,” or to deny otherwise qualifying projects that would have a “specific, adverse impact on public health and safety.” State Density Bonus Law (Govt. Code section 65915) allows local agencies to deny requested incentives/concessions or waivers 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. State Density Bonus Law requires the General Plan’s base density of 3.6 dwelling units per acre to be utilized for the project site, not the maximum potential density of 5.9 dwelling units per acre. Inflated density calculations must be revised in accordance with State Density Bonus Law.
5. The Planning Commission’s finding that there ~~was~~ 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 ~~was erroneous~~. As described in paragraphs A.1 through A.12 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. The project does not qualify as a “housing development project for very low, low-, or moderate-income households” and, as such, the HAA does not mandate its approval. As a result, the Planning Commission ~~should have been~~ unable to make the mandatory findings to approve the tentative map and development plan, and the City Council reverses the Planning Commission’s determination.

**Deleted:** and the Housing Accountability Act (Govt. Code section 65589.5)

**Deleted:** housing development projects or

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# **EXHIBIT 4**

The EIR fails to adequately address the loss of wildlife connectivity through the project site because it assumes that the riparian area represents the primary movement potential for wildlife. However, the EIR does not accurately characterize the adjacent development; discounts that the project site provides an overland connection for two large preserve areas, Guajome Regional Park (Guajome) and Caltrans' Jeffries Ranch Preserve (JRP); and dismisses any further assessment by stating the project is located outside the Wildlife Planning Zone (WPZ).

The EIR characterizes the site as “surrounded by development, which limits movement of larger mammals” However, the surrounding “development” needs further clarification in that it is single-family residences on equestrian sized lots with undeveloped land. The project site and surrounding “development” can be easily traversed by larger mammals such as coyotes and bobcats.

The EIR incorrectly identifies the project site as “relatively isolated from large undeveloped areas and other preserves” and that the riparian corridor is not contiguous upstream of the project site. The 180-acre JRP is located approximately one mile northeast from the project site and Guajome resides immediately to the southwest separated by only a dirt road. These two large wildlife areas are connected in part by the project site and approximately 27 acres of conserved mitigation lands from the Marlborough Country Estates project. The first of these mitigation parcels is just 40 yards easterly from the proposed project site separated by undeveloped land. Although undeveloped land may not support the standard definition of ‘riparian vegetation’, movement is not precluded upstream to get to the Marlborough Estates mitigation site. From there, the stream retains its riparian vegetation and also adjacent areas of coastal sage scrub to reach the JRP.

Development of the proposed project site will sever the linkage between two large conservation areas and result in a significant impact to wildlife movement between Guajome and JRP. The proposed offsite mitigation will not mitigate the loss of connectivity between these two preserve areas both of which support numerous wildlife species including the federally listed coastal California gnatcatcher (CAGN). This issue needs to be addressed and onsite mitigation incorporated into the project to avoid complete loss of wildlife connectivity.

Both Guajome and JRP support breeding CAGNs. While the EIR acknowledges that the onsite coastal sage scrub supports breeding CAGNs and likely serves as a “stepping stone” for dispersing individuals, it fails to assess the impacts to gnatcatcher dispersal from the loss of this stepping stone connection between the two breeding areas. This issue needs to be addressed and appropriate measures identified to maintain connectivity between the CAGNs at Guajome and JRP.

The EIR seems to suggest that since the project is located outside the Wildlife Planning Zone (WPZ) there will be little impacts to wildlife movement/connectivity. Additionally, the EIR fails to assess cumulative impacts to special status species based on implementing measures identified in the SAP. The EIR’s use of the SAP to limit or dismiss analyses is not defensible. The SAP was not permitted by the Wildlife Agencies and hence was not subject to the rigorous analysis that would have determined if the conservation strategy, including mitigation ratios, mitigation locations, and preserve design, was adequate to conserve the target species including the CAGN. To receive a section 10 permit and NCCP permit from the Fish and Wildlife Service and the CA Dept of Fish and Wildlife, the SAP would be subject to a rigorous biological analysis, including a jeopardy/no jeopardy determination for species. In addition, permit issuance criteria would need to be met (eg mitigation to the maximum extent practicable, funding assurances). There would have been formal public review through the SAP’s accompanying environmental review documents (ie. CEQA and NEPA). The best available information would be needed which the SAP is now grossly outdated. The EIR needs to provide its own analysis and not rely on a draft plan that has not undergone the permit process which would ensure its adequacy to conserve species and address cumulative effects.

# **EXHIBIT 5**

Doreen Stadtlander has over 30 years of experience working in the conservation field. She recently retired from the U.S. Fish and Wildlife Service (FWS) after 27 years, where she was a recipient of the FWS National Recovery Champion Award for endangered species. She has extensive knowledge and experience in negotiating, developing, and implementing public-private and interagency regional conservation strategies. Her efforts facilitated the establishment and management of numerous open space preserves within Riverside and San Diego counties. As a Division Chief with FWS, she administered a variety of programs including habitat conservation planning, mitigation banking, wetlands protection, and endangered species consultations. Prior to the FWS, Doreen worked in the natural resource management programs at military installations in North Carolina and California; privately consulted as a field biologist; and was a research assistant with Long Beach University. In her spare time, Doreen is a dog agility sport enthusiast and has competed at the national level. She currently trains and competes with her border collie "Jazz".

# **EXHIBIT 6**

# JEFFRIES RANCH PRESERVE

# REGIONAL PARK

## PROJECT SITE

SECTION A

OPEN SPACE  
Share's Auto

Note: Open Space A-C is Marlborough County Estates Mitigation Lands.  
Open Space A owned by City of Oceanside.

Wildlife Movement



## Leslie Huerta

---

**From:** Nicole Benitez <nicole@nicolebenitez.com>  
**Sent:** Tuesday, January 27, 2026 6:25 PM  
**To:** City Council  
**Subject:** Subject: Appeal Comment – Health, Safety, and Environmental Impacts of Guajome Project

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

---

Subject: Appeal Comment – Health, Safety, and Environmental Impacts of Guajome Project

To Whom It May Concern,

I submit this comment in support of the appeal of the proposed Guajome development by Rincon Homes.

The project will cause specific adverse impacts to health and safety, including chemical exposure from pesticides and rat poison, dust and air quality degradation from increased traffic on dirt roads, heightened fire risk due to density and fireworks use, and serious hazards to equestrians and horses along Guajome Park Road.

The Final EIR acknowledges that the site may contain suitable habitat for the Crotch's bumble bee, a species protected under the California Endangered Species Act as of August 4, 2022. Mitigation Measure MM-BIO-9 was added only after CDFW raised concerns, demonstrating that the Draft EIR was incomplete. Comparable projects in North County have been required to redesign developments to protect this species.

Additionally, the project proposes only four low-income units out of 83 total units, qualifying for two incentives under the Density Bonus Law—not unlimited waivers. State housing laws do not override the City's obligation to protect public health, safety, and biological resources.

For these reasons, I respectfully request that the appeal be granted or that the project be substantially revised.

Respectfully submitted,  
Nicole benitez

North county resident and business owner

\*Nicole

{District Model and Talent}

{NB Creative}

270\*268\*5634

{The Web} [www.districtmodelandtalent.com](http://www.districtmodelandtalent.com)

{Facebook} [www.facebook.com/districtmodelandtalent](http://www.facebook.com/districtmodelandtalent)

{Pinterest} [www.pinterest.com/nicolebenitez](http://www.pinterest.com/nicolebenitez)

{instagram} [www.instagram.com/district\\_modelandtalent](http://www.instagram.com/district_modelandtalent)

## Stephanie Rojas

---

**From:** Charlotte Kacmar <7sassy1s@gmail.com>  
**Sent:** Wednesday, January 28, 2026 8:16 AM  
**To:** City Council  
**Cc:** City Clerk; Zeb Navarro  
**Subject:** Guajome Lake Homes

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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Dear Council Members,

Please put us on record as urging you to vote to deny the EIR for the guajome Lake Homes project. We are so concerned about the environmental impact and the traffic safety that this will cause. Of course, we are also concerned about affordable housing, but ask that you forgo this project and look at projects that meet the requirements and true care and growth of our beloved city.

Thank you for listening (reading)  
Ray & Charlotte Kacmar  
1501 Del Mar Rd., Oceanside, CA 92057

## Leslie Huerta

---

**From:** Robert Marsh <remarsh@icloud.com>  
**Sent:** Tuesday, January 27, 2026 7:53 PM  
**To:** City Council  
**Cc:** City Clerk; guardguajome@yahoo.com  
**Subject:** Formal Request to Deny Certification of the Guajome Lake Homes Environmental Impact Report (EIR)  
**Attachments:** Robert\_and\_Karina\_Marsh\_Guajome\_Letter\_Official.pdf

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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**Robert Marsh & Karina Marsh**  
5427 Rocking Horse Ln  
Oceanside, CA 92057  
Email: [remarsh@icloud.com](mailto:remarsh@icloud.com)  
Date: January 28, 2026

**To:** Oceanside City Council  
Email: [council@oceansideca.org](mailto:council@oceansideca.org)  
Email: [cityclerk@oceansideca.org](mailto:cityclerk@oceansideca.org)  
CC: [guardguajome@yahoo.com](mailto:guardguajome@yahoo.com)

**Subject:** Formal Request to Deny Certification of the Guajome Lake Homes Environmental Impact Report (EIR)

Dear Mayor and Members of the Oceanside City Council,

We are Robert and Karina Marsh, longtime residents of the Guajome community. Robert has lived in this neighborhood since he was ten years old. He walked home from school on Guajome Lake Road, rode his bike on this road, and played in the open fields where these homes are now proposed. This is our neighborhood, and we are proud to call it home.

**Robert Marsh & Karina Marsh**

5427 Rocking Horse Ln  
Oceanside, CA 92057  
Email: remarsh@icloud.com  
Date: January 28, 2026

**To:** Oceanside City Council  
Email: council@oceansideca.org  
Email: cityclerk@oceansideca.org  
CC: guardguajome@yahoo.com

**Subject:** Formal Request to Deny Certification of the Guajome Lake Homes Environmental Impact Report (EIR)

Dear Mayor and Members of the Oceanside City Council,

We are Robert and Karina Marsh, longtime residents of the Guajome community. Robert has lived in this neighborhood since he was ten years old. He walked home from school on Guajome Lake Road, rode his bike on this road, and played in the open fields where these homes are now proposed. This is our neighborhood, and we are proud to call it home.

We are not opposed to housing here. However, the scale and design of this project are extreme and unsafe for this location. The Environmental Impact Report (EIR) does not adequately analyze or mitigate the real impacts on public safety, traffic, wildfire evacuation, environmental resources, and community character, as required under CEQA.

Guajome Lake Road is a narrow rural roadway with blind curves, limited shoulders, and unpaved segments. Families, equestrians, pedestrians, and park visitors use it daily. Adding hundreds of new daily vehicle trips will significantly increase collision risk and endanger residents and park users. The EIR fails to meaningfully evaluate or mitigate these hazards, rendering its conclusions inadequate.

The EIR further fails to sufficiently address wildfire evacuation capacity, disruption of wildlife corridors near Guajome Regional Park, degradation of Guajome Lake water quality, and compliance with Scenic Park and Equestrian Overlay policies. It also understates cumulative and inter-jurisdictional impacts affecting the City of Vista and unincorporated County areas.

This request is not opposition to all development, but a call for responsible planning. A reduced-density project with proper mitigation could be evaluated. However, approval of the project as proposed would irreversibly harm public safety, environmental resources, and the rural character of this community.

For these reasons, we formally request that the City Council deny certification of the Environmental Impact Report and require a thorough, legally adequate environmental review before any project approval is considered. We respectfully request that this letter be entered into the official administrative record for this project.

Thank you for your consideration and for protecting the safety and environmental integrity of the Guajome Regional Park community.

Sincerely,  
Robert Marsh  
Karina Marsh

We are not opposed to housing here. However, the scale and design of this project are extreme and unsafe for this location. The Environmental Impact Report (EIR) does not adequately analyze or mitigate the real impacts on public safety, traffic, wildfire evacuation, environmental resources, and community character, as required under CEQA.

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Impact Report and require a thorough, legally adequate environmental review before any project approval is considered. We respectfully request that this letter be entered into the official administrative record for this project.

Thank you for your consideration and for protecting the safety and environmental integrity of the Guajome Regional Park community.  
Sincerely,  
Robert Marsh  
Karina Marsh

Sent from my iPhone

## **Stephanie Rojas**

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**From:** Roxanne <rculpi@yahoo.com>  
**Sent:** Tuesday, January 27, 2026 6:23 PM  
**To:** City Council; City Clerk  
**Subject:** I oppose the certification of the Environmental Impact Report

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As a resident and outdoor enthusiast, I urge the City Council to **deny certification** of the Environmental Impact Report related to the Guajome lake homes development.

**As an elected official, it is your duty to deny certification of the Environmental Impact Report.**

The Environmental Impact Report **left out major impacts** as highlighted below:

### **HEALTH & SAFETY**

- The EIR does not adequately analyze safety risks on Guajome Lake Road, including blind curves, narrow width, lack of shoulders, and long unpaved segments. The project would add 830 new daily car trips to this road.

The project would leave 800 feet of Guajome Lake Road unpaved, yet the EIR does not analyze how dust from increased traffic would affect visibility, driving safety, equestrians, and people using the park,

- 
- The EIR does not meaningfully evaluate whether residents, emergency responders, and equestrians requiring horse trailers could safely evacuate during a wildfire, especially since parts of the road do not meet fire code standards and only part of the road would be paved.
- The EIR ignores safety risks to horses, riders, and pedestrians who regularly use Guajome Lake Road and nearby trails, despite increased traffic and dust.

### **WILDLIFE**

- The EIR does not adequately analyze how the project would disrupt wildlife movement and habitat connectivity between Guajome Regional Park, Jeffries Ranch, and surrounding open space.
- The EIR acknowledges impacts to habitat for the Federally-protected bird species **California Gnatcatcher** but relies on deferred mitigation and off-site mitigation claims without demonstrating that impacts would truly be reduced to less than significant levels.
- The EIR relies on an unsupported claim that off-site mitigation reflects a preference of the U.S. Fish and Wildlife Service.

## **EQUESTRIAN/LAND USE INCOMPATIBILITY**

- The project waives the Equestrian Overlay protections, but the EIR does not analyze the environmental and safety impacts of removing protections that were created specifically to preserve the area's rural and equestrian character.
- The EIR incorrectly claims the project is compatible with surrounding land uses, even though nearby properties are primarily large-lot equestrian homes and the project proposes much smaller, higher-density lots.

## **WATER QUALITY/IMPACTS TO GUAJOME LAKE**

- Guajome Lake is an impaired waterbody, yet the EIR does not establish a clear baseline for existing lake conditions or adequately analyze whether stormwater runoff from the project would worsen pollution in the lake.
- The project's own stormwater plan admits that some pollution controls do not fully meet performance standards, but the EIR still concludes impacts would be less than significant without additional mitigation.

## **GROWTH INDUCEMENT**

- The EIR downplays growth-inducing impacts of extending sewer infrastructure near Guajome Regional Park, even though this infrastructure could make future development easier and increase long-term environmental impacts.

## **SCENIC PARK OVERLAY**

- The project site is located within the Scenic Park Overlay, which exists to conserve and protect valuable natural resources near Guajome Regional Park, yet the EIR does not meaningfully analyze whether the project complies with that purpose.
- The EIR incorrectly claims the area lacks scenic value, despite the project's proximity to protected parkland and open views that are specifically intended to be preserved under City policy.

## **VISTA & COUNTY-SPECIFIC CONCERNS**

### General Plan Policies (Guajome Regional Park Sphere of Influence)

- The City's General Plan requires that the City shall solicit comments and recommendations from the Guajome Regional Park Area Planning and Coordinating Committee for projects near the park, yet the EIR does not disclose that this consultation did not occur.
- The EIR nevertheless relies on findings of General Plan consistency without acknowledging or addressing the absence of required inter-agency coordination.

### Inter-Jurisdictional (Vista & County) Impacts

- Guajome Lake Road and surrounding access routes cross multiple jurisdictions, including the City of Vista and unincorporated County areas, yet the EIR does not analyze how project impacts would affect residents, emergency access, or evacuation beyond Oceanside's boundaries.
- The EIR fails to evaluate cumulative safety and environmental impacts on regional infrastructure and park users who rely on cross-jurisdictional roadways.

### Cumulative Impacts

- The EIR does not adequately analyze cumulative impacts from this project combined with other nearby development that would add traffic to Guajome Lake Road and nearby intersections.

**As an elected official, it is your duty to deny certification of the Environmental Impact Report.**

Roxanne Dillon

5515 Arlow Way, Oceanside, Ca 92057



## Leslie Huerta

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**From:** Russell Stevenson <russtevenson619@gmail.com>  
**Sent:** Tuesday, January 27, 2026 6:21 PM  
**To:** City Council; City Clerk  
**Cc:** guardguajome@yahoo.com  
**Subject:** Please Deny Certification of the Guajome Lake Homes EIR

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Dear Mayor and City Council Members,

As a frequent user of Guajome Regional Park and someone who values open space, public safety, and responsible planning, I urge the City Council to **deny certification of the Environmental Impact Report (EIR)** for the Guajome Lake Homes project.

I want to be clear and honest: **I am opposed to the way housing development continues to be pursued in this city.** Too often it is done recklessly, consuming limited open space, increasing traffic congestion, and pushing ever-higher density without adequate infrastructure, environmental protection, or consideration for community impact. While I recognize the need for housing, the current approach prioritizes short-term development over long-term livability, environmental health, and public safety. Guajome Regional Park is one of the last remaining natural spaces where families, equestrians, hikers, and wildlife coexist, and it should not be sacrificed to more concrete and gridlock.

The EIR fails to meet its basic purpose of fully informing the public and decision-makers of the project's true impacts. Key deficiencies include:

### **Health & Safety:**

The EIR does not adequately analyze safety risks on Guajome Lake Road, which includes blind curves, narrow sections, lack of shoulders, and long unpaved segments, despite the project adding approximately 830 new daily vehicle trips. Dust impacts from leaving 800 feet of the road unpaved are not meaningfully evaluated, nor are the risks to drivers, pedestrians, equestrians, or emergency responders. The EIR also fails to demonstrate that safe evacuation would be possible during a wildfire, particularly for horse trailers and emergency vehicles.

**Guajome Regional Park is not just passive open space, it is actively used by middle school students and other youth groups for organized sports and outdoor activities, including cross-country meets.** These events rely on safe, open, and accessible parkland. Introducing adjacent high-density housing, increased traffic, and safety conflicts makes it unreasonable to later tell students, schools, and community groups that they can no longer use this space as they have for years. The EIR does not meaningfully analyze how the project would disrupt or displace these existing recreational uses, despite their importance to youth health, physical activity, and community life.

### **Wildlife & Habitat:**

The project threatens habitat connectivity between Guajome Regional Park, Jeffries Ranch, and surrounding open space. While impacts to the federally protected California Gnatcatcher are acknowledged, the EIR relies on deferred and off-site mitigation without demonstrating that impacts would truly be reduced to less-than-significant levels.

### **Equestrian and Land-Use Incompatibility:**

The project waives Equestrian Overlay protections without analyzing the environmental and safety consequences of removing safeguards specifically designed to preserve the area's rural and equestrian character. The EIR incorrectly claims compatibility with surrounding large-lot equestrian properties despite proposing significantly smaller, higher-density lots.

### **Water Quality:**

Guajome Lake is already an impaired waterbody, yet the EIR does not establish a clear baseline for lake conditions or adequately assess whether stormwater runoff would worsen pollution. Even where the project's own stormwater plans acknowledge deficiencies, the EIR still concludes impacts are less than significant.

### **Growth-Inducing and Scenic Impacts:**

By extending sewer infrastructure near protected parkland, the project creates growth-inducing impacts that are downplayed in the EIR. The site lies within the Scenic Park Overlay, yet the EIR dismisses the area's scenic value despite its proximity to preserved open space and parkland views specifically protected by City policy.

### **Inter-Jurisdictional and Cumulative Impacts:**

Guajome Lake Road crosses multiple jurisdictions, including Vista and unincorporated County areas, yet the EIR does not analyze regional impacts to traffic, emergency access, or evacuation. It also fails to properly evaluate cumulative traffic impacts from other nearby developments already under construction.

Once green space is gone, it is gone forever. Parks are not optional amenities — they are essential infrastructure for public health, environmental resilience, and community well-being. Continued dense development without proper review and mitigation only deepens traffic congestion, environmental loss, and quality-of-life decline.

For these reasons, I respectfully urge the City Council to **deny certification of the Environmental Impact Report** and require a thorough, legally adequate review that truly addresses safety, environmental protection, and responsible growth.

When will the residents be heard — or are developers the only ones who seem to win?

Respectfully,  
Russ Stevenson

Oceanside resident

## Leslie Huerta

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**From:** Stephen Dunham <stephendunham@gmail.com>  
**Sent:** Tuesday, January 27, 2026 6:56 PM  
**To:** City Clerk; City Council  
**Subject:** Guajome Lake Homes project

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Dear City Council,

As a long time resident of North County San Diego and frequent horseback rider at Guajome Park, I can personally attest to the fact that the project's Environmental Impact Report falls far short of what's needed to fully address the massive negative impact this development would have on the environment, to the safety of our neighborhood, and it's irreparable harm to one of the last natural jewels of our community, Guajome Park.

My wife, friends, and I rode our horses through Guajome Park today. Looking up at the development site, the road, the runoff direction, and the large number of rare birds and animals that call the site home, it is obvious to anyone with any common sense that such a project would be a disaster for the area. I'm sure the city council takes such concerns of your constituents seriously, particularly given the multi-generational negative impact that the project would have.

The dirt road in front of the project barely supports the traffic present today with narrow lanes and many dangerous blind curves. Bringing hundreds of new drivers to the site would put our neighbors at considerable risk of injury or death. The way in which the road twists and turns would make a road-rebuild extremely detrimental to the surrounding protected and valuable habitats. Can you imagine how much soot and dust will come from such additional traffic? I think a comprehensive health study should be necessary so when residents file complaints, with new respiratory illnesses from such a project, we will know who to hold responsible.

In the case of wildfires, which as you know are increasingly common in our community, how will residents be able to navigate horse trailers on an already challenging road situation, through potentially hundreds of new vehicles in the project, plus emergency vehicles? Again, like the environmental impact, the road aspects of this project have not been adequately investigated. In an emergency situation, lives will be increasingly at risk through this choke point. You have a tremendous public safety responsibility on this road and moving this project forward puts all of us at greater risk.

As if these risks to residents, our horses, and the environment we're enough, the project is completely out of character with the community. The open Guajome Park across the street and all the large horse properties, small ranches and farms surrounding the project should be proof enough for you that such a gross perversion of a housing community has no place in this quaint equestrian community.

And as I was riding today with the lake, wildlife, and wetlands to my left, and the proposed project location up the hill on my right, besides the obvious abomination disrupting the neighborhood, I couldn't help but think of all the pollution, oils, brake dust, rubber dust, trash and debris that would inevitably make its way down to destroy

this beautiful environmentally sensitive space. Please do not let this project move forward without a coherent, robust, unbiased and professional environmental assessment of all the pollution that would pour down on this special, yet delicate habitat.

And while the City's General Plan requires that the City seek the opinions and recommendations from the Guajome Regional Park Area Planning and Coordinating Committee for projects like this, what has the project not reached out to the community as required? I'm sure you can answer this question yourselves.

In addition, as the President of Vista Palomar Riders plus having multiple horses at the Guajome-adjacent MZ Equestrian Facility, I can assure you that the hundreds of equestrians that I represent and have the pleasure of riding with vehemently oppose this project. Nobody in our community and the surrounding area wants this project to move forward.

In light of all of these critical concerns, please DENY CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT.

Thank you.

Best Regards,  
Stephen Dunham  
c: 619-987-3909

## Leslie Huerta

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**From:** Steven Moehling <sandiegan760@gmail.com>  
**Sent:** Wednesday, January 28, 2026 7:00 AM  
**To:** City Clerk  
**Subject:** Guajome Lake Homes

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**Subject:** Public Comment for January 28, 2026 Meeting – Opposition to Guajome Lake Homes (Item 18). **Guajome Lake Homes (Tract No. T22-00003)**

**Dear Mayor and City Council Members,**

As a 27-year resident adjacent to the proposed above referenced project, I am writing to express my strong opposition to the Guajome Lake Homes project.

In March 2024, this Council took a definitive stand for rural preservation by adopting the **South Morro Hills Community Plan**. That plan recognized that agricultural and semi-rural lands are a finite resource worth protecting from dense, standard suburban sprawl. I urge you to apply that same logic to the Guajome Lake area tonight.

The proposed 83-home development is fundamentally incompatible with the **Scenic Park** and **Equestrian Overlays** that currently define our neighborhood. Granting waivers to bypass these standards contradicts the city's recent commitment to "rural protection" and "responsible growth." Furthermore, doubling the density on a narrow, dead-end road like Guajome Lake Road creates a severe **wildfire evacuation risk** for existing families.

Please honor the precedent set in South Morro Hills: protect our open spaces, uphold our rural zoning, and **deny** the Guajome Lake Homes project as currently proposed or this project will forevermore be known as the "mistake by the lake"

Sincerely,

Steven Moehling

5420 Old Ranch Rd

Oceanside, CA 92057

## Stephanie Rojas

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**From:** Tallie Noble <tnoble@miracosta.edu>  
**Sent:** Wednesday, January 28, 2026 8:50 AM  
**To:** City Clerk; City Council  
**Subject:** Guajome Lake Homes Project

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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Dear Oceanside City Council and Clerk,

As a homeowner in the Berries neighborhood of Oceanside for 20 years, Guajome Park is my peace. I bought my home because of it; I walk there nearly every day. It sits across the 76 from my neighborhood and is a green jewel amongst the growing suburban sprawl. It's not only a peaceful retreat for me but also for the myriad wildlife and native plants that call it home. **I am writing to urge you to deny certification of the Environmental Impact Report.** It does not sufficiently analyze the safety of all the new traffic that would be using the tiny, windy Guajome Lake Road. The traffic on the 76 alone has become so heavy that I am already concerned for my safety and that of my neighbors in the event of a wildfire. Adding more cars to that specific area of the 76 is already potentially dangerous. But safely evacuating people and animals from Guajome Lake Road with the addition of all the cars that would come with a new development will be near impossible. I am also concerned about how the wildlife will be impacted. They need open spaces to move through, and this will cut them off from the open spaces of Jeffries Ranch into rural Vista and Bonsall. Additionally, the health of the lakes at Guajome Park isn't addressed properly in the EIR. They are currently impaired water bodies. Adding a housing development will bring air pollution, dust, debris and stormwater runoff that will most definitely impact the health of the water which in turn affects the health of the flora and fauna of the park overall. Also, Guajome Lake Road is an equestrian area. People regularly ride horses along it. Adding hundreds and hundreds of car trips per day will negatively impact the safety of the horses and their riders. In my opinion, it is truly irresponsible to even consider this project given the serious deficiencies of the current EIR.

Sincerely,

Tallie Noble

## **Stephanie Rojas**

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**From:** Tanya Geiger <trgeiger@sbcglobal.net>  
**Sent:** Wednesday, January 28, 2026 9:35 AM  
**To:** City Clerk  
**Subject:** Please Deny Certification of the EIR

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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To Whom It May Concern,

I submit this comment in support of the appeal of the proposed Guajome development and ask that you Please DENY Certification of the Environmental Impact Report.

I've been a resident of Fallbrook since 1982 I'm a horse owner, trail rider, outdoor enthusiast, avid park goer, and I highly value the areas of natural habitat not just to enjoy but also for species of all kinds to live. Native birds, bees, small mammals and others are being squeezed out of their habitats at alarming rates. At least one I believe I've seen in this area is on the federal list as threatened - the California Gnatcatcher.

I urge the City Council to deny certification of the Environmental Impact Report. This park and area are important for many to survive, it's also a great place to enjoy the beauty of nature in an ever growing North County.

### **EIR Deficiencies:**

The EIR is required to inform the public about potential impacts. It should identify and analyze impacts, then avoid or minimize impacts whenever possible. These are the areas we've identified where the EIR fell short of this standard.

#### **HEALTH & SAFETY**

The EIR does not adequately analyze safety risks on Guajome Lake Road, including blind curves, narrow width, lack of shoulders, and long unpaved segments — even though the project would add 830 new daily car trips to this road.

The project would leave 800 feet of Guajome Lake Road unpaved, yet the EIR does not analyze how dust from increased traffic would affect visibility, driving safety, equestrians, and people using the park. The EIR does not meaningfully evaluate whether residents, emergency responders, and equestrians requiring horse trailers could safely evacuate during a wildfire, especially since parts of the road do not meet fire code standards and only part of the road would be paved.

The EIR ignores safety risks to horses, riders, and pedestrians who regularly use Guajome Lake Road and nearby trails, despite increased traffic and dust.

#### **WILDLIFE**

The EIR does not adequately analyze how the project would disrupt wildlife movement and habitat connectivity between Guajome Regional Park, Jeffries Ranch, and surrounding open space.

The EIR acknowledges impacts to habitat for the Federally-protected bird species California Gnatcatcher but relies on deferred mitigation and off-site mitigation claims without demonstrating that impacts would truly be reduced to less than significant levels.

The EIR relies on an unsupported claim that off-site mitigation reflects a preference of the U.S. Fish and Wildlife Service.

#### **EQUESTRIAN/LAND USE INCOMPATIBILITY**

The project waives the Equestrian Overlay protections, but the EIR does not analyze the environmental and safety impacts of removing protections that were created specifically to preserve the area's rural and equestrian character.

The EIR incorrectly claims the project is compatible with surrounding land uses, even though nearby properties are primarily large-lot equestrian homes and the project proposes much smaller, higher-density lots.

#### **WATER QUALITY/IMPACTS TO GUAJOME LAKE**

Guajome Lake is an impaired waterbody, yet the EIR does not establish a clear baseline for existing lake conditions or adequately analyze whether stormwater runoff from the project would worsen pollution in the lake.

The project's own stormwater plan admits that some pollution controls do not fully meet performance standards, but the EIR still concludes impacts would be less than significant without additional mitigation.

#### **GROWTH INDUCEMENT**

The EIR downplays growth-inducing impacts of extending sewer infrastructure near Guajome Regional Park, even though this infrastructure could make future development easier and increase long-term environmental impacts.

#### **SCENIC PARK OVERLAY**

The project site is located within the Scenic Park Overlay, which exists to conserve and protect valuable natural resources near Guajome Regional Park, yet the EIR does not meaningfully analyze whether the project complies with that purpose.

The EIR incorrectly claims the area lacks scenic value, despite the project's proximity to protected parkland and open views that are specifically intended to be preserved under City policy.

#### **VISTA & COUNTY-SPECIFIC CONCERNS**

##### **General Plan Policies (Guajome Regional Park Sphere of Influence)**

The City's General Plan requires that the City shall solicit comments and recommendations from the Guajome Regional Park Area Planning and Coordinating Committee for projects near the park, yet the EIR does not disclose that this consultation did not occur.

The EIR nevertheless relies on findings of General Plan consistency without acknowledging or addressing the absence of required inter-agency coordination.

##### **Inter-Jurisdictional (Vista & County) Impacts**

Guajome Lake Road and surrounding access routes cross multiple jurisdictions, including the City of Vista and unincorporated County areas, yet the EIR does not analyze how project impacts would affect residents, emergency access, or evacuation beyond Oceanside's boundaries.

The EIR fails to evaluate cumulative safety and environmental impacts on regional infrastructure and park users who rely on cross-jurisdictional roadways.

##### **Cumulative Impacts**

The EIR does not adequately analyze cumulative impacts from this project combined with other nearby development that would add traffic to Guajome Lake Road and nearby intersections. For example, the Camino Largo housing project under construction at N. Santa Fe (near Osborne) was omitted, even though it will add additional traffic to Guajome Lake Road.

Please do not allow development of this unique area.

Respectfully,

Tanya Geiger

## Leslie Huerta

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**From:** Tanya Geiger <trgeiger@sbcglobal.net>  
**Sent:** Tuesday, January 27, 2026 7:06 PM  
**To:** City Council  
**Subject:** Appeal - Health, Safety, & Environmental Impacts of Guajome Project

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To Whom It May Concern,

I submit this comment in support of the appeal of the proposed Guajome development by Rincon Homes.

The project will cause several adverse impacts to health and safety, including chemical exposure from pesticides and rat poison, dust and air quality degradation from increased traffic on dirt roads, heightened fire risk due to density and fireworks use (yes I know they're illegal but they are still a very serious problem in most areas). It will also cause very serious hazards to equestrians and horses along Guajome Park Road.

The Final EIR acknowledges that the site may contain suitable habitat for the Crotch's bumble bee, a species protected under the California Endangered Species Act as of August 4, 2022. Mitigation Measure MM-BIO-9 was added only after CDFW raised concerns, demonstrating that the Draft EIR was incomplete. Comparable projects in North County have been required to redesign developments to protect this species.

I believe there are also California Gnat Catchers, which are federally listed as threatened due to loss of habitat from development.

Additionally, the project proposes only four low-income units out of 83 total units, qualifying for two incentives under the Density Bonus Law—not unlimited waivers. State housing laws do not override the City's obligation to protect public health, safety, and biological resources.

For these reasons, I respectfully request that the appeal be granted or that the project be substantially revised.

Respectfully,

Tanya Geiger

## Stephanie Rojas

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**From:** Tawni Mara <tawni@staged4sale.com>  
**Sent:** Wednesday, January 28, 2026 10:07 AM  
**To:** City Council; City Clerk; guardguajome@yahoo.com  
**Subject:** 🚫Opposition to Guajome Lake Homes - Guardians of Guajome

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Tawni Oppenheim  
5349 Blackberry Way, Oceanside, Ca 92057  
760-583-2500  
[tawni@staged4sale.com](mailto:tawni@staged4sale.com)  
1/28/2026

The Honorable City Council Members  
City of Oceanside  
300 N. Coast Highway  
Oceanside, CA 92054

Subject: Opposition to Guajome Lake Homes  
⚠️ Project – Request to Deny Certification of Environmental Impact Report (EIR)

Dear Esteemed City Council Members,

As a long time resident of Oceanside (My backyard overlooks the lake), a light worker, animal protector, outdoor enthusiast, avid birdwatcher, lover of nature, small business owner and real estate agent, I am writing to you today with deep concern regarding the proposed Guajome Lake Homes project. I strongly urge the City Council to deny certification of the Environmental Impact Report (EIR) for this development. Guajome Regional Park and its surrounding natural environment are invaluable assets to our community, and the current EIR fails to adequately assess and mitigate the significant impacts this project would undoubtedly create.

While I am not opposed to responsible housing development, I believe it is crucial that any project in such a sensitive area undergoes a thorough and accurate environmental review. The current EIR for the Guajome Lake Homes project contains critical deficiencies that prevent it from fulfilling its purpose of informing the public and ensuring the avoidance or minimization of environmental impacts.

These deficiencies include:

⚠️ Regarding Health & Safety:

The EIR does not adequately analyze the severe safety risks on Guajome Lake Road. This includes dangerous blind curves, its narrow width, lack of shoulders, and long unpaved segments. This is

particularly concerning given the project would add an estimated 830 new daily car trips to this already perilous road.

Leaving 800 feet of Guajome Lake Road unpaved, the EIR fails to analyze how dust from increased traffic would impact visibility, driving safety for motorists, and the health and safety of equestrians and park users.

The EIR neglects to meaningfully evaluate safe evacuation routes for residents, emergency responders, and equestrians requiring horse trailers during a wildfire, especially since parts of Guajome Lake Road do not meet current fire code standards and only a portion would be paved.

Safety risks to horses, riders, and pedestrians who regularly use Guajome Lake Road and nearby trails are ignored, despite the undeniable increase in traffic and dust that the project would generate.

#### ⚠️ Regarding Wildlife and Habitat Connectivity:

The EIR does not adequately analyze how this project would disrupt crucial wildlife movement and habitat connectivity between Guajome Regional Park, Jeffries Ranch, and the surrounding open space, which are vital for local ecosystems.

While acknowledging impacts to the Federally-protected California Gnatcatcher habitat, the EIR relies on deferred and off-site mitigation claims without robustly demonstrating that these impacts would truly be reduced to less than significant levels.

Furthermore, the EIR relies on an unsupported claim that off-site mitigation reflects a preference of the U.S. Fish and Wildlife Service, without providing clear evidence or justification.

#### ⚠️ Regarding Equestrian/Land Use Incompatibility:

The project proposes waiving the critical Equestrian Overlay protections. The EIR, however, fails to analyze the environmental and safety impacts of removing these protections, which were specifically established to preserve the area's rural and equestrian character.

The EIR inaccurately claims the project is compatible with surrounding land uses. This is demonstrably false, as nearby properties are predominantly large-lot equestrian homes, while this project proposes much smaller, higher-density lots, fundamentally altering the established character of the area.

#### ⚠️ Regarding Water Quality and Impacts to Guajome Lake:

Guajome Lake is a designated impaired waterbody. Yet, the EIR does not establish a clear baseline for existing lake conditions nor does it adequately analyze whether stormwater runoff from the project would worsen pollution in the lake.

The project's own stormwater plan admits that some pollution controls do not fully meet performance standards. Despite this, the EIR concludes impacts would be less than significant without proposing additional, robust mitigation measures.

#### ⚠️ Regarding Growth Inducement:

The EIR significantly downplays the growth-inducing impacts of extending sewer infrastructure near Guajome Regional Park. This infrastructure could inadvertently facilitate future development and

contribute to increased long-term environmental impacts in a sensitive area.

⚠️ Regarding the Scenic Park Overlay:

The project site is located within the Scenic Park Overlay, a designation created to conserve and protect valuable natural resources near Guajome Regional Park. However, the EIR does not meaningfully analyze whether the project actually complies with this vital purpose.

The EIR incorrectly claims the area lacks scenic value, directly contradicting the project's proximity to protected parkland and the open views that City policy specifically intends to preserve.

⚠️ Regarding Vista & County-Specific Concerns and Inter-Jurisdictional Impacts:

The City's General Plan requires soliciting comments from the Guajome Regional Park Area Planning and Coordinating Committee for projects near the park. The EIR fails to disclose that this required consultation did not occur, yet still relies on findings of General Plan consistency.

Guajome Lake Road and surrounding access routes cross multiple jurisdictions, including the City of Vista and unincorporated County areas. The EIR critically fails to analyze how project impacts would affect residents, emergency access, or evacuation beyond Oceanside's municipal boundaries.

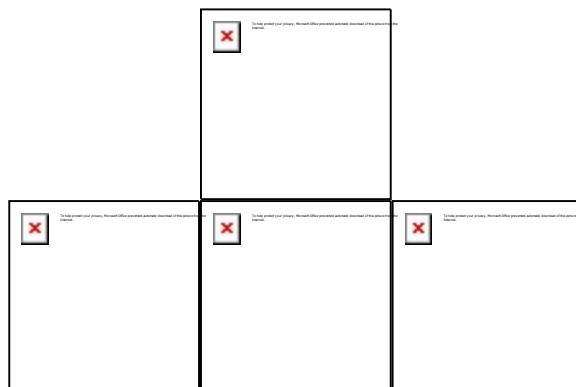
The EIR also fails to evaluate cumulative safety and environmental impacts on regional infrastructure and park users who rely on these cross-jurisdictional roadways. This includes omitting the Camino Largo housing project, which will add additional traffic to Guajome Lake Road.

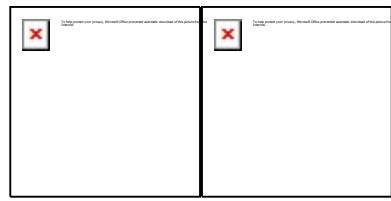
Approving this EIR in its current form would set a dangerous precedent and inflict irreversible harm on a cherished natural resource and the quality of life for residents across multiple jurisdictions. We implore you to prioritize the health, safety, and environmental integrity of our community.

Therefore, I respectfully request that the City Council deny certification of the Environmental Impact Report (EIR) for the Guajome Lake Homes project. We ask for a truly adequate environmental review that genuinely addresses these significant concerns before any further consideration of this development.

Thank you for your time, consideration, and dedication to serving all residents and protecting our precious natural environment.

Sincerely,  
Tawni Mara Graziano Oppenheim





## Stephanie Rojas

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**From:** Ursula Sack <guard-nc@cox.net>  
**Sent:** Tuesday, January 27, 2026 4:21 PM  
**To:** City Council; City Clerk  
**Cc:** jim.desmond@sdcounty.ca.gov  
**Subject:** Guajome Lake Road development EIR

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Honorable Mayor and City Council members,

I represent *Guajome Alliance for Responsible Development* (GuARD), a neighborhood organization established by County residents that advocates for the protection and preservation of agricultural and semi-rural land in our Guajome area.

GuARD strongly urges you to **deny certification** of the Environmental Impact report on the proposed 83-home development on Guajome Lake Road. The EIR does not meet the standards for accurately analyzing the many impacts that the development would have on the surrounding environment, the creatures who live there, the residents of the community, and the residents from throughout San Diego County who come to the area for recreation in the beautiful Guajome Regional Park.

The EIR does not address the unique characteristics of this area encompassing agricultural County properties, neighboring Vista locations, and the importance of Guajome Regional Park for many citizens throughout our County. The 83-home development, contrary to the claims of the EIR, is highly incompatible with surrounding rural land uses. In addition, the EIR does not consider the cumulative impact of traffic and development projects within the County or Vista lands, such as the 46-home development currently under construction on Camino Largo, less than a mile from this project site. The EIR only includes a list of Oceanside projects (Table 6-1 Cumulative Projects) which does not substitute for a proper analysis.

GuARD has advocated for years, for inter-agency co-ordination to address the safety and unique needs of this area. The City's own General Plan states that "The City shall recognize the sphere of influence boundary line established by the Cities of Oceanside and Vista, the Board of Supervisors of San Diego County and the Guajome Regional Park Area Planning and Coordinating Committee." And yet there appears to have been no consideration of the spheres of influence or involvement of the committee in the review process of this development. As County residents, we are concerned that the City has failed to follow this policy, and that the EIR fails to evaluate cumulative safety and environmental impacts on regional infrastructure, community residents, and park users who rely on cross-jurisdictional roadways.

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In fact, Guajome Lake Road is a prime example of the failure of the various jurisdictions to consider impacts on their citizens and work together to correct them. Residents who wish to enter or exit Guajome Lake Road via Osborne Street face dangerous conditions during rush hours. Many speeding cars use Osborne as a short-cut to or from North Santa Fe Avenue, and it is hazardous for residents to attempt to turn onto or off of their street. It will be even more so if 830 daily car trips are added. Part of this intersection is in Vista and the other part in the County, which makes it a perfect example of how the cities and County need to co-ordinate efforts to bring better conditions to their citizens rather than make problems even worse.

In summary, we submit that the Planning Commission's original vote to deny this project was the correct one. It was not made clear through public discussion why the commission members subsequently changed their votes. This EIR should be **not be certified**, and a proper evaluation of the use of this land should be provided. The preservation of agricultural lands, scenic overlay, equestrian use, and protection of the parkland should be the highest priorities of the Oceanside City Council. Surely there is another place within the City where four additional low-income homes can be provided, homes that would actually be within infill areas with existing necessary infrastructure, and real access to public transportation.

Respectfully submitted,

Ursula Sack, Secretary

Guajome Alliance for Responsible Development (GuARD)  
[guardnc.org](http://guardnc.org)  
[guard-nc@cox.net](mailto:guard-nc@cox.net)

## Leslie Huerta

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**From:** Jon Nelson <jonnelson518@yahoo.com>  
**Sent:** Tuesday, January 27, 2026 6:19 PM  
**To:** City Council  
**Cc:** City Clerk; Zeb Navarro  
**Subject:** Request to Deny EIR for Guajome Lake Homes P

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Dear Mayor and Members of the City Council,

I am a Jeffries Ranch resident writing to urge you to DENY the Environmental Impact Report (EIR) for the Guajome Lake Homes project at the January 28th hearing.

The proposed project presents serious and unresolved safety issues. The plan would significantly increase traffic on a narrow, winding roadway that already serves our neighborhood and Guajome Regional Park. Doubling traffic on this road creates a clear risk for residents, equestrians, cyclists, and families, and the EIR does not adequately mitigate these impacts.

Jeffries Ranch has long been defined by its low-density, equestrian-friendly character. I respectfully ask that you uphold the existing zoning standards that protect this community and ensure new development aligns with the infrastructure and environment already in place.

We are not opposed to growth, but it must be responsible and appropriate for the neighborhood it affects. Denying the EIR would allow the project to be revised into a safer, more thoughtful plan that truly fits our community.

Thank you for your time and consideration.

Sincerely,  
Jon Nelson  
Jeffries Ranch, Oceanside, CA

[Sent from Yahoo Mail for iPhone](#)

## Leslie Huerta

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**From:** Kim Reutgen <kim.reutgen@yahoo.com>  
**Sent:** Tuesday, January 27, 2026 9:30 PM  
**To:** City Council  
**Subject:** Appeal Hearing

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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Hi, there are so many reasons why you should deny the EIR.

I have spoken on several occasions about equestrian safety. Please take into consideration the dangers of additional vehicles and increased speeding on GLRoad. I live on a dirt road. I asked the county workers if they'd ever pave it. Their response to me was "you don't want us to pave the road. You think people drive fast now, they will drive even faster if it's paved! More cars will use it as a short cut because they will no longer be discouraged by getting their car dirty on a dirt road." Additional paving on GLRoad is putting people and horses in danger.

The developer says that there are other communities surrounding the area, but note that their entry and exits are routed away from the park.

This area is assigned an equestrian area for a reason. It is a small private community that needs to have protections in place for those that live and ride here. We can't buy a house in a neighborhood and bring our horses. So why can a developer buy in a equestrian community and eliminate anything horse related and build a non equestrian neighborhood? How is that fair or safe? The development as designed is putting the community at risk.

I know 2 people that recently had to move their horses to a new area due to construction next to their barn. Horses are very sensitive. They are flight animals. They stress easily with the slightest environmental change. Their stress can lead to death. They need safe areas to live. Guajome Lake Road provides that safety with the requirements laid out in the zoning and overlay. Have you considered the impact to the family and their horses that live next to the development? The developer wants to decrease lot sizes and open space between them and the neighbors. Let's not forget the impact on wildlife too. It just doesn't seem right that you are not protecting the people that currently live there and allowing an outside developer to come in and destroy your community.

Please reconsider approving the EIR. It is not all encompassing and hasn't addressed all the safety impacts to the people, community and animals that currently live there.

Thank you for your consideration

## Leslie Huerta

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**From:** Molly Blanchard <mtmblanchard@gmail.com>  
**Sent:** Tuesday, January 27, 2026 6:22 PM  
**To:** City Council; City Clerk  
**Cc:** guardguajome@yahoo.com

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### **Opening paragraph:**

As a resident of Oceanside and an equestrian rider who regularly enjoys the trails at Guajome lake, I urge the City Council to **deny certification** of the Environmental Impact Report due to the following EIR Deficiencies:

### **HEALTH & SAFETY**

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- The EIR does not adequately analyze safety risks on Guajome Lake
- Road, including blind curves, narrow width, lack of shoulders, and long unpaved segments — even though the project would add 830 new daily car trips to this road.
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- The project would leave 800 feet of Guajome Lake Road unpaved,
- yet the EIR does not analyze how dust from increased traffic would affect visibility, driving safety, equestrians, and people using the park,
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- 
- The EIR does not meaningfully evaluate whether residents, emergency
- responders, and equestrians requiring horse trailers could safely evacuate during a wildfire, especially since parts of the road do not meet fire code standards and only part of the road would be paved.
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- The EIR ignores safety risks to horses, riders, and pedestrians who regularly use Guajome Lake Road and nearby trails, despite increased traffic and dust.
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## WILDLIFE

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- The EIR does not adequately analyze how the project would disrupt
- wildlife movement and habitat connectivity between Guajome Regional Park, Jeffries Ranch, and surrounding open space.
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- The EIR acknowledges impacts to habitat for the Federally-protected
- bird species **California Gnatcatcher**
- but relies on deferred mitigation and off-site mitigation
- claims without demonstrating that impacts would truly be reduced to less than significant levels.
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- The EIR relies on an unsupported claim that off-site mitigation
- reflects a preference of the U.S. Fish and Wildlife Service.
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## EQUESTRIAN/LAND USE INCOMPATIBILITY

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- The project waives the Equestrian Overlay protections, but the
- EIR does not analyze the environmental and safety impacts of removing protections that were created specifically to preserve the area's rural and equestrian character.
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- The EIR incorrectly claims the project is compatible with surrounding
- land uses, even though nearby properties are primarily large-lot equestrian homes and the project proposes much smaller, higher-density lots.
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## **WATER QUALITY/IMPACTS TO GUAJOME LAKE**

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- Guajome Lake is an impaired waterbody, yet the EIR does not establish
- a clear baseline for existing lake conditions or adequately analyze whether stormwater runoff from the project would worsen pollution in the lake.
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- The project's own stormwater plan admits that some pollution controls
- do not fully meet performance standards, but the EIR still concludes impacts would be less than significant without additional mitigation.
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## **GROWTH INDUCEMENT**

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- The EIR downplays growth-inducing impacts of extending sewer infrastructure
- near Guajome Regional Park, even though this infrastructure could make future development easier and increase long-term environmental impacts.
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## **SCENIC PARK OVERLAY**

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- The project site is located within the Scenic Park Overlay,
- which exists to conserve and protect valuable natural resources
- near Guajome Regional Park, yet the EIR does not meaningfully analyze whether the project complies with that purpose.

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- The EIR incorrectly claims the area lacks scenic value, despite
- the project's proximity to protected parkland and open views that are specifically intended to be preserved under City policy.
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### **VISTA & COUNTY-SPECIFIC CONCERNS**

#### General Plan Policies (Guajome Regional Park Sphere of Influence)

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- The City's General Plan requires that the City shall solicit comments
- and recommendations from the Guajome Regional Park Area Planning and Coordinating Committee for projects near the park, yet the EIR does not disclose that this consultation did not occur.
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- The EIR nevertheless relies on findings of General
- Plan consistency without acknowledging or addressing the absence of required inter-agency coordination.
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#### Inter-Jurisdictional (Vista & County) Impacts

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- Guajome Lake Road and surrounding access routes cross multiple
- jurisdictions, including the City of Vista and unincorporated County areas, yet the EIR does not analyze how project impacts would affect residents, emergency access, or evacuation beyond Oceanside's boundaries.

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- The EIR fails to evaluate cumulative safety and environmental impacts
- on regional infrastructure and park users who rely on cross-jurisdictional roadways.
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#### Cumulative Impacts

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- The EIR does not adequately analyze cumulative impacts from this
- project combined with other nearby development that would add traffic to Guajome Lake Road and nearby intersections. For example, the Camino Largo housing project under construction at N. Santa Fe (near Osborne) was omitted, even though it will add additional
- traffic to Guajome Lake Road.
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- I am not opposed to housing just adamant about an
- adequate Environmental Review and mitigation of impacts.

Thank you for your time in reading this letter,

Molly Blanchard

## Leslie Huerta

---

**From:** Mona Dopp <mona.dopp@gmail.com>  
**Sent:** Tuesday, January 27, 2026 8:31 PM  
**To:** City Clerk  
**Cc:** doppeddie@gmail.com  
**Subject:** More reasons to deny certification of the FEIR for Guajome Lake Homes

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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Our names are Mona and William Dopp. We have been Oceanside residents and Guajome Park neighbors for nearly 28 years.

We are writing to request that you deny certification of the FEIR for Guajome Lake Homes. As your constituents, we are counting on our city council to hear and to act on our behalf. Oceanside is, after all, more than just coastal or downtown Oceanside. Guajome Park is a treasure within our city, and along with many others, we have grave concerns about how this development will affect one of the few wild spaces left within our community.

During the August 11th meeting the panel members each talked in turn about the park. The majority on that panel had made a token visit to the park or had never been there. We realized then, how far removed this group of people were from our corner of Oceanside. We felt incredulous that the committee, who had voting power over a decision impacting our daily lives, had done so little real homework. Nevertheless, that night they voted to delay certification. Specific deficiencies were to be addressed at a future meeting. Then EIR was certified at the 10/11/25 meeting without addressing those concerns or giving any explanation. There are some red flags in our minds about what caused the complete change of opinion.

Unlike that committee, we *have* spent many hours doing our homework. We live adjacent to the park and also have spent many hours scouring the various documents that compose the environmental impact report. We have grave concerns that the traffic study does not address the additional non-resident traffic that will be generated by people using Guajome Lake Road southbound as a cut through between Osborne and North Sante Fe and those going the reverse direction from Vista to highway 76. This partially unpaved road is already seeing increased use, something we have had the ability to observe almost daily since 1998, not to mention personally having had some near-misses on it. Moreover Appendix K relied on data collected during a spring break week in 2022. It also used Sandag's *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, 2002* to support its conclusions and calculations. This guide is nearly 25 years old.

We have additional concerns that the hydrology report, Appendix I, demonstrates that the engineered filtration devices will not adequately protect the already impaired water in Guajome Lake. Our typical

winter storms can have heavy precipitation for many hours at a time. There is no solution offered for a winter storm event lasting several days or an atmospheric river event.

We are not opposed to the development of this property, but this is a terrible location for a high-density project. Any future project should also honor the equestrian overlay and the rural nature of the surroundings, as well as adequately assess the traffic impacts, fire escape routes and take a sincere look at the downstream pollution of the streams and lake in the Park just steps away.

Again, we urge you to vote against certification of the FEIR for Guajome Lake Homes.

Respectfully yours,  
Mona and William Dopp

## Leslie Huerta

---

**From:** Mona Dopp <mona.dopp@gmail.com>  
**Sent:** Tuesday, January 27, 2026 4:55 PM  
**To:** City Council; cityclerck@oceansideca.org  
**Cc:** doppeddie@gmail.com  
**Subject:** More reasons to deny certification of the FEIR for Guajome Lake Homes

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

---

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Again, we urge you to vote against certification of the FEIR for Guajome Lake Homes.

Respectfully yours,  
Mona and William Dopp

## Stephanie Rojas

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**From:** James Lloyd <james@calhdf.org>  
**Sent:** Wednesday, January 28, 2026 10:10 AM  
**To:** City Council; Esther Sanchez; Eric Joyce; Rick Robinson; Jimmy Figueroa; Peter Weiss  
**Cc:** City Clerk; City Manager; Planning Web; DSCstaff; Steve Burke  
**Subject:** public comment re item 16 for tonight's Council meeting  
**Attachments:** Oceanside- Albright Street and Guajome Lake Road- HAA - CC.pdf

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Dear Oceanside City Council,

The California Housing Defense Fund (“CalHDF”) submits the attached public comment regarding item 16 for tonight's Council meeting, the proposed 83-unit housing development project on on Guajome Lake Road, southeast of Albright Street (APN: 157-412-15-00), which includes 4 very low-income units.

Sincerely,

James M. Lloyd  
Director of Planning and Investigations  
California Housing Defense Fund  
[james@calhdf.org](mailto:james@calhdf.org)  
CalHDF is grant & donation funded  
Donate today - <https://calhdf.org/donate/>



Jan 28, 2026

**Oceanside Council**  
300 North Coast Highway  
Oceanside, CA 92054

**Re: Proposed Housing Development Project “Guajome Lakes Homes”**

**To:** [council@oceansideca.org](mailto:council@oceansideca.org); [esanchez@oceansideca.org](mailto:esanchez@oceansideca.org); [ejoyce@oceansideca.org](mailto:ejoyce@oceansideca.org);  
[rrobinson@oceansideca.org](mailto:rrobinson@oceansideca.org); [jfigueroa@oceansideca.org](mailto:jfigueroa@oceansideca.org);  
[pweiss@oceansideca.org](mailto:pweiss@oceansideca.org);

**Cc:** [tsburke@oceansideca.org](mailto:tsburke@oceansideca.org); [cityclerk@oceansideca.org](mailto:cityclerk@oceansideca.org);  
[citymanager@oceansideca.org](mailto:citymanager@oceansideca.org); [planningstaff@oceansideca.org](mailto:planningstaff@oceansideca.org);  
[DSCstaff@oceansideca.org](mailto:DSCstaff@oceansideca.org); [CityManager@OceansideCa.org](mailto:CityManager@OceansideCa.org)

Dear Oceanside City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 83-unit housing development project on on Guajome Lake Road, southeast of Albright Street (APN: 157-412-15-00), which includes 4 very low-income units. These laws include the Housing Accountability Act (“HAA”) and the Density Bonus Law (“DBL”).

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. Increased density, concessions, and waivers that a project is entitled to under the DBL (Gov. Code, § 65915) do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA (Gov. Code, § 65589.5, subd. (j)(3)). The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

CalHDF also writes to emphasize that the DBL offers the proposed development certain protections. The City must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the City must not deny the project the proposed waivers and concessions with respect to reduced lot sizes, reduction in lot width, increased lot depth to width ratio, reduction of building setbacks, increased lot coverage percentage, increased retaining wall heights, and equestrian development standards. If the City wishes to deny requested waivers, Government Code section 65915, subdivision (e)(1) requires findings that the waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. If the City wishes to deny requested concessions, Government Code section 65915, subdivision (d)(1) requires findings that the concessions would not result in identifiable and actual cost reductions, that the concessions would have a specific, adverse impact on public health or safety, or that the concessions are contrary to state or federal law. The City, if it makes any such findings, bears the burden of proof. (Gov. Code, § 65915, subd. (d)(4).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (*Id.* at subd. (p).) Additionally, the California Court of Appeal has ruled that when an applicant has requested one or more waivers and/or concessions pursuant to the DBL, the City “may not apply any development standard that would physically preclude construction of that project as designed, even if the building includes ‘amenities’ beyond the bare minimum of building components.” (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 775.)

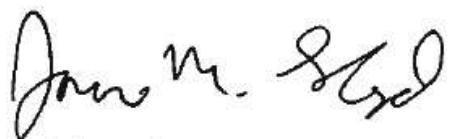
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by providing affordable housing, it will mitigate the state’s homelessness crisis; it will increase the city’s tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at [www.calhdf.org](http://www.calhdf.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Dylan Casey".

Dylan Casey  
CalHDF Executive Director

A handwritten signature in blue ink, appearing to read "James M. Lloyd".

James M. Lloyd  
CalHDF Director of Planning and Investigations

## **Stephanie Rojas**

---

**From:** marillyn guevara ehbrecht <marillyng@gmail.com>  
**Sent:** Wednesday, January 28, 2026 10:11 AM  
**To:** City Clerk  
**Cc:** guardguajome@yahoo.com  
**Subject:** DENY CERTIFICATION

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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As a nature lover and protector of open spaces, I urge the City Council to DENY **certification** of the Environmental Impact Report FOR GUAJOME..... We must protect wildlife and natural corridors around us. Our community needs natural paths, fresh air, and space to breathe, walk, ride our horses to escape and deal with every day life stress. It's been scientifically proven that its good for our mental health and well being. We've already sold, built on and destroyed so much of the environment for the generations to come, please let's leave them a slice to help our earth recover and for them to enjoy as well-we owe it to them.

### **EIR Deficiencies:**

The EIR is required to inform the public about potential impacts. It should identify and analyze impacts, then avoid or minimize impacts whenever possible. These are the areas we've identified where the EIR fell short of this standard.]

### **HEALTH & SAFETY**

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- The
- EIR does not adequately analyze safety risks on Guajome Lake Road, including blind curves, narrow width, lack of shoulders, and long unpaved segments — even though the project would add 830 new daily car trips to this road.
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- The
- project would leave 800 feet of Guajome Lake Road unpaved, yet the EIR does not analyze how dust from increased traffic would affect visibility, driving safety, equestrians, and people using the park,
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- The

## Stephanie Rojas

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**From:** Susan Rice <serice09@gmail.com>  
**Sent:** Wednesday, January 28, 2026 10:10 AM  
**To:** City Clerk; City Council  
**Subject:** DENY Environmental Impact Report on Guajome Lake Homes project!

**EXTERNAL MESSAGE:** Use caution when opening attachments, clicking links, or responding. When in doubt, please contact CustomerCare@oceansideca.org

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To whom it may concern:

For the last 5 years, I have owned a horse on property adjacent to Guajome Park. I ride Guajome Lake Road a few times every week, and have used the park hundreds, if not thousands of times as a safe, welcoming place to enjoy my hobby of trail riding. I must urge the City Council to DENY CERTIFICATION of the Environmental Impact Report, because this park and the adjacent Guajome Lake Road will be forever changed and irreparably damaged if this project goes forward as planned.

My main concern as an equestrian is the risks for Guajome Lake Road. This road is already a dangerous trek on horseback, as cars go speeding by with only a narrow shoulder to ride on that is not continuous. There are portions where we are forced to ride on the pavement with cars that do not yield and pass safely. The project would add 830 daily car trips on this rural, partially unpaved road!

To be clear, I am not opposed to the development itself, but major steps would need to be undertaken to ensure this equestrian-friendly neighborhood stays that way. The entirety of the narrow dirt road would need to be widened and paved. Right now, the project would leave 800 feet unpaved, with the hundreds of cars passing through kicking up dust. I have seen many cars take those curves too fast and skid off the side of the road. I personally have been overtaken by a Prius on that road, on a blind curve, in my truck. It is already dangerous, and adding more people to the equation would increase those risks exponentially.

The EIR incorrectly claims the project is compatible with surrounding land uses, even though nearby properties are primarily large-lot equestrian homes, and the project proposes much smaller, higher-density lots. It doesn't fit in. I foresee many preventable accidents and even deaths if the project goes forward as-is. I would be absolutely devastated if my horse, or any of my fellow equestrians were to be hit by a car on Guajome Lake Road. It happens, and it's awful.

If we are to continue to enjoy the peace and tranquility of our beautiful Guajome Park, some concessions need to be made to make it safer, not only for equestrians, but for pedestrians and cyclists who also use the road and the park every single day. Our natural open spaces are dwindling, don't allow it to get worse!

I propose a dedicated, fenced-off bridle path next to a fully paved Guajome Lake Road if this project is to proceed. Take nearby Jeffries Ranch or Poway as inspiration for providing safe, horse-friendly walking paths adjacent to the roads. It can and should be done properly to avoid unnecessary tragedy.

Sincerely and hopefully,  
Susan Rice and my horse Scarlett  
Souls of Sorrels

- EIR does not meaningfully evaluate whether residents, emergency responders, and equestrians requiring horse trailers could safely evacuate during a wildfire, especially since parts of the road do not meet fire code standards and only part of the road would be paved.
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- The
- EIR ignores safety risks to horses, riders, and pedestrians who regularly use Guajome Lake Road and nearby trails, despite increased traffic and dust.
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## **WILDLIFE**

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- The
- EIR does not adequately analyze how the project would disrupt wildlife movement and habitat connectivity between Guajome Regional Park, Jeffries Ranch, and surrounding open space.
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- The
- EIR acknowledges impacts to habitat for the Federally-protected bird species
- **California Gnatcatcher**
- but relies on deferred mitigation and off-site mitigation claims
- without demonstrating that impacts would truly be reduced to less than significant levels.
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- The
- EIR relies on an unsupported claim that off-site mitigation reflects a preference of the U.S. Fish and Wildlife Service.
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## **EQUESTRIAN/LAND USE INCOMPATIBILITY**

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- The project waives the Equestrian Overlay protections, but the EIR does
- not analyze the environmental and safety impacts of removing protections that were created specifically to preserve the area's rural and equestrian character.
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- The EIR incorrectly claims the project is compatible with surrounding land
- uses, even though nearby properties are primarily large-lot equestrian homes and the project proposes much smaller, higher-density lots.
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### **WATER QUALITY/IMPACTS TO GUAJOME LAKE**

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- Guajome Lake is an impaired waterbody, yet the EIR does not establish a
- clear baseline for existing lake conditions or adequately analyze whether stormwater runoff from the project would worsen pollution in the lake.
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- The project's own stormwater plan admits that some pollution controls do
- not fully meet performance standards, but the EIR still concludes impacts would be less than significant without additional mitigation.
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### **GROWTH INDUCEMENT**

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- The EIR downplays growth-inducing impacts of extending sewer infrastructure
- near Guajome Regional Park, even though this infrastructure could make future development easier and increase long-term environmental impacts.
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### **SCENIC PARK OVERLAY**

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- The project site is located within the Scenic Park Overlay, which exists to conserve and protect valuable natural resources near Guajome Regional Park, yet the EIR does not meaningfully analyze whether the project complies with that purpose.
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- The EIR incorrectly claims the area lacks scenic value, despite the project's proximity to protected parkland and open views that are specifically intended to be preserved under City policy.
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### **VISTA & COUNTY-SPECIFIC CONCERNS**

#### General Plan Policies (Guajome Regional Park Sphere of Influence)

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- The City's General Plan requires that the City shall solicit comments and recommendations from the Guajome Regional Park Area Planning and Coordinating Committee for projects near the park, yet the EIR does not disclose that this consultation did not occur.
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- The EIR nevertheless relies on findings of General Plan consistency without acknowledging or addressing the absence of required inter-agency coordination.
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#### Inter-Jurisdictional (Vista & County) Impacts

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- Guajome Lake Road and surrounding access routes cross multiple jurisdictions,
- including the City of Vista and unincorporated County areas, yet the EIR does not analyze how project impacts would affect residents, emergency access, or evacuation beyond Oceanside's boundaries.
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- The EIR fails to evaluate cumulative safety and environmental impacts on
- regional infrastructure and park users who rely on cross-jurisdictional roadways.
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#### Cumulative Impacts

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- The EIR does not adequately analyze cumulative impacts from this project
- combined with other nearby development that would add traffic to Guajome Lake Road and nearby intersections. For example, the Camino Largo housing project under construction at N. Santa Fe (near Osborne) was omitted, even though it will add additional traffic
- to Guajome Lake Road.
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