

PUBLIC COMMENT SUBMISSION: MASTER CITIZEN RECORD

PROJECT SITE: 1090 California Street, Escalon, CA

PARCELS OF RECORD: APN 225-100-10 & APN 225-100-24 **SUBMISSION TYPE:** Formal Public Comment for Administrative Record

We are submitting our layman observations of physical and legal conflicts we believe we have found in public records for the City of Escalon to perform its Mandatory Due Diligence for each area of concern.

CRITICAL SCOPE & TIMELINE CLARIFICATION FOR REVIEWING AUTHORITIES

(Applicable to the Previously Submitted 100-Unit Design, the Current 80-Unit Revision, and Any Subsequent Density Alterations)

The vast majority of the citizen research and layman observations contained within this master submittal were compiled when the original application projected and publicized a 100-unit high-density project for this site.

Therefore, let it be explicitly noted that anywhere within this document where the text references a **"100-unit project,"** it is our express intent that these layman observations apply directly to the recently announced downsized **80-unit design**, as well as to any subsequent high-density number changes introduced hereafter. A nominal reduction in the unit count does not alter the physical reality of the site as we provide our observations in this public submission. Regardless of what number is adjusted on the project application after this packet is submitted, the core structural discrepancies detailed herein remain active based on our review, and are fully applicable to any adjusted number as a matter of community concern. We expect and request that the City of Escalon look closely at this data and perform its **mandatory independent due diligence** on all items of record presented, irrespective of any shifting unit totals.

PUBLIC COMMENT SECTION 1: DISCLOSURE, ADMINISTRATIVE NOTICE, & MASTER FRAMEWORK

1. ADMINISTRATIVE NOTICE & PRELIMINARY STATEMENTS

This comprehensive public comment packet was finalized using the City of Escalon Housing Element guidelines active at the time a formal preliminary application / Notice of Intent was

submitted. In our layman understanding of the **Housing Crisis Act (SB 330)** and **California Government Code Section 65941.1**, the objective standards and infrastructure baseline governing this site appear to be legally 'frozen' as of that submission date. Our application of these guidelines suggests subsequent municipal draft updates or adjustments released by the City after this date cannot be retroactively applied to expand site capacity or override historical restrictions for this specific application.

Furthermore, in our understanding, while June 2026 draft map revisions abstractly adjust projected unit numbers on paper, as we see it, they do not—and cannot—physically change the land layout. Whether calculated against a historical 17-unit realistic capacity or a modified paper projection, a high-density project appears to face physical and legal impossibility on this constrained lot based on our observations.

Our reading, understanding, and personal application of state laws, safety codes, and education codes have led us to believe that this specific site is physically and legally incompatible with the **Streamlined Ministerial Approval Process (SB 35/423)**. Our observations suggest the site goes against the City of Escalon's Housing Element of Record (2023-2031), is physically landlocked, presents life-safety access issues, creates an apparent threat to student safety on a primary school artery, and contains vital regional water infrastructure that restricts construction.

2. PUBLIC COMMENT DISCLAIMER & NOTICE OF NON-PROFESSIONAL STANDING

In no way do the contributors of this packet represent themselves as licensed professionals, engineers, or legal counsel. This packet represents a collective citizen review of available public records, municipal codes, and district standards, compiled by a coalition of concerned residents acting as private citizens as we understand things. This information is submitted in **good faith** as a formal statement of public concern and as an exercise of the public's right to petition the government during an administrative review process. We provide these comments as **objective layman observations** based on a layman's understanding and application of the law to the site's current "as-is" condition. These notes are intended to highlight potential inconsistencies and safety hazards for further professional review; they are not intended as professional engineering or legal work product.

We submit these layman observations to fulfill the public's role in the oversight process, with the expectation that the City and relevant agencies will perform their own **mandatory due diligence** to verify these constraints now entered into the public record. Based on our understanding of the SB 35/423 law, it is our interpretation that, now entered into public record, it is the responsibility of the City to perform its due diligence and determine if these objective conflicts are inconsistent, because under SB 35/423, the City lacks the

discretionary authority to manufacture consistency or look outside published records to create a fix where an objective conflict exists.

This document is prepared and submitted by concerned residents exercising their right to public participation in the municipal planning process. While every effort has been made to align terminology with rapidly evolving California housing legislation, any minor technical mischaracterization of a document's procedural status (e.g., Draft vs. Certified) does not invalidate the underlying physical facts presented herein. It is our understanding that the City of Escalon retains a **non-discretionary, mandatory duty to audit the conflicts** raised in this public submission prior to issuing any ministerial determination under current laws.

3. THE "AS-IS" MANDATE OF SB 35/423

Our research into SB 35/423 leads us to understand that for a project to qualify for ministerial, "check-the-box" approval, the site must be buildable "**as-is**." Based on our interpretation, the law does not permit the City or any agency to engage in complex problem-solving, discretionary modifications, decisions, negotiations, or allowances to make a project fit. According to **Government Code § 65913.4(a)**, a project must be consistent with '**as-is**' objective standards at the time of submission. In our understanding, if the City must make a special adjustment, a unique decision, or an allowance regarding an established safety or objective standard, the project is disqualified from the streamlined process and the City has a mandatory duty to issue a **Notice of Inconsistency**.

It is our layman's understanding and connection of **Government Code § 65913.4** that each of these physical and legal constraints requires the City to issue a Notice of Inconsistency. Because these represent clear physical barriers, our assessment indicates that any attempt to resolve them would require a decision, determination, "variances," or "negotiated agreements" based on subjective discoveries. Our understanding of SB 35/423 is that the Streamlined Ministerial Approval Process is **only** for projects that meet **all** objective standards **without** the need for judgment, special findings, or discretionary determinations.

We submit that because if this project appears to require City officials or independent agencies to exercise discretion to solve these fundamental site defects, our understanding is it is no longer eligible for a ministerial approval. In our understanding of SB law, once a project requires a **discretionary decision**—regardless of how the decision-making process is labeled—the ministerial lane is closed, and the project must receive a Notice of Inconsistency.

Under the Streamlined Ministerial Approval Process (SB 35/423), the City's review is **strictly** non-discretionary. Our research indicates that if any aspect of the project requires the City,

or any official or agency, to exercise judgment, make a unique exception, or negotiate a resolution to an issue or discrepancy, the project fails the SB 35/423 'objective standards' test. Our review and understanding of the law finds that in such an event, the City is obligated to issue a **Notice of Inconsistency** within the mandatory review period.

This packet serves as an evidentiary record provided by laymen citizens in our understandings, which we believe indicate that multiple safety and infrastructure conflicts are present; our review of the laws is that any attempt to 'fix,' 'cure,' or 'mitigate' these through any type of special decision or discretionary agreement would disqualify the project from the ministerial path.

PUBLIC COMMENT SECTION 2: OBJECTIVE INCOMPATIBILITY WITH STATE-CERTIFIED LAND USE

1. ADMINISTRATIVE BASELINE STANDARDS

After review, it is our understanding of the law that, under California's Housing Accountability Act and SB 35/423, a project is bound to the local objective standards that were adopted and in effect at the time the preliminary application was submitted. Because the City Council adopted the 2024 Subsequent Draft to send to the State, it represents the City's active, published policy—making it an enforceable **"Objective Standard of Record"** under our application of planning guidelines.

2. THE "ZERO-CAPACITY" DATA DISCREPANCY & PARCEL CONFLICTS

In our review of the land and applicable codes and laws, and as we understand them, we believe we identified a significant legal distinction regarding the project site's composition. **California Government Code § 65583.2** requires the State-mandated Land Inventory to be parcel-specific, identifying sites by Assessor's Parcel Number or other specific identifying number.

Our review of the City of Escalon 2023–2031 Housing Element (Subsequent Draft, Updated Nov 2024)—which serves as an official planning document and the **current 'as-is'** local planning standard submitted to the California Department of Housing and Community Development (HCD)—reveals an apparent conflict with the proposed parcels and building on them. Supported by the foundational data within the previously State-Certified 2016 Housing Element, **Table 9 (Realistic Capacity of Vacant Parcels)** identifies **APN 225-100-10 (Parcel 10)** with a realistic maximum capacity of **17 units**. **APN 225-100-24 (Parcel 24)** is entirely absent from this official inventory of suitable sites. Based on this established data provided by the City of Escalon to the State of California, our layman connection of the records indicates the following:

- **APN 225-100-10** is the only parcel listed in the developable inventory, establishing our observation of the site's total base density at **17 units 'as-is'**.
- Our review of the data shows that **APN 225-100-24**, having been omitted from the inventory, is not identified by the Element of Record for housing and carries an objective base density of **zero (0) units 'as-is'** according to our understanding.
- As we understand our research, it indicates that density incentives are to be calculated **based on the base density of record**; therefore, our layman application suggests the square footage of Parcel 24 cannot be used to multiply or inflate density bonuses for this project.

Note: the Element of Record lists the physical address 1090 California Street with APN 225-100-10 but does not list APN 225-100-24, however, it does have a 'green' area marked on this parcel as acceptable to build.

3. INCONSISTENCY WITH PLANNED INFRASTRUCTURE CAPACITY

The Observed Conflict: Our understanding is the proposed project seeks to place a high-density footprint on these combined parcels. This represents an apparent **400%+ increase** over the capacity the City has officially deemed '**realistic**' for this site's **current, 'as-is'**, infrastructure. Under SB 35/423, a project **must** be **consistent** with **current** objective standards '**as-is**.'

As we understand, the existing infrastructure for water pressure, sewer flow, and fire suppression was objectively determined based on the capacities established in the Element of Record in its '**as-is**' state at the time of the assessment. In our understanding, a four-fold **increase** in density leads us to interpret that the **current infrastructure** is **inadequate**.

Our research and understanding indicates that while incentives exist under California law, they are **applied to an established 'Base Density' using specific formulas**. Our research shows that even applying aggressive density incentives, a 400%+ increase from the Element of Record base of 17 units appears mathematically **unsupported by ministerial standards**. Our research and understanding indicates that an attempt to bridge this massive gap requires a re-calculation of the site's base capacity, which would represent a **discretionary act** requiring an amendment to the City's land-use data.

PUBLIC COMMENT SECTION 3: PHYSICAL SITE GEOMETRY & ENTRANCE BOTTLENECKS

1. THE "L-SHAPE" PROPERTY LINE AND DEVELOPMENT BOUNDARIES

Upon reviewing the GIS parcel boundaries, we observed that the property line for Parcel 24 "Ls" across the front of the site. This appears to mean that Parcel 10 (the secondary lot) has no independent legal frontage or driveway access to California Street.

The Observed Conflict: The two parcels cross each other in a way that appears to create an obstructed path of travel. Our understanding is that this creates an opening where fire apparatus must cross property lines to reach any structure on either Parcel. According to the City of Escalon's Housing Element Update document, **Parcel 24** retains most of this opening which is **not** marked in green, indicating it has been **determined** by the City and State as **non-developable land**.

The Layman Interpretation: Effectively, our understanding is that any proposed project on these parcels would appear to be attempting to "split" a required fire lane across two separate legal parcels. We understand this as an apparent **conflict of standard rules**; a ministerial permit **cannot** be issued for a path of travel that does **not** legally exist on a single, unified site.

Our observation is the City's official **Housing Opportunity Map (Figure 3)** identifies much of the projected build site as **non-buildable land**, including the project's **only** entrance area (the "L-shape" of Parcel 24) as **unsuitable for development**. This map in Escalon's Housing Element identifies only a small 'island' area on the rear portion of parcel 24 as developable, in the farthest corner of the property away from California Street and closest to the railroad tracks and SSJID pipeline, with **no** available land leading to it for a driveway or access road; the rest of the land is listed as **non-developable**.

As we understand, changing this "**unsuitable**" designation to "buildable" requires an administrative **decision**, which prohibits ministerial approval; our understanding indicates that the law requires a Notice of Inconsistency.

2. IRREMEDIAL LAND CONDITIONS & PROCEDURAL MERGER REQUIREMENTS

Our understanding is, if a lot merger is successfully completed for these two parcels, it only consolidates the property lines and does **not** alter the underlying land constraints. The specific "**unbuildable**" designations and pipeline easements remain legally binding because they are permanently identified by the City of Escalon within its certified Housing Element and SSJID still retains its **legal right** to its access roads and easements, **SSJID standards 6.02 and 6.04**. Consequently, our understanding is combining the lots **cannot** erase or override these established infrastructure restrictions to make a high-density layout physically or legally permissible. As we understand it, these documented facts are now part of the **public record** and **cannot** be set aside without due process.

PUBLIC COMMENT SECTION 4: INFRASTRUCTURE OBSTRUCTIONS & REGIONAL WATER PIPELINE EASEMENTS

1. THE SSJID INFRASTRUCTURE BLOCKADE & DISCRETIONARY TRAPS

The Layman Observation: A major **SSJID Main Lateral pipeline** appears to cross the site, carrying mandatory **30-foot "No-Build" (6.02)** and **20-foot "All-Weather Access" (6.04)** easements. Our observation of our layman's map overlays show that the **non-developable** 'gap' identified by the City consistently in the 2016, 2024, and 2026 records **aligns** with this **major SSJID water pipeline**. These easements function as current **'No-Build' zones standards** held by SSJID.

Because we understand that our observations indicate the project **cannot** be built without **encroaching** on or **modifying** these **protected** infrastructure zones, it appears to **fail** the 'as-is' requirement of SB 35/423. We have concluded that this represents a permanent land constraint based on our layman connections, as non-buildable designations for these identified areas have been consistent in both the foundational State-certified 2016 Housing Element and the current Element documents, making the land inconsistent with the 'as-is' standards which SB 35/423 does not allow.

The Layman Discovery: In our understanding of the laws, negotiating **"Alternative Means"** or **"Encroachment Agreements"** with SSJID represents a discretionary act, which would render the project ineligible for SB 35/423.

Our research and understanding has shown that an easement held by a public agency (like San County or the South San Joaquin Irrigation District) is a **serious, binding legal property right**. Our understanding to change or build over a major water pipeline easement, any projected project owner or applicant **cannot** just make an agreement with a county official. Our understanding is that the land owner, applicant or project management team would have to go through a formal, public legal process:

- Requiring a need to apply for a Formal Easement Abandonment or a Major Encroachment Permit.
- These permits are discretionary, meaning they require public hearings, board votes, and engineering reviews.

Our Understanding of the Map and Pipeline Alignment: Based on our review and understanding of the City of Escalon's Housing Element Map and our layman's overlay of the SSJID infrastructure maps, the **non-developable** "gap" designated on the City's maps seem to occupy the exact same physical coordinates as the senior SSJID Main Lateral pipeline and

its recorded **protections and restrictions**. Regardless of the historical intent behind the creation of these maps, the physical reality we observed of the site is that the area designated by the City as **non-developable** sits **directly** on top of **protected and active** utility easements. Therefore, our review indicates that these two independent land constraints occupy the same footprint, creating a cumulative restriction on the buildable area of the site and further **professional due diligence** by the City is needed.

Our Conclusion: As we understand under SB 35/423 rules, a project is **only** eligible for automatic "ministerial" approval **if** it complies with objective standards **without** needing discretionary approvals from other agencies **'as-is'**. And the moment a landowner or applicant is required to go to the County or SSJID to request an easement abandonment or variance, their entitlement to a "ministerial" approval is **removed**, and they fall **completely** out of the streamlined process.

Our understanding is because these infrastructure constraints are already codified in the maps, they represent a **settled** administrative **fact** regarding the site's limited buildable footprint.

2. MANDATORY UTILITY CONSTRAINTS ("THE SUBTRACTION")

A review of the SSJID Standard Specifications establishes that these are mandatory District standards:

- **The 30-Foot Protected Easement (Spec 6.02):** Creates a permanent **"No-Build Zone"** across the rear of the property. The remaining "buildable" footprint appears significantly diminished based on our observations.
- **The 20-Foot Mandatory Access Road (Spec 6.04):** SSJID requires a 20-foot-wide path, unobstructed access road, for heavy equipment. The only plausible origin for this road appears to be the same California Street frontage intended for primary access.

PUBLIC COMMENT SECTION 5: PUBLIC SAFETY & FIRE ACCESS "DEAD-END/PINCER TRAP"

1. THE GEOGRAPHIC DEAD-END CONSTRAINTS

The Layman Observation: Our observation and understanding is the site is landlocked on three sides, bordered by railroad tracks and private residential parcels. The only entrance appears to **fail** to meet **CFC Appendix D standards** for width and secondary access for a high-density structure.

The Layman Discovery: As we understand, any attempt to **"engineer a solution"** for fire safety requires the Fire Marshal to exercise professional **judgment**. Our understanding of **Government Code § 65913.4** is that **if** the project requires a City Official or Fire Marshal to **exercise discretion** by approving any "Alternative Means and Method," "Modification," or "Equivalency" to any Fire Code, the project **no** longer **meets** the **definition** of a ministerial act and should get a Notice of Inconsistency.

- **Analysis of "Dead-End Road" (14 CCR § 1270.01):** California Ave. at McHenry Ave appears functionally "Exit Only" for heavy vehicles and cannot accommodate Fire Apparatus Ingress based on our citizen review.
- **Maximum Dead-End Length (14 CCR § 1273.08):** California law limits dead-end roads to 800 feet for this parcel density. This project appears to exceed this limit.
- **Secondary Access (CFC § 503.1.2 & Appendix D106):** California Fire Code mandates a minimum of two separate and approved fire apparatus access roads. A second ingress/egress appears geographically **impossible** from our observations.

2. FIRE SAFETY "PINCER" AND UTILITY CONFLICTS

As we understand, **California Fire Code (Appendix D, Table D103.4)** specifies that a multi-unit driveway **must** typically be a minimum of 20 feet wide of unobstructed, all-weather surface to support a 75,000-lb fire apparatus. Our research leads our understanding of:

- **The Constraint:** Parcel 24 is encumbered by a major SSJID pipeline easement. The District **prohibits** heavy vehicle loading over this pipe, which directly impacts the viability of a 20-foot wide fire access road.
- **The "Safety Pincer":** We interpret this as a scenario where the required 20-foot fire lane **must** be placed to avoid both the weight-restricted utility easement and any legal obstructions created by property lines.

The Conclusion: Physical and legal **constraints** appear to **prevent** the project from meeting **objective requirements** for emergency access. A **failure** to meet these requirements, in our layman understanding, **disqualifies** the project from ministerial streamlining and warrants a Notice of Inconsistency.

3. IRREMIEDIABLE LIFE-SAFETY HAZARDS AND ENTRAPMENT RISKS

Our opinion drawn from our understanding of our research: in the hypothetical event that an encroachment agreement or alternative arrangement were negotiated with the South San Joaquin Irrigation District (SSJID), the physical layout introduces an apparent **public safety**

hazard that goes against emergency **standards**. Again, we do not claim to be legal professionals, and understand this is our layman's view submitted for further professional due diligence:

- **Mandatory Non-Obstruction Standards:** California Fire Code (CFC) rules dictate that **required** fire apparatus access lanes must remain **completely** unobstructed at **all** times. Placing the sole ingress and egress point of a high-density residential development over an easement subject to senior **utility property rights** creates an **immediate** structural **conflict** based on our layman connections.
- **The Entrapment Trap:** Based on our layman connections, should SSJID exercise its **legal right** to access, excavate, repair, or place heavy machinery along its Main Lateral pipeline, the primary and **only** access road to the development would be physically **blocked**. In the event of a simultaneous fire or medical emergency, residents would appear to be **entirely** trapped within the site, and emergency response crews would have **no** physical access to the structures.

PUBLIC COMMENT SECTION 5B: INTER-AGENCY INFRASTRUCTURE CONFLICTS & DISCRETIONARY DISQUALIFICATION

(Our Understanding of the Observed Conflict Between SSJID Specifications and the California Fire Code)

1. OUR UNDERSTANDING OF THE SSJID PIPELINE CONSTRAINT

Based on our review and understanding of the public property records, GIS maps, and the South San Joaquin Irrigation District (SSJID) Standard Specifications, it is our understanding that a major regional Main Lateral pipeline cuts through the project site. This infrastructure is **protected** by senior real **property rights**, including a mandatory **30-foot "No-Build" zone (Spec 6.02)** and a **20-foot "All-Weather Access Road" (Spec 6.04)**.

Our understanding of these strict regulations is that SSJID explicitly **prohibits** any permanent structures, heavy parking infrastructure, or high-density vehicle loading directly over this line to ensure they maintain **24/7/365 unhindered access** to excavate, repair, or replace the pipeline. It is our layman's understanding that landowners **cannot** physically alter, build over, or restrict access to this easement **"as-is."**

2. OUR UNDERSTANDING OF THE FIRE CODE MANDATES

Based on our review of the **California Fire Code (CFC) Appendix D**, it is our understanding that a high-density development **requires** a continuous, unobstructed, all-weather drivable fire apparatus access lane. This lane must be a minimum of 20 feet wide and capable of

supporting gross vehicle weights of up to **75,000 lbs** to safely accommodate emergency vehicles.

Furthermore, under **CFC § 503.1.2**, emergency access routes **must** remain reliable, permanent, and **completely clear** of **foreseeable physical blockages**. However, the SSJID 6.02 and 6.04 standards **completely** contradict these fire safety standards as they require **24/7/365 unhindered access to excavate, repair, or replace** the pipeline. This **represents a foreseeable physical blockage based** on our layman connection.

3. OUR UNDERSTANDING OF THE "SAFETY PINCER" ARCHETYPE

When we analyze these two separate sets of rules together, it is our citizen's understanding that they create an **irreconcilable** physical and **legal conflict** on this specific site:

- **The Conflict:** If any density project routes the mandatory 20-foot fire lane over the SSJID pipeline easement, our understanding is that this violates SSJID's weight loading and pipeline protection current 'as-is' **standards**.
- **The Operational Hazard:** It is our understanding that if a fire lane shares a corridor with a senior utility line, the path is **inherently unsafe**. As we understand, should SSJID exercise its absolute right to bring in heavy machinery and open-trench the ground for an emergency pipe repair, the development's **primary emergency access** route would be physically **destroyed and blocked**. In our understanding, this **creates** a severe **entrapment hazard** where residents would be blocked from escaping and emergency crews would be blocked from entering, creating a **foreseeable potential safety hazard**.

4. OUR UNDERSTANDING OF WHY THIS DISQUALIFIES THE PROJECT FROM SB 35/423 STREAMLINING

Our research and as we understand the **Streamlined Ministerial Approval Process (SB 35/423 and Government Code § 65913.4)** leads us to understand that a project is **only** eligible for automatic, "check-the-box" approval if it **can be built "as-is" without** requiring outside agencies to solve site defects.

- **Discretionary Outside Approvals:** As we understand to resolve this infrastructure bottleneck, our understanding is that it would require the application submission for a **Major Encroachment Permit** or an **Easement Abandonment** from the SSJID Board of Directors. Because this process requires public hearings, technical engineering assessments, and a board vote, it is our understanding that it constitutes a **discretionary action** which is **prohibited** for SB 35/423 approvals.

- **Discretionary Fire Code Modifications:** Similarly, as we understand the laws, if the project **cannot** meet the exact letter requirements of **CFC Appendix D**, the applicant or landowner must ask the Fire Chief to approve an **"Alternative Means and Methods" variance (CFC § 104.9)**. Our understanding of the law is that applying professional **judgment** or **granting safety variances** is inherently a **discretionary act** which is **prohibited** for SB 35/423 approvals.

Our Conclusion: As we understand and apply these laws, this specific site setup appears to require both the SSJID and the Fire Marshal to engage in **discretionary** reviews, negotiations, or special allowances to fix a fundamental layout **defect**, it is our clear understanding that leads that the project **fails** the strict "objective standards" test. Therefore, we believe the law mandates that the City of Escalon issue an official **Notice of Inconsistency**.

PUBLIC COMMENT SECTION 6: SINGLE-SOURCE ACCESS ENCROACHMENT & CIVIL LIABILITY EXPOSURE

As we understand, an easement is a binding property right that grants the holding agency senior, **unencumbered access** to perform critical infrastructure maintenance, repairs, and total line replacements. SSJID maintains clear, pre-existing policies explicitly restricting and prohibiting conflicting infrastructure within their pipeline corridors to prevent structural damage and maintain emergency access. By ministerially approving a layout that intentionally embeds vital residential infrastructure, circulation loops, and isolated parking schemes into this **restricted zone**, our understanding is that it creates a certain, **foreseeable operational conflict**:

- **Inevitable Property Destruction:** Our understanding is that the moment this regional pipeline requires emergency excavation or routine modernization, the holding agency (County/SSJID) is legally empowered—and physically required—to demolish the site's primary parking stalls, paved access surfaces, and structural landscaping to access the pipe, entirely cutting off access to the isolated parking slots on the rear portion of the lot. Because SSJID's established policies immunize the district from restoration liabilities for conflicting encroachments, the financial burden of this destruction will fall squarely on the City and property owners.
- **Forced Displacements and Access Risks:** Our understanding is that the heavy machinery, open trenching, and staging areas required for an emergency water main repair would physically **block** the site's **primary** vehicle circulation loop. In our layman's view, this would restrict emergency services, primary access, and parking for the units. As we review and understand the overlapping layouts, it is our citizen's

understanding that approving a design where residential parking sits directly on top of active utility easements creates an **unstable operational conflict**.

Furthermore, as we understand and apply the physical **requirements** of the **California Fire Code**, routing a mandatory emergency response fire lane through a heavy-utility maintenance easement appears to create a **foreseeable physical hazard**. It is our layman's understanding that if a public entity intentionally approves a design where a primary fire safety corridor can be **legally severed or dug up** by an outside utility company during an emergency, it introduces an avoidable and **structural hazard** to the community. Therefore, our layman observations indicate that this fundamental layout conflict **fails** to meet the basic thresholds of standard public **safety**, and we request that the City perform **immediate due diligence** to ensure this setup does not establish an **inherently unsafe condition** on the property.

PUBLIC COMMENT SECTION 7: STUDENT PEDESTRIAN SAFETY & SAFE ROUTES TO SCHOOL

1. LOCAL MULTI-MODAL CONFLICTS & POLICY MUNICIPAL MANDATES

California Street serves as an **established** corridor for student pedestrian transit daily '**as-is**.' In our review and understanding of Chapter 6 of the 2019 Amended General Plan (Circulation Element, Policy 1 & 9), the City of Escalon has **established** a binding mandate to protect residential corridors from 'excessive through traffic' to ensure a safe environment for pedestrians to walk to local businesses and schools. Furthermore, our review indicates that the City's active Capital Improvement Plan (CIP, Streets & Sidewalks Component) and the San Joaquin Council of Governments (SJCOG) **Regional Safe Routes to School Master Plan** explicitly identify this neighborhood corridor as a prioritized student safety zone, establishing a clear public intent that local infrastructure choices focus on providing safe routes to school.

We believe our research and our observations demonstrate that the current 'as-is' infrastructure completely lacks the continuous sidewalks, buffer zones, and pedestrian protections required to handle the high-volume vehicle traffic a high-density project would potentially introduce. Based on our review and our understanding, introducing this residential-serving corridor to the project traffic of a high-density project directly conflicts with the City of Escalon's recorded multi-modal safety policies—policies which establish the current 'as-is' safety standards.

In our review of the City's integrated planning records, our observation is that the Housing Element of Record (2024 Table 9) explicitly identifies the 'as-is' realistic capacity of APN 225-

100-10 as 17 units. While a 17-unit density objectively functions within the neighborhood's existing infrastructure, introducing a high-density project creates a massive traffic surge within this designated safe corridor. In our review, this massive increase in traffic volume would place the City's previously approved pedestrian safety standards in immediate jeopardy, making those safety goals unachievable 'as-is.'

As a result, our understanding is that resolving this operational and safety deficit would require site-specific infrastructure restructuring, supplemental traffic mitigation plans, or negotiated public agency agreements. Because in our understanding these adjustments inherently require subjective determinations, approvals, and reviews, we understand that the project would then be inconsistent with the strict, non-discretionary, 'as-is' ministerial criteria required by SB 35/423.

2. PHYSICAL ARTERY STRATIFICATION & STUDENT WELFARE

The proposed development funnels high-density traffic directly onto an established Safe Route to School that lacks sidewalks. This appears to conflict with **Title 5, CCR § 14010 (School Site Safety)**. As we understand:

- **Safe Routes to School (SRTS) Observation:** In our observation the neighborhoods currently have documented **inconsistent or non-existent** sidewalk infrastructure. Forcing students to share the asphalt with high-density traffic appears to conflict with Title 5, CCR § 14010.
- **Dual-Hub Conflict (Oklahoma & Irwin):** In our observation this project appears to possibly create a unique safety hazard by placing a high-density traffic generator between **two** major **school bus hubs** (Oklahoma Ave and Irwin/California).
- **Permanent Infrastructure Constraints:** In our observation the project relies on third-party properties where the developer lacks the authority to install sidewalks, rendering the hazard structural and permanent from our viewpoint.
- **Designated Student Transit Safety:** In our observation this site is located directly on the primary "Safe Route to School" for Escalon High School and El Portal Middle School. This is the main path students use to navigate the McHenry crosswalks and the railroad crossing. There are also two **active school bus** stops on this path. Current infrastructure contains "dead-end" sidewalks that force children into the roadway—a condition that cannot be safely mitigated with high-density traffic based on our observations.

- **Children at Play:** In our observation this corridor is a high-traffic area for children moving between local parks and school facilities. A ministerial approval that ignores these physical constraints would create an immediate threat to public safety due to the lack of sidewalk infrastructure.

PUBLIC COMMENT SECTION 8: DISCRETIONARY DISQUALIFICATION VIA LOT MERGER

1. SITE CONFIGURATION & MERGER CONSTRAINTS

The Layman Observation: In our observation the project appears to span two separate legal parcels. A unified structure requires a **Lot Merger** under the **Subdivision Map Act**. San Joaquin County records indicate multiple parcels are in consideration. Our understanding is that a building **cannot** legally encroach across property lines; therefore, a parcel merger would be required. As we understand merging these landlocked parcels into one does **not** physically create the required second entrance; it merely consolidates the **safety risk**.

The Layman Discovery: As we understand, California law defines a lot merger as an administrative or quasi-judicial act that often involves local reviews regarding safety and infrastructure conformance.

2. DISQUALIFICATION VIA THE SUBDIVISION MAP ACT

Under **Gov. Code § 65913.4(a)**, to qualify for streamlining, a development must **not** require any "**nonlegislative discretionary approval**." In our review and application, California, a lot merger (**Gov. Code § 66499.20.3**) involves local reviews to confirm compliance with zoning and safety policies.

Additionally, our understanding of California law is that merging parcels often requires a review to ensure that the resulting lot is consistent with local standards. Because the City must rule or determine if the resulting lot is safe and consistent with local and state objectives, it is our layman's interpretation that this introduces procedural determinations that are **incompatible** with a strictly ministerial lane. In our understanding, the City **cannot** make a finding of consistency for a merger that conflicts with fire access standards, and it is our layman's understanding that if the permit **cannot** move forward without those administrative adjustments, the streamlined ministerial lane is **closed**.

PUBLIC COMMENT SECTION 9: SYSTEMIC INTERCONNECTION & RECOGNITION OF "LEGAL GAP"

In our review of the integrated public records, our final understanding is that these documented physical and legal barriers **do not** exist in isolation; rather, they form a single, interconnected infrastructure blockade. In our layman's connection and understanding of

the data, the multiple parcel disconnect directly forces the necessity of a Lot Merger. This unresolved parcel boundary conflict sits directly on top of the non-developable SSJID pipeline corridor, which physically restricts the site's layout and compromises the dual independent access points required for fire safety.

Our research finds that a required Fire Access Lane **cannot** legally or safely share the exact same land area with a third-party utility that holds senior property rights to access, excavate, and block that path at will. In addition, our review points to a "**legal gap**" regarding property boundaries designated as "**non-developable**" a status that remains consistent with, and constrained by, protected easement locations and dedicated utility access roads.

Consequently, attempting to force a high-density project onto this constrained footprint redirects an **unmanageable** traffic volume onto California Street—an established corridor that our observations indicate completely lacks the continuous '**as-is**' infrastructure to handle it, and which existing City documentation appears to actively protect from high-volume traffic.

Furthermore, our interpretation of the City's specific traffic restrictions—such as the prohibition of right-hand turns from McHenry Avenue onto California Street, appears in our connections to demonstrate a consistent City intent to limit through-traffic on this residential artery to limit the volume of traffic. Based on our observations, this restriction seems to possibly function to protect student safety, preserve recorded 'Safe Routes to School' standards, and improve safety for citizens to walk and ride bikes to local establishments. In our understanding of the data we have looked at, because the land '**as-is**' **cannot** resolve one of these compounding infrastructure defects without triggering a modification, a design variance, an administrative finding, a discretionary decision, or a negotiated agreement, our understanding is the project **cannot** proceed on a purely ministerial path. We submit that these combined factors collectively require the City to execute its **mandatory due diligence** and consider issuing an official **Notice of Inconsistency** under SB 35/423 based on their findings.

PUBLIC COMMENT SECTION 10: FINAL RECOMMENDATION & CONCLUSION

1. CONCLUSION: RECORD OF STATUTORY NON-COMPLIANCE

Our observations lead to our understanding which indicates the project fails to meet the 'as-is' requirements of the areas identified in this packet. Because this project requires City officials or outside agencies to solve fundamental site defects through decisions, determinations, judgments, and unique adjustments, it is our layman's understanding of the law that it does **not** meet the legal definition of a "**Ministerial Action**." Therefore, it is our

layman's interpretation that the law obligates the city to issue a notice of inconsistency upon their findings in their due diligence. The law requires a non-discretionary, "check-the-box" review. It does not allow for complex problem-solving to force high-density units onto a footprint planned for a significantly lower density of 17 units in the Housing Element.

2. CLOSING STATEMENT AND FORMAL NOTICE

As the attached laymen exhibits illustrate, these conflicts seem profoundly interconnected based on our observations. Under our interpretation and understanding of California law, a project that demonstrates such pervasive, **non-correctable life-safety** threats warrants a **Notice of Inconsistency** under the streamlining guidelines.

Our understanding by entering these observations, the City is placed on formal notice of these physical site conditions. We believe in our understanding that these site-specific hazards are **unmitigatable** under the ministerial process. Therefore, in our understanding of the laws, for the protection of the public, we believe this project requires a Notice of Inconsistency.

3. MEMORANDUM OF RECORD: ADMINISTRATIVE DISCLOSURE

- **Authority to Act:** It is our understanding under the Streamlined Ministerial Approval Process (**Gov. Code § 65913.4**), a local agency maintains a **non-discretionary mandate** to issue a Notice of Inconsistency if a project **fails** to comply with all planning and safety standards in effect at the time of submission.
- **Mandatory Duty of Verification:** It is our understanding that the Act mandates the City's determination must be supported by documented facts. The City now has a duty to independently verify these documented conflicts and safety concerns through its professional staff.
- **Notice of Operational Safety Conflicts:** We provide this laymen's evidence in good faith to establish that these conditions create an immediate physical conflict between public safety paths and utility infrastructure. We submit this documentation so that all public entities are fully informed of these baseline conditions prior to issuing any final determination and may perform their own professional due diligence.
- **Confirmation Requirements:** It is our understanding that under the requirements of SB 35/423, our interpretation is that the City must now confirm these inconsistencies and document in writing how the proposed project objectively meets the **"as-is"** requirements of the law despite these documented physical land conflicts

presented. Should the City or any official agency find that any of these issues require a correction, a modification, an agreement, or a design variance that moves away from the **current 'as-is'** state of the land, it is our understanding of the law that the City is **required** to issue a Notice of Inconsistency. Our understanding is that both the confirmation of consistency or the issuance of a notice of inconsistency represent mandatory written requirements under SB 35/423.

METHODOLOGY, TRANSPARENCY, & OVERARCHING EXHIBIT DISCLAIMER

All exhibits, overlays, and supporting visual or textual data attached to this packet were compiled using available public resources. These materials are intended solely to identify documented physical and planning conflicts for **illustrative** purposes; they do **not** constitute professional engineering, surveying, or legal work products. All observations contained within these exhibits were done in **good faith** and to the best of our abilities with our layman's resources. We fully acknowledge that these are compiled by laymen, and we actively encourage and expect the City of Escalon and all relevant official agencies to perform their own **mandatory due diligence** with their professionals to confirm the accuracy and verify the physical constraints of these exhibits.

Furthermore, let it be explicitly noted for the record that every single exhibit, graphic, text caption, mapping description, and citation within this packet is submitted exclusively as our layman's personal understanding, research application, and good-faith interpretation.

Regardless of the specific phrasing, terminology, or tone used within any individual exhibit or description, all text, labels, imagery, and written conclusions represent our non-professional citizen opinions and layman applications of public records to the site.

Everything contained herein is provided solely as a statement of public concern to serve as a roadmap for further independent professional verification through mandatory due diligence by reviewing authorities.

Exhibit A:

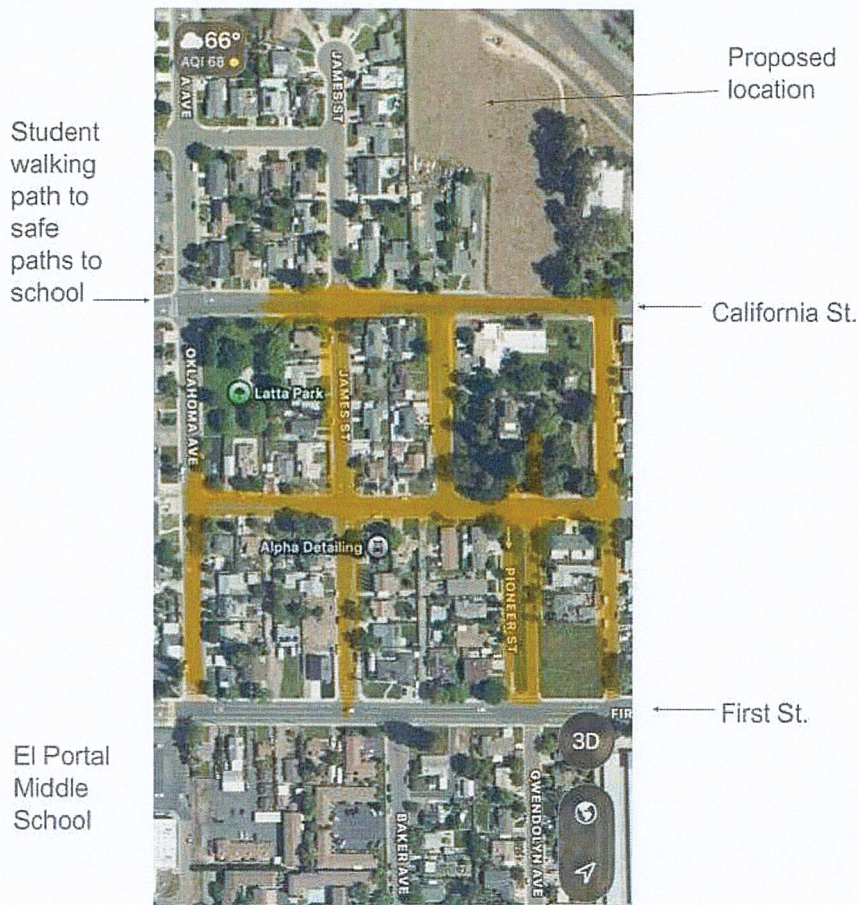


Exhibit A: Systemic Infrastructure Deficiencies in the Project Impact Zone. This comprehensive overview documents the 'Closed System' of the affected neighborhoods between **California Street** and **First Street**.

- **Documented Gaps:** The highlighted sections identify the extensive 'Dead Zones' where sidewalk infrastructure is either non-existent or intermittent. This confirms that there is no continuous, ADA-compliant, or protected path of travel for residents.
- **Student Transit Hazards:** As labeled, students traveling from the project site to **El Portal Middle School** (via Oklahoma Ave) or toward the high school walking path (via the California St 'dead end') must navigate multiple blocks of sub-standard roadway with no pedestrian refuge.
- **Violation of State Standards:** Under **Title 5 CCR § 14010**, school-related pedestrian routes must be free of hazards. This map proves that the City's current infrastructure fails this standard. By adding high-density vehicle traffic to this specific grid, the City is actively increasing the 'Specific Adverse Impact' on student safety.
- **Non-Correctable Status:** The labels indicate that the surrounding residential frontage is fully built-out to existing property lines. There is no public right-of-way available for the developer to 'mitigate' these gaps, rendering the safety hazards **permanent and non-correctable**.

Visual demonstration of conflicts observed in the public record; compiled in good faith by laymen for illustrative purposes only. All text, labels, and citations represent our layman's understanding, opinion, and application of research as citizens—not as professionals. This represents how we understand these records to apply to the site; any final determinations or corrections are deferred entirely to the appropriate independent professional authorities, for whom this submittal is solely intended to assist.

Exhibit B:



Exhibit B: The California/McHenry Bottleneck & Pedestrian Conflict

Exhibit B: Statutory Access Failure & Forced Pedestrian Conflict. This photo documents the intersection of California St. at McHenry Ave. Per City mandate, this is a restricted-access point with a physical barrier preventing ingress. All high-density traffic from the proposed project will be funneled into this single-exit residential corridor. The convergence of high-volume vehicle 'right-turn-only' movements with the neighborhood's **sole student walking path** creates a high-probability strike zone. This infrastructure cannot be widened or modified due to the immediate proximity of the **Railroad Mainline**, making the safety hazard **non-correctable**.

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Exhibit C:

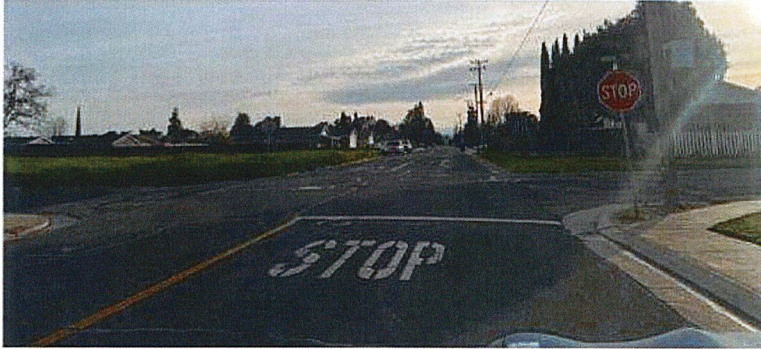


Exhibit C: Safe Routes to School (SRTS) Compliance Failure

Exhibit C: Critical Infrastructure Gap – Student Transit. This photo shows the only viable walking path for students attending Escalon High School. Because there are no or intermittent sidewalks from the 1090 California St. site to this point, students are forced to navigate active traffic in the 'travel way' for several hundred feet before reaching this path. Introducing over 100 residential units into this specific bottleneck violates **California Education Code § 44808** and **Title 5 CCR § 14010**. The City and Developer hold **Joint and Several Liability** for placing students in the direct path of increased vehicle traffic at this documented bottleneck.

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Exhibit D:



Bus stop on Irwin and California, towards proposed development. No crosswalks and no sidewalks and no stop signs on Irwin at this intersection. High school students also cross this street to continue on California to the "dead end" to use safe walking path across railroad tracks to crosswalk on Mchenry.

Exhibit D: Student Transit "Dead Zone" & Intersection Conflict

Exhibit D: Documentation of Discontinuous Pedestrian Infrastructure. This photo illustrates the immediate safety failure at the Irwin/California intersection. While the bus stop provides a localized boarding area, the surrounding corridors—specifically **Irwin St. and California St.**—lack any connecting sidewalk infrastructure.

The Hazard: High school students walking from their homes must navigate this intersection without a protected path to reach the 'Safe Walking Path' at the end of California St. (see Exhibit A). This forces children to share the active 'travel way' with vehicles for over half a block. Then the travel path has inconsistent protected path the remainder of the current safe route.

The Violation: Per **Title 5 CCR § 14010(I)**, school-related pedestrian routes must be protected from high-volume traffic. The proposed development adds significant vehicle density exactly where students are currently forced into the street due to missing sidewalks. This creates an unmitigatable **Pedestrian-Vehicle Conflict Point**. This hazard is **non-correctable** and a direct violation of the mandatory duty of care for student transit.

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Exhibit E:



Oklahoma Ave School bus stop facing California intersection

Exhibit E: Primary School Bus – Pedestrian Discontinuity. This photo documents the Oklahoma Ave school bus stop adjacent to Ladda Park. While a sidewalk exists within the park perimeter, it terminates abruptly as students head down California Street towards the “dead end” at McHenry. Students departing the bus are immediately forced into the active roadway to continue their transit. This lack of a continuous, protected path from a major district bus hub violates **Education Code § 44808** and **Title 5 CCR § 14010**. The introduction of high-density traffic from 1090 California St. into this specific pedestrian loading zone creates an unmitigatable safety hazard for EUSD students.”



Oklahoma Ave facing El Portal school at end of the street near the bus stop and park. Sidewalks end and demonstrating street parking forcing students into street for safe walking to school

Exhibit E: El Portal Middle School Transit Corridor

Exhibit E: Major Student Transit Route – Infrastructure Deficit.

Oklahoma Avenue serves as a primary walking corridor for students attending **El Portal Middle School**. This photo shows the total absence of sidewalks just past the Ladda Park boundary. As the street narrows, students must share the ‘travel way’ with vehicles. Because this street is already below standard widths for safe two-way traffic plus residential parking, adding over 100 units of high-density housing will result in a **mathematical certainty of vehicle-pedestrian conflict**. This infrastructure is physically constrained by existing property lines, making this a **non-correctable safety violation**.

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Exhibit F:



Exhibit F: Neighborhood-Wide Infrastructure Deficiencies & Emergency Access Obstructions

Exhibit F: Cumulative Impact of Sub-Standard Road Widths and Missing Pedestrian Infrastructure. These four photos document the pre-existing, critical infrastructure deficits in the streets immediately surrounding the 1090 California St. site.

1. **Lack of Pedestrian Refuges:** There are zero continuous sidewalks on these adjacent blocks, forcing all residents—including children and seniors—to walk in the active vehicle 'travel way.'
2. **Emergency Access Bottlenecks:** As shown, existing residential street parking reduces the 'passable clear width' of these roads to approximately 14–16 feet. Per **California Fire Code § 503.2.1**, a minimum of 20 feet of *unobstructed* width is required for fire apparatus access.
3. **Non-Correctable Constraints:** Because these streets are bordered by established private property lines, the City cannot widen the pavement to accommodate the 100+ additional vehicle trips per day this project would generate.

Adding high-density residential density to this specific 'closed loop' neighborhood will result in a permanent violation of **CFC Appendix D** and creates a foreseeable failure of emergency medical response times for the entire area.

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Exhibit G:

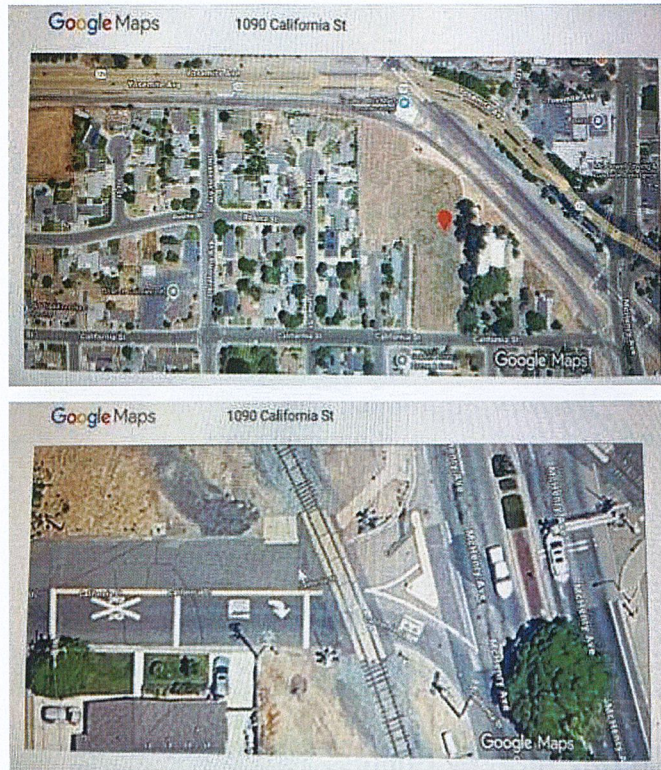


Exhibit G: Visual Verification of Land-Locked Constraints. These aerial views provide definitive proof that the 1090 California St. project area is geographically constrained, preventing necessary safety mitigations.

1. **Site Entrapment:** This photo shows the project is bordered by the **Railroad Mainline** to the and established residential property lines on both surrounding property lines. This 'land-locked' status means the developer cannot expand the right-of-way to meet **California Fire Code § 503.2.1** road-width standards.
2. **The Infrastructure Gap (Right Photo):** This aerial clearly shows the **terminus of California St.** The 'Safe Walking Path' to the high school begins as the road ends at the railroad tracks. Crucially, the aerial documents the absence of sidewalks leading up to this point.

Conclusion: These photos confirm the lack of safe path sidewalks and lack of space for an emergency turnarounds. Because the City cannot 'engineer out' of these existing land constraints, the proposed density creates a permanent, high-risk environment for both residents and student pedestrians. This constitutes a **Specific, Adverse Impact** that justifies denial under the **Housing Accountability Act**.

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Exhibit H:

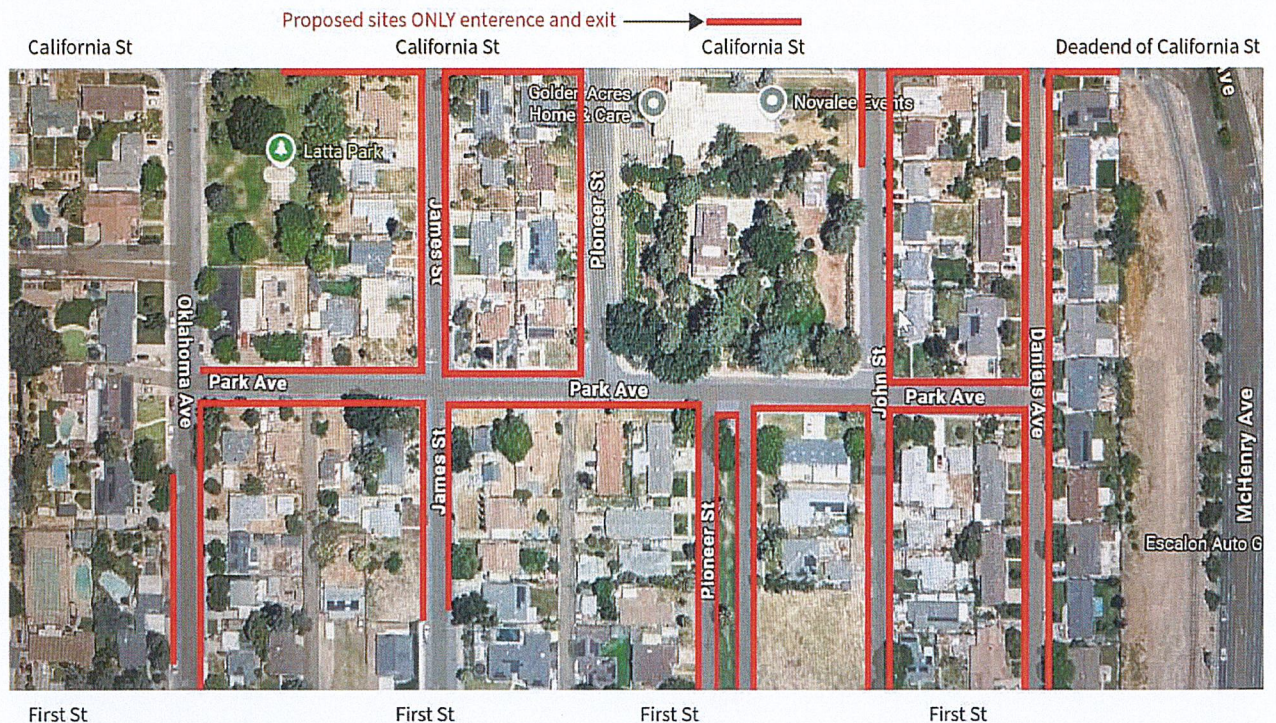


Exhibit H: The Invisible Path of Danger

Impact Assessment of the 1090 California Street Development

Overview: This exhibit provides a visual survey of the residential streets in the immediate proximity of the proposed 1090 California Street build site. These highlighted routes represent the primary "Safe Routes to School" for students attending Escalon High School and El Portal Middle School.

The Infrastructure Gap: As illustrated, the majority of these transit paths are characterized by a total absence of sidewalks or severely degraded infrastructure. This physical reality forces students into the roadway, sharing space with vehicular traffic.

The Danger of Increased Traffic Density: The proposed 100-unit development is designed with primary entrance/exit points at First Street (via McHenry) and California Street (via Irwin). By channeling a high volume of new residential traffic through these narrow, sidewalk-free corridors, the project creates a "non-correctable" safety hazard. Furthermore, the anticipated overflow of street parking will severely diminish line-of-sight visibility for both drivers and student pedestrians, creating "blind spots" at critical crossing points.

Legal Precedence & Mandated Safety: Under California Education Code § 32281, school districts have a mandated, non-negotiable obligation to establish and protect Comprehensive School Safety Plans, which include the physical safety of student transit routes.

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Exhibit I:



Exhibit I: Conflict Zone – Student Bus Stops & Highway 120 Access

Impact Assessment of the Irwin/California Intersection

Overview: This exhibit identifies the critical intersection of Irwin and California Streets, which serves as a primary access point for vehicles entering the 1090 California Street site from Highway 120. This specific location is also a designated Safe Route to School bus stop for local students.

The "No-Stop" Hazard: Currently, there are no stop signs on Irwin Street at the designated bus pick-up and drop-off location. Under the proposed 100-unit development plan, this intersection will experience a massive increase in "cut-through" traffic from Highway 120. Without traffic control or sidewalks, students waiting for or exiting the bus will be standing near the path of high-volume residential traffic.

The Infrastructure Failure: The intersection of Irwin and California lacks compliant sidewalk infrastructure. As students transition from the bus stop to the walking path toward Escalon High School, they are met with broken or non-existent walkways. This forces minors to navigate a high-density traffic corridor on foot, creating an **"un-correctable danger"** as defined by state safety standards.

Legal Mandate for Bus Safety: Under **California Vehicle Code § 22500** and **Education Code § 39831.3**, the state mandates the protection of "the safety of pupils being transported" and the "safe boarding and exiting" of school buses. By creating a high-density entrance at a bus stop that lacks stop signs and sidewalks, the proposed project creates a direct conflict with state-mandated pupil transportation safety.

Conclusion: The Irwin Street entrance from Highway 120 creates many safety violations: high-speed highway access, lack of intersection control, and active school bus loading zones. This exhibit demonstrates that the current site plan creates an immediate and specific threat to the life and safety of Escalon students.

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Exhibit J:



Exhibit J: The Single-Point Failure – Infrastructure Bottleneck

Impact Assessment of Site Constraints and Railroad Borders

Overview: This exhibit identifies the severe physical constraints of the 1090 California Street site. Bound by active railroad tracks and established private residences on all other sides, the project is restricted to a single primary ingress/egress corridor.

The Forced-Traffic Corridor: Because the railroad tracks create a permanent physical barrier, 100% of the project's vehicular traffic is forced onto California Street which leads directly to the only safe crosswalk across McHenry Avenue. This crosswalk is the lifeline for students walking to Escalon High School.

Cumulative Safety Hazards:

1. **High-Density Bottleneck:** Forcing the traffic of 100+ new households through a single exit point creates a high-volume "conflict zone" where students are currently walking.
2. **Visual Obstruction (The "Blind Wall"):** The inevitable overflow of street parking from this project will create a continuous "wall" of vehicles along the narrow residential streets. This eliminates the line-of-sight between drivers and students, particularly at the McHenry Avenue approach.
3. **No Alternative Route:** Unlike other developments, there is no "Plan B" for traffic flow. The railroad tracks and surrounding residential properties ensure that every car added to this site must travel down the same sidewalk-free streets used by school children.

A Non-Correctable Hazard: Under **California Government Code § 65589.5 (j)(1)**, a "specific, adverse impact" exists when a project creates a physical danger that cannot be mitigated. Because the railroad tracks and the existing residences cannot be moved to widen the streets, or to add sidewalks, this safety hazard is non-correctable.

Conclusion: This site is physically incompatible with a 100-unit high-density project. The combination of a single-point exit, railroad constraints, and the absence of pedestrian infrastructure creates a dangerous path for students on their "Safe Route to School."

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Exhibit K:

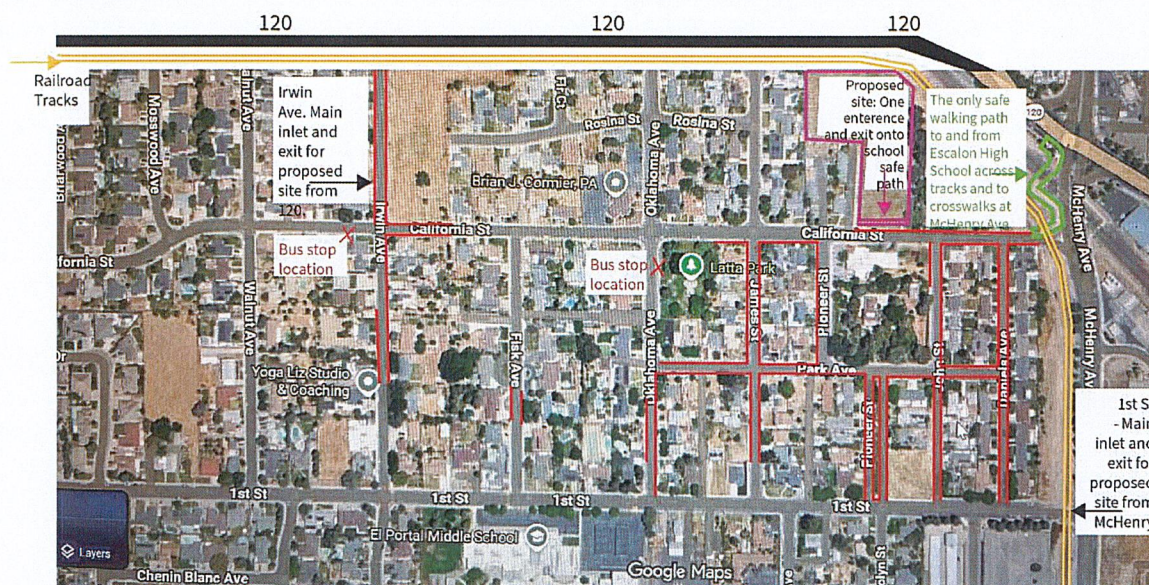


Exhibit K: The Master Safety Overview – A District-Wide Impact

Comprehensive Risk Assessment of the 1090 California Street Development

Overview: This final exhibit serves as a synthesis of all evidence presented. It maps the cumulative impact of the 100-unit high-density project on the city's established Safe Routes to School network.

The Infrastructure Conflict Map:

- **Red Zones (High Danger):** Highlighted in red are all "Safe Route" residential streets currently lacking sidewalks or possessing failed infrastructure. These streets will absorb 100% of the new project's traffic.
- **Green Path (Critical Infrastructure):** Highlighted in green is the only paved pedestrian path crossing the railroad tracks. This narrow corridor is the sole safe access point to the McHenry Avenue crosswalks for all students attending Escalon High School.

Key "Conflict Points" Identified:

1. **Dual Entrance Hazards:** The map illustrates how both primary entry points—Irwin Avenue and First Street—intersect directly with student walking paths and active school bus stops.
2. **Oklahoma Avenue Transit Zone:** This exhibit highlights the Oklahoma Avenue bus stop, a high-traffic zone used heavily for El Portal Middle School pickups and drop offs. The broken infrastructure here, combined with increased residential density, creates an unavoidable pedestrian hazard.
3. **The Land-Locked Reality:** The overview clearly shows the 1090 California site is physically constrained by railroad tracks and existing homes. This "land-locked" positioning creates a forced-transit model, where 100% of new residents are legally required to drive onto and through the designated "Safe Routes" used by children.

A Regional Safety Route: California Street is not merely a local road; it is a primary artery serving students from the Brennan Road neighborhoods all the way to McHenry Avenue. The proposed development places an unprecedented volume of traffic onto a route that students currently rely on daily for safe passage.

Conclusion: The evidence is clear: the current infrastructure cannot support the density proposed at 1090 California Street without **violating** the California Education Code and creating a documented, high-risk environment for Escalon's youth. The **"Specific Adverse Impact"** to public safety is not a matter of opinion, but a matter of non-correctable physical geography and infrastructure deficiency.

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Exhibit L:

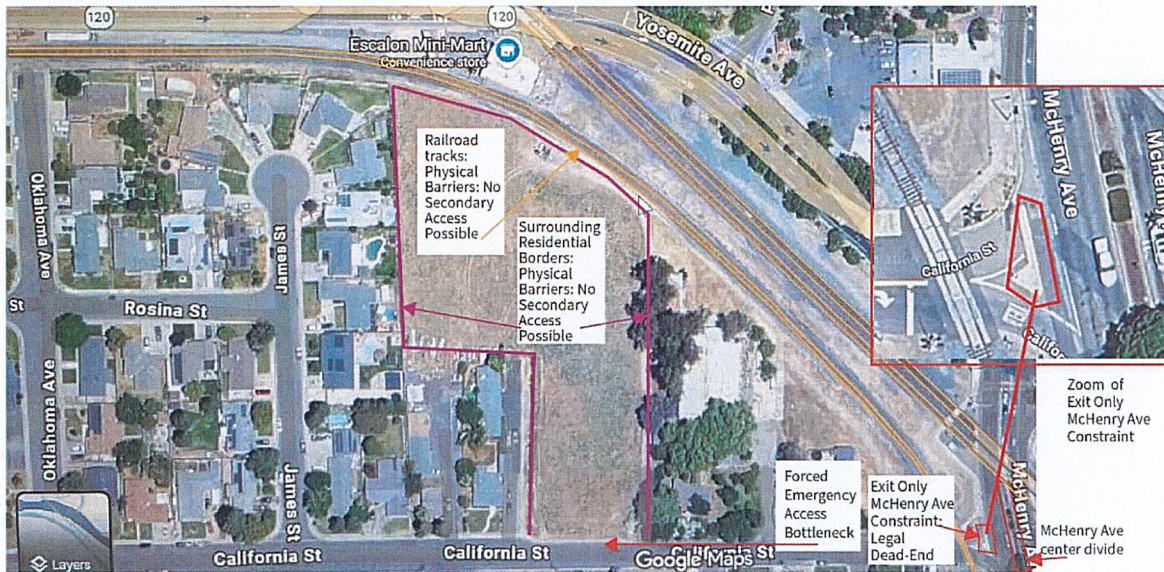


EXHIBIT L: Statutory Dead-End Status & Emergency Access Failure

Legal Determination: Under 14 CCR § 1270.01, the proposed site is legally classified as a "Dead-End Road" because the California/McHenry intersection is permanently restricted to "Exit Only," prohibiting all inbound fire apparatus ingress. This restriction forces 100% of emergency vehicles into a single ingress/egress corridor via California Street.

Statutory Conflict: This forced "Single-Point" configuration violates CFC § 503.1.2 and Appendix D106, which mandate secondary emergency access for high-density residential projects. Because the site is physically bounded by active railroad tracks and established private residences, the construction of a secondary emergency access road is geographically impossible. Consequently, this violation is legally **non-correctable**, rendering the proposed project design **statutorily prohibited under state life-safety codes**.

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Exhibit M:

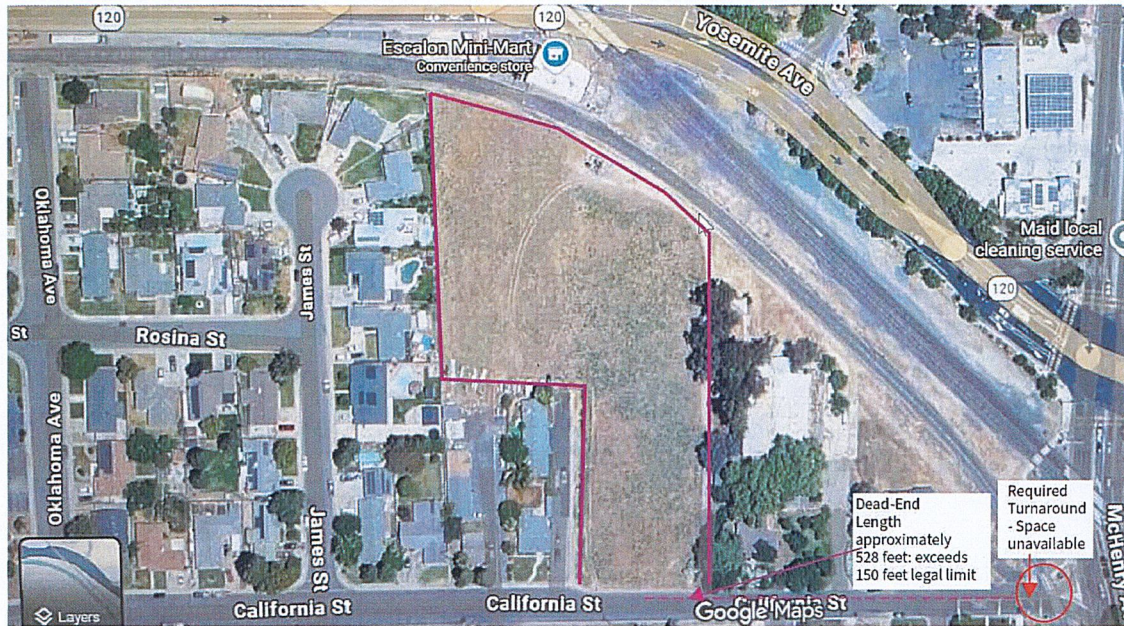


EXHIBIT M: Absence of Approved Turnaround (CFC § 503.2.5)

Regulatory Requirement: Per CFC § 503.2.5, dead-end fire access roads exceeding 150 feet in length must provide an approved turnaround (e.g., 96-foot diameter cul-de-sac or 60-foot hammerhead) to allow for the safe egress of emergency apparatus.

Site Analysis: The proposed site design features a dead-end access road extending approximately 528 feet from the project's sole ingress/egress point. The site plan fails to provide any turnaround infrastructure. Consequently, all emergency responders will be forced to perform high-risk, multi-hundred-foot reversals through a constrained bottleneck. Because the site is physically bounded by active railroad tracks and established private residences, there is no physical space to retroactively install the required turnaround, rendering the current site plan legally **non-compliant and statutorily prohibited**.

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Exhibit N:

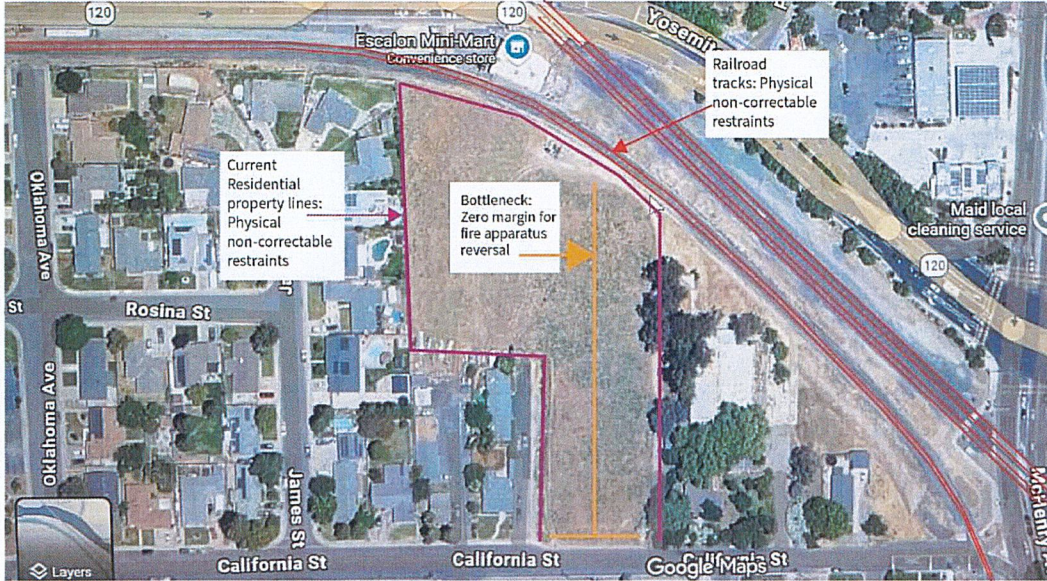


EXHIBIT N: Violation of Secondary Access Requirements (CFC § 503.1.2 & Appendix D106)

The Legal Standard: California Fire Code mandates a minimum of two separate and approved fire apparatus access roads for high-density residential projects where access may be impaired by vehicle congestion or terrain.

The Physical Reality: As shown in this aerial exhibit, the proposed site is landlocked by active railroad tracks and established private residential properties. This configuration forces 100% of emergency ingress and egress through a single, narrow bottleneck on California Street.

The Statutory Conflict: Because the site is physically bounded by permanent, immovable barriers, the construction of a secondary emergency access road is geographically impossible. This project creates a "Single Point of Failure" that directly violates CFC § 503.1.2 and Appendix D106. Because the site plan cannot be modified to include a secondary access point, this project is **Statutorily Non-Compliant** and cannot be legally approved under existing life-safety codes.

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Exhibit O:

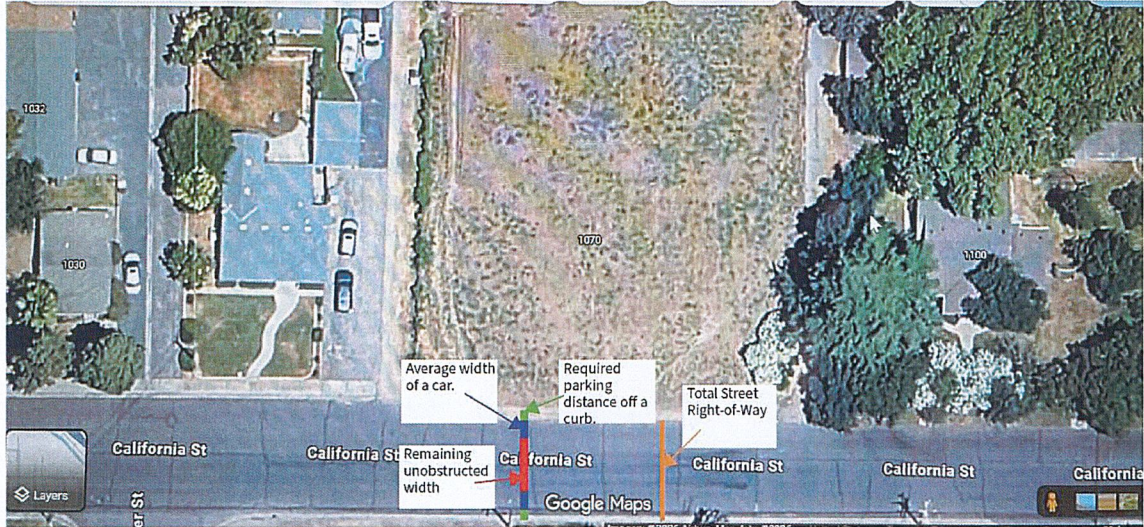


Exhibit O: Violation of Minimum Fire Apparatus Access Road Width (CFC § 503.2.1)

The Legal Requirement: Per CFC § 503.2.1, all fire apparatus access roads must maintain a minimum unobstructed width of 20 feet at all times to ensure the passage of emergency vehicles.

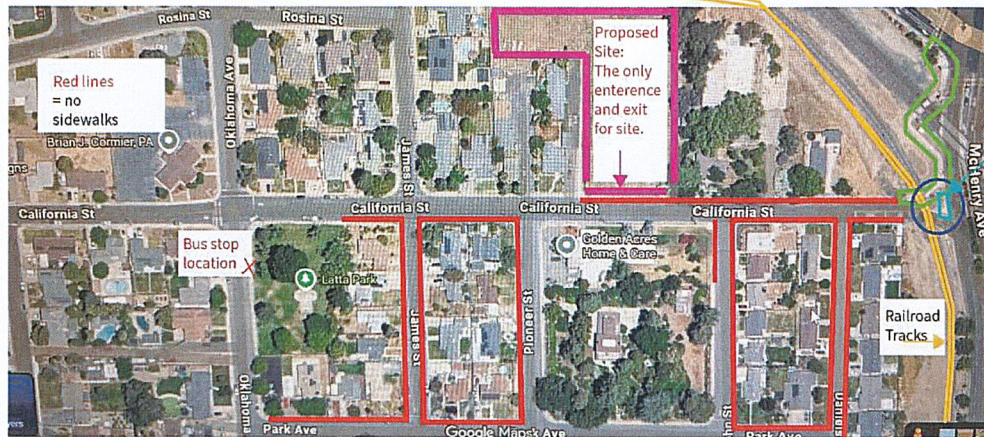
Technical Analysis: As demonstrated by the site measurements in this exhibit, the total street width is approximately 33–35 feet. However, this space is not "unobstructed":

- **Parking Encroachment:** Per local ordinance, 18-inch clearance (Green) is required from the curb.
- **Vehicle Footprint:** Average vehicle width of 6 feet 5 inches (Blue) on both sides of the street utilizes approximately 12 feet 10 inches of the roadway.
- **Net Unobstructed Width (Red):** Once these static obstructions are subtracted from the total street width, the remaining "unobstructed" drivable surface is reduced below the 20-foot legal minimum.

Life-Safety Hazard: When this restricted width is further compounded by the presence of students in the roadway (due to the lack of dedicated sidewalks) and the reality of traffic flow, the "effective" width is even further diminished. This project creates a chronic bottleneck that directly violates state law, resulting in a documented Life-Safety Hazard for emergency response times. Because the existing street geometry and residential frontage prevent road widening, **this infrastructure deficiency is non-correctable.**

Visual demonstration of conflicts observed in the public record; compiled in good faith by laymen for illustrative purposes only. All text, labels, and citations represent our layman's understanding, opinion, and application of research as citizens—not as professionals. This represents how we understand these records to apply to the site; any final determinations or corrections are deferred entirely to the appropriate independent professional authorities, for whom this submittal is solely intended to assist.

Exhibit P:



Note for Image: The Inherent Conflict: This exhibit illustrates a "Geographic Trap" created by conflicting safety measures. The light-blue rectangle identifies the City-Mandated Infrastructure installed to protect the neighborhood; however, this very barrier now acts as a Structural Impediment that physically blocks the "swing" radius required for a modern fire engine. The Student Safety Trap: As indicated by the arrow, any attempt by an emergency vehicle to navigate this turn forces the apparatus to mount the curb and encroach directly into the Safe Walking Path (Green). Conclusion: This creates a permanent, non-correctable violation where emergency access can only be achieved by compromising the safety of students on their designated route to school.

EXHIBIT P: Combined Life-Safety & Infrastructure Conflict (CFC § 503.2.4)

The Turning Hazard: Under CFC § 503.2.4, fire apparatus access roads must ensure maneuverability. As shown in this exhibit, the intersection of McHenry and California—restricted by a mandatory physical barrier (Light Blue Rectangle) to prohibit right turns—cannot accommodate the wide "swing" radius of a modern fire apparatus.

Compounding Safety Violations:

- **Student/Pedestrian Conflict:** Because the surrounding streets (Red) lack infrastructure of sidewalks, students walking to the School Bus Stop (X) or using the Safe Walking Path (Green) are forced into the active roadway.
- **Encroachment:** A fire engine attempting to navigate this turn is forced to encroach upon protected student pedestrian zones and private residential property.
- **The "Dead-End" Trap:** Because the City-mandated barrier at McHenry (Dark Blue Circle) creates a "Legal Dead-End," this intersection is the sole ingress point for the 100-unit project.

Conclusion: The inability to provide safe emergency vehicle maneuverability without endangering students or trespassing on private land creates an **Un-mitigatable Conflict**. Because the site is **landlocked** by Railroad Tracks (Yellow) and Private Residences (Purple), there is no physical room to widen the radius. This infrastructure failure is **non-correctable**, rendering the proposed site plan **Statutorily Non-Compliant**.

Visual Key:

- Yellow Lines: Physical Barrier: Active Railroad Tracks.
- Purple Lines: Residential Property Borders (No room for expansion).
- Red Streets: Missing Infrastructure: Pedestrian Zones (No Sidewalks).
- Green Path: Only Available Student Safe Route to School.
- Light Blue Rectangle: City-Mandated Barrier (Directly blocks Fire Apparatus Swing).
- "X": High-Density Student Gathering Point (Bus Stop).

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Exhibit Q:

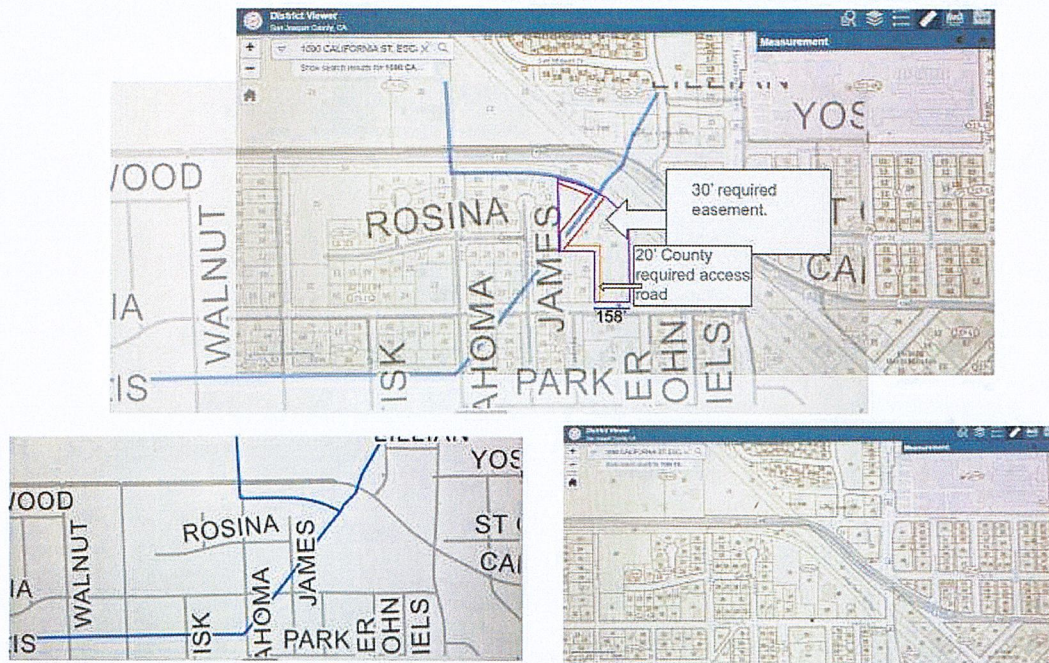


Exhibit Q: Infrastructure & Boundary Conflict Analysis

Methodology & Disclosure: This visual representation was created by aligning the **SSJID MDC Facilities Map** with the **San Joaquin County District Viewer** using fixed landmarks (California St, McHenry Ave, and the Railroad corridor). While this is a non-technical, layman's overlay for illustrative purposes, it reveals a *Prima Facie* physical conflict that warrants immediate professional verification.

The "Unmitigatable" Conflict: Our review identifies three critical violations of objective safety standards that render the current site plan physically and legally incompatible with the parcel:

- **SSJID Spec 6.02 (30' No-Build Easement):** The pipeline's mandatory structural protection zone directly overlaps proposed building foundations. Encroachment creates permanent risks from building weight and vibration.
- **SSJID Spec 6.04 (20' All-Weather Access):** The site plan fails to provide the required unobstructed path for heavy maintenance equipment, effectively "landlocking" a primary district asset. **This is the only open-air section on this land which gives essential maintenance access to the pipeline that runs under the railroad tracks and continues across and under the Highway 120 freeway.**
- **Systemic Infrastructure Risk:** These encumbrances appear to encompass a significant portion of the rear parcel. In a failure event, the lack of access creates a foreseeable risk of catastrophic flooding and the unavoidable destruction of private residential property to facilitate repairs.

Conclusion: The proposed density is physically inconsistent with pre-existing, non-negotiable utility protections. Under the **Housing Accountability Act**, these identified health and safety hazards constitute "Specific, Adverse Impacts" that cannot be feasibly mitigated without a significant reduction in project density.

This exhibit is submitted in good faith as a public service to assist the City in its duty of due diligence; it is intended for illustrative purposes only and relies upon the City's independent professional staff to verify all final measurements and legal encumbrances.

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Exhibit R:



EXHIBIT R: COMPOSITE SPATIAL ANALYSIS OVERLAY

SEE EXHIBIT S ON THE FOLLOWING PAGE FOR TECHNICAL ANALYSIS AND STATEMENT OF FACT.

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Exhibit S:

EXHIBIT S: INTEGRATED LAYMAN ANALYSIS OF RECORDED SITE CONSTRAINTS

(Our alignment and understanding of public records regarding Exhibit R on the previous page.)

ADMINISTRATIVE DISCLAIMER: This composite overlay was prepared in good faith by local residents to illustrate observed spatial conflicts. This **"Layman's Overlay"** integrates data from three independent public resources: (1) **San Joaquin County GIS data**, (2) **SSJID Division 4 Infrastructure Maps**, and (3) **The City of Escalon Housing Element Update records**. While every effort was made to align these maps based on public property boundaries and street centerlines, this is a **visual representation for illustrative demonstration only**. Further **independent professional due diligence is requested and expected by the City** to verify these findings. Original source maps are included in the following pages for independent professional review.

SUMMARY OF OBSERVATIONS & LAYMAN CITATIONS:

I. Observed "Non-Buildable" Mapping Classifications

The **RED OUTLINES** (added for visual clarity) represent zones our coalition notes the **City of Escalon** has identified within its published planning maps as **unsuitable for high-density development**. The **GREEN LINES** are **unmodified** from the City of Escalon's Housing Element Map. Based on our review of the Housing Element documentation (including references corresponding to **PDF pg. 54 / Doc pg. 53**), these areas appear to function as **"No-Build" zones**, identified by the **complete lack of a "green" suitability designation**. As we understand these maps, any proposed structure encroaching into these non-designated areas appears **inconsistent with published local objective standards**.

II. Unmodified SSJID Infrastructure Path

The **BLUE LINE** is an **unmodified path** taken directly from the public **SSJID MDC Map**. In our best visual representation of the records, this **main water line** follows a physical path that passes **directly through the unmapped gap between Parcel 10 and Parcel 24**. As this blue line progresses from the railroad tracks toward California Street, it traverses land also marked on the City's Housing Element Map as **non-developable**. It is our layman's understanding that this physical alignment provides an objective explanation as to why these areas were **completely excluded from the buildable inventory** in the housing element records.

III. Observed Infrastructure Correlation & Site Constraints

The **ORANGE LINES** (added for visual clarity) demonstrate the apparent spatial relationship between the recorded **SSJID pipeline** and the City's unmapped zones. Our review indicates that the City's unmapped gap **closely corresponds with the physical SSJID pipeline placement** and its corresponding requirements for **all-weather access roads and maintenance easements**. This leads to our understanding that the site footprint is **physically restricted**, creating an objective challenge for a unified high-density structure or a continuous through-access road under current **"as-is" objective standards**.

IV. Layout Observations Regarding the Site Entrance

Crucially, this layout review indicates that the **majority of the proposed entrance area on Parcel 24 is located within a zone designated on public maps as unsuitable for development**. In our layman's view, this layout appears to present a significant conflict with standard **California Fire Code access requirements**. Because the primary entrance sits on land omitted from the developable housing inventory, it is our understanding that the layout **cannot meet objective safety thresholds without administrative modifications**, which our research indicates would move the project out of the streamlined ministerial process.

CONCLUSION:

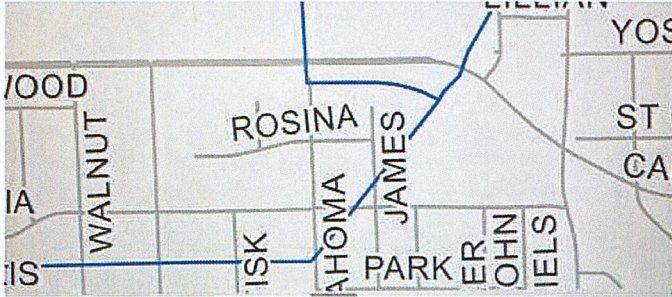
This layman integration of public State, County, and District data indicates that the proposed project layout faces **significant physical and structural conflicts with recorded land-use designations**. Based on our understanding of the streamlined approval process, these documented layout inconsistencies require the City to fulfill its administrative due diligence and **issue an official Notice of Inconsistency**.

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Exhibit T

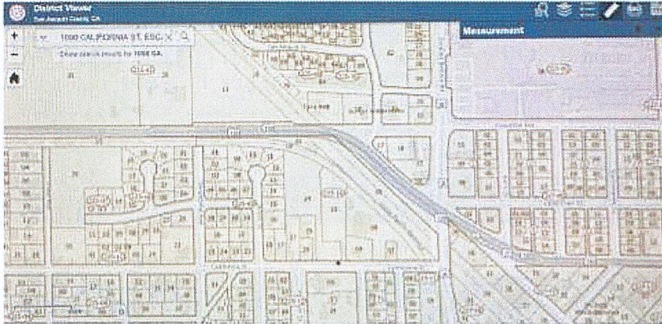
The following images represent the raw, unedited source data used to create the Composite Overlay in Exhibit [R-S]. These are provided for administrative verification and audit of the overlay's accuracy.

1. SSJID MDC Facilities Map (Detail View)



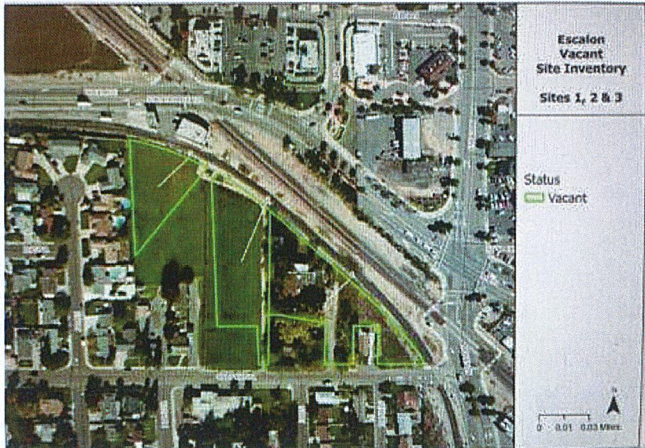
Caption: Unmodified digital capture of the SSJID Main District Canal (MDC) Facilities Map. This detail view was used to establish the precise path of the main water lateral relative to the street centerlines. **Note:** This is a high-resolution detail of the specific project area; the full-scale district map is maintained by SSJID.

2. SSJID District Viewer (Geographic Context)



Caption: Digital capture from the SSJID District Viewer. This source was utilized to correlate regional infrastructure placement with San Joaquin County GIS parcel boundaries, serving as the secondary anchor for the composite overlay.

3. City of Escalon Site Suitability Map (Nov 2024)



Caption: Unmodified extract from the State-Certified City of Escalon 2024 Housing Element Update (PDF pg. 54 / Doc pg. 53). This map represents the City's official "Objective Standard" for developable land. Areas not designated in green are identified by the City and State as "Unsuitable" for Development. These same areas were identified in the City of Escalon Housing Element that was certified by the State of California in 2019. Confirming these areas have been deemed non-buildable for multiple years prior.

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Exhibit U



Figure A

Figure A:

Certified Baseline Land-Use Constraints (City of Escalon Housing Element Inventory). This official municipal zoning map identifies the specific multi-family realistic capacity footprint for APNs 225-100-10 & 225-100-24. The green 'developable' designation has been strictly restricted for decades—appearing identically within the 2019 Certified Element, subsequent updates, the 2024 submittals upon which this project's objective standards are legally frozen (SB 330), and carrying forward directly into the June 2026 Revised Subsequent Draft. The City's administrative record uniformly defines the remainder of this parcel as an unbuildable infrastructure buffer zone throughout these decades of revisions. This establishes a permanent, legally binding baseline that locks maximum realistic site density to smaller portions of the property, landlocked by non-developable territory.

Figure B:

Projected High-Density Encroachment & Footprint Conflict. A localized cross-examination of the publicized project layout plan reveals an un-mitigatable physical and legal conflict with the historical land constraints shown in Figure A. The proposed design relies on positioning mandatory multi-family structures, standard vehicle parking stalls, and primary ingress/egress loops directly on top of the legally designated non-developable zones and the protected, senior San Joaquin County/SSJID regional water transmission pipeline easement. To access the designated buildable property shown in Figure A, this layout forces a high-density footprint across a mix of restricted County easement land and general municipal unbuildable infrastructure buffers, violating objective state fire access standards and local encumbrance policies.

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Figure B

Exhibit V:

CRITICAL LIFE-SAFETY IMPASSIBILITY & EMERGENCY ACCESSIBILITY RISK OVERLAY



RED RECTANGLES INDICATE AREAS SUBJECT TO IMMEDIATE EXCAVATION AND UTILITY BLOCKADE AT ANY TIME. CHOKEPOINT REVEALS 100% ACCESS LOSS FOR EMERGENCY SERVICES.

EXHIBIT [X]: VISUAL ANALYSIS OF POTENTIAL LIFE-SAFETY ENTRAPMENT ZONE

- **What this Visual Demonstrates:** This visual exhibit demonstration was compiled in good faith using layman resources and abilities from a publicly posted site representation. As such, dimensions and boundaries may not be exact as we are not professionals, and official due diligence by the City to verify exact physical locations will be required. This overlay projection illustrates the South San Joaquin Irrigation District's (SSJID) mandated 30-foot No-Build Zone (Spec 6.02) and 20-foot All-Weather Access Road (Spec 6.04) sitting directly over the proposed site layout.
- **The Critical Conflict:** As illustrated by the red shaded boundaries, the primary (and only) proposed fire lane overlaps directly with the land SSJID holds senior utility rights to operate upon, which is strictly protected under their objective standards of Spec 6.02 and Spec 6.04. Should a utility emergency require SSJID to break ground, excavate, or park heavy maintenance machinery within this lane, the entire 80-to-100-unit complex is instantly cut off and blockaded in.
- **The Takeaway:** This is not a theoretical planning variance; it is a fundamental physical layout defect. Our understanding of the law, a ministerial permit (SB\ 35/423) cannot legally or safely be issued for a site where emergency access relies entirely on land that can be broken up, excavated, or blockaded by a third-party utility at any moment, regardless of whether the final density is 80 units or 100 units.

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