

RESOLUTION NO. 2026-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, AN EMERGENCY OUT-OF-AGENCY SEWER SERVICE AGREEMENT, AND ESTABLISHING RESIDENTIAL ESTATE (RE-40) PREZONING FOR AN UNINCORPORATED PROPERTY LOCATED AT 3216 NORTH BROADWAY

Case No. PL25-0131

WHEREAS, the City of Escondido ("City") has received an emergency request to provide sewer service to a property outside of the City's incorporated boundary and within the City's adopted sphere of influence located at 3216 North Broadway ("Property"); and

WHEREAS, the Property is all that real property described in Exhibit "A" to the Agreement; and

WHEREAS, the City has received conditional approval from the San Diego County Local Agency Formation Commission ("LAFCO") for an Emergency Out-of-Agency Sewer Agreement ("Agreement"), attached hereto as Exhibit "B," for the extension and provision of sewer services to one existing single-family residence on the Property; and

WHEREAS, the Property has an existing General Plan land use designation of Estate I, with an existing prezoning designation of Residential Agriculture ("RA-5"); and,

WHEREAS, the General Plan land use designation of Estate I is implemented through a zoning designation of Residential Estate ("RE-40"); and

WHEREAS, amending the Property's prezoning designation from RA-5 to RE-40 would create consistency with the adopted General Plan land use designation for the Property, in compliance with Government Code section 65860 et al.; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") and the CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.), the City has evaluated the actions contemplated by this Agreement. The City has determined that the pipeline and utility improvements

necessary to facilitate water and/or wastewater services to the existing dwelling unit on the Property will consist of the construction and installation of minor utility extensions of reasonable length within existing disturbed public right-of-way and on private property, and therefore, are exempt from CEQA review under CEQA Guidelines §15303(d). Further, none of the exceptions set forth in CEQA Guidelines §15300.2 apply.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true and correct.
2. The City Council, in its independent judgement, has determined the Project to be exempt from environmental review pursuant to CEQA Guidelines section 15303(d) for New Construction or Conversion of Small Structures, specifically related to the extension of a sewer connection of reasonable length, including any associated street improvements.
3. That the City Council authorizes the mayor to execute the Agreement, on behalf of the City, in substantially the same format as Exhibit "A," which is attached hereto and incorporated by this reference, subject to final approval as to form by the City Attorney.
4. That this agreement is necessary in order for the area to receive urban services available from the City of Escondido to one existing single-family dwelling unit in a residential zone in anticipation of a later change of organization.
5. That this proposal is made pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 5600 et seq. of the Government Code of the State of California.
6. That the City Council approves establishment of rezoning for the property as Residential Estate (RE-40) consistent with the existing Estate I General Plan designation and in anticipation of a later annexation of the property.

7. That the City Clerk of the City of Escondido is hereby authorized and directed to file a certified copy of this resolution to the executive officer of LAFCO.

8. That, at a public hearing on April 8, 2026, the City Council approves Resolution No. 2026-58, authorizing the mayor to execute an out-of-agency sewer service agreement, and establishing Residential Estate (RE-40) rezoning for an unincorporated property located at 3216 North Broadway.