



# STAFF REPORT

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March 2, 2022  
File Number 0600-10

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## SUBJECT

**OUT OF AGENCY SERVICE AGREEMENTS FOR 2509 FELICITA ROAD AND 450 BEAR VALLEY PARKWAY -**

## DEPARTMENT

Community Development Department, Planning Division

## RECOMMENDATION

Request the City Council Approve (1) Resolution No. 2022-35, making application to the Local Agency Formation Commission (“LAFCO”) for an out-of-agency service agreement and authorizing the mayor to execute said agreement, establishing a pre-zoning designation of RE-20, and authorizing submittal of an annexation application to LAFCO for a property located at 2509 Felicita Road and (2) approve Resolution No. 2022-36, making application to LAFCO for an out of agency service agreement and authorizing the mayor to execute said agreement, and establishing a pre-zoning designation of RE-20 for a property located at 450 Bear Valley Parkway.

Staff Recommendation: Approval (Community Development Department: Adam Finestone)

Presenter: Adam Finestone

## FISCAL ANALYSIS

The property owners will be required to pay fees to cover all administrative costs and staff time for processing the extension of sewer service. All fees associated with submittal of any contractual wastewater service agreement and future annexation application for the properties to LAFCO would be borne by the applicants. Upon future annexation, both properties would be required to establish a mechanism to offset future costs for the provision of public services.

## ENVIRONMENTAL REVIEW

The action before the City Council is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15303, “New Construction or Conversion of Small Structures,” and 15319(a), “Annexation of Existing Facilities and Lots for Exempt Facilities.”

## PREVIOUS ACTION

None.



# CITY *of* ESCONDIDO

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### **BACKGROUND**

The property owners of 2509 Felicita Road (Benjamin C. Elliot and Christie L. Elliot) and 450 Bear Valley Parkway (Adam Fares) have provided City of Escondido (“City”) staff with letters from the County of San Diego, Department of Environmental Health, documenting eminent failure of the properties’ existing onsite wastewater treatment systems (septic systems). City public sewer mains with adequate capacity to accommodate the additional flow generated by the properties exist in the streets in front of the subject properties (Felicita Road and Bear Valley Parkway). In order to obtain sewer service, the property owners must enter into out-of-agency service agreements with the City.

The out-of-agency service agreements include provisions that require future annexation to the City (irrevocable offers of annexation). In anticipation of that future annexation, the request also includes application of a pre-zoning designation of RE-20 (estate residential, 20,000 square foot minimum lot size) for both properties, which is consistent with the Estate II (E2) General Plan land use designation. Because the property at 2509 Felicita Road is immediately adjacent to City limits, the San Diego Local Agency Formation Commission (“LAFCO”) has placed a condition upon the provision of out-of-agency sewer service that requires the property owners to complete the annexation process within one year. The property at 450 Bear Valley Parkway is not immediately adjacent to City limits, and therefore annexation will occur at a future date.

### **RESOLUTIONS**

- A. Resolution No. 2022-35
- B. Resolution No. 2022-35 Exhibits “A” and “B”
- C. Resolution No. 2022-36
- D. Resolution No. 2022-36 Exhibits “A” and “B”