AN ORDINANCE AMENDING CHAPTER 12.1 OF THE
SOLANO COUNTY CODE ESTABLISHING VARIANCE
CRITERIA FROM FLOOD HAZARD AREA REGULATIONS

The Board of Supervisors of Solano County, State of Calif­
ornia, does ordain as follows:

SECTION I.

Chapter 12.1 of the Solano County Code is amended by adding
Section 12.1-650 establishing criteria for granting variances.


(a) Authority of Director of Public Works.

The Director of Public Works shall have the power to
grant variances from the terms of this chapter for new construc­
tion and substantial improvements to be erected on lots of one­
half acre or less in size, contiguous to and surrounded by lots
with existing structures constructed below the base flood level
under the terms and conditions of this section.

(1) A variance may also be granted for a lot larger
than one-half acre provided the conditions of Section (b) are met
and increased technical justification exists.

(2) A variance shall not be issued within any desig­
nated regulatory floodway if any increase in flood level during
the base flood discharge would result.

(b) Conditions.

(1) Variances shall only be issued upon (i) a showing
of good and sufficient cause, (ii) a determination that failure
to grant the variance would result in exceptional hardship to the
applicant, and (iii) a determination that the granting of a
variance will not result in increased flood heights, additional
threats to public safety, extraordinary public expense, create
nuisances, cause fraud on or victimization of the public, or
conflict with existing local laws or ordinances.

(2) Variances shall only be issued upon a determination
that the variance is the minimum necessary considering the flood
hazard to afford relief.

(c) Procedure.

(1) Applications for variances shall be filed with the
Director of Public Works and shall contain a statement explaining
the type of variance requested, the justification for the variance,
and the hardship the applicant will suffer if the variance is not
granted. The Director may require submission of additional
information necessary to make any determination required under
this section.

(2) The Director's decision granting or denying the
variance shall be in writing. Findings shall be made as to each
of the requirements of subsection (b) justifying the granting or
denial of the variance. If the variance is granted, the decision
shall include notification to the applicant that (i) the issuance
of the variance to construct a structure below the base flood
level will result in increased premium rates for flood insurance
up to amounts as high as $25 for $100 of insurance coverage, and
(ii) such construction below the base flood level increases risks
to life and property. The Director shall sign the decision and
shall supply a copy to the applicant.

(3) The Director shall maintain a record of all variance
actions including justification for issuance and proof that the
applicant received a copy of the variance decision. The Director
shall include a report of the issuance of each variance with the
annual report submitted to the Administrator of the National
Flood Insurance Program.

(d) Appeal.

(1) The decision of the Director may be appealed to
the Board of Supervisors by filing a copy of the decision and a
statement of reasons for the appeal with the Clerk to the Board
of Supervisors. The Clerk shall set the matter for consideration
by the Board of Supervisors and notify the Director and applicant
of the date and time of the hearing.

(2) The Board of Supervisors may affirm, reverse, or modify wholly or in part the decision of the Director. In granting any variance, the requirements of Section 12.1-650(c)(2) shall be met.

SECTION II.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Vallejo Independent Press, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

JOHN S. BLACKLOCK
Clerk of the Board
of Supervisors

By

Linda Tera
Deputy Clerk

I, JOHN S. BLACKLOCK, Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting held October 26, 1982.

On motion of Supervisor Brazelton, Seconded by Supervisor Cunningham, this Ordinance was adopted at a regular meeting of said Board on November 2, 1982, by the following vote:

AYES: SUPERVISORS: Brann, Brazelton, Cunningham, Davis and Chairman Hewitt

NOES: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None
WITNESS my hand and the Seal of said Board this 2nd day of November, 1982.

JOHN S. BLACKLOCK, Clerk of the Board of Supervisors

By Linda Terra
Deputy Clerk