ORDINANCE NO. 1227

AN ORDINANCE OF THE COUNTY OF SOLANO APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE COUNTY OF SOLANO AND WILLIAM L. SMITH AND SALLY L. SMITH FOR THE "RANCHO SOLANO" PROJECT.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO DO ORDAIN AS FOLLOWS:

Section 1. The Board of Supervisors finds and determines as follows:

1.1 In December, 1981, William L. Smith applied for an amendment to the Solano County General Plan to designate the property encompassing the "Rancho Solano" project as Rural Residential.

1.2 In response to the application, an Environmental Impact Report for the project proposed as an alternative use for the property subject to the application was prepared by Environmental Science Associates, Inc., a consultant, under contract with Solano County, pursuant to Public Resources Code §21100.

1.3 On November 29, 1983, this Board, by its Resolution No. 83-253 certified the Environmental Impact Report prepared pursuant to the application as complete, and by its resolutions 83-254 and 83-255, respectively, amended the Solano County General Plan to designate the property subject to the application as "Rural Residential" and tentatively cancelled County Agricultural Preserve Contract Number 3, pursuant to a companion application.

1.4 Resolutions 83-254 and 83-255 imposed extensive conditions for the mitigation of potential environmental
effects identified in the Environmental Impact Report for
the Rancho Solano project and each contained a Statement of
Overriding Considerations identifying significant environmental
effects not mitigated to below the level of significance and
the public benefits resulting from the project which justified
the acceptance of those effects.

1.5 Among the conditions imposed in Resolutions
83-254 and 83-255 was the requirement that the property
owner enter into a Development Agreement with Solano County
pursuant to §65864 et seq. of the Government Code, requiring
the project to be developed substantially in accordance with
the project description which was the subject of the Environmental
Impact Report and further requiring that the mitigation
measures imposed as conditions in Resolutions 83-254 and 83-
255 be carried out.

1.6 William L. Smith and Sally L. Smith as the
owners of the property on which the Rancho Solano project is
located, have applied to enter into a Development Agreement
with the County of Solano for the Rancho Solano project and
have submitted to the County.

1.7 The Solano County Planning Commission conducted
a public hearing on the Development Agreement at its regularly
scheduled meeting on April 19, 1983; notice for the hearing
was given in accordance with applicable laws and County
regulations.

1.8 At its Public Hearing on the Development
Agreement, the Planning Commission recommended approval of
the Development Agreement and made the following findings.
(a) That the Development is consistent with the objectives, policies, and general land uses and programs specified in the County General Plan;

(b) That the Development Agreement is consistent with the uses authorized for and the regulations prescribed for General Plan Rural Residential land use designation;

(c) That the Development Agreement requires, as a condition of the ultimate development of the Rancho Solano project, the approval by County of a Planned Unit Development permit meeting the requirements of §28-25 of the County Zoning Regulations;

(d) That the Development Agreement is in conformity with public convenience, general welfare and good land use practices;

(e) That the Development Agreement will not adversely affect the orderly development of the property subject to the Agreement or the preservation of the value of that property.

1.9 Following public notice given in accordance with applicable laws and County regulations, the Board of Supervisors conducted a Public Hearing on the Development at its regularly scheduled meeting on May 1, 1984, wherein all persons desiring to be heard were heard.

1.10 The Development Agreement requires the project to be constructed in a manner which substantially conforms with the project description and conditions set forth in Resolutions 83-254 and 83-255.

Section 2. Based on this Board's review of the Development
Agreement and the recommendations of the Planning Commission and Department of Environmental Management, and considered the oral and documentary evidence presented at the Public Hearing on the matter, the Board further finds and determines that:

2.1 The findings and recommendations of the Planning Commission concerning the Development Agreement are hereby adopted.

2.2 The Development Agreement requires the landowner to substantially conform to the project described in and conditions imposed by Resolutions 83-254 and 83-255.

2.3 No substantial changes within the meaning of §21166(a) of the Public Resources Code are proposed in the project.

2.4 No substantial changes have occurred, within the meaning of §21166(b) of the Public Resources Code, with respect to which the project is being undertaken.

2.5 There is no new information within the meaning of §21166(c) of the Public Resources Code available concerning the project.

Section 3. The Board of Supervisors hereby approves the Development Agreement between William L. Smith and Sally L. Smith and the County of Solano for the Rancho Solano project in the form attached hereto and authorizes and directs the chairman of the Board of Supervisors to enter into said agreement in the name of the County of Solano, and further directs the Clerk of the Board of Supervisors to record said agreement and this Ordinance with the County Recorder within
ten (10) days of its effective date.

Section 4. The Clerk of the Board of Supervisors shall cause this Ordinance to be published at least once in a newspaper of general circulation, published and circulated in the County within fifteen (15) days after its passage in accordance with §25131 of the Government Code.

Section 5. This Ordinance shall become effective and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day following its passage.

PASSED AND ADOPTED THIS 1st DAY OF May 1984.

ATTEST:

Linda Terra,
Clerk of the Board of Supervisors

I, LINDA L. TERRA, 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 May 1, 1984.

On motion of Supervisor _____ Davis, Seconded by Supervisor _____ Hewitt, this Ordinance was adopted at a regular meeting of said Board on May 1, 1984, by the following vote:

AYES: SUPERVISORS: Davis, Hewitt, Pippo and Chairman Cunningham

NOES: SUPERVISORS: Brann

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 1st day of May, 1984.

LINDA L. TERRA, Clerk to the Board of Supervisors