ORDINANCE NO. 1419

AN ORDINANCE REPEALING CHAPTER 26
OF THE SOLANO COUNTY CODE
PERTAINING TO SUBDIVISIONS AND OTHER DIVISIONS OF LAND

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 26 of the Solano County Code, entitled "Subdivisions and Other Divisions of Land," is hereby republished to read as follows:

CHAPTER 26

SUBDIVISIONS AND OTHER DIVISIONS OF LAND

ARTICLE I. General Provisions and Definitions.

Sec. 26-10. Citation and authority.
Sec. 26-12. Maps; General.
Sec. 26-13. Public hearing required; Notice thereof.

ARTICLE II. Tentative Parcel Maps.

Sec. 26-20. Requirements.
Sec. 26-22. Tentative parcel map; Form; Content.
Sec. 26-23. Tentative parcel map; Conditions of approval; Generally.
Sec. 26-23.1 Tentative parcel map; Basis for denial.
Sec. 26-24. Additional conditions for approval of tentative parcel map affecting properties zoned RR-2 1/2, R-E, R-S, R-D AND R-M.
Sec. 26-25. Additional conditions for approval of tentative parcel map affecting properties zoned RR-5 and RR-10.
Sec. 26-26.1 Additional conditions for approval of tentative parcel map affecting properties adjoining certain canals and channels.
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ARTICLE III. Parcel Maps.
Sec. 26-30. Parcel maps required on all parcels; Exceptions.
Sec. 26-31. Parcel maps; Form, content and certification.
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ARTICLE IX. Appeals.
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ARTICLE X. Revisions.

Sec. 26-100. Reversion to acreage; Parcel map.
Sec. 26-101. Reversion to acreage; Final map.

Article XI. Miscellaneous.

Sec. 26-110. Effect of environmental impact evaluation on time periods for certain actions.
Sec. 26-111. Monuments.
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Sec. 26-114. Drainage and sewage facilities.
Sec. 26-115. Exemption from road dedication requirements.

ARTICLE XII. VESTING TENTATIVE MAPS

Sec. 26-120. Citation and authority.
Sec. 26-121. Purpose and intent.
Sec. 26-122. Consistency.
Sec. 26-123. Definitions.
Sec. 26-124. Applications.
Sec. 26-125. Filing and processing.
Sec. 26-126. Fees.
Sec. 26-127. Expiration.
Sec. 26-128. Vesting on approval of vesting tentative map.
Sec. 26-129. Development inconsistent with zoning; Conditional approval.
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ARTICLE I. GENERAL PROVISIONS AND DEFINITIONS.

Sec. 26-10. Citation and authority.
This chapter is adopted to supplement and implement the Subdivision Map Act of 1974, and may be cited as the subdivision ordinance of Solano County.
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The following words and phrases shall have the meaning respectively ascribed to them.

(a) **Approving body** means the official body charged with the duty of making investigation and reports on the design and improvement of proposed divisions of real property, the imposing requirements or conditions thereon, and/or having the authority to approve, conditionally approve, or disapprove maps. The approving body for maps processed under this chapter shall be as herein designated:

1. **Tentative Parcel Maps.** The Subdivision Review Committee shall constitute the approving body for tentative parcel maps.
2. **Parcel Maps.** The Subdivision Review Committee shall constitute the approving body for parcel maps.
3. **Tentative Maps.** The Board of Supervisors, after review by the Planning Commission, shall constitute the approving body for tentative maps.
4. **Final Maps.** The Board of Supervisors shall constitute the approving body for final maps.

(b) **Major Subdivision** means any subdivision creating five or more parcels, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, and any division for which a tentative map and a final map are required, except as follows:

1. The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the legislative body; or
2. Each parcel created by the division has a gross area of 20 acres or more, and has approved access to a maintained public street or highway; or
3. The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises a part of a track of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths.
4. Each parcel created by the division has a gross area of 41 acres or more.
5. Those subdivisions described in 26-101 (c) 1, 2, 3, and 4 above shall be deemed to be minor subdivisions as defined in this Chapter and shall be processed in the same manner as provided for minor subdivisions pursuant to this Chapter.
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(c) **Minor subdivision** means any subdivision creating four or less parcels, and for which a tentative parcel map and parcel map are required.

(d) **Subdivision Review Committee** means the technical advisor for the Planning Commission consisting of the County Director of Public Works, County Planning Director, County Director of Environmental Health and the County Fire Warden, or their authorized representatives. The Planning Director shall act as coordinator and secretary to the committee. All members of the committee shall constitute a quorum for the transaction of business.

(e) **Subdivider** means a person, firm, corporation, partnership or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for himself or for other; except that employees and consultants of such persons or entities, acting in such capacity, are not subdividers.

(f) **Subdivision** means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units for the purpose of sale, lease, or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement, or railroad rights-of-way. Subdivision includes a condominium project as defined in Section 1350 of the Civil Code, a community apartment project as defined in Section 11004 of the Business and Professions Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code.

As used in this section, agricultural purposes means the cultivation of food or fiber or the grazing or pasturing of livestock.

(g) Nothing in this section (Section 26-101) shall prevent a purchaser of a unit of land created under the provisions of this chapter from subdividing such land one time pursuant to the provisions of his chapter prior to the time that an equalized county assessment roll has been completed reflecting the creation of the unit proposed to be subdivided.

(h) Notwithstanding this section (Section 26-101) two or more contiguous parcels or units of land which have been subdivided under the provisions of this chapter, or any prior ordinance or law regulating the division of land, shall not merge by virtue of the fact that such contiguous parcels or units are held by the same owner and no further proceedings under this chapter shall be required for the purpose of sale, lease or financing of such contiguous parcels or units, or any of them; except that, where
such parcels or units of land were created without the express approval of the County and one of such contiguous parcels or units held by the same owner does not conform to standards for minimum parcel size to permit use or development under this chapter, Chapter 20, or Chapter 28 of this Code, and at least one of such contiguous parcels or units is not developed with a legal building under provisions of this code, then upon the County filing a notice of such merger with the County Recorder, specifying the name of the record property owners and particularly describing the property, such parcels shall be merged for the purposes of this chapter. At least thirty days prior to the recording of this notice, the owner of the parcels or units to be affected by the merger, shall be advised in writing of the intention to record the notice and be given notice of the time, date, and place at which the owner may present evidence before the Board of Supervisors as to why such parcels should not be merged for the purposes of this chapter.

(i) Any conveyance of land to a governmental agency, public entity, or subsidiary of a public utility for conveyance to such public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels.

Section 26-12, Maps; General.

(a) This chapter shall be inapplicable to:

(1) Leases of agricultural land for agricultural purposes.

(2) The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, mobilehome parks or trailer parks.

(3) Mineral, oil, or gas leases.

(4) Land dedicated for cemetery purposes under the Health and Safety Code of the State of California.

(5) A lot line adjustment between two or more adjacent parcels where the land taken from one parcel is added to an adjacent parcel and where a greater number of parcels than an adjacent parcel and where a greater number of parcels than originally existed is not thereby created; provided, the lot line adjustment is approved by the Subdivision Review Committee.

(6) Boundary line or exchange agreements to which the state lands commission or a local agency holding a trust grant of tide and submerged lands is a party.

(7) Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

(8) The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the
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project is not subject to review under other local agency ordinances regulating design and improvement.

(9) The financing or leasing of existing separate commercial or industrial buildings on a single parcel.

(b) The Environmental Review Committee shall determine environmental matters as concerns such project or projects and upon its recommendation, the Subdivision Review Committee shall, upon making the findings required in Government Code Section 66428, waive the necessity of filing a parcel map for any of the following subdivisions:

(1) Any subdivision wherein each parcel created by the division has a gross area of forty-one acres or more.

(2) Any subdivision created by any conveyance or transfer of that portion of one ownership severed from the remainder by a railroad, public road or public path to abutting ownership for the sole purpose of increasing the area of the property being enlarged without creating an additional building site.

(c) The filing of a tentative parcel map or a parcel map pursuant to this chapter is hereby waived, and the findings necessary for such waiver pursuant to Government Code Section 66428 are hereby presumed for the following types of subdivisions:

(1) Any division of land which conforms in all respects to a subdivision or record of survey map approved by the County Planning Commission or the Board of Supervisors subsequent to November 24, 1936, and established pursuant to State Subdivision Map act, and which further conforms in all respects to Chapter 28 of this Code.

(2) Any division of land which is created by action of a body having the power of eminent domain.

(3) The conveyance or transfer of land made or required by court decree, or the intestate or testamentary disposition of land.

(4) The conveyance, transfer, creation or establishment of an easement for sewer, water, gas, electricity, and telephone services, or similar purposes.

(5) Leasing of property with buildings established prior to January 14, 1966.

(6) Leasing of property exclusively for radio transmission or relay facilities and for commercial wind turbine generators.

Section 26-13. Public Hearing Required; Notice Thereof.

(a) The Subdivision Review Committee shall hold at least one public hearing on a tentative parcel map of any minor subdivision processed under this chapter.
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(b) The Planning Commission shall hold at least one public hearing on a tentative map of any major subdivision processed under this chapter.

(c) At least ten days prior to any public hearing provided for by this section, notice of the application and proposal shall be given by publication in a newspaper of general circulation within the County, and either by posting notice of the hearing on or in the vicinity of the property affected, or by mailing notice by first-class mail in the United States mail to the owners of all property contiguous to the outer boundary of the proposed subdivision, for this purpose, the last address shown on the records of the County Assessor.

Article II. Tentative Parcel.

Sec. 26-20. Requirements.

Except as otherwise provided in this chapter, whenever a parcel map is required by this chapter, a tentative parcel map shall first be filed with the Planning Department. Such map shall meet all requirements for tentative parcel maps provided by this chapter.


Tentative parcel maps shall be filed with the County Planning Department and shall be processed in accordance with the Subdivision Map Act and the provisions of this chapter. The subdivider shall file as many copies of the tentative parcel maps as may be required by the County Planning Department.

Sec. 26-22. Tentative parcel map--Form; content.

(a) The tentative parcel map shall be filed with the Planning Department, together with the required number of copies. The Planning Department shall examine such application, any accompanying data and maps for compliance with this chapter, and shall accept the same only when all requirements as to form have been met. The date of receipt of the subdivision information shall be at least ten days prior to the meeting of the subdivision review committee at which consideration of the same is desired. The tentative parcel map, and application for filing, shall be filed with two copies of a preliminary title report dated within sixty days preceding the filing of the tentative parcel map.

(b) The subdivision application information shall include:

(1) Name, address and telephone number of the landowner, if he is not the applicant.
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(2) A copy of the County Assessor's map with the property of the proposed subdivision delineated.
(3) Proposed source of potable water.
(4) Method of sewage disposal.
(5) Proposed use of the parcels.
(6) Signature of the applicant and the date of the application.
(7) Such other information as deemed necessary by the Subdivision Review Committee.
(c) The tentative parcel map of the proposed subdivision shall be clearly and legibly drawn on sheets eighteen by twenty-six inches in size, using an engineer's scale in all cases. A marginal line shall be drawn around each sheet leaving a blank margin of one inch. The map shall show:
(1) The boundaries of the land proposed to be divided with dimensions and the net area exclusive of roads.
(2) The existing and proposed right-of-way lines of county roads within or abutting the land and the location and width of pavement, curbs, gutters and sidewalks, both existing and proposed.
(3) The existing and proposed parcel lines with dimensions and area of each parcel.
(4) The locations of drainage ways, watercourses and areas subject to flooding.
(5) The location, with dimensions and the use of any existing structures or improvements on the land or underground, including wells, sewerage, etc.
(6) All existing or proposed easements.
(7) The name, address and telephone number of the person who prepared the map and the date preparation.
(8) The north point and scale.
(9) The existing topography of the land proposed to be divided using reasonable contour intervals to be determined on the basis of the terrain. Contours of adjacent land shall also be shown whenever the surface features of such land affect the design and/or improvement of the proposed division. The tentative parcel map shall contain a statement by the person preparing the map stating the source of contours shown on the map.
(10) Such other information as deemed necessary by the subdivision review committee, including maps of adjoining land which may have been previously divided.

Sec. 26-23. Tentative parcel map; conditions of approval; Generally.
(a) The Subdivision Review Committee may approve, or
conditionally approve, the tentative parcel map only when the following minimum conditions are found:

(1) The information shown on the map is accurate.
(2) All proposed parcels shall conform to use, minimum building site area, site widths, yard areas, and access requirements of Chapter 28 for the zoning district within which the proposed parcels lie.
(3) All parcels shall conform to use, minimum building site area, yard areas, and other requirements and criteria of Chapter 25 of this Code dealing with sewage and sewage disposal.
(4) Adequate access to all parcels will be provided.
(5) The proposed subdivision is consistent with the Solano County General Plan.
(6) Drainage, grading and improvements pursuant to County regulations will be provided so as not to adversely affect other land, public improvements or surrounding area.
(7) Use is made of public sewerage and water facilities when available. Availability shall be determined by the Subdivision Review Committee in accordance with the following criteria: rational engineering design; policy of the public agency providing the sewerage and/or water facilities; such other information deemed by the Subdivision Review Committee, to be necessary to reach its decision.

Sec. 26-23.1. Tentative Parcel Map; Basis for Denial.
(a) The Subdivision Review Committee shall deny approval of a tentative parcel map if it makes any of the following findings:
(1) That the proposed map is not consistent with applicable general and specific plans.
(2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
(3) That the site is not physically suitable for the type of development.
(4) That the site is not physically suitable for the proposed density of development.
(5) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
(6) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
(7) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large, for access through or use of property within the proposed
subdivision. In this connection, the County of Solano may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the Board of Supervisors to determine that the public at large has acquired easements for access through, or use of property within the proposed subdivision.

Sec. 26-24. Additional conditions for approval of tentative parcel map affecting properties zoned RR-2 1/2, R-E, R-S, R-D, and R-M.

(a) In addition to the conditions set forth in Section 26-203, the Subdivision Review Committee may approve, or conditionally approve, a tentative parcel map affecting properties zoned R-R2 1/2, R-E, R-S, R-D and R-M, established pursuant to Chapter 28 of the Solano County Code, only when the following minimum conditions are found:

(1) The proposed subdivision shall be of acceptable design and shall be based upon an approved circulation plan to provide maintained county road frontage to each and every potential parcel as allowed by existing zoning. The proposal shall include existing and proposed private and county roads, whether within the County maintained mileage system or otherwise, shall observe the circulation element of the County General Plan, and shall extend proposed roads to contiguous property to facilitate through roads were appropriate.

(2) The proposed subdivision shall provide that each parcel to be created thereby shall abut an existing county road within the maintained mileage system or about a state highway which affords access to the subdivision or abut a proposed county road. All such proposed county roads shall provide for a direct connection to an existing county road within the maintained mileage system or state highway. All proposed county roads shall be dedicated and offered for acceptance by the subdivider to the County of Solano. As a condition precedent to the acceptance of any such road, the Subdivision Review Committee shall require reasonable off-site and on-site improvements for the parcels being created in accordance with improvements standards established by Solano County Standard Subdivision Conditions. The nature, extent and requirements for the construction of such improvements shall be noticed by a certificate on the parcel map, or by separate instrument, and shall be recorded on, concurrently with, or prior to, the parcel map filed for record.
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(3) In the event any parcel proposed to be created by
the subdivision abuts or is provided access by a county road within
the maintained mileage system, substandard with respect to width
improvement or repair, such county road shall be required to be
improved and repaired and sufficient additional rights-of-way or
easements shall be dedicated and offered for acceptance by the
subdivider to the County of Solano. As a condition precedent to
the acceptance of such additional rights-of-way or easements and
approval of the tentative map, the Subdivision Review Committee
shall require reasonable off-site and on-site improvements for the
parcels being created in accordance with improvement standards
established by Solano County Standard Subdivision Conditions. The
nature, extent and requirements for the construction of such
improvements shall be noticed by a certificate on the parcel map,
or by separate instrument, and shall be recorded on, concurrently
with, or prior to the parcel map being filed for record.

(4) In cases where a narrow strip is employed in the
subdivision design to accommodate a driveway access to a building
site, the driveway strip shall not be less than thirty feet in
width nor greater than one thousand feet in length nor contrary to
acceptable design standards. The driveway width shall not be used
in a computation of the minimum parcel area requirements unless it
is also included in the minimum average width computation.

(5) If, in the judgment of the Subdivision Review
Committee, a proposed road cannot serve more than four potential
parcels, the proposed road may be a private road constructed
pursuant to private road standards adopted by the Board of
Supervisors.

(6) The proposed subdivision shall provide for installa-
tion or construction of water facilities for fire suppression
available within one thousand feet of each parcel at a flow rate of
two hundred gallons per minute for twenty minutes at a point easily
accessible to fire apparatus.

(7) The proposed subdivision shall provide for dedica-
tion of drainage easements and the construction of drainage
improvements at the expense of the subdivider to the extent deemed
reasonable by the Subdivision Review Committee to protect public
and private improvements from the possible damages from a flood
that could be expected to occur once in one hundred years on the
average.

(b) Fulfillment of any repair, installation, or construction
requirements established pursuant to Paragraph (a) herein shall be
completed at the time of, and as a prerequisite to, the issuance of
any zoning-building permit, or at such other time as may be
determined by the Subdivision Review Committee. The parcel map
shall be endorsed to the effect that said construction or repairs

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shall be completed as provided above unless, at the time of filing of the parcel map, the subdivider shall be required by the Subdivision Review Committee to complete said construction or repairs within a reasonable time following the approval of the parcel map because the same are necessary for reasons of public health and safety, or are required as a necessary prerequisite to the orderly development of the surrounding area.

Sec. 26-25. Additional Conditions for Approval of Tentative Parcel Map Affecting Properties Zoned R-R5 and R-R10

(a) In addition to the conditions set forth in Section 26-203, the Subdivision Review Committee may approve, or conditionally approve, a tentative parcel map affecting properties zoned R-R5 and R-R10 established pursuant to Chapter 28 of the Solano County Code only when the following minimum conditions are found:

(1) The proposed subdivision shall be of acceptable design and shall be based upon an approved circulation plan to provide maintained county road or private road frontage to each and every potential parcel as allowed by existing zoning, whether within the maintained mileage system or otherwise; shall observe the circulation element of the County general Plan, and shall extend proposed roads to contiguous property to facilitate through roads where appropriate.

(2) The proposed subdivision shall provide that each parcel to be created thereby shall abut an existing county road within the maintained mileage system or abut a state highway which affords access to the subdivision or abut a proposed road. All such proposed roads, including County roads not within the maintained mileage system, shall provide for a direct connection to an existing county road within the maintained mileage system or state highway. All proposed roads shall be no less than deeded private easements improved pursuant to standards for private roads established by the Board of Supervisors. Roadway grading and drainage shall be as required by County standards for county maintained roads. The requirements for the construction of such road improvements shall be noticed by a certificate on the parcel map, or by separate instrument, and shall be recorded on, concurrently with, or prior to the parcel map being filed for record.

(3) The proposed subdivision shall provide for dedication and offering for acceptance by the subdivider to the County of Solano of additional rights-of-way when abutting a county road of substandard width, whether such road is within the maintained system or otherwise.

(4) In cases where a narrow strip is employed in the subdivision design to accommodate a driveway access to a building
site, the driveway strip shall not be less than thirty feet in width nor greater than one thousand feet in length, nor contrary to acceptable design standards.

The driveway width shall not be used in a computation of the minimum parcel area requirement unless it is also included in the minimum average width computation.

(5) The proposed subdivision shall provide for installation or construction of water facilities for fire suppression available within one thousand feet of each parcel at a flow rate of two hundred gallons per minute for twenty minutes at a point easily accessible to fire apparatus.

(6) The proposed subdivision shall provide for dedication of drainage easements and the construction of drainage improvements at the expense of the subdivider to the extent deemed reasonable by the Subdivision Review Committee to protect public and private improvements from the possible damage from a flood that could be expected to occur once in one hundred years on the average.

(b) Fulfillment of any repair, installation, or construction requirements established pursuant to Paragraph (a) herein shall be completed at the time of, and as a prerequisite to, issuance of any zoning-building permit, or at such other time as may be determined by the Subdivision Review Committee. The parcel map shall be endorsed to the effect that said construction or repairs shall be completed as provided above unless, at the time of filing of the parcel map, the subdivider shall be required by the Subdivision Review Committee to complete said construction or repairs within a reasonable time following the approval of the parcel map because the same are necessary for reasons of public health and safety, or are required as a necessary prerequisite to the orderly development of the surrounding area.


(a) In addition to the conditions set forth in Section 26-203, the Subdivision Review Committee may approve or conditionally approve a tentative parcel map affecting properties zoned T, A, A-L, P, C-H, C-N, C-G, C-S, C-o, M-L, M-G, I-WD, W and MP established pursuant to Chapter 28 of the Solano County Code only when the following conditions are found:

(1) Adequate access to all the parcels shall be provided.

(2) The proposed subdivision shall provide for dedica-
tion and offering for acceptance by the subdivider to the County of Solano of additional rights-of-way when abutting a county road of substandard width, whether such road is within the maintained mileage system or otherwise.

(3) The proposed subdivision shall provide for dedication of drainage easements and the construction of drainage improvements, at the expense of the subdivider, to the extent deemed reasonable by the Subdivision Review Committee to protect public and private improvements from the possible damage from a flood that could be expected to occur once in 100 years on the average.

Sec. 26-26.1. Additional conditions for approval of tentative parcel map affecting properties adjoining certain canals and channels.

(a) In addition to other conditions set forth in this code, the Subdivision Review Committee may not approve, or conditionally approve, a tentative parcel map if the proposed subdivision adjoins, or is crossed by, open channel canals and/or constructed storm drain channels having a depth of three feet or more unless the proposed subdivision provides for installation or construction of fencing along the outside boundaries of all easements containing the open channel canals, and constructed storm drain channels. The construction standard for fencing shall be determined by the subdivision committee on an individual basis. This requirement may be waived by the Subdivision Review Committee when each parcel created by the division has a gross area of forty-one acres or more, or when the parcel or parcels are found to have unique characteristics which render fencing unreasonable under the circumstances.

(b) If fencing, in accordance with the standards required above, has been constructed at public expense prior to the approval of the tentative parcel map, the County may, as a condition of approval of the tentative parcel map, require the subdivider to reimburse the County for the actual cost of the County of the construction of that portion of the fence which adjoins or passes through the proposed subdivision.

Sec. 26-27. Improvement Security.

(a) If construction or repairs are required as a condition of approval of the tentative parcel map, the construction or repairs shall be completed at the time of, and as a prerequisite to, issuance of any zoning-building permit or at such other time as may
be determined by the Subdivision Review Committee. The parcel map shall be endorsed to the effect that the construction or repairs shall be completed as provided above, unless, at the time of filing of the parcel map, the subdivider shall be required by the Subdivision Review Committee to complete the construction or repairs because the same are necessary for reasons of public health and safety, or are required as a necessary prerequisite to the orderly development of the surrounding area.

(b) When construction or repairs are allowed at a time other than at issuance of the zoning-building permit, the Subdivision Review Committee shall require either the subdivider, owner of record, or applicant for the zoning-building permit to enter into one of the following agreements as specified by the County:

(1) An agreement with the County upon mutually agreeable terms to thereafter complete such improvements at the applicant's expense; or

(2) An agreement with the County to thereafter initiate and consummate proceedings under an appropriate special assessment act for the financing and completion of all such improvements or, if not completed under such special assessment act, to complete such improvements at the applicant's expense.

(c) The County, upon entering into an agreement pursuant to this Section, shall require that performance of such agreement be guaranteed by any of the following security:

(1) Bond or bonds by one or more duly authorized corporate sureties,

(2) A deposit, either with the local agency or a responsible escrow agent or trust company, at the option of the local agency, of money or negotiable bonds of the kind approved for securing deposits of public moneys;

(3) An instrument of credit from one or more financial institutions subject to regulation by the state of federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment;

(4) A lien upon the property to be divided, created by contract between the owner and the local agency, if the local agency finds that it would not be in the public interest to require the installation of the required improvement sooner than two years after the recordation of the map;

(5) Any form of security, including security interests in real property, which has been reviewed and approved by the Planning Department, Department of Public Works, and Office of the County Counsel.

(d) Any written contract or security interest in real property entered into as security for performance pursuant to Section (c) shall be recorded with the County Recorder. From the
time of recordation of the written contract or document creating a
security interest, a lien shall attach to the real property
particularly described therein, and shall have the priority of a
judgment lien in an amount necessary to complete the agreed to
improvements. The recorded contract or security document shall be
indexed in the grantor index of the names of all record owners of
the real property as specified on the map and in the grantee index
to the County.

The County may at any time release all of any portion of
the property subject to any lien or security interest created by
this subsection, or subordinate the lien of security interest to
other liens or encumbrances if it is determined that security for
performance is sufficiently secured by a lien on other property, or
that the release or subordination of the lien will not jeopardize
the completion of agreed upon improvements.

(e) The form, contents, procedures for release of security
required herein, and the amount of security required, shall be
substantially as set forth in Government Code Sections 66299.1
through 66400.10, inclusive.

(a) Expiration. The approval, or conditional approval, of a
tentative parcel map shall expire twelve months from the date the
map was approved, or conditionally approved.

(b) Extension. The person filing the tentative parcel map
may request an extension of the tentative parcel map approval, or
conditional approval, by written application to the Subdivision
Review Committee, such application to be filed at least thirty days
before the approval, or conditional approval, is due to expire.
The application shall state the reasons for requesting the exten­sion; new conditions may be imposed and existing conditions may be
revised.

(c) Time Limit Extensions. An extension, or extensions, of
tentative parcel map approval shall not exceed an aggregate of one
year.

(d) Effect of Map Modification on Extension. Modification of
a tentative map after approval, or conditional approval, shall not
extend the time limits imposed by this section.

Sec. 26-29. Minor revisions of tentative parcel map.
(a) Minor revisions not constituting a substantial alteration
in the tentative parcel map or any element thereof may be reviewed
and approved by the Subdivision Review Committee. Each application
for a minor revision shall be accompanied by a fee as may be set by
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the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Article III. Parcel Maps.

Sec. 26-30. Parcel Maps Required on all Parcels; Exceptions.
(a) Except as otherwise provided herein, a parcel map shall be filed and recorded for any subdivisions for which a tentative map and final map are not required by the Subdivision Map Act; except that a parcel map shall not be required for: (1) subdivisions of a portion of the operating right-of-way of a railroad corporation, defined as such by Section 230 of the Public Utilities Code, which are created by short-term leases (terminable by either party on not more than 30-days notice in writing); or (2) land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility, or for land conveyed to a subsidiary of a public utility for conveyance to such public utility for rights-of-way; provided, however, that upon a showing made to the Subdivision Review Committee, in individual cases based upon substantial evidence that public policy necessitates such a map, this exception shall not apply.

Sec. 26-31. Parcel maps; form, content and certification.
(a) The form, content and certification of parcel maps shall be governed by the provisions of Title 7, Division 2, Chapter 2, Article 3 (commencing with Section 66444) of the Government Code, unless otherwise expressly stated herein.
(b) The map shall show the location of each parcel and its relation to surrounding surveys. The location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey, but only by reference to the existing record boundaries if such remainder has a gross area of five acres or more.

Sec. 26-32. Approval of parcel maps.
(a) After the approval, or conditional approval, of the tentative parcel map, a parcel map, if prepared, shall be prepared in conformity with the approved, or conditionally approved, tentative parcel map, and in the form of a parcel map produced by a licensed land surveyor or registered civil engineer pursuant to the State Subdivision Map Act, and shall be based upon a field survey.
(b) A certificate on the parcel map signed by the Planning Director as an acknowledgement that the map is in accord with the approved, or conditionally approved, tentative parcel map shall be required in addition to the other certifications required by State law.

(c) The subdivision shall be deemed complete when the approved parcel map thereof is filed in the office of the County Recorder. Prior to final approval of a minor subdivision, the subdivider shall obtain certification on the face of the parcel map, from the Tax Collector of Solano County, which shows that, according to the records of the Tax Collector, there are no liens against such property, or any part thereof, for unpaid State, County, Municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable. The Tax Collector shall not execute such certification until all taxes which are due and payable have been paid.

(d) Whenever dedications are made as a condition to approval of a parcel map, then the parcel map shall be processed the same as a final map in accord with Article V, Sections 26-500 through 26-502, inclusive, of this Chapter.

Article IV. Tentative Maps.

Sec. 26-40. Filing of tentative maps.
Tentative maps shall be filed with the County Planning Department on the form prescribed by the Planning Director and shall be processed in accordance with the Subdivision Map Act and the provisions of this Chapter. The subdivider shall file as many copies of the tentative maps as may be required by the County Planning Department. The tentative map shall be filed with two copies of a preliminary title report, date within thirty days preceding the filing of the tentative map on the property which is the subject of the proposed subdivision.

Sec. 26-41. Tentative map--form, contents.
(a) Every tentative map filed with the County Planning Department shall be legibly drawn and reproduced on sheets eighteen by twenty-six inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown.
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(b) In addition thereto, each map shall contain the following information:

1. Tract number.
2. Date of preparation, north point and scale.
3. Sufficient legal description of the land to define the boundaries of the proposed division of land.
4. A key map indicating the location of the proposed division of land in relation to the surrounding area.
5. The name and address of the record owner, the subdivider and the civil engineers, or licensed surveyor.
6. The existing topography of the land proposed to be divided, using contour intervals of not more than five feet. Contours of adjacent land shall also be shown whenever the surface features of such land affect the design and/or improvements of the proposed division. The tentative map shall contain a statement by the person preparing the map, stating the source of contours shown on the map.
7. The designation of any areas with slopes greater than twenty-five percent or any area not otherwise in conformance with Chapter 25 of the Solano County Code (sewage and sewage disposal) for establishment of a building site.
8. The approximate location of all areas subject to inundation or storm water overflow and the location, width, and direction of flow of each watercourse.
9. The approximate location of each area covered by trees with a statement of the nature of the cover and the predominant species and approximate location of all trees standing within the boundaries of proposed public right-of-way.
10. The location, width, approximate grade, property line, and radii of all existing and proposed streets and highways within and adjacent to the proposed subdivision.
11. The width, purpose and approximate location of all existing and proposed easements or rights-of-way, whether public or private, within and adjacent to the proposed subdivision.
12. The radius and arc length of each centerline curve of all existing and proposed streets and highways within and adjacent to the proposed subdivision.
13. The lot layout and the approximate dimensions of each lot and of each building site. Engineering data shall show the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, the top and toe cut and fill slopes to scale, and the number of each lot; the proposed areas for public use; and the angle of intersecting streets or highways if such angle deviates from a right angle by more than four degrees.
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(14) The location of all cut and fill slopes or a separate grading plan.

(15) Each street shown by its actual street name or by a temporary name or letter for purposes of identification until the proper name of such street is determined.

(16) The name, or names, of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map.

(17) A geological soils report prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations, unless the Planning Commission, upon recommendation of the Director of Public Works, shall determine that, due to the knowledge it has as to the soil qualities of the soil of such subdivision or lot, no preliminary analysis is necessary. If the preliminary soils report identifies problems which, if not corrected, would lead to structural defects, the person filing the tentative map shall submit a soils investigation of each lot in the subdivision, prepared by a civil engineer who is registered in this state which shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil.

The Planning Commission shall approve the soils investigation if it determines that the recommended action is likely to prevent structural damage to each dwelling to be constructed and shall require that the approved recommended action be incorporated in the construction of each dwelling as a condition to the building permit. The report shall include information required by Section 25-200 of the Solano County Code regarding percolation, water table and core tests. The information contained in the soils report may be furnished separately from the map itself.

(c) The Board of Supervisors may waive any of the foregoing requirements whenever the Board of Supervisors finds that the type of subdivision is such that compliance is unnecessary, or that other circumstances justify the waiver. The Board of Supervisors may require such drawings, data or other information as deemed necessary.

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**Sec. 26-42. Tentative map approval: description of improvements required; report of action taken.**

(a) All subdivisions coming under the provisions of this article shall, in addition to any other condition imposed by the Planning Commission or the Board of Supervisors, conform with the conditions and regulations set forth in the Solano County Standard Subdivision Conditions, a copy of which shall be provided to the subdivider upon request.
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(b) The Planning Commission, acting as an advisory agency, shall review the tentative map and make its written report and recommendations to the Board of Supervisors within 50 days after the filing of the tentative map with the Planning Department. However, if an Environmental Impact Report is prepared for the tentative map, the 50-day period specified in this Section shall not be applicable and the Planning Commission shall render its report as required by this Section within 45 days after certification of the Environmental Impact Report.

(c) The Board of Supervisors, at its next regular meeting following the filing of the Planning Commission's report, shall fix the meeting date at which the tentative map will be considered by it, which date shall be within thirty days thereafter. The Board of Supervisors shall approve, conditionally approve, or disapprove the tentative map within such thirty-day period.

(d) Any report or recommendation on a tentative map by the staff of the County of Solano to the Planning Commission or the Board of Supervisors shall be in writing and a copy thereof served on the subdivider and on each tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, at least three days prior to any hearing or action on such map by the Planning Commission or the Board of Supervisors.

(e) If no action is taken upon a tentative map by the Planning Commission to approve, conditionally approve, or disapprove the tentative map within the time limits herein specified, or within any authorized extension of time, the tentative map, as filed, shall be deemed to be approved insofar as it complies with other applicable requirements of the Subdivision Map Act and this Chapter, and it shall be the duty of the County Clerk to certify such approval.

Sec. 26-43. Expiration of tentative map approval.
(a) Expiration. The approval, or conditional approval, of a tentative map shall expire twenty-four months from the date the map was approved, or conditionally approved.
(b) Extension. Upon written application to the Board of Supervisors, the extension of time in which to file the final map may be granted; such application to be filed at least thirty days before the approval, or conditional approval, is due to expire. The application shall state the reasons for requesting the extension. In granting the extension, new conditions may be imposed and existing conditions may be revised.
(c) Time Limit Extension. An extension, or extensions of
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time granted for approval of final map, shall not exceed an aggregate of two years.

(d) Effect of Map Modification on Extension. Modification of a tentative map after approval, or conditional approval, shall not extend the time limits imposed by this Section.

Sec. 26-44. Minor revisions of tentative map.

(a) Minor revisions not constituting substantial alteration in the approved tentative map or any element thereof may be reviewed and approved by the Board of Supervisors after initial review and approval of said minor revisions by the Planning Commission. Each application for a minor revision shall be accompanied by a fee as may be set by the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Article V. Final Maps.

Sec. 26-50. Final maps; content and form.

(a) Except as otherwise provided herein, the content and certification form of final maps shall be governed by the provisions of Title 7, Division 2, Chapter 2, Article 2 (commencing with Section 66433) of the Government Code.

(b) In addition to any other certificate required by state law, a certificate on the final map signed by the County Planning Director acknowledging that the map is in accord with the approved, or conditionally approved, tentative map, shall be required.

Sec. 26-51. Procedure for approval of final maps.

(a) After the approval, or conditional approval, of the tentative map, and prior to the expiration of such map, the subdivider may cause the real property included within the map, or any part thereof, to be surveyed and a final map thereof prepared in accordance with the approved, or conditionally approved tentative map.

(b) A final map conforming to the approved, or conditionally approved, tentative map, if any, may be filed with the Board of Supervisors for approval after all required certificates on such map have been signed, and where necessary, acknowledged.

(c) Approval; Time.

(1) The Board of Supervisors shall, at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it
conforms to all the requirements of this Chapter applicable at the
time of approval or conditional approval of the tentative map, and
any rulings made thereunder or, if it does not so conform,
disapprove the map.

(2) If the Board of Supervisors does not approve or
disapprove the map within the prescribed time or any authorized
extension thereof and the map conforms to all said requirements and
rulings, it shall be deemed approved, and the Clerk of the Board of
Supervisors shall certify its approval thereof.

(d) Dedications; Procedure by Board of Supervisors.

(1) If at the time the final map is approved any
streets, paths, alleys, public utility easements, rights-of-way for
local transit facilities such as bus turnouts, benches, shelters,
landing pads and similar items which directly benefit the residents
of a subdivision, or storm drainage easements are rejected subject
to Section 771.010 of the Code of Civil Procedure, the offer of
dedication shall remain open and the Board of Supervisors may, by
resolution at any later date and without further action by the
subdivider, rescind its action and accept and open the streets,
paths, alleys, rights-of-way for local transit facilities such as
bus turnouts, benches, shelters, landing pads, and similar items
which directly benefit the residents of a subdivision, or storm
drainage easements for public use, which acceptance shall be
recorded in the office of the County Recorder.

(2) In the case of any subdivision fronting upon bay
shoreline, the offer of dedication of public access route or routes
from public highways to land below the ordinary high water mark
shall be accepted within three years after the approval of the
final map; in the case of any subdivision fronting upon any public
waterway, river or steam, the offer of dedication of public access
route or routes from public highways to the bank of the waterway,
river or stream, and the public easement along a portion of the
bank of the waterway, river or stream, must be accepted within
three years after the approval of the final map; in the case of any
subdivision fronting upon any lake or reservoir which is owned in
part or entirely by any public agency, including the state, the
offer of dedication of public access route or routes from public
highways to any water of such lake or reservoir must be accepted
within five years after the approval of the final map; all other
offers of dedication may be accepted at any time.

(3) Offers of dedication which are covered by subsection
(a) may be terminated and abandoned in the same manner as pre­
scribed for the abandonment or vacation of streets by Part 3
(commencing with Section 8300) of Division 9 of the Streets and
Highways Code, whichever is applicable.

(4) At the time the Board of Supervisors approves a
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final map, it shall also accept, subject to improvement, or reject any offer of dedication. The Clerk of the Board of Supervisors.

(e) Dedications--Time When Effective. Acceptance of offers of dedication on a final map shall not be effective until the final map is filed in the office of the County Recorder, or a resolution of acceptance by the legislative body is filed in such office.

(f) Multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map if: (1) the subdivider, at the time the tentative map is filed, informs the Planning Commission of the subdivider's intention to file multiple final maps on such tentative map; or (2) after filing of the tentative map, the County of Solano and the subdivider concur in the filing of multiple final maps. In providing such notice, the subdivider shall not be required to define the number of configuration of the proposed multiple final maps.

Sec. 26-52. Security required--Form.

(a) If, at the time of approval of the final map by the Board of Supervisors, any public improvements required by the County pursuant to the provisions of this Chapter have not been completed and accepted in accordance with standards established by the County, by resolution applicable at the time of the approval or conditional approval of the final map, the subdivider shall enter into one of the following agreements specified by the County:

1) An agreement with the County upon mutually agreeable terms to thereafter complete such improvements at the subdivider's expense; or

2) An agreement with the County to thereafter initiate and consummate proceedings under an appropriate special assessment act for the financing and completion of all such improvements, or if not completed under such special assessment act, to complete such improvements at the subdivider's expense.

(b) The County, upon entering into an agreement pursuant to this Section, shall require that performance of such agreements be guaranteed by any of the following security:

1) Bond or bonds by one or more duly authorized corporate sureties.

2) A deposit, either with the County of Solano or a responsible escrow agent or trust company at the option of the County of Solano, of money or negotiable bonds of the kind approved for securing deposits of public moneys.

3) An instrument of credit from one or more financial institutions subject to regulation by the State or federal government, and pledging that the funds necessary to carry out the
act or agreement are on deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.

(4) A lien upon the property to be divided, created by contract between the owner and the County of Solano, if the County of Solano agency finds that it would not be in the public interest to require the installation of the required improvement sooner than two years after the recordation of the map.

(5) Any form of security, including security interests in real property, which has been reviewed and approved by the Planning Department, Department of Public Works, and Office of the County Counsel.

(c) Any written contract or security interest in real property entered into as security for performance pursuant to subsection (b) shall be recorded with the County Recorder. From the time of recordation of the written contract or document creating a security interest, a lien shall attach to the real property particularly described therein, and shall have the priority of a judgment lien in an amount necessary to complete the agreed to improvements. The recorded contract or security document shall be indexed in the grantor index to the names of all record owners of the real property as specified on the map and in the grantee index to the County.

The County may at any time release all or any portion of the property subject to any lien or security interest created by this subsection, or subordinate the lien or security interest to other liens or encumbrances if it is determined that security for performance is sufficiently secured by a lien on other property, or that the release or subordination of the lien will not jeopardize the completion of agreed upon improvements.

(d) The form, contents, procedures for release of security required herein, and the amount of security required, shall be substantially as set forth in Government Code Sections 66499.1 through 66499.10, inclusive.

Article VI. Soils Report.

Sec. 26-60. Soils report.

(a) A preliminary soils report, prepared by a civil engineer registered in this state and based upon adequate test borings shall be submitted to the County Director of Public Works for every major subdivision and may be required for a minor subdivision in the discretion of the Subdivision Review Committee.

(b) The soils report shall also contain the information necessary to meet the requirements of Chapter 25 of the Solano County Code (Section 25-200), regarding percolation tests and water
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table depths for proposed buildings sites with septic systems and shall be submitted to the County Department of Public Health.

(c) If the County has knowledge of, or the preliminary soils report indicates the presence of, critically expansive soils or other soils problems, which, if not corrected would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the approving body. Such soils investigation shall be done by a civil engineer registered in this state, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists.

(d) The County may approve the subdivision or portion thereof where such soils problem exist if it determines that the recommended action is likely to prevent structural damage to each structure to be constructed and a condition to the issuance of any building permit may require that the approved recommended action be incorporated in the construction of each structure.

Article VII. Parks and Recreation.

Sec. 26-70. Park and recreation lands.

(a) Purpose. Pursuant to the authority granted by Section 66477 of the Government Code, this Section is enacted to enable the County Planning Commission, or the Subdivision Review Committee, in the case of every subdivision, to require the subdivider to provide suitable areas or payment in lieu thereof for the parks and other recreational building sites that will be necessary for the use of the population which is intended to occupy the subdivision and the proposed land uses therein.

(b) Advisory committee. The County recreation advisory committee shall make recommendation in each and every case to the Planning Commission on park recreation areas as to size, configuration and location.

(c) General Plan Conformity. The park and recreational facilities for which dedication of land or payment of a fee or a combination of both may be required by this section, shall be in accordance with the park and recreational element of the General Plan of the County.

(d) Dedication of Sites. The subdivider may be required to dedicate land, pay a fee in lieu thereof, or comply with a combination of both, at the option of the County, for park or recreational purposes in accordance with such conditions as may be recommended by the County recreational advisory committee, and made part of approval of the tentative map by the Planning Commission or the Subdivision Review Committee, and pursuant to standards
hereinafter set forth, which standards shall be used as a guide in the determination.

(e) Site Suitability. The size, configuration, slope, topography and geology of the site, as well as neighboring land uses, must be suitable for the intended park and recreation purposes.

(f) Subdividers shall be required to dedicate land for park or recreation facilities to serve the needs of the area in which the subdivision is located, pay a fee in lieu of such dedication or comply with a combination of both requirements. The amount of required dedication shall be computed on the basis of five hundredths (.05) of an acre for each parcel to be established by the subdivision. The fee shall be based on the market value of land acquired or planned to be acquired to serve the needs of the subdivision existing at the time of the filing of the tentative map, except in the case of land already acquired for park purposes the market value shall be determined by actual acquisition costs.

(g) Fee in Lieu of Land Dedication. A fee in lieu of land dedication shall be paid by the subdivider and used only for the purpose of providing park or recreation facilities to serve the needs of the area in which the subdivision is located when any one or more of the following conditions exist:

1. If there is no neighborhood park or playground facility designated or required in whole or in part within the proposed subdivision area.

2. If the proposed subdivision area is within a one-half mile radius of an existing neighborhood park or playground facility.

3. If there is no community park or playground facility designated or required in whole or in part within the proposed subdivision area.

4. If the proposed subdivision area is within a two-mile radius of an existing community park or one and one-half-mile radius of an existing playfield facility.

5. If the land is not suitable for park purposes because of the site, configuration, slope, topography and geology.

6. If the neighboring land uses are incompatible.

(h) Contemplated Park or Recreation Facilities. If the County is contemplating additional park or recreational facilities which are not currently advocated by the General Plan, the subdivider shall dedicate land, pay a fee in lieu thereof, or comply with a combination of both, in accordance with the park and recreation guides and standards adopted by this section.

(i) The Recreation Advisory Commission may recommend modification of the above requirements if the subdivider has designated certain land for private park or recreation facilities.
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to be used by the residents of the proposed subdivision, or if the subdivider includes greenbelt or open space areas, provided the combination of private and public park and recreation lands and the greenbelt or open space areas equal or exceed the requirements of the standards adopted by this Section.

(j) Other Public Areas. In the case of every subdivision, the Planning Commission shall suggest that the subdivider provide suitable areas for schools and other building sites that will be needed for the use of the population which is intended to occupy the subdivision under the tentative map and proposed land used therein.

(k) Exception.
(1) The provisions of this Section shall not apply to subdivisions containing less than five parcels and shall not apply to residential subdivisions wherein the gross area of each parcel is two and one-half acres or larger.
(2) The provisions of this Section shall not apply to industrial or commercial subdivisions.

Article VIII. Fees.

Sec. 26-80. Fees.
Every applicant submitting a tentative parcel map, tentative map, parcel map, or final map, shall be subject to such fee or fees as may be set by the Board of Supervisors pursuant to Section 1-18 of this Code. Said fee or fees shall be paid at the time of filing or initial submittal, and no part of said fee or fees shall be refundable.

Sec. 26-81. Title--Finding--Declaration.
This Section and Sections 26-810.020 to 26-810.060 shall be known as the "Major Thoroughfare and Bridge Construction Fee Ordinance." The Board of Supervisors finds that development has caused a need for construction of new major transportation and circulation facilities, for improvement and reconstruction of existing major thoroughfares and collector streets and roads, and for the construction and reconstruction of bridges over waterways, railways, freeways, major thoroughfares, local roads, and canyons. Based on the findings, the Board of Supervisors declares that a major thoroughfare construction fee and a bridge construction fee are necessary to finance, in whole or in part, the construction and reconstruction of major thoroughfares and bridges.
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Sec. 26-82. Definitions.
(a) Bridges means those spans, culverts, and archways supporting roads which cross railways, freeways, local roads, streams, waterways, canyons, and other roads which are identified in the circulation, transportation, or flood control elements of the General Plan or any subarea general plan.
(b) Construction means design, acquisition of right-of-way, administration of construction contracts and actual construction or reconstruction.
(c) Existing building or structure means:
   (1) All buildings or structures completed and capable of use or occupancy prior to the effective date of any resolution adopted pursuant to this article;
   (2) All buildings or structures which, pursuant to a valid building permit issued prior to the effective date of any resolution adopted pursuant to this article, are completed for use and/or occupancy within nine months after the effective date of said resolution;
   (3) All buildings or structures completed and/or capable of use or occupancy which may come into existence to this article and for which the major thoroughfare construction fee has been, or is deemed to have been, paid;
   (4) All buildings or structures previously completed but which shall be reconstructed, in whole or in part;
   (5) Existing buildings or structures shall also include subsidiary additions such as patios, decks, barns, and corrals as long as such additions are accessory additions to a pre-existing single-family residence.
(d) Major thoroughfare means those roads, streets, and highways designated in the circulation or transportation elements of the General Plan or any subarea general Plan and identified in said plans as, but not limited to, "arterials," "major arterials," "expressways," "highways" or "collector streets" and whose primary purpose is to carry through traffic and provide a network of streets and roadways connecting to the State Highway System.

Sec. 26-83. Applicability.
The major thoroughfare and bridge construction fee provisions shall apply to all owners or developers of real property within the unincorporated territory of Solano County. The fees so obtained shall, in the case of major thoroughfares, apply to the construction and reconstruction of those major thoroughfares designated by the circulation and transportation elements of the Solano County Transportation Plan, the Solano County general Plan, or by the circulation and transportation elements of those subarea general plans including, but not limited to, the West Central Solano County
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General Plan, the Vacaville General Plan and the Southeast Solano County general Plan. The fees so obtained shall, in the case of bridges, apply to the construction and reconstruction of those bridges designated by the transportation, circulation, and flood control elements of the Solano County Transportation Plan, the Solano County general Plan or by any subarea general plan.

Sec. 26-84. Fees.
A major thoroughfare or bridge construction fee may be set by the Board of Supervisors by a resolution adopted pursuant to those procedures set forth in this article. A single resolution may not provide for both a major thoroughfare fee and a bridge fee.

Except as otherwise provided, payment of such fee or fees shall be a condition to the issuance of any building permit unless payment of such fee has been made a condition to the filing of a final map in which case such fee or fees shall be paid at the time of filing the final map.

In addition to any other exemption provided by this section no fee shall be required:
(a) For an existing building or structure;
(b) If the property is not located within an area encompassed by a general plan or an area general plan adopted or amended more than thirty days prior to the request to file the final map or issue the building permit;
(c) Unless, in the case of major thoroughfares, such thoroughfares are in addition to, or a reconstruction of, any existing major thoroughfares serving the area of benefit at the time; and
(d) Unless, in the case of bridges, such planned bridge facility is an original bridge serving the area or an addition to, or a reconstruction of, any existing bridge facility serving the area at the time of adoption of the boundaries of benefit. Such fees may not be utilized to reimburse the original cost of construction of bridges existing at the time of establishment of a bridge construction fee.

Sec. 26-85. Fee establishment procedure; Notice; Public hearing.
A major thoroughfare or bridge construction fee shall be established by the following procedure:
(a) Such fees shall be set by resolution of the Board of Supervisors after public hearing. No fee shall be required unless the major thoroughfare or bridge is in addition to, or a reconstruction of, existing major thoroughfares or bridges serving the area of benefit.
(b) Notice of the public hearing may be by prepaid mail deposited with the United States Mail not less than ten calendar days prior to such hearing and sent to all landowners in the proposed area of benefit as shown by the addresses from the last equalized assessment roll for the proposed area of benefit. In the alternative notice may be given by publication in a newspaper of general circulation not less than ten days prior to such hearing and by posting said notice in conspicuous places throughout the proposed area of benefit. Such notice shall contain the date, time and place of the public hearing, the boundaries of the proposed area or areas of benefit, the estimated cost of construction of the major thoroughfares or bridges, the proposed method of fee apportionment, a statement that written protest as to the whole proposed improvement or any part thereof may be filed by affected landowners with the Clerk to the Board of Supervisors, and a statement that protests must be received by the Clerk of the Board of Supervisors not later than 5:00 p.m. on the day preceding the public hearing.

(c) At the public hearing the Board of Supervisors shall first determine if written protests have been filed by the landowners of more than one-half of the area of the property proposed to be benefitted by the improvements. If a majority protest has been filed and not withdrawn prior to the conclusion of the public hearing, the proposed action shall be abandoned for a period of one year after which a new proceeding may be commenced. If a majority protest is directed toward only a portion of the proposed improvement area then an action to set fees for that particular improvement area shall be abandoned for a period of one year unless during that period the Board of Supervisors by a four-fifths vote finds that the owners of more than one-half of the land are in favor of going forward with such portions of improvement in which case the public hearing as to that portion will be renoticed and held as provided herein.

(d) If no majority protest has been filed the Board of Supervisors may then determine whether to establish a fee, the boundaries of the area of benefit, the actual or estimated cost of construction and reconstruction, and a fair method of cost allocation and fee apportionments. In the case of a fee for major thoroughfares abutting property shall not be charged a higher fee than nonabutting property unless said property is provided direct, usable access to the thoroughfare. If lands within the area of benefit are not made subject to the fees, other than existing buildings or structures, the Board of Supervisors shall make provisions for the payment of such share of cost from other sources.
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(e) After hearing and action by the Board of Supervisors, a description of the boundaries of the area of benefit, the costs, whether actual or estimated, and the method of fee apportionment established at the hearing shall be incorporated in a resolution of the Board of Supervisors, a certified copy of which shall be recorded by the Board of Supervisors with the Recorder.

Sec. 26-86. Funds.

(a) As appropriate to the resolution a major thoroughfare construction fee fund or a bridge construction fee fund shall be established for each area of benefit created pursuant to this article and all fees paid pursuant thereto shall be deposited in the fund. If the benefit area is one in which more than one road or bridge is to be constructed or reconstructed, the fund may include all of the road or bridge projects in the benefit area. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvement serving the area to be benefitted from which the fees comprising the fund were collected or to reimburse the County for the cost of constructing the improvement.

(b) The County may advance money from the general fund or road fund to pay the cost of constructing the improvements and may reimburse the general fund or road fund for such advances from major thoroughfares or bridge fund established to finance the construction of such improvements.

(c) The County may incur an interest-bearing indebtedness for the construction and reconstruction of major thoroughfares and bridges; that sole security for repayment of such indebtedness shall be moneys in major thoroughfares or bridge fund.

Article IX. Appeals.

Sec. 26-90. Appeals.

(a) The subdivider or any interested party who is adversely affected may appeal from any action of the Subdivision Review Committee to the Planning Commission.

Such appeal shall be filed with the secretary of the Planning Commission within ten days after the action of the Subdivision Review Committee, and shall be accompanied by such fee or fees as may be set by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable, except that the Planning Director may waive the fee of
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a nonprofit social service organization, including a church. Upon
the filing of an appeal, the Planning Commission shall set the
matter for hearing within thirty days after the date of the filing
of the appeal. The Planning Commission shall, within ten days
following the conclusion of the hearing, render its decision on
appeal.

(b) The subdivider, or any interested party who is adversely
affected, may appeal from any action of the Planning Commission.
Such appeal shall be filed with the Clerk of the Board of Supervi-
sors with proof of service upon the secretary of the Planning
Commission within ten days after the decision of the Planning
Commission. The appeal shall be accompanied by such fee or fees as
may be set by the Board of Supervisors pursuant to Section 1-18 of
this Code. No part of said fee or fees shall be refundable, except
that the Planning Director may waive the fee of a nonprofit social
service organization, including a church. Upon the filing of the
appeal, the Board of Supervisors shall set the matter for hearing
within thirty days after the date of filing the appeal. The Board
of Supervisors shall, within ten days following the conclusion of
the hearing or continued hearing, render its decision on appeal.

(c) Except as otherwise provided for herein, the failure of
the Planning Commission or the Board of Supervisors to act upon the
appeal from an action involving the approval, conditional or
otherwise, of a tentative parcel map or a tentative map, such map
shall be deemed to be approved as last approved, and it shall be
the duty of the Solano County Clerk to certify such approval.

(d) All appeals filed hereunder shall be filed in writing,
stating in detail the grounds upon which the appeal is based.

(e) If a decision is not made, at the time of the hearing, by
the Planning Commission or the Board of Supervisors from an appeal,
then notice of the decision shall be mailed to the appellant, or to
the subdivider if he is not the appellant, within the time limit
set forth herein.

(f) Notwithstanding any other provision of this Chapter, any
member of the Board of Supervisors may appeal pursuant to this
Section, without an accompanying fee.

Article X. Reversions.

Sec. 26-100. Reversion to acreage; parcel map.
(a) Property previously subdivided consisting of four or less
contiguous parcels under the same ownership may be reverted to
acreage pursuant to the provisions of this Chapter.
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(b) Proceedings shall be initiated by petition of the owners of the property. The petition shall be on a form prescribed by the Planning Director and shall be accompanied by:
   (1) Evidence of ownership.
   (2) Evidence of nonuse of lack of necessity of streets or easements to be vacated or abandoned.
   (3) A tentative parcel map in a form prescribed by the Subdivision Review Committee which delineates any streets or easements which are to be left in effect.
   (4) Such other information as required by the Planning Director.
    
(c) The petition shall be accompanied by a fee or fees as set by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of such fee or fees shall be refundable.
    
(d) A public hearing shall be held before the Planning Commission on the petition. Notice thereof shall be given as provided in Section 66451.3 of the Government Code. The Planning Commission shall approve the petition if it is satisfied that the best interests of the County are served by the reversion.
    
(e) After approval of the petition, a map shall be prepared in accordance with this Chapter. In addition, the final parcel map shall contain a certificate therein, signed and acknowledged by all parties excepting the County, having any record title interest in the property, that the parties consent to the preparation of the recordation of the parcel map.
    
(f) The recording of the parcel map shall constitute a legal reversion to acreage of the land, abandonment of all streets and easements not shown on the parcel map, and a merger of the separate parcels into one parcel and shall be shown as such on the assessment roll.

Sec. 26-101. Reversion to acreage; final map.

(a) Subdivided property may be reverted to acreage pursuant to provisions of this Chapter.

(b) Proceedings to revert subdivided property to acreage may be initiated by petition of all of the owners of record of the property. The petition shall be in the form prescribed by the Planning Director and filed with him. The petition shall contain the information required by the Subdivision Review Committee.

(c) Petitioners shall file the following:
   (1) Evidence of title to the real property; and
   (2) Evidence of the consent of all the owners of an interest in the property; or
   (3) Evidence that none of the improvements required to be made have been made within two years from the date the final map
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was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later; or
(4) Evidence that no lots shown on the final map have been sold within five years from the date such final map was filed for record.
(5) A tentative map in the form prescribed by the County Surveyor which delineates dedications which will not be vacated and dedications required as a condition to reversion.
(e) The petition shall be accompanied by a fee or fees as set by the Board of Supervisors pursuant to section 1-18 of this Code. No part of such fee or fees shall be refundable.
(f) A public hearing shall be held before the Board of Supervisors on all petitions for initiations for reversion to acreage. Notice of the public hearing shall be given as provided in Section 66451.3 of the Government Code. The Planning Director may give such other notice that he deems necessary or advisable.
(g) The Board of Supervisors may approve a reversion to acreage only if it finds and records in writing that:
(1) Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and
(2) Either:
   (A) All owners of an interest in the real property within the subdivision have consented to reversion; or
   (B) None of the improvements required to be made have been made within two years from the date the final map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later; or
   (C) No lots shown on the final map have been sold within five years from the date such map was filed for record.
(h) The Board of Supervisors may require as conditions of the reversion:
(1) The owners dedicate or offer to dedicate streets or easements.
(2) The retention of all or a portion of previously paid subdivision fees, deposits or improvement securities if the same are necessary to accomplish any of the provisions of this Chapter.
(i) Except as provided in Section 66499.17 of the Government Code, upon filing of the final map for reversion of acreage with the County recorder, all fees, except application, processing and checking fees and deposits, shall be returned to the subdivider and all improvement securities shall be released by the Board of Supervisors.
(j) After the hearing before the Board of Supervisors, and approval of the reversion, the final map shall be delivered to the County Recorder.
(k) Reversion shall be effective upon the final map being filed for record by the County Recorder. Upon filing, all dedications and offers of dedication not shown on the final map for reversion shall be of further force and effect.

Article XI. Miscellaneous.

Sec. 26-110. Effect of Environmental Impact Evaluation on time periods for certain actions.

Any provision of this Chapter which provides for a specified period of time within which action must be taken in regard to any subdivision shall not be applicable if compliance with the California Environmental Quality Act reasonably requires a longer period of time to assess the environmental impact of the subdivision.

Sec. 26-111. Monuments.

(a) At the time of making the survey for the final map or parcel map, the engineer or surveyor shall set a durable monument at all changes in direction of parcel, lot, block and boundary lines, unless surface conditions warrant setting witness corners.

(b) The exterior boundary of the land being subdivided shall be adequately monumented prior to filing the final map.

Sec. 26-112. Bridge Crossing and Major Thoroughfares.

As a condition of approval of a final map, or as a condition of issuing a building permit, fees may be collected for the purpose of defraying the actual or estimated costs of constructing bridges or major thoroughfares pursuant to Section 66484 of the Government Code.

Sec. 26-113. Waiver of direct access to streets.

The approving body may impose a requirement that any dedication or offer of dedication of a street shall include a waiver of direct access rights to such street from any property shown on a final map as abutting thereon, and that if the dedication is accepted, such waiver shall become effective in accordance with the provisions of the waiver of direct access.

Sec. 26-114. Drainage and Sewage Facilities.

Prior to filing of any final map or parcel map, the subdivider shall pay, or cause to be paid, any fees for defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood
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drainage areas or sanitary sewer facilities for local sanitary sewer areas established pursuant to Section 66483 of the Government Code.

Sec. 26-115. Exemption from road dedication requirement.
Subdivisions creating new parcels not having direct or indirect access to abutting county roads of substandard width shall be exempted from the requirement of dedication and offering for acceptance of additional rights-of-way as otherwise required by Sections 26-204, 26-205 and 26-206.

Article XII. Vesting Tentative Maps.

Sec. 26-120. Citation and Authority.
This article is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the State of California (hereinafter referred to as the Vesting Tentative Map Statute), and may be cited as the Vesting Tentative Map Ordinance.

Sec. 26-121. Purpose and Intent.
It is the purpose of this article to establish procedures necessary for the implementation of the Vesting Tentative map Statute, and to supplement the provisions of the Subdivision Map Act and the Solano County Subdivision Ordinance. Except as otherwise set forth in the provisions of this article, the provisions of the Subdivision Ordinance shall apply to Vesting Tentative Maps.

To accomplish this purpose, the regulations outlined in this article are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development.

Sec. 26-122. Consistency.
No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the General Plan and any applicable specific plan or not permitted by the zoning ordinance or other applicable provisions of the County Code.

Sec. 26-123. Definitions.
(a) A "vesting tentative map" shall mean a "tentative map" or a "tentative parcel map" for a residential subdivision that shall have printed conspicuously on its face the words "Vesting Tentative
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Map at the time it is filed in accordance with Section 26-1205 and is thereafter processed in accordance with the provisions hereof.

(b) All other definitions set forth in the Solano County Subdivision Ordinance are applicable.

(a) This article shall apply only to residential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplemented by the Solano County Subdivision Ordinance, requires the filing of a tentative map or tentative parcel map for a residential development, a vesting tentative map may instead by filed, in accordance with the provisions hereof.

(b) If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.

Sec. 26-125. Filing and Processing.
A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in Sections 26-201; 26-202; 26-400 and 26-401 of this Chapter except as hereinafter provided:

(a) At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words "Vesting Tentative Map."

Sec. 26-126. Fees.
Upon filing a vesting tentative map, the subdivider shall pay the same fees established by the Board of Supervisors pursuant to Section 1-18 of the County Code which are required for tentative parcel maps or tentative maps.

Sec. 26-127. Expiration.
The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions, established by this Chapter for the expiration of the approval or conditional approval of a tentative map or a tentative parcel map.

Sec. 26-128. Vesting on approval of Vesting Tentative Map.
(a) The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Government Code Section 66474.2.
However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

(b) Notwithstanding subdivision (a), a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

(1) A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

(2) The condition or denial is required, in order to comply with state or federal law.

(c) The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in Section 26-1207. If the final map is approved, these rights shall last for the following periods of time.

(1) An initial time period of one (1) year. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded.

(2) The initial time period set forth in (c)(1) shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days, from the date a complete application is filed.

(3) A subdivider may apply for a one-year extension at any time before the initial time period set forth in (c)(1) expires.

(4) If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions (1) - (3), the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.

Sec. 26-129. Development Inconsistent with Zoning; Conditional Approval

(a) Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The County shall deny such a vesting tentative map or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is obtained, the approved or conditionally
approved vesting tentative map shall, notwithstanding Section 26-1208(a), confer the vested right to proceed with the development in substantial compliance with the change in the zoning ordinance and the map, as approved.

(b) The rights conferred by the Section shall be for the time periods set forth in Section 3-1(c).

Notwithstanding any provision of this ordinance, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies, and standards described in Sections 26-1208(a) and 26-1209 and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law.

SECTION II.
Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the DAILY REPUBLIC, 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.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk to the Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

ATTEST:

LEE SIMMONS, Chairwoman,
Board of Supervisors

LINDA TERRA, Clerk to the
Board of Supervisors
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I, LINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held the 10th day of March, 1992.

On the motion of Supervisor Carroll and the Second of Supervisor Caddle, this Ordinance was adopted at a regular meeting of said Board on March 24, 1992, by the following vote:

AYES: SUPERVISORS Caddle, Carroll, Davis, Stewart and Chairwoman Simmons

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS None

WITNESS my hand and the Seal of said Board this 24th day of March, 1992.

LINDA TERRA, Clerk to the Board of Supervisors

By [Signature]