ORDINANCE NO. 833

AMENDMENT TO CHAPTER 26, ARTICLE II, ADDING THERETO SECTIONS 26-26.1 THROUGH 26-26.4 AND
26-27.1 THROUGH 26-27.3 AND AMENDING SECTION 26-27 WITH RESPECT TO DEDICATIONS AND
IMPROVEMENTS REQUIRED FOR LAND DIVISIONS

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

SECTION I:

Section 26-26.1 is added to Chapter 26, Article II
of the Solano County Code to read as follows:

Section 26-26.1. Same--Same--Conditions Necessary
for Approval of Land Division Proposals in Areas Planned by
the County General Plan for "Suburban" Densities or Higher, or
Zoned for Parcels Two and a Half Acres or Less in Size.

The land division committee may approve or condi-
tionally approve a tentative map of a proposed land division
in areas planned by the County General Plan for "suburban"
densities or higher, or zoned for parcels two and a half acres
or less in size only when the following minimum conditions are
found:

(a) The proposed land division shall be of acceptable
design and shall be based upon an approved circulation plan to
provide county road frontage to each and every potential parcel
within the land division. The plan shall incorporate existing
and proposed county and private roads, shall observe the cir-
culation element of the County General Plan, and shall extend
proposed roads to property lines to facilitate through roads
where appropriate.

(b) The proposed land division shall provide that
each parcel to be created thereby shall abut an existing county
road or state highway affording access or a proposed county
road connecting to an existing county road or state highway.
The proposed road shall be improved, dedicated and offered for acceptance by the land divider to the County of Solano. As a condition precedent to the acceptance of any such road and the tentative map and as a requirement for the land division, the land division committee shall provide for reasonable off-site and on-site improvements for the parcels being created in accordance with improvement standards established by county regulations. The land divider and the County of Solano shall enter into an agreement upon mutually agreeable terms to thereafter improve, at the land divider's expense, all proposed roads in the land division. Such improvements shall be completed prior to the approval of the final map. The agreement shall provide that the foregoing obligation will be deemed satisfied if the land divider initiates and consummates proceedings under an appropriate special assessment act for the financing and installation of said improvements. The said agreement shall be secured by good and sufficient improvement security as provided in this article.

(c) The proposed land division shall provide that, in the event any parcel to be created thereby abuts or is provided access by a county road substandard with respect to width, improvement or repair, said county road shall be improved and repaired and sufficient additional rights-of-way or easements shall be dedicated and offered for acceptance by the land divider 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 and as a requirement for the land division, the land division committee shall provide for the installation of reasonable off-site and on-site improvements and repairs, in accordance with Solano County regulations, for the parcels being created. The land divider and the County of Solano shall enter into an agreement upon mutually agreeable terms to thereafter
make such improvements and repairs at the land divider's expense. Such agreement shall provide that the foregoing obligation will be deemed satisfied if the land divider initiates and consummates proceedings under an appropriate special assessment act for the financing and installation of said improvements and repairs within five (5) years of the approval of the final map or, giving twelve (12) month's notice to the land divider thereof, within such lesser time as the Board of Supervisors may require. Such agreement shall be secured by good and sufficient improvement security as provided in this article.

(d) The proposed land division shall provide for a minimum average parcel width for each two and one-half acre parcel of 165 feet except in cases where a narrow strip is employed in the land division design to accommodate a driveway access to a building site contiguous with the rear of a parcel whose full frontage abuts a county or private road. For good and sufficient cause, the land division committee may grant variances from the minimum average width requirement for parcels of two and one-half acres. In such designs, hereby designated as "flag parcels," the driveway strip shall be not less than 30 feet in width nor of excessive length and shall not be used in a computation of the minimum parcel area requirement unless it is also included in the minimum average width computation. Minimum average parcel widths shall be provided as required by Chapter 28 of the Solano County Code for parcels of less than two and one-half acres.

(e) The proposed land division shall provide plans for water for fire suppression for each parcel at a flow rate of 200 gallons per minute for 20 minutes at a point easily accessible to fire apparatus.

(f) The proposed land division shall provide for dedication of drainage easements and the construction of
drainage improvements at the expense of the land divider to
the extent deemed reasonably necessary by the land division
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.

Section 26-26.2 is added to Chapter 26, Article II
of the Solano County Code to read as follows:

Section 26-26.2. Same--Same--Conditions Necessary for
Approval of Land Division Proposals in Areas Planned by the
County General Plan or Zoned for Residential Densities of One
Family Per Five (5) Acres.

The land division committee may approve or condi­tionally approve the tentative map only when the following mini­
num conditions are found:

(a) The proposed land division shall be of acceptable
design and shall be based upon an approved circulation plan to
provide county road frontage to each and every potential parcel
within the land division. The plan shall incorporate existing
and proposed county and private roads, shall observe the cir­
culation element of the County General Plan, and shall extend
proposed roads to property lines to facilitate through roads
where appropriate.

(b) The proposed land division shall provide that
each created parcel abut an existing county road or state
highway affording access or a proposed road connecting to
an existing county road or state highway. The proposed road
shall be no less than a deeded private easement improved
pursuant to standards for private roads established by county
regulations. Roadway grading and drainage shall be as required
by county standards for county-maintained roads. Said improve­
ments must be completed prior to the approval of the final map.

(c) The proposed land division shall provide for
dedication and offering for acceptance by the land divider to
the County of Solano of additional rights-of-way when abutting
a county road of substandard width.

(d) The proposed land division shall provide for
a minimum average parcel width for each five (5) acre parcel
of 235 feet except in cases where a narrow strip is employed
in the land division design to accommodate a driveway access
to a building site contiguous with the rear of a parcel whose
full frontage abuts a county or private road. In such designs,
hereby designated as "flag parcels," the driveway strip shall
be not less than 30 feet in width nor of excessive length and
shall not be used in a computation of the minimum parcel area
requirement unless it is also included in the minimum average
width computation.

(e) The proposed land division shall provide plans
for water for fire suppression for each parcel at a flow rate
of 200 gallons per minute for 20 minutes at a point easily
accessible to fire apparatus.

(f) The proposed land division shall provide for
dedication of drainage easements and the construction of drainage
improvements at the expense of the land divider to the extent
deemed reasonably necessary by the land division 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.

Section 26-26.3 shall be added to Chapter 26,
Article II of the Solano County Code to read as follows:

Section 26-26.3. Same--Same--Conditions Necessary
for Approval of Land Division Proposals In Areas Zoned Exclusive
Agricultural and Not Covered by Sections 26-26.1 and 26-26.2.

The land division committee may approve or condi-
tionally approve the tentative map only when the following
minimum conditions are found:

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

(b) The proposed land division shall provide for dedication and offering for acceptance by the land divider to the County of Solano of additional rights-of-way when abutting a county road of substandard width.

(c) The proposed land division shall provide for dedication of drainage easements and the construction of drainage improvements at the expense of the land divider to the extent deemed reasonably necessary by the land division 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.

Section 26-26.4 shall be added to Chapter 26, Article II of the Solano County Code to read as follows:

Section 26-26.4. Same--Same--Conditions Necessary for Approval of Land Division Proposals in Areas Zoned Other Than the Above.

The land division committee may approve or conditionally approve the tentative map only if the land division proposal follows accepted design principles. Each such proposal shall be adjudged on its individual merits with respect to the requirements of law and of the public health, safety and welfare.

Section 26-27 of Chapter 26, Article II of the Solano County Code is amended to read as follows:

Section 26-27. Improvement Standards.

(a) The improvement standards referred to in this article mean those improvement standards printed in a pamphlet entitled Minimum Design Standards for County Roads, three copies of which have been filed for use and examination by the public in the office of the Clerk of the Board of Supervisors and said improve-
ment standards are incorporated herein by reference the same as though fully set forth.

(b) The land division committee may require, as conditions of approval of the final map, such additional dedications and off-site and on-site improvements and repairs for the parcels being created as it deems reasonable and necessary.

Section 26-27.1 is added to Chapter 26, Article II of the Solano County Code to read as follows:

Section 26-27.1. Improvement Security.

In the event an agreement or contract is entered into pursuant to and in accordance with this article for the improvement or repair of existing or proposed county roads, the land division committee shall require that the agreement be secured by a good and sufficient improvement security.

In the event any special assessment district is organized, upon the furnishing by the contractor of the labor and material and faithful performance bonds required by the particular special assessment act, the improvement security of the land divider may be reduced by an amount corresponding to the amount of bonds so furnished by the contractor.

"Improvement Security" as used in this section means one or more of the following: (1) a cash deposit or deposits made with the County of Solano, (2) a bond or bonds by one or more duly authorized corporate sureties, (3) an instrument or instruments of credit from one or more financial institutions subject to regulation by the state or federal government pledging that the funds necessary to meet the performance are on deposit and guaranteed for payment and agreeing that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument. Said improvement security shall be in the amounts and for the following purposes: (a) an amount equal to 100% of the total estimated cost of the improve-
ment, conditioned upon the faithful performance of the agreement or contract, and (b) an additional amount equal to 100% of the total estimated cost of the improvement, securing payment to the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials to them for the improvement or repairs.

Improvement security may be released or reduced in whole or in part in the following manner:

(a) Improvement security given for faithful performance of the agreement or contract may be released upon final completion and acceptance of the work, or the land division committee may provide for the partial release of the improvement security upon the acceptance of the work as it progresses under rules established by the Board of Supervisors.

(b) Improvement security securing the payment to the contractor, his subcontractors and the persons renting equipment or furnishing labor or materials may, six (6) months after the completion and acceptance of the work, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the Board of Supervisors, and if there are no actions filed, the improvement security may be released in full.

The land division committee is authorized to release or reduce the improvement security under the above-described conditions and in accordance with such rules as it may prescribe.

Section 26-27.2 is added to Chapter 26, Article II of the Solano County Code to read as follows:

Section 26-27.2. Acquisitions, Improvements and Repairs at Public Expense.

In the event it is deemed by the Board of Supervisors that the dedications or installations of improvements or repairs as provided in this article cannot reasonably be required of
the land divider, the Board may acquire the rights-of-way or
easements and undertake the improvements and repairs at public
expense. If the Board chooses not to acquire such rights-of-way
or easements or undertake such improvements or repairs, the land
division application shall be denied.

SECTION II.

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

ATTEST:

NEIL CRAWFORD, County Clerk and
ex officio Clerk of the Board
of Supervisors
By: GARLAND DUNHAM, Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk
of the Board of Supervisors of the County of Solano, State of
California, do hereby certify that the above and foregoing
Ordinance was regularly introduced, passed and adopted at a
regular meeting of said Board on July 3, 1973.

AYES: SUPERVISORS: Brann, Brazelton, Godfrey,
Siegler and Chairman Scofield
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

WITNESS my hand and official seal as such Clerk this

NEIL CRAWFORD, County Clerk
By: GARLAND DUNHAM
Deputy Clerk