ORDINANCE NO. 838

AMENDMENT TO CHAPTER 26, ARTICLE II OF THE SOLANO COUNTY CODE, AMENDING SECTIONS 26-26.1, 26-26.2 and 26-26.3 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 of Chapter 26, Article II of the Solano County Code is amended 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 One-Half Acres or Less in Size.

The land division committee may approve or conditionally 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 one-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 maintained county road frontage to each and every potential parcel within the land division. The plan shall incorporate existing and proposed private and county roads, whether within the maintained mileage system or otherwise, shall observe the circulation 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 within the maintained mileage system or state highway affording access or a proposed county road, which includes an existing
county road not within the maintained mileage system, connecting
to an existing county road within the maintained mileage system
or state highway. All proposed roads, including county roads not
within the maintained mileage system, shall be improved and,
where not already owned by the County of Solano, 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, includ­
ing county roads not within the maintained mileage system, 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 installa­
tion 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, within the maintained mileage system,
substandard with respect to width, improvement or repair, such
county road shall be improved and repaired and sufficient addi­
tional 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 years of the approval of the final map or, giving twelve 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 road providing lawful access to a parcel zoned for two and one-half acres. 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 of Chapter 26, Article II of the Solano County Code is amended 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 Acres.

The land division committee may approve or conditionally approve the tentative map 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 maintained county road frontage to each and every potential parcel within the land division. The plan shall incorporate existing and proposed private and county roads, whether within the maintained mileage system or otherwise, shall observe the circulation 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 within the maintained mileage system or state highway affording access or a proposed
road, including county roads not within the maintained mileage system, connecting to an existing county road within the maintained mileage system, or state highway. All proposed roads, including county roads not within the maintained mileage system, shall be no less than deeded private easements 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 improvements 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, whether such road is within the maintained mileage system or otherwise.

(d) The proposed land division shall provide for a minimum average parcel width for each five 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 road providing lawful access to a parcel zoned for five 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.

(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 of Chapter 26, Article II of the Solano
County Code is amended 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 conditionally 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, whether such road is within the maintained mileage system or otherwise.

(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 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.

ROBERT H. SCOFIELD, Chairman of the
Solano County Board of Supervisors,
State of California

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 3rd, 1973.

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSENT:

WITNESS my hand and official seal as such Clerk this


NEIL CRAWFORD, County Clerk

By: GARLAND DUNHAM
Deputy Clerk