ORDINANCE NO. 847

AN ORDINANCE AMENDING CHAPTER 26, ARTICLE II OF THE SOLANO COUNTY CODE ADDING SECTION 26-33 WITH RESPECT TO THE POWER TO GRANT EXCEPTIONS FROM THE PROVISIONS OF SAID ARTICLE

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

SECTION I:

Section 26-33 is added to Chapter 26, Article II of the Solano County Code to read as follows:

Section 26-33. Exceptions.

(a) Authority of the Land Division Committee. The Land Division Committee shall have the authority to grant exceptions or conditional exceptions from the terms of this Article.

(b) Conditions. Exceptions from the terms of this article may be granted only when the following conditions are found:

1. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this article is found to deprive subject property of privileges enjoyed by other properties in the vicinity and zone classifications.

2. Exceptions granted shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which subject property is situated.

3. The Board may grant an exception only if it finds there will be an extreme hardship, as affects the land under consideration, or that it is physically impossible for the land divider to
comply with the provisions of this article.

(c) Applications. Applications for an exception permit shall be filed with the planning director upon such forms and accompanied by such plans and data as may be prescribed by the planning director so as to assure the fullest practical presentation of facts for the permanent record. The application shall include a sworn declaration by the applicant setting forth those facts constituting extreme hardship, as affects the land under consideration, or the impossibility of physical compliance by said land divider with the provisions of this article. The planning director shall forward to the Land Division Committee a copy of the application.

(d) Action. An exception or conditional exception may be granted provided the conditions set forth in subsection (b) of this section are satisfied and the findings and conclusions required by this section are made. The applicant shall be forthwith notified of the action taken.

(e) Revocation. In any case where a granted exception permit with exceptions has not been exercised within one (1) year after the date of granting thereof, then, without further action by the planning director, Land Division Committee, Planning Commission or Board of Supervisors, the exception permit granted shall be null and void.

(f) Reapplication. Whenever an exception permit application has been denied, no new application covering all or a portion of the property involved in the original application shall be accepted by the County of Solano for a period of one (1) year from the effective date of the final denial of the original application; provided, that upon a showing of a substantial change of circumstances, the Planning Commission may permit the filing of such new application prior to the expiration of such one (1) year period.
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 M. 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,

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 September 11, 1973.

AYES: SUPERVISORS: Garland Bingham, JohnSiegel, Forrest Field

NOES: SUPERVISORS: 

ABSENT: SUPERVISORS: 

WITNESS my hand and official seal as such Clerk this 11th day of September, 1973.

NEIL CRAWFORD, County Clerk
By Garland Dunham, Deputy Clerk