ORDINANCE NO. 975

ORDINANCE REPEALING CHAPTER 26 OF THE
SOLANO COUNTY CODE DEALING WITH SUB-
DIVISION AND OTHER DIVISIONS OF LAND,
AND REENACTING CHAPTER 26 OF THE SOLANO
COUNTY CODE TO COMPLY WITH AND SUPPLE-
MENT THE SUBDIVISION MAP ACT OF 1974

The Board of Supervisors of the County of Solano does
hereby ordain as follows:

SECTION I: Chapter 26 of the Solano County Code entitled
"SUBDIVISIONS AND OTHER DIVISIONS OF LAND" is hereby repealed.

SECTION II: Chapter 26 of the Solano County Code is hereby
reenacted as follows:

Article I. General Provisions and Definitions

SECTION 26-100. 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.

SECTION 26-101. DEFINITIONS.

The following words and phrases shall have the meaning
respectively ascribed to them.

A. "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 others.

B. "Subdivision" means the division of any improved
or unimproved land, shown on the latest equalized County Assess-
ment Roll as a unit or as contiguous units, for the purpose of
sale, lease or financing, whether immediate or future except for

APRIL 7, 1977
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, or a community apartment project, as defined in Section 11004 of the Business and Professions Code. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for any purpose.

As used in this Chapter "agricultural purposes" means the cultivation of land for food and fiber or for the grazing or pasturing of livestock.

C. "Major Subdivision" is any subdivision creating five (5) or more parcels, five (5) or more condominiums as defined in Section 1350 of the Civil Code, or a community apartment project containing five (5) or more parcels 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 5 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 tract 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 forty-one (41) acres or more.

5. Those subdivisions described in 26-101 C, 1, 2, 3, 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.

D. "Minor Subdivision" is any subdivision creating four (4) or less parcels, and for which a tentative parcel map and parcel map are required.

E. "Subdivision Review Committee" is 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.

F. "Approving Body" is 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.

G. Nothing in this section (Section 26-101) shall prevent the subdivision of a unit of land created under the provisions of this Chapter, even though at the time of the prospective subdivision an equalized County Assessment Roll has not been prepared 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, if any 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 such parcels shall be merged for the purposes of this Chapter.

SECTION 26-102. 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, commercial buildings, mobile home parks or trailer parks.

3. Mineral, oil or gas leases.


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 originally existed is not thereby created, provided the lot line adjustment is approved by resolution of the Planning Commission.

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. A subdivision wherein each parcel created by the division has a gross area of forty-one (41) 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 canal 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 for radio transmission or relay facilities.

Article II. Tentative Parcel Maps.

SECTION 26-200. 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. Said map shall meet all the requirements for tentative parcel maps provided by this Chapter.

SECTION 26-201. FILING OF TENTATIVE PARCEL MAPS.

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.

SECTION 26-202. 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 (10) 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 (2) copies of a Preliminary Title Report.
dated within sixty (60) days preceding the filing of the
tentative parcel map.

B. The subdivision application information shall include:

1. Name, address, and telephone number
   of the land owner, if he is not the applicant.
2. A copy of the County Assessor's map with
   the property of the proposed subdivision delineated.
3. Proposed source of potable water.
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 Sub-
division shall be clearly and legibly drawn on sheets 18 X 26
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 1 inch. The map shall show:

1. The boundaries of the land proposed to be
divided with dimensions and the net area exclusive or 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 of 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.

SECTION 26-203. 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.

SECTION 26-204. ADDITIONAL CONDITIONS FOR APPROVAL OF TENTATIVE PARCEL MAP AFFECTING PROPERTIES ZONED R-R2 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 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 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 improvement standards established by Solano County Standard Subdivision Conditions. The nature, extent and requirements for the construction of said 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.

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 said 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 30 feet in width nor greater than 1000 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. 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 installation or construction of water facilities for fire suppression available within 1000 feet of each parcel at a flow rate of 200 gallons per minute for 20 minutes at a point easily accessible to fire apparatus.

7. The proposed subdivision shall provide for dedication of drainage easements and the construc-
tion 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 100 years on the average.

B. Fulfillment of any repair, installation or construction requirements, established pursuant to paragraph A herein, shall not be required until such time as the owner of the parcel created, or his agent, applies for, and is issued, a zoning-building permit pursuant to Chapter 28 of this Code. The fulfillment of repairs or construction as provided for herein shall be considered a condition to the issuance of a zoning-building permit, and completion of said repairs or construction shall be a condition precedent to the issuance of a certificate of occupancy, as required by the Uniform Building Code, adopted by reference in Section 6-1 of this Code.

C. Provided, however, that the fulfillment of said repairs or construction may be required of the owner of the parcel created within a reasonable time following the approval of the parcel map, and prior to the issuance of a zoning-building permit, upon a finding by the Subdivision Review Committee that the fulfillment of the repair or construction requirements is necessary for reasons of:

1. The public health or safety; or,

2. The required repair or construction is a necessary prerequisite to the orderly development of the surrounding area.
SECTION 26-205. ADDITIONAL CONDITIONS FOR APPROVAL OF TENTATIVE PARCEL MAP AFFECTING PROPERTIES ZONED R-R5.

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 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 said 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 30 feet in width nor greater than 1000 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 1000 feet of each parcel at a flow rate of 200 gallons per minute for 20 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 100 years on the average.

B. Fulfillment of any repair, installation or construction requirements, established pursuant to paragraph A herein, shall not be required until such time as the owner of the parcel created, or his agent, applies for, and is issued, a zoning-building permit pursuant to Chapter 28 of this Code. The fulfillment of repairs or construction as provided for herein shall be considered a condition to the issuance of a zoning-building permit, and completion of said repairs or construction shall be a condition precedent to the issuance of a certificate of occupancy, as required by the Uniform Building Code, adopted by reference in Section 6-1 of this Code.

C. Provided, however, that the fulfillment of said repairs or construction may be required of the owner of the parcel created within a reasonable time following the approval of the parcel map, and prior to the issuance of a zoning-building permit, upon a finding by the Subdivision Review Committee that the fulfillment of the repair or construction requirements is necessary for reasons of:

1. The public health or safety; or
2. The required repair or construction is 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, P, C-H, C-N, C-G, C-S, C-O, M-L and M-G 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 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 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.
SECTION 26-207. IMPROVEMENT SECURITY.

A. If fulfillment of construction or repairs required hereunder is required pursuant to Section 26-204(C) or Section 26-205(C), prior to the issuance of a zoning-building permit, the parcel map shall be endorsed to the effect that said construction or repairs shall be completed within a time specified by the Subdivision Review Committee, but in no event shall said time for fulfillment exceed a period of two (2) years from the date of filing of the parcel map. At the time of filing of the parcel map, the subdivider shall be required 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.

B. 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: (i) bond or bonds by one or more duly authorized corporate sureties; (ii) a deposit, either with the County or responsible escrow agent or trust company, at the option of the County, of money or negotiable bonds of the kind approved or securing deposits of public moneys; (iii) 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.

C. 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.

SECTION 26-208. EXPIRATION OF TENTATIVE PARCEL MAP.

A. Expiration: The approval, or conditional approval, of a tentative parcel map shall expire twelve (12) 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 (30) 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 (1) 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.
Article III: Parcel Maps

SECTION 26-300. 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 is not required by the Subdivision Map Act, except for subdivisions created by short-term leases (terminable by either party on not more than 30 days notice in writing) of a portion of an operating right-of-way of a railroad corporation defined as such by §230 of the Public Utilities Code; provided, however, that upon a showing made to the Subdivision Review Committee, based upon substantial evidence, that public policy necessitates such a map, this exception shall not apply.

SECTION 26-301. 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 §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 of such remainder if such remainder has a gross area of forty-one (41) acres or more.

SECTION 26-302. 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 acknowledgment 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 said 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

SECTION 26-400. 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 (2) copies of a Preliminary Title Report, dated within thirty (30) days preceding the filing of the tentative map on the property which is the subject of the proposed subdivision.

SECTION 26-401. TENTATIVE MAP - FORM; CONTENTS.

A. Every tentative map filed with the County Planning Department shall be legibly drawn and reproduced on sheets 18 X 26 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of 1 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.

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 engineer, or licensed surveyor, under whose direction the map was prepared, including the registration number of the engineer or surveyor.

6. The existing topography of the land proposed to be divided, using contour intervals of not more than five (5) feet. 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 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 (25%) or any areas 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 predominate 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.

(1) The radius and arc length of each center line curve of all existing and proposed streets and highways within and adjacent to the proposed subdivision.

12. 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 4 degrees.

13. The location of all cut and fill slopes or a separate grading plan.

14. 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.
15. The name, or names, of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map.

16. 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.

SECTION 26-402. 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.

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 fifty (50) days after the filing of the tentative map with the Planning Department.

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 (30) days thereafter. The Board of Supervisors shall approve, conditionally approve, or disapprove the tentative map within such thirty (30) 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 provided to the subdivider at least three (3) days prior to any 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.

SECTION 26-403. EXPIRATION OF TENTATIVE MAP APPROVAL.

A. Expiration: The approval, or conditional approval, of a tentative map shall expire twenty-four (24) 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 (30) 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 extensions: An extension, or extensions of time granted for approval of final map, shall not exceed an
aggregate of two (2) years.

D. Affect 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.

Article V: Final Maps

SECTION 26-500. 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 §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.

SECTION 26-501. 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, within a period of ten (10) days after the filing of the final map for approval, or at its next regular meeting after the meeting at which it receives the map, whichever is later, 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 County Clerk 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, or storm drainage easements are rejected, 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, 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, must be accepted
within three (3) years after the approval of the final
map; in the case of any subdivision fronting upon any
public waterway, river or stream, the offer of dedi-
cation 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 (3) 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 (5) 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 prescribed for the abandonment or
vacation of streets by Part 3 (commencing with Section
8300) of Division 9, or by Chapter 2 (commencing with
Section 940) of Division 2 of the Streets and Highways
Code, whichever is applicable.

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

SECTION 26-502. 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.

3. The County entering into an agreement pursuant to this section shall require that performance of such agreement be guaranteed by any of the following
4. 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 §§66499.1 through 66499.10, inclusive.

Article VI: Soils Report

SECTION 26-600. 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 §25-200, regarding percolation tests and water table depths for proposed building 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 exists 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

SECTION 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 hundreds (0.05) 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 (1/2) mile radius of an existing neighborhood park or playground facility.

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

4. If the proposed subdivision area is within a two (2) mile radius of an existing community park or one and one-half (1 & 1/2) mile radius of an existing playfield facility.

5. If the land is not suitable for park purposes because of the size, 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 Committee may recommend modification of the above requirements if the subdivider has designated certain land for private park or recreation facilities 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 uses therein.

K. Exception.

1. The provisions of this Section shall not apply to subdivisions containing less than five (5) parcels and shall not apply to residential subdivisions wherein the gross area of each parcel is two and one-half (2 & 1/2) acres or larger.
2. The provisions of this Section shall not apply to industrial or commercial subdivisions.

Article VIII: Fees

SECTION 26-800. FEES.

A. Every applicant submitting a tentative parcel map, tentative map, parcel map, or final map, shall be subject to the following fees:

1. Tentative parcel map: A filing fee of one hundred dollars ($100), plus ten dollars ($10) per lot created, or such other fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.
2. Tentative map: A filing fee of two hundred fifty dollars ($250) plus five dollars ($5) per lot created, or such other fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable. Said fee or fees shall be deposited in the Treasury of the County.

3. Parcel map: A checking fee of one hundred dollars ($100) or such other fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code, shall accompany the first submittal of the parcel map to the County Surveyor for checking and approval. The checking fee shall be deposited in the Treasury of the County in the General Fund. No part of said fee or fees shall be refundable.

4. Final map: Each final map shall be accompanied by checking fee of one hundred dollars ($100) plus five dollars ($5) per lot for each lot shown on such map, or such other fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. The checking fee shall be deposited in the Treasury of the County. No part of said fee or fees shall be refundable.

Article IX: Appeals

SECTION 26-900. 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 fifteen (15) days after the action of the Subdivision Review Committee. Upon the filing of the appeal, the Planning Commission shall set the matter for hearing within thirty (30) days after the date of the filing of the appeal. The Planning Commission shall, within ten (10) days following the conclusion of the hearing, render its decision on the appeal.

B. The subdivider, or any interested party who is adversely affected, may appeal from any action of the Planning Commission action from which the appeal is being taken. Upon the filing of the appeal the Board of Supervisors shall set the matter for hearing within thirty (30) days after the date of filing the appeal. The Board of Supervisors shall, within ten (10) 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 limits set forth herein.

**Article X: Reversions**

**SECTION 26-1000. 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.

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 non-use or 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 of one hundred dollars ($100).

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.

SECTION 26-1001. 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 (2) 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
4. Evidence that no lots shown on the final map have been sold within five (5) 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. Petitions to revert property to acreage shall be accompanied by a fee of one hundred dollars ($100). If the proceedings are initiated pursuant to Section 26-23(c), the person or persons who requested the Board of Supervisors to initiate the proceedings, shall pay a fee of one hundred dollars ($100). Fees are not refundable.

F. A public hearing shall be held before the Board of Supervisors on all petitions for initiations for reversions 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)
(b) None of the improvements required to be made have been made within two (2) 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 (5) 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 §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 hearings 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 no further force and effect.

Article XI: Miscellaneous

SECTION 26-1100. 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.

SECTION 26-1101. 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.

SECTION 26-1102. 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.

SECTION 26-1103. 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.

SECTION 26-1104. 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 drainage areas or sanitary sewer facilities for local sanitary sewer areas established pursuant to Section 66483 of the Government Code.

SECTION III. This Ordinance is hereby enacted as an urgency and emergency measure because there are actions presently in process that would cause irreparable damage to agricultural land uses that are prohibited by the provisions of this Ordinance. The immediate effect of this ordinance is necessary to protect the public safety, health and welfare of the residents of Solano County.

SECTION IV. 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 immediately.

THOMAS M. HANNIGAN, 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 introduced at a regular meeting thereof held on the 26th day of April, 1977.

On the motion of Supervisor ________ BRANN ____________, and the second of Supervisor ________ BRAZELTON ____________, this Ordinance was adopted at a regular meeting of said Board on the 26th day of April, 1977, by the following vote:

AYES: SUPERVISORS: ASERA, BRANN, BRAZELTON, and HANNIGAN

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: SCOFIELD

WITNESS my hand and the Seal of said Board this 26th day of April, 1977.

NEIL CRAWFORD, County Clerk

By ________ Deputy Clerk