

ARTICLE I. GENERAL PROVISIONS

(Ord. No. 1419, §1)

Sec. 26-11. Authority and Title

This Chapter is adopted pursuant to the authority vested in the County of Solano by Section 7 of Article 11 of the California Constitution and by the Subdivision Map Act. This Chapter may be cited as the “Solano County Subdivision Ordinance”.

(Ord. No. 874, §6; Ord. No. 1575, §2; Ord. No. 1608, §2)

Sec. 26-12. Purpose

The purpose of this Chapter is to regulate and control subdivisions of land and, in connection therewith, to implement the County’s General Plan and to implement and supplement the Subdivision Map Act.

(Ord. No. 1575, §2; Ord. No. 1608, §2)

Sec. 26-13. Application

Except as otherwise provided in Section 26-15, this Chapter shall apply to all divisions, reversions to acreage, lot line adjustments, and mergers respecting real property located wholly or partially within the unincorporated areas of Solano County. This Chapter governs the filing, processing, approval, conditional approval, or disapproval of tentative, final and parcel maps, map waivers, lot line adjustments, certificates of compliance, conditional certificates of compliance, notices of violation, revisions to acreage, resubdivisions, mergers, and any modifications thereto. Except as specifically otherwise provided by this Chapter or the Subdivision Map Act, all subdivisions shall be subject to the same substantive and procedural requirements.

(Ord. No. 1575, §2; Ord. No. 1608, §2)

Sec. 26-14. Environmental Impact

No discretionary actions pursuant to the provisions of this Chapter shall be approved until an environmental impact analysis is prepared, processed and considered in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). The subdivider shall provide such data and information as may be required to complete such analysis, pay a deposit, and pay such fees as may be required to reimburse County costs for preparation and processing of environmental review documents as specified by the Board of Supervisors.

(Ord. No. 1608, §2)

Sec. 26-15. Exemptions

Exemptions from the provisions of this Chapter are governed by Section 26-15.1 and 26.15.2.

(Ord. No. 1608, §2)

Sec. 26-15.1. List of Exemptions

Except as otherwise provided in Section 26-15.2, this Chapter shall not apply to:

- (a) The financing or leasing of apartments, offices, stores or similar spaces within apartment buildings, industrial buildings, commercial buildings, mobile home parks, or trailer parks;
- (b) Mineral, oil, gas or agricultural leases;
- (c) Land dedicated for cemetery purposes under the provisions of the Health and Safety Code;
- (d) Boundary line or exchange agreements to which the State Lands Commission or a local agency holding a trust grant of tide and submerged lands is a party;
- (e) Any separate assessment under Section 2188.7 of the Revenue and Taxation Code;
- (f) The financing or leasing of existing separate commercial or industrial buildings on a single lot;
- (g) The financing or leasing of any lot, or portion thereof, in conjunction with the construction of commercial or industrial buildings on a single lot;
- (h) Subdivisions creating four or fewer lots for construction of removable commercial buildings having a floor area of less than 100 square feet;
- (i) The construction, financing or leasing of dwelling units pursuant to Section 65852.1 of the Government Code, or of second units pursuant to Section 65852.2 of the Government Code;
- (j) Subdivisions of a portion of the operating right-of-way of a railroad corporation defined as such by Section 230 of the Public Utilities Code which are created by short-term leases (terminable by either party on not more than 30 days' notice in writing);
- (k) Land conveyed to or from a governmental agency, public entity or public utility;
- (l) Land conveyed to a subsidiary of a public utility for conveyance to such public utility for rights-of-way;
- (m) The leasing of, or the granting of an easement to, a lot, or any portion thereof, in conjunction with the financing, erection and sale or lease of a wind powered electrical generation device on the lot or portion thereof; and

(n) The leasing or licensing of a portion of a lot, or the granting of an easement, use permit, or similar right on a portion of a lot, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities.

(Ord. No. 1608, §2)

Sec. 26-15.2. Limitations on Exemptions

This Chapter shall apply to subdivisions affected in the manner described in subsections (j), (k) and (l) of Section 26-15.1 if the property involved is shown on the latest equalized County assessment roll unless the Director of Environmental Management has both:

- (a) Received advanced written notice of the proposed subdivision; and
- (b) Determined that there is no substantial evidence that public policy necessitates the filing of a final map, parcel map or map waiver for the subdivision.

The notice shall generally describe the proposed subdivision, shall identify the parties thereto, and shall contain such additional information as the Director of Environmental Management may require. The Director of Environmental Management's determination that there is or is not any such substantial evidence shall be made in writing within 30 calendar days after receipt of the notice. Public policy necessitates a final map, parcel map or map waiver whenever there is substantial evidence that the subdivision might create a lot that fails to satisfy any of the requirements of Article VII of this Chapter.

(Ord. No. 1608, §2)

Sec. 26-15.3. Fees

Fees for the processing of tentative, final and parcel maps and for other procedures required or authorized by the Subdivision Map Act or this Chapter, shall be paid in the amounts, if any, prescribed by resolution of the Board of Supervisors. Except as otherwise specified, such fees shall not be refundable. Each application for any such map or other procedure shall be accompanied by payment of all outstanding fees and charges by and owed to the County under this Chapter by the applicant, or by persons, partnerships, corporations or other entities owned or controlled by the applicant, or owning or controlling the applicant. No filing fee shall be charged or collected for any application filed by any County officer, employee, board or commission on behalf of the County of Solano.

(Ord. No. 1608, §2)