

ARTICLE III. MAP REQUIREMENTS

(Ord. No. 1419, §1; Ord. No. 1575, §2)

Sec. 26-31. Subdivisions creating five or more lots

(a) A tentative map and a final map shall be required for all subdivisions which create five or more lots, create five or more condominiums as defined in Section 783 of the Civil Code, are a community apartment project (as defined in Section 11004 of the Business and Professions Code) containing five or more parcels, or are a conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where:

(1) The parent parcel contains less than five acres, each lot created by the division abuts upon a publicly maintained public road or highway, and no dedications or improvements are required by the legislative body; or

(2) Each lot created by the subdivision has a gross area of 20 acres or more and has an approved access meeting the requirements of the Solano County Road Improvement Standards and Land Development and Subdivision Requirements to a publicly maintained public road or highway; or

(3) The parent parcel has an approved access meeting the requirements of the Solano County Road Improvement Standards and Land Development and Subdivision Requirements to a public road or highway and is zoned for industrial or commercial development, and which has the approval of the legislative body as to road alignment and widths; or

(4) Each lot created by the subdivision has a gross area of not less than 40 acres or is not less than a quarter of a quarter section; or

(5) Until January 1, 2003, the land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 66418.2 of the Subdivision Map Act.

(b) A tentative map and a parcel map shall be required for those subdivisions described in subdivisions (a), (b), (c), (d) and (e). For the purposes of computing the number of lots created by a subdivision, any remainder parcel and any lots to be conveyed to a governmental agency, public entity, or public utility, or to a subsidiary of a public utility for reconveyance to a public utility for rights-of-way, shall not be counted. For purposes of this section, any conveyance of land to or from a governmental agency shall include a fee interest, an easement, or a license.

(Ord. No. 1608, §2)

Sec. 26-32. Subdivisions creating four or fewer lots

Except as otherwise provided in this Chapter, a tentative map and a parcel map shall be required for all subdivisions creating four or fewer lots, or four or fewer condominiums,

or (in the case of community apartment projects) containing four or fewer apartments, or (in the case of conversions to a stock cooperative) involving four or fewer dwelling units.

(Ord. No. 1608, §2)

Sec. 26-33. Waivers

A final map or parcel map shall, upon proper application therefore, be waived in the following cases:

(a) Large Lot Subdivisions - Subdivisions (other than condominium conversions, community apartment projects and stock cooperative conversions) which create lots, each of which has a gross area of at least 40 acres or is not less than a quarter of a quarter section are eligible for map waiver provided that the Advisory Agency has issued written findings that (1) the subdivision meets all of the requirements of this Chapter and the Subdivision Map Act for a subdivision by parcel map except only those requirements set forth in Section 26-101.1 of this Chapter and in Section 66428 of the Subdivision Map Act and such other requirements as may be waived by the Advisory Agency pursuant to this Section, and (2) no injury would be done to the public health, safety or welfare by permitting the subdivision to occur without a field survey;

(b) Lot Elimination Subdivision - Subdivisions which merge existing legal lots and then resubdivide the property so as to eliminate one or more of the previously existing lots by adding their territory to one or more of the other previously existing lots without otherwise altering the boundaries of the latter group of previously existing lots are eligible for map waiver provided that the Advisory Agency has issued written findings that the subdivision is consistent with the public health, safety and welfare, and the

(1) all of the resulting lots will conform to all applicable zoning, general plan and specific plan requirements, or

(2) at least one of the previously existing lots which are eliminated by the subdivision was nonconforming with applicable zoning, general plan or specific plan requirements, or

(3) at least one of the previously existing lots which are enlarged by the subdivision was nonconforming with applicable zoning, general plan or specific plan requirements; or

(c) Mobile Home Park Condominium Conversions - Subdivisions which convert mobile home parks (as defined in Section 50781 of the Health and Safety Code) into condominiums are eligible for map waiver provided that the Advisory Agency has issued written findings that none of the conditions listed in subsections (a)(1) through (a)(4) of Section 66428.1 of the Subdivision Map Act exist.

(Ord. No. 847, §1; Ord. No. 861, §§ 1, 2)

Sec. 26-33.1. Applications

An application for a map waiver shall be on a form satisfactory to the Director of Environmental Management and shall be accompanied by documents containing all of the information specified in Sections 26-62 and 26-63, provided that the Advisory Agency may, in individual cases, permit the omission of items of information deemed by it not to be necessary for a proper review of the application. The application shall also be accompanied by a legal description and a sketch, prepared by a person authorized to practice land surveying, of each of the lots to be created by the subdivision or merger and, where applicable, each of the affected lots in existence at the time of application. The sketch shall include a north arrow and the bearings and distances for all the lot lines including, where applicable, distances between old and new lot lines. Where, in the opinion of the Director of Environmental Management, a field survey is necessary in order to support a required finding that one or more of the lots to be created will conform to applicable zoning requirements, the application shall be accompanied by a field survey. The application for a mobile home park condominium conversion described in subsection (c) of Section 26-33 shall also be accompanied by a petition in the form specified in Section 66428.1 of the Subdivision Map Act signed by at least two-thirds of the owners of mobile homes who are tenants in the mobile home park.

(Ord. No. 1608, §2;)

Sec. 26-33.2. Processing

(a) An application for a map waiver shall be processed as an application for a ministerial permit, without public notice or hearing, in the following cases:

- (1) Lot elimination subdivisions described in subsection (b) of Section 26-33; and
- (2) Mergers described in subsection (c) of Section 26-33 where all of the preexisting lots are legal lots.

(b) In all other cases, an application for a map waiver shall be processed in the same manner as an application for a tentative parcel map. Prior to expiration of the map waiver approval, legal descriptions describing the parcels, as approved by the Advisory Agency, shall be provided by the applicant(s) in a form and content acceptable to the Department of Environmental Management. Also, the applicant shall obtain certification from the County Tax Collector which states that according to the records of his/her department there are no liens against the parcels for unpaid state, county, or municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable. The Director of Environmental Management shall prepare and sign a certificate of compliance or conditional certificate of compliance to indicate compliance with all of the conditions of the approval of the map waiver.

(Ord. No. 1608, §2;)

Sec. 26-33.3. Recording

A map waiver shall not become operative unless and until the certificate of compliance

or conditional certificate of compliance is recorded in the Office of the County Recorder prior to expiration of the approval. Unless a certificate of compliance or a conditional certificate of compliance is recorded the approval shall expire one year from the date of the approval in the cases described in subdivisions (b) and (c) of Section 26-33, and three years from the date of the approval in the case described in subdivision (a) of Section 26-33. After approval of the map waiver, the Director of Environmental Management shall indicate on a separate document all conditions that, according to proof supplied by the applicant, have been satisfied. If all conditions that are required to be satisfied prior to the recording of the certificate of compliance or conditional certificate of compliance have not been satisfied, the Director of Environmental Management shall not sign and record the certificate of compliance or conditional certificate of compliance. If all conditions that are required to be satisfied prior to the recording of the certificate of compliance or conditional certificate of compliance have been satisfied, the Director of Environmental Management shall prepare and sign the certificate of compliance or conditional certificate of compliance, including applicable legal descriptions and sketches provided by the applicant, and shall transmit it to the Solano County Recorder. When recorded, the certificate of compliance or conditional certificate of compliance shall have the same force and effect as a recorded parcel map.

(Ord. No. 1608, §2;)