

EXHIBIT D
Amendments to Sonoma County Code Chapter 25

Sonoma County Code Chapter 25 is amended as provided below.

A. Sec. 25-2. - Definitions.

1. Sec. 25-2 is amended to modify the definitions of “advisory agency” and “lower level decision maker”, as shown below:

"Advisory agency" means one (1) of the following:

- (1) For subdivisions for which five (5) or more parcels are proposed to be created, the planning commission;
- (2) For all subdivisions other than those for which the planning commission is the advisory agency, the ~~project review and advisory committee~~ zoning administrator.

"Lower level decision maker" means the planning director, the ~~project review and advisory committee~~ zoning administrator, or the planning commission, as appropriate.

2. The following definition is added, in its alphabetical order:

"Zoning Administrator" is defined as provided in Sec. 2-79 of this code.

B. Section 25-5. - Project review and advisory committee—Composition, quorum. Sec. 25-5 is repealed.

C. Section 25-6. - Project review and advisory committee—Powers and duties. Sec. 25-6 is amended to read as shown below.

~~Project review and advisory committee—Powers and duties.~~ Zoning Administrator.

The Zoning Administrator ~~Project review and advisory committee~~ shall have the following powers and duties:

- (a) To review in a technical capacity all subdivisions for which the ~~committee~~ planning commission is ~~not~~ the advisory agency;
- (b) To approve, disapprove, or conditionally approve all subdivisions for which the ~~committee~~ zoning administrator is the advisory agency;
- (c) To consider and coordinate recommendations on all matters which may ~~hereby~~ be assigned to ~~it~~ the zoning administrator by the planning commission or the board of supervisors ~~and to establish rules of procedure and elect officers to carry on its business;~~
- (d) To issue and record certificates of compliance pursuant to Section 66499.35 of the Subdivision Map Act and to issue and record notices of violation pursuant to Section 66499.36 of the Subdivision Map Act;

(e) To approve lot line adjustments between two or more adjacent parcels pursuant to Government Code Section 66412;

(f) ~~To~~ reduce, alter, or add to the development standards listed below. Any such changes shall be accompanied by a written statement justifying the change. The standards of development or the decision to change a standard may be appealed consistent with Section 25-18.

D. Sec. 25-9. - Exceptions to parcel map requirements. Sec. 25-9 is amended to replace each instance of the term “project review and advisory committee” with “zoning administrator.”

E. Sec. 25-13.5. Appeals in general. Sec. 25-9 is amended to replace each instance of the term “committee” with “zoning administrator.”

F. Sec. 25-13.10. Open space easement. Sec. 25-13.10 is amended to delete each instance of the term “board of zoning adjustments.”

G. Sec. 25-13.11(h). Hearing body. Sec. 25-13.11(h) is amended to read as follows:

When a property owner files a request for a hearing on determination of status pursuant to Section 25-13.11(g), the hearing shall be conducted before the planning director or his designee. Notwithstanding anything within Chapter 25 or 26 of Sonoma County Code to the contrary, decisions of the planning director or his designee under this subsection 25-13.11(h) may be appealed to the Board of Supervisors and are not appealable to the Planning Commission. Where the ~~planning~~ director determines that a significant policy question ~~are-tis at~~ issue, the ~~planning~~ director may refer the determination of merger to the planning commission for action. ~~Notwithstanding~~ Notwithstanding anything within Chapter 25 or 26 of Sonoma County Code to the contrary, a decision of the Planning Commission ~~are~~ under this subsection is not appealable to the Board of Supervisors.

H. Sec. 25-13.14. Supplemental map sheet and supplemental document. Subsection (b) of Sec. 25-13.14 is amended to replace each instance of the term “advisory committee” with “zoning administrator”.

I. Sec. 25-15. Tentative parcel map generally. Subsection (i) of Section 25-15 is amended to replace the term “Engineering Advisory Committee” with “zoning administrator.”

J. Sec. 25-16. - Project Review and Advisory Committee. Sec. 25-16 is amended to read as follows:

Project Review and Advisory Committee Zoning administrator.

The ~~project review and advisory committee~~ zoning administrator shall, within thirty (30) days after ~~the committee considers~~ considering the merits of the subdivision application, unless such time is extended by agreement with the owner or ~~his~~ owner's agent:

- (a) Approve the subdivision application if, as to each parcel contained within or to remain after the subdivision, the ~~committee~~ zoning administrator finds that there is no evidence of conflict with this chapter and specifically the standards set forth in Section 25-17; or

- (b) Conditionally approve the subdivision application with conditions that will guarantee conformance with the standards set forth in Section 25-17 and the goals of this chapter; or
- (c) Disapprove the subdivision application if the ~~committee~~zoning administrator finds that the subdivision cannot be conditioned to guarantee conformance with this chapter and the standards as set forth in Section 25-17; and
- (d) Report its actions directly to the owner or his authorized agent.

K. Sec. 25-17. - Standards for approval. Sec. 25-17 is amended as follows.

1. Subsections (a) through (u), inclusive, of Sec. 25-17 are amended to replace each instance of the terms “project review and advisory committee”, “committee” and “PRAC” with “zoning administrator.”
2. Subsection (o) of Sec. 25-17 is amended as shown below:

(o) If the real property is subject to a Williamson Act agreement or contract, all parcels must meet the minimum requirements of the ~~agricultural preserve advisory committee, its designated representatives, or other official who may be designated by resolution of this board of supervisors as to conformity with agricultural preserve regulations, contract and the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones.~~

3. Subsection (v) of Sec. 25-17 is amended to replace each instance of “PRAC” with “the planning commission or zoning administrator”.
4. Subsections (w) and (x) of Sec. 25-17 are amended to replace each instance of “PRAC” with “the zoning administrator”.

L. Sec. 25-18. - Committee's decision final—Appeals to planning commission. Sec. 25-18, including its heading, is amended to replace each instance of the terms “committee” and “project review and advisory committee” with “zoning administrator”.

M. Sec. 25-21. - When hearings required. Sec. 25-21 is amended as follows:

When making decisions on subdivisions, the ~~project review and advisory committee~~zoning administrator or the planning commission upon referral from the zoning administrator shall hold ~~a public hearings. The hearing. If the zoning administrator has held a hearing pursuant to this section, the~~ planning commission or board of supervisors shall hold public hearings when making decisions on subdivisions only when there has been an appeal to the commission or board. A review of a subdivision by the commission or board shall not require a public hearing.

N. Sec. 25-22. - Notice required. Sec. 25-22 is amended as follows:

The ~~planning~~ director shall post three (3) notices of hearing before the ~~project review and advisory committee~~ zoning administrator on or near the property being subdivided, and shall provide any additional notice as may be required for compliance with the Subdivision Map Act or other applicable law. The posted notice shall give a general description of the property proposed for subdivision, a general description of the matter to be considered, and the time and place of hearing. The posted notice shall be posted at least ten (10) days prior to the hearing date. No posted notice shall be required if there is an appeal. No posted notice shall be required if the subdivision does not create additional parcels.

O. Sec. 25-23. - Recordation of parcel map. Sec. 25-23 is amended as follows:

Failure to file a final parcel map within twenty-four (24) months from the date of approval or conditional approval of the tentative parcel map shall terminate all proceedings, and any subdivision of the same land shall require the filing of a new subdivision application; provided, however the twenty-four (24) month period may be extended by the board of supervisors or by an advisory agency authorized to approve or conditionally approve tentative parcel maps for a period not exceeding one (1) year. Prior to the expiration of an approved or conditionally approved tentative parcel map, upon the application by the subdivider to extend that map, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the board of supervisors within ~~fifteen (15)~~ ten (10) days after the advisory agency has denied the extension.

P. Sec. 25-36. - Actions on tentative map—Planning department. Sec. 25-36 is amended to replace each instance of the terms “project review and advisory committee”, “committee” and “PRAC” with “zoning administrator”.

Q. Sec. 25-37. - Tentative map review. Sec. 25-37 is amended to replace each instance of the terms “project review and advisory committee” and “committee” with “zoning administrator”.

R. Sec. 25-38. - Same—Planning commission. Subsection (a) of Section 25-38 is amended to replace the term “committee” with “zoning administrator”.

S. Sec. 25-39.6 (e). - Filing and Processing. Sec. 25-39.6(e) is amended to read as follows:

A vesting tentative map and vesting tentative parcel map shall be filed in the same form and have the contents, accompanying data and reports and shall be processed in the same manner as maps filed under Articles II and III of this Chapter except as herein provided:

- (1) At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map" or "Vesting Tentative Parcel Map".
- (2) In addition to requirements of Article II and III, applications for vesting tentative maps shall be accompanied by the following additional approvals, data, reports, and material. An application shall not be deemed complete unless the application is accompanied by the following:

- (A) A graphic description of the housing type including location, size and height of all structures.
- (B) Detailed improvement plans for roads including where applicable, curb, gutter and sidewalk reviewed and approved by the Sonoma County Public Works Department.
- (C) Detailed grading plans for building sites reviewed and approved by the Sonoma County Water Agency and Sonoma County Building Inspection Department.
- (D) Detailed plans for sewer systems or connections and water systems or connections reviewed and approved by the Sonoma County Department of Public Works and/or Environmental Health.
- (E) Detailed plans for drainage reviewed and approved by the Sonoma County Water Agency.
- (F) Design and architectural plans for structures, landscaping plans and irrigation plans reviewed and approved by the Design Review Committee.
- (G) Proposed covenants, codes and restrictions reviewed and approved by the Department of Planning.
- (H) Where applicable, a written agreement from the Sonoma County Housing Authority allocating housing to low and moderate income persons.
- (I) Where applicable, geologic studies prepared by a registered geologist or registered engineering geologist.
- (J) A statement from the Sonoma County Departments of Public Works and Planning and the Sonoma County Water Agency setting forth the nature, type, and extent of public infrastructure and services which will, during the life of the proposed vesting tentative and final maps be needed to serve the area in which the subdivision is to be located. Such statement shall be delivered to the subdivider at the same time as the applicable approval is given by the department in accordance with Section 25-36.6 (e).
- (K) A negative declaration on a certified environmental impact report which covers the proposed project.

T. Sec. 25-40. - Streets and highways. Sec. 25-40 is amended to replace each instance of “PRAC” with “the planning commission or zoning administrator”.

U. Sec. 25-44. - General requirements. Sec. 25-44 is amended to replace each instance of “PRAC” with “the planning commission or zoning administrator”.

V. Sec. 25-56. - Generally. Sec. 25-56 is amended as provided below.

1. Subsections (a) through (c) of Sec. 25-56 are amended to replace each instance of “project review and advisory committee” with “director.”
2. Subsection (d) of Sec. 25-56 is amended to replace each instance of “PRAC” with “the zoning administrator”.

W. Sec. 25-70.4. - Processing lot line adjustments. Sec. 25-70 is amended as provided below.

- (a) Lot line adjustments shall be processed in accordance with the following provisions:
- (1) Upon determining the application to be complete, the planning department shall refer the application to county departments, area agencies, and other interested parties for comments and recommendations. All referral responses shall be directed to the planning department within fourteen (14) days;
 - (2) Upon completion of the referral period, the planning department shall review the lot line adjustment proposal for conformance with the approval criteria set forth in Section 25-70.5 and shall administratively approve, deny or conditionally approve the request;
 - (3) In lieu of the above procedures, if a hearing is requested or any significant issues or protests are raised during the referral period, the planning department may refer such request to PRA C zoning administrator for ~~a final~~ determination. ~~PRA C~~The zoning administrator shall have the authority to approve, deny or conditionally approve lot line adjustments after conducting a duly noticed public hearing;
 - (4) The final decision shall be mailed to the applicants, and those who submitted comments during the referral period. Decisions may be appealed within ten (10) calendar days pursuant to Section 25-13.5.