

EXHIBIT A

Amendments to Sonoma County Code Chapter 2, Article VI

Sonoma County Code Chapter 2 are amended as provided below.

A. Sec. 2-75. Established. Sec 2-75 is amended to read as shown below.

Sec. 2-75. Established; composition.-

There is hereby established a planning agency which shall consist of a county planning department to be known and designated as "Permit Sonoma," county planning commissions as designated by the board of supervisors, and a zoning administrator~~and a county board of zoning adjustments~~, and said planning agency shall serve as the Sonoma County planning agency.

The two planning commissions designated as part of the planning agency are the Sonoma County planning commission, composed as provided in Section 2-78 of this article; and the board of directors of the Sonoma County agricultural preservation and open space district, which shall constitute an additional planning commission solely for the purpose of making the general plan conformity reports, as required by Government Code section 65402, for the district's acquisition of open space interests in real property in the unincorporated area of Sonoma County, and any related transactions including, but not limited to, those that result in an acquired interest being held by another public entity.

B. Sec. 2-76. - Composition. Sec. 2-76 is repealed.

C. Sec. 2-77. Powers and duties. Sec. 2-77 is amended to read as shown below.

Sec. 2-77. Planning Agency--Powers and duties.

The county planning agency, county planning commissions, county board of zoning adjustments~~zoning administrator~~ and ~~the county planning department~~Permit Sonoma shall perform those duties and exercise those powers delegated to it by the Planning and Zoning Law and other acts of the legislature and such additional powers and duties as may, from time to time, be delegated to it by the board of supervisors pursuant to Article XIV, Section 711 of the California Constitution.

D. Sec. 2-78. - Composition of planning commission—Appointment, term and removal of appointees. Sec. 2-78 is amended to read as shown below.

Sec. 2-78. Composition of county planning commission—Appointment, term and removal of appointees.

The county planning commission shall consist of ~~two~~one residents from each supervisorial district appointed by the board of supervisors. Such appointments shall be accomplished by resolution, with resolution shall provide the term of each

appointee. Any or all appointees may be removed from office at any time by the board of supervisors, with or without cause. No more than one member from each supervisorial district shall participate in any public hearing conducted by the planning commission.

E. Sec. 2-79. - Composition of board of zoning adjustments—Appointment, term and removal of appointees. Section 2-79 is repealed and replaced with the following:

Sec. 2-79. Zoning administrator—Appointment, designation, and authority.

A. Established. The office of zoning administrator is created pursuant to Government Code Section 65900.

B. Designation. The director of Permit Sonoma shall be the zoning administrator. In that capacity the director may designate one or more Permit Sonoma employees to act as zoning administrator and carry out the duties and functions of the zoning administrator. The director may also replace, remove or change employees designated to act as zoning administrator, in the director’s discretion. Where “zoning administrator” is referenced anywhere in this code, the term shall include any employee designated and acting as zoning administrator.

C. Duties and authority. The zoning administrator shall:

1. Perform the duties and functions of the zoning administrator as provided in this code, including the review of specified discretionary land use permits and variances, coastal development permits, and subdivisions creating less than five lots;
2. Adopt and amend, as necessary and desirable, rules and procedures for the conduct of public hearings conducted by the zoning administrator, and any other policies and procedures necessary or desirable to carry out the functions of the zoning administrator;
3. Perform any other responsibilities assigned by the director.

D. Independent decision maker. An employee designated to act as zoning administrator shall not be under the supervision, direction or control of the planning director when carrying out the quasi-adjudicative duties and functions of the zoning administrator, but shall be subordinate and directly responsible to the director and any intermediate supervisory staff in the performance of all other duties.

E. Referral. The zoning administrator shall hear and decide applications assigned to the zoning administrator by this code, provided that the zoning administrator may, in his or her discretion, refer any matter to the jurisdiction of the planning commission for hearing and action. A zoning administrator referral to the planning commission shall not require prior notice or hearing, is final and jurisdictional, and not subject to appeal.

F. Automatic Referral. A discretionary project application that meets or exceeds any of the following thresholds shall be automatically submitted to the jurisdiction of the planning commission without zoning administrator action.

1. Conversion of 3 or more acres of timberland
2. Subdivision creating 5 or more lots
3. Four or more periodic special events in any 12-month period
4. Generation of 25 or more average daily trips, based on trip generation rates in the most current ITE Trip Generation Manual.

F. Sec. 2-79.5. Rotation and substitution of appointees to planning commission and board of zoning adjustments. Section 2-79.5 is amended to read as shown below.

Sec. 2-79.5. Rotation and substitution of appointees to planning commission ~~and board of zoning adjustments.~~

The director of Permit Sonoma shall establish a rotation schedule such that ~~(1) each appointee for a district serves as active commissioner sits on the board of zoning adjustments~~ for six ~~(6)~~ months each year and as alternative commissioner on the planning commission for six ~~(6)~~ months each year. ~~and (2) nNo two~~ appointees from the same supervisorial district shall simultaneously participate as active commissioner in any public hearing. ~~sit together on the board of zoning adjustments or planning commission.~~

In the event that an active commissioner an appointee gives notice to the planning director prior to the meeting that the active commissioner appointee will not attend a meeting, or must recuse from will not participate in one or more meeting items, the ~~other alternate commissioner appointee~~ from the same supervisorial district may participatesit and act in place of the absent active or recused appointee commissioner in at that meeting or for a particular meeting item. ~~In addition, a~~Any ~~appointee~~ active commissioner, who does not wish to act on a ~~quasi-judicial~~ matter because that ~~active commissioner appointee has~~ not been present throughout the entire hearing due to the rotation schedule, may refuse to participate on the matter and the other appointee from the same supervisorial district may sit and act on the matter.

G. Sec. 2-80. Appointment, powers and duties of planning director. Sec. 2-80 is amended to read as follows:

The ~~planning~~ director of Permit Sonoma shall be appointed by the county executive. The ~~planning-Permit Sonoma~~ director shall perform those duties and exercise those powers delegated to him by ~~the planning and zoning law and other~~ acts of the legislature, and such other powers and duties as may, from time to time, be delegated to him by the board of supervisors pursuant to Article ~~XIV~~, Section ~~711~~ of the California Constitution.

H. Sec. 2-81. - Sources of legal and engineering advice. Sec. 2-81 is repealed.