

Chapter 2.36 PLANNING COMMISSION

Sections:

2.36.010 Created.

This chapter shall create a planning commission for the county, which shall also serve as the planning agency for the county and the advisory agency as provided for in the Subdivision Map Act of the state and the subdivision ordinance of the county.

(Ord. 174-6 §1(part), 1978)

(Ord. No. 1344 , § 1, 4-3-18)

2.36.020 Membership—Terms.

- A. The planning commission shall be composed of five members. One shall be appointed from each supervisorial district. Each supervisor shall nominate a commissioner who is a resident and voter from his or her supervisorial district.

On the effective date of the amendment to this section, persons serving as planning commissioners who, by reason of redistricting or otherwise, are not residents and voters of the supervisorial district of the supervisor who nominated them, or that supervisor's successor in office, may nevertheless complete the term of office set forth in subsection C of this section, subject to being removed pursuant to subsection D, as the nominee of the supervisor, or successor, rather than the nominee of the supervisor of the supervisorial district of the planning commissioner's residence. Such persons may also be appointed for additional terms of office immediately succeeding his or her current term when nominated by the same supervisor and without the need to be a resident of the nominating supervisor's district.

- B. Each nominee must be confirmed by a majority vote of all the members of the board of supervisors. No person shall be appointed as a regular planning commissioner who is an officer or employee of the county, except in his/her capacity as a planning commissioner.
- C. The terms of office for the respective planning commissioners shall be as follows:
1. The terms of office of the planning commissioners from supervisorial districts 2, 3, and 5 shall expire on the first Monday following January 31, 1993.
 2. The terms of office of the planning commissioners from supervisorial districts 1 and 4 shall expire on the first Monday following January 31, 1995.
 3. Terms of office after the expiration of the terms as provided in subsections (C)(1) and (C)(2) of this section shall be for a period of four years and shall expire on the first Monday after January 31st upon the completion of the four-year term.
 4. Vacancies shall be filled by the nomination and confirmation procedure set forth in subsection B of this section. The person appointed to fill a vacancy which occurs during a term of office shall fill the office for the remainder of the unexpired term.
- D. A planning commissioner may be removed from office by a three-fifths vote of all members of the board of supervisors.

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- E. Planning commissioners shall inform themselves upon the planning practice and regulations applicable to the County of Trinity.

(Ord. 1166 §1, 1992: Ord. 174-6 §1(a), 1978)

(Ord. No. 1344 , § 1, 4-3-18)

2.36.030 Officers—Meetings—Duties.

- A. The commission shall elect a chairman and vice chairman and other necessary officers from among its members for a term of one year.
- B. The commission shall hold at least one regular meeting each month and other meetings as may be necessary.
- C. The commission shall adopt rules and regulations for the transaction of business.
- D. The planning commission shall perform such functions and duties and shall have such powers and duties as are prescribed by law, and, in particular, as are prescribed in Chapter 3 of Title 7 of the Government Code of the state, and in addition, the planning commission shall perform such other functions and duties with respect to planning and zoning and other matters as the board of supervisors shall direct.

(Ord. 174-6 §1(b), 1978)

(Ord. No. 1344 , § 1, 4-3-18)

2.36.040 Chairman—Zoning administrator.

- A. The chairman of the planning commission shall also be designated the zoning administrator. The actions of the zoning administrator shall be recorded in the same manner as action of the entire board and minutes distributed to all commissioners.
- B. The zoning administrator shall:
 - 1. Hold public hearings at least once a month to reconsider routine petitions for use permits, rezonings that are consistent with the general plan and minor variances;
 - 2. Make recommendations on rezonings to the board of supervisors which apply only to minor land divisions when the rezoning is accompanied by a tentative parcel map. The planning commissioner from the district within which the property is located has the power to veto the decision within fourteen days after the zoning administrator makes his/her decision. The rezoning fee applicable to this action is waived; and
 - 3. Sit as the planning commissioner's representative on the subdivision review committee.
- C. The zoning administrator may approve or approve with mitigation measures, any negative declaration that accompanies projects for which he/she would otherwise have approval authority.
- D. The zoning administrator may refuse to hear any application which he/she feels the entire planning commission should jointly consider.
- E. Appeals of the zoning administrator's decisions shall be made in the same manner as prescribed for appeals of planning commission decisions.
- F. In the absence of the chairman of the planning commission, by a majority vote of the commissioners, the planning commission may select another commissioner to temporarily serve as zoning administrator.

(Supp. No. 17)

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(Ord. 174-8 §1, 1979; Ord. 174-7 §1, 1979; Ord. 174-6 §1(c), 1978)

(Ord. No. 1344 , § 1, 4-3-18)

2.36.050 Compensation.

Members of the planning commission shall be compensated or reimbursed only as follows:

- A. Each member of the planning commission shall be entitled to receive the sum of one hundred dollars for each such regular or special meeting of the planning commission at which he/she is in attendance.
- B. Each member of the planning commission shall be entitled to the sum of fifty dollars for each duly called field trip of the planning commission in which he/she participates.
- C. The zoning administrator shall receive the sum of one hundred dollars for each zoning administrator public hearing that he/she conducts and forty dollars for each subdivision review committee meeting that he/she attends.
- D. Each member of the planning commission shall be entitled to mileage at the rate set forth in the current county salary ordinance necessarily traveled in attending each meeting or field trip for which compensation may be claimed under this chapter, and any conference for which prior authorization had been received from the board of supervisors; provided, however, that no mileage shall be allowed for travel in the course of a field trip unless a county-owned car or bus is unavailable. In addition, any member required to obtain lodging or meals because of his/her attendance at such a meeting or field trip is entitled to reasonable reimbursement therefor.
- E. Each member of the planning commission shall be entitled to reasonable and necessary expenses, other than mileage, which is compensated for by subsection D of this section, incidental to the attendance of any planning conference, for which prior authorization to attend has been obtained from the board of supervisors at the same rate as general county employees.

(Ord. 174-9 §§1, 2, 1979; Ord. 174-8 §2, 1979; Ord. 174-6 §1(d), 1978)

(Ord. No. 1344 , § 1, 4-3-18)

2.36.060 Appointment—Oath.

The planning commission shall be legally constituted and have jurisdiction to proceed to act as provided by law upon the appointment of the members thereof by an order of the board of supervisors duly entered in the minutes and upon each of the members taking and filing oath of office as provided by law.

(Ord. 174-6 §2, 1978)

2.36.070 Duties as advisory agency.

- A. The county planning commission shall act as, and carry out the duties of the advisory agency, as defined in the Subdivision Map Act of the state.
- B. All tentative subdivision maps shall be filed with the planning commission and the planning commission shall report its action on such maps direct to the subdividers.

(Supp. No. 17)

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C. Procedures in connection with the making of any subdivision, and in carrying out the duties of an advisory agency, shall be in full and direct accord with the provisions of the Subdivision Map Act of the state, and penalties for violations thereof, or of this section, shall be as specified therein.

(Ord. 193 §§1, 2 and 3, 1948)

(Ord. No. 1344 , § 1, 4-3-18)