

ARTICLE 31
ZONING ADMINISTRATOR

SEC. 25-31-10 **CREATED, AUTHORITY**

- A. There hereby is created the office of Zoning Administrator.
- B. The Zoning Administrator shall be the Community Development Director or his designated appointee.
- C. Said office is established pursuant to Government Code Section 65900.

SEC. 25-31-20 **GENERAL AUTHORITY AND DUTIES OF THE ZONING ADMINISTRATOR**

- A. To approve such permits and variances and authorize such modifications as are set forth in this chapter.
- B. To provide such notice as is required by the State Planning Law or this chapter prior to issuing any such permit or variance or granting such modification.
- C. To conduct public hearings and convene and preside over meetings which are authorized or required by State Planning Law, this chapter, or other Federal, State, or City laws or regulations, or when public hearings are appropriate, in the discretion of the Zoning Administrator, due to public interest in a project or when the decision on a project involves policy considerations which should be reviewed by the Planning Commission, the Zoning Administrator may elect to refer the application, with or without a recommendation, to the Planning Commission for decision.
- D. To adopt rules and procedures necessary or convenient for the transaction of the business, scheduling of meetings, conduct of meetings, and related matters of the Zoning Administrator. The Zoning Administrator shall report all projects considered and decisions made, on a regular basis, to the Planning Commission.

SEC. 25-31-30 PUBLIC NOTICES AND HEARINGS

The Zoning Administrator shall give such notices and conduct such public hearings as are required by the State Planning Law or other State, Federal, or local law or regulation in consideration of the action proposed. This Article is intended to confer upon the Zoning Administrator the authority to provide whatever type of notice and conduct whatever type of meeting is required by applicable law, and shall not be deemed to limit the authority of the Zoning Administrator to give public notice or conduct public hearings.

All such notices shall indicate the time, date, and place of the hearing in which the Zoning Administrator intends to make a determination, and shall be served in the manner required by applicable State law and which is appropriate in the discretion of the Zoning Administrator at least ten (10) calendar days prior to the date of hearing.

The effective date of all decisions of the Zoning Administrator shall be no sooner than the next regularly scheduled meeting of the Planning Commission, but in no event less than ten (10) calendar days from the date of the decision.

SEC. 25-31-40 APPEALS

Any person dissatisfied with any decision by the Zoning Administrator may appeal there from to the Planning Commission at any time within ten (10) days after the rendition of the decision by the Zoning Administrator. Said appeal shall be conducted pursuant to procedures set forth in SEC. 25-28-40 of this chapter.

SEC. 25-31-45 FURTHER APPEALS

Any person, including the city council, any individual city council member or the city manager, dissatisfied with any decision by the planning commission reviewing a decision of the zoning administrator may appeal there from to the city council at any time within fourteen (14) days after the rendering of the decision by the planning commission. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. The appeal shall be conducted pursuant to procedures set forth in Section 25-28-40, except that an appeal by the city council, a city council member, or the city manager shall not be subject to the requirement to pay a filing fee.

Any interested party, including the city council, any individual city council member, or the city manger, dissatisfied with the decision of the planning commission may appeal the decision to the city council. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manger. Any appeal shall be filed with the city clerk and, except an appeal by the city council, a council member, or the city manager, shall be accompanied by a filing fee as prescribed by city council resolution. The clerk shall set a date for a public hearing and shall give written notice to the appellant of the time and date of the hearing.

SEC. 25-31-50 REVIEW BY PLANNING COMMISSION

The Planning Commission may review, on its own motion or motion of the Zoning Administrator, any decision made by the Zoning Administrator. Said review shall be conducted as an appeal pursuant to SEC. 25-27-40 of this chapter.