

## Zoning Administrator Q & A

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### **Q: What does the Zoning Administrator do?**

Answer: The Zoning Administrator conducts public meetings and renders decisions on minor discretionary applications. A “discretionary application” is one that requires the exercise of judgment on the part of the decision-maker, as opposed to a “ministerial application” where the decision-maker determines whether there has been conformity with fixed standards or objective measurements (e.g., building permits).

### **Q: Who is the Zoning Administrator?**

Answer: The Zoning Administrator is a Planning Division staff member assigned by the Community Development Director.

### **Q: What types of projects or applications does the Zoning Administrator decide?**

Answer: Applications within the jurisdiction of the Zoning Administrator are: Modification Permits, Lot Line Adjustments, Parcel Maps, Coastal Development Permits, Condominium Conversions, and Comprehensive Sign Programs. Typical projects are single- or multi-unit residences, although non-residential buildings and structures are occasionally considered. Information regarding application forms, submittal requirements, and filing fees are accessible [here](#).

### **Q: Can I ask the Zoning Administrator if my application will be approved before I apply?**

Answer: You can ask, but the Zoning Administrator will direct your question to the planner without providing an answer. The planner can offer their opinion based upon what they understand the facts to be at that time, but the Zoning Administrator cannot offer similar advice as he/she is the decision maker. Offering a potential outcome without the benefit of full information derived from a complete analysis and a public hearing would be premature. This practice avoids unfortunate situations when facts are later uncovered that differs from early advice or a desired outcome.

### **Q: After filing an application, what happens?**

Answer: The application is assigned to a planner for evaluation. They consult with the Building Division, Public Works Department, and Fire Department depending upon the nature of the request. Other departments or agencies may also be consulted. The planner conducts a site visit and reviews the overall application for conformity with applicable development standards. They prepare a staff report and recommendation for action in the form of a draft Zoning Administrator Resolution. The recommendation is then forwarded to the Zoning Administrator for consideration and action at a noticed public hearing.

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### **Q: When are meetings scheduled?**

Answer: Meetings are currently scheduled on Thursday of the week of City Council meetings. Based on caseload, the meeting may be scheduled to only once per month. Public meetings are held online via Zoom at 10:00 a.m., and although they are informal, an agenda is followed and opportunities for public comment are afforded. Zoom link and participation instructions can be found on the agenda.

### **Q: Do decisions of the Zoning Administrator establish precedent?**

Answer: Precedent is only established when the facts and circumstances are identical to that prior case, which rarely ever occurs. Decisions are based upon the particular facts and circumstances of a project and its surroundings, as well as the mandatory findings for approval. Some older decisions (decades ago) are frankly questionable and are not good examples to follow.

### **Q: Can decisions be appealed?**

Answer: Yes, decisions of the Zoning Administrator can be appealed to the Planning Commission and decisions of the Planning Commission can be appealed to the City Council. Appeals must be filed within 14 days of final action, unless a different period of time is specified in the Municipal Code (e.g. 10 days for Parcel/Tract Maps, Lot Line Adjustments and Lot Mergers), and fees do apply.

Fee exception: There is no fee to appeal the Zoning Administrator's action on a Coastal Development Permit (CDP) to the Planning Commission. An appeal of the Planning Commission's action on a CDP to the City Council is subject to a fee. Since a fee is required to appeal any final action on a CDP to the City Council, final action by the Planning Commission regarding a CDP for property located within the appeal area of the coastal zone may also be appealed directly to the California Coastal Commission.

**For further information, please contact the Planning Division at 949-644-3204.**