

SUBCHAPTER 153.020 – ADMINISTRATION AND ENFORCEMENT



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§ 153.020.010 – Composition of Baldwin Park Planning Division

- A. Planning division functions.** Pursuant to California Government Code § 65100, the City establishes a planning division to carry out the land use and planning functions of this jurisdiction. As designated by this chapter the following participates in the planning process:
1. City Council
 2. Planning Commission
 3. Design Review Committee. The Design Review Committee shall be composed of the Director of Community Development, the City Engineer, a representative of the Police Department and City Planner as the chairperson.
 4. Zoning Administrator. The Director of Community Development, the Director of Public Works or a designated representative shall act as the Zoning Administrator.
 5. City Planner
- B. Duties assigned.** Responsible agencies shall perform duties as assigned by this subchapter and subchapter 153.210, Administrative Procedures.

§ 153.020.020 – Responsibilities of the City Council

The City Council shall have the following responsibilities with respect to the implementation of this chapter:

- A. **Appoint Planning Commission.** Appoint members of the Planning Commission.
- B. **Planning Commission appeals.** Act as the appeal body on decisions made by the Planning Commission.
- C. **Applications.** Hear and act upon applications for specific plans, Zoning Code text and map amendments, General Plan amendments and development agreements.
- D. **Amendments.** Direct planning-related policy amendments and special studies as necessary or desired.
- E. **Other powers and duties.** Exercise other powers and duties as are prescribed by state law or local ordinance.

§ 153.020.030 – Responsibilities of the Planning Commission

The Planning Commission shall have the following responsibilities:

- A. **Zoning Administrator appeals.** Act as the appeal body on decisions made by the Zoning Administrator.
- B. **Design Review Committee appeals.** Act as the appeal body on decisions by the Design Review Committee.
- C. **Conditional Use Permits and Variances.** Hear and act upon applications for conditional use permits and variances.
- D. **Recommendations to City Council:** Hear and make recommendations to the City Council on applications for specific plans, Zoning Code text and map amendments, General Plan amendments, development agreements and other related planning studies.
- E. **Zoning Code amendment studies and recommendations.** Initiate studies of amendments to the Zoning Code and make recommendations to the City Council for amendments to the Zoning Code.
- F. **Historic Resource Advisory Committee.** Act as the Historic Resource Advisory Committee and perform the following duties:

1. Regularly survey the city to recommend to the City Council that certain areas, buildings or structures be designated as historically significant.
 2. Publish and regularly update a register of historic properties, buildings and districts.
 3. Recommend to the City Council steps to encourage public understanding of and involvement in the unique architectural and environmental heritage of the city through educational and interpretive programs.
 4. Encourage the protection, retention and use of any designated or potential historic properties, buildings and districts.
 5. Recommend and encourage the protection, enhancement, appreciation and use of structures of historical, cultural, architectural, community or aesthetic value that have not been designated as historic buildings but deserve recognition to acknowledge their importance to the city. The Committee may recommend to the City Council steps desirable to recognize these structures without imposing any regulations or controls upon them.
 6. Encourage cooperation between public and private cultural heritage groups.
 7. Review and approve redevelopment plans and make recommendations to the City Council regarding proposed historic properties, buildings or districts within the area covered by such plan.
 8. Notify all public agencies and public utilities that own or may acquire property, including easements and public right-of-way in the city, of the existence of historic properties, buildings and districts.
- G. Other powers and duties.** Exercise other powers and duties as are prescribed by state law, local ordinance or as directed by the City Council.

§ 153.020.040 – Responsibilities of the Design Review Committee

The Design Review Committee shall hear and act upon applications for Design Review, as further provided in Part 2 of § 153.210. This Committee shall be composed of the Director of Community Development, the City Engineer or designee, the Building Official, a representative of the Police Department, a representative of the Fire Department and the City Planner who will serve as the chairperson.

§ 153.020.050 – Responsibilities of the Zoning Administrator

The Zoning Administrator shall be a city staff person designated by the Director of Community Development as the Zoning Administrator. The Zoning Administrator shall have the following responsibilities:

- A. **City Planner appeals.** Act as the appeal body for of decisions made by the City Planner, unless otherwise provided in this chapter
- B. **Zoning Code interpretations and administrative adjustments.** Hear and act upon applications for Zoning Code interpretations and administrative adjustments.
- C. **Other Powers and Duties:** Exercise other powers and duties as directed by the City Council.

§ 153.020.060 – Responsibilities of the Director of Public Works

The Director of Public Works hears and acts upon applications for wireless facility encroachment permits.

§ 153.020.070 – Responsibilities of the City Planner

The City Planner shall have the following responsibilities:

- A. **Record and maintain.** Maintain the Zoning Code, Zoning Map and records of zoning actions and interpretations.
- B. **Recommend on Zoning Code interpretations.** Hear and make recommendations to the Zoning Administrator on Zoning Code interpretations.
- C. **Administrative functions.** Conduct administrative functions authorized by the Zoning Code, including distribution and receipt of permit applications and corresponding fees; application review and public noticing; determination and issuance of administrative permits and approvals; and preparation of staff reports.
- D. **Public participation.** Provide information to the public and facilitate public participation on planning matters.
- E. **Other powers and duties.** Exercise other powers and duties as are prescribed by state law, local ordinance or as directed by the City Council.

§ 153.020.080 – Interpretation of the Zoning Code

- A. **Authority.** If ambiguity arises concerning the meaning or applicability of any provision of the Zoning Code, the Zoning Administrator shall have the responsibility to review

pertinent facts, determine the intent of the provision and to issue an administrative interpretation for the provisions in question pursuant to § 153.210, Administrative Procedures. The Zoning Administrator shall then issue an official interpretation that shall be in writing and cite the interpreted provisions, along with an explanation of the meaning or applicability of the provision in the circumstances that caused the need for interpretation. An administrative record of all such decisions made by the Zoning Administrator shall be maintained.

- B. Appeals.** Interpretations by the Zoning Administrator may be appealed to the designated Appeal Authority pursuant to § 153.210.020, Administrative Procedures.

§ 153.020.090 – Enforcement and Penalty for Violation

- A. Zoning Code enforcement.** The City Manager shall designate the Code Enforcement Officer or Officers who, along with the Planning Commission, Director of Community Development, Director of Public Works, City Planner, Police Department and all other officials charged with the issuance of licenses or permits, shall enforce the provisions of the Zoning Code.
- B. Public nuisances.** Any building or structure erected or maintained, or any use of property contrary to the provisions of the Zoning Code, shall be declared to be unlawful and a public nuisance subject to abatement pursuant to chapter 95, Nuisances, of the Baldwin Park Municipal Code.
- C. Zoning Code violations.** Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of the Zoning Code or failing to comply with any order or regulation made hereunder, shall be subject to the penalties set forth in § 10.99 of the Baldwin Park Municipal Code.