

TO: Personnel Board

FROM: Julie Trimbell, Human Resources

DATE: August 29, 2023

SUBJECT: Zoning Administrator – Building Inspection Division

The Human Resources Department received a request from Building Inspection Division Director Matt Tucker on December 12, 2022 to study the 1.0 FTE position #643 of Zoning Administrator (CG 18, Range 14), currently filled by Katie Bannon, to determine if the position is properly classified based on the current job responsibilities assigned to the position. Upon reviewing the updated and prior position descriptions, the current class specification and other City class specifications of similar responsibility, and conducting interviews with Katie, Matt, and Director of Planning & Community & Economic Development Matt Wachter, I recommend the following:

- Delete the classification of Zoning Administrator in CG18, Range 14;
- Create a new classification of Zoning Administrator in CG18, Range 15;
- Recreate positions #643 into the new classification.

This position was last studied in 2013 when Matt Tucker held the position until his promotion in July 2021. At that time, the position was reclassified from CG18, Range 12 to Range 14 for performing more advanced-level work providing leadership to the Building Inspection Unit, other City agencies and external stakeholders. The Zoning Administrator class specification describes:

...responsible program direction and supervisory work as the Administrator of the Zoning Section of the Building Inspection Division in the Department of Planning & Community & Economic Development (DPCED). The work involves managing the interpretation, application and enforcement of local and State ordinances and codes pertaining to planning, zoning and signs. Work is performed under the general supervision of the Building Inspection Division Director.

A review of the two submitted position descriptions does not show a significant change in job responsibilities; however other factors contribute to the recommendation to increase the range by one level.

- Zoning laws have become more complicated to interpret. When the City decides to change a code, the Zoning Administrator must ensure that it complies with all applicable State and Federal laws. This requires extensive technical and specialized knowledge.
- Changes in code establish public policy that guides development within the City. The Zoning Administrator often meets with Board/Committee/Commission members, neighborhood stakeholders, and business owners and developers to educate them and works with them on creative problem solving for compliance.
- The Zoning Administrator appears before the Common Council on a regular basis to provide information and answer questions concerning code and changes made to it. This

position is under high pressure and must respond to requests from the media regarding code changes and their implications.

- Zoning code is high profile within the community. Changes can subject the City to lawsuits and litigation in the millions of dollars. The Zoning Administrator often works with the Office of the City Attorney's defense team, testifies in court and serves as an expert witness in court to address these legal challenges.
- Matt Tucker believes the Zoning Administrator is equivalent in level to the Plan Review and Inspection Supervisor (CG18, Range 15) also in Building Inspection Division. The Plan Review and Inspection Supervisor class specification describes:

...responsible professional engineering, program direction and supervisory work as the head of the Plan Review and Inspection Section of the Building Inspection Division in the Department of Planning & Community & Economic Development. The work involves managing the enforcement of all State and Federal Codes relating to building construction in the City of Madison. The areas of responsibility include the review of architects' and engineers' design products prior to and during construction; the technical review of any proposed variances to the State Building Code; the inspection of all building, plumbing, heating and electrical construction; and the supervision of the plan review and permitting activities of the City. This position is responsible for ensuring that enforcement and related services are provided in a coordinated and systematic manner; developing, implementing and overseeing operational systems, procedures and quality standards; prioritizing services; coordinating the training of subordinates and contractors; overseeing the process of developing and submitting legislative changes; and handling the most difficult and sensitive complaints and contacts. The work is performed under the general supervision of the Building Inspection Division Director.

This position ensures compliance of these laws and provides enforcement of the code through 14 Inspectors, Plan Review Specialists and Code Enforcement Officers in CG16, Ranges 13 to 19. Although the Zoning Administrator supervises less staff members, the Zoning employees do fall within the same compensation groups and ranges. And although the Plan Review and Inspection Supervisor requires a Certificate of Registration as a Professional Architect or Engineer, the Zoning Administrator's extensive and specialized knowledge should be deemed an equivalent level.

- Matt Wachter considers the Zoning Administrator equivalent in level to the Principal Planner (CG18, Range 15) of Development Review & Plan Implementation in the Planning Division. This Principal Planner class specification describes:
Direct the activities and functions of the City Design and Plan Implementation Section encompassing management and administration of all of the activities and functions associated with land development policy, regulation, and review. Implement the planning goals the City has set forth in its various adopted plans and policies, create and apply urban design principles, manage the high volume of entitlement proposals that the city receives with particular focus on providing the City with design support, and coordinate with other City departments/divisions to accelerate development of the community's desired vision of growth.

This position reports to the Planning Division Director and has a comparable level of autonomy and political impact with the following similar job responsibilities:

- Advising developers, realtors, property owners and elected officials regarding land developments and context sensitive solutions that effectively implement the City's adopted comprehensive plan, area plans and other City policies;

- Preparing technical written reports and staff recommendations on applications for rezoning, land division and site development and providing technical assistance to elected officials, and City boards, commissions and committees;
- Supporting the City’s historic preservation planning program by working proactively with developers to ensure context sensitive development around landmarks and adaptive reuse of structures with historical or architectural significance, developing pattern books to encourage development that respects time-honored architecture, and providing professional staff support to the Preservation Planner and the Landmarks Commission as needed;
- Providing professional staff support to Madison’s Plan Commission, Urban Design Commission, Landmarks Preservation Commission, and the Common Council.

Although this position supervises professional Planners in CG18, it performs a similar level and type of work, including policy and ordinance development.

As the Zoning Administrator position has become more complex and has significant political and legal implications that may expose the City to considerable liability, it is appropriate that it is compensated at a higher pay range. As a result, I recommend deleting the classification of Zoning Administrator in CG18, Range 14, creating a new classification of Zoning Administrator in CG18, Range 15, and recreating position #643 in the new classification, all within the Planning Division budget.

The necessary resolution to implement this recommendation has been drafted.

Editor’s Note:

Effective Date: 12/25/2022

Compensation Group/Range	2023 Annual Minimum (Step 1)	2023 Annual Maximum (Step 5)	2023 Annual Maximum +12% longevity
18/14	\$90,912	\$109,445	\$122,579
18/15	\$95,254	\$114,689	\$128,451

cc: Matt Wachter - Department of Planning, Community and Economic Development Director
 Matt Tucker – Building Inspection Division Director