

ARTICLE II: ZONING CODE ADMINISTRATION, INTERPRETATION AND ENFORCEMENT

Chapter 19.060

INTERPRETATION OF CODE

- 19.060.010 Purpose.**
- 19.060.020 Applicability and Authority for Interpretations.**
- 19.060.030 Rules and Interpretations.**
- 19.060.040 Record of Interpretations.**
- 19.060.050 Appeals.**

19.060.010 Purpose.

The purpose of this Chapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of the Zoning Code, and to ensure consistent interpretation and application of the Zoning Code. (Ord. 6966 §1, 2007)

19.060.020 Applicability and Authority for Interpretations.

- A. 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 following provisions specified in this Chapter:
 - 1. The development standards applicable to a particular zoning district or use.
 - 2. Zoning boundaries.
 - 3. The Zoning Administrator shall interpret the phrases “other similar uses,” “uses customarily incidental to,” etc., as used in the Zoning Code.
- B. An administrative record of all such decisions by the Zoning Administrator shall be maintained pursuant to Section 19.060.040 (Records of Interpretations).
- C. Interpretations by the Zoning Administrator may be appealed to the Planning Commission, and interpretations of the Planning Commission may be appealed to the City Council pursuant to Chapter 19.680 (Appeals). (Ord. 6966 §1, 2007)

19.060.030 Rules and Interpretations.**A. Terminology**

When used in the Zoning Code, the following rules apply to all provision of the Zoning Code:

1. Language

The words “shall,” “must,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended, and “may” is permissive.

2. Tense

The present tense includes the past and future tense, and the future tense includes the present.

3. Number

The singular number includes the plural number, and the plural the singular, unless the natural construction of the words indicates otherwise.

4. Conjunctions

“And” indicates that all connected items or provisions shall apply. “Or” indicates that the connected items or provisions may apply singly or in any combination. “Either...or” indicates that the connected items and provisions shall apply singly but not in combination. “Includes” and “including” shall mean “including but not limited to...”

5. Local reference

“City” as used herein means the City of Riverside and all public officials, bodies and agencies referenced herein are those of the City unless otherwise stated.

B. Number of Days

Whenever the number of days is specified in the Zoning Code, or in any permit, condition of approval, or notice issued or given as provided in the Zoning Code, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.

C. Minimum Requirements

In interpreting and applying the provisions of the Zoning Code, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the Zoning Code imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this code or other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of the Zoning Code shall control.

D. Intent

Whenever there is any question regarding the interpretation of the provisions of the Zoning Code or their application to any specific case or situation, the Zoning Administrator shall interpret the intent of the Zoning Code. The Zoning Administrator shall have the authority to forward to the Planning Commission any question regarding interpretation.

E. Boundary Interpretations

Where uncertainty exists as to the boundary of any zone shown on the Official Zoning Map, the following rules shall apply:

1. *Street, Alley or Lot Lines.* Where the indicated zone boundaries are approximately street, alley or lot lines, such lines shall be construed to be the boundaries,

otherwise such boundaries shall be determined by use of the scale appearing on the Official Zoning Map, unless specifically indicated by dimensions.

2. *Determination by The Zoning Administrator or Planning Commission.* Where uncertainty exists, the Zoning Administrator may, by written decision, determine the location of the zone boundary or refer such determination to the Planning Commission.
3. *Vacated Street or Alley.* Where a street or alley is officially vacated or abandoned, the zone boundary shall be changed so as to include such vacated or abandoned street or alley in the same zone as the adjoining property to which it reverts. (Ord. 6966 §1, 2007)

19.060.040 Record of Interpretations.

- A. Once the Zoning Administrator has identified the ambiguity and considered relevant information, an official interpretation shall be established in writing and shall cite the provisions being interpreted, together with an explanation of the meaning or applicability of the provision(s) in the particular or general circumstances that caused the need for interpretation.
- B. Any provision of the Zoning Code determined by the Zoning Administrator to be ambiguous pursuant to this Chapter shall be clarified by amendment as soon as is practical. (Ord. 6966 §1, 2007)

19.060.050 Appeals.

Any aggrieved person or persons may appeal an interpretation of the regulations or Zoning Map. Appeals shall be processed pursuant to Chapter 19.680 (Appeals). (Ord. 6966 §1, 2007)