



To: Jennifer Garcia, City Planner

From: Gustavo J. Ceballos, Assistant City Attorney

Approved By: Miriam Soler Ramos, City Attorney *MSR*

CC: Suramy Cabrera, Development Services Director

RE: Legal Opinion Regarding Scrivener's Error in Zoning Code – 10-109 Payment in lieu and remote off-street parking

Date: November 3, 2022

During the normal course of business, a typo was identified in the City's Zoning Code. Specifically, in "Section 10-109. Payment in lieu and remote off-street parking", subsection (B), it states the following:

"B. Remote off-street parking. As an alternative to, or in conjunction with providing required parking onsite or through payment in-lieu of providing required parking pursuant to City Code Section 74-201(d)...."

The referenced section (74-201) does not exist in the City's Code and based on discussions with City staff it is merely a typo. The correct section to reference is 74-172(d). Therefore, this should be corrected.

The City Attorney has been granted express authority to take such action under Section 2-252(e)(9) of the City Code. Accordingly, please make the following administrative correction¹:

Section 10-109. Payment in lieu and remote off-street parking

B. Remote off-street parking. As an alternative to, or in conjunction with providing required parking onsite or through payment in-lieu of providing required parking pursuant to City Code Section ~~74-201(d)~~74-172(d)..

¹ Deletions are indicated by strikethrough and insertions indicated by underline.