



To: Jennifer Garcia, Assistant Director for Planning and Zoning

From: Stephanie Throckmorton, Deputy City Attorney

Approved: Cristina M. Suárez, City Attorney *CMS*

RE: Scrivener's error Section 11-109 City Zoning Code

Date: November 7, 2024

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It has come to this Office's attention that there is a scrivener's error in Section 11-109 of the City's Zoning Code. As you know, the City has long proscribed a size limit of twenty-two (22) by twenty-eight (28) inches for temporary noncommercial signage. The current Zoning Code reads as follows:

**Section 11-109. Temporary noncommercial signs.**

- A. Temporary signs displaying only a noncommercial message shall be permitted, subject to all of the following conditions:
  - 1. Except as provided in Section 11-109.B. below, there shall be no more than one (1) temporary noncommercial sign per building, lot, and/or tenant space.
  - 2. No sign permitted under this Section shall **exceed twenty (22) inches by twenty-eight (28) inches in size...** (emphasis added).

As you can see in the current Zoning Code, there is a scrivener's error noting a maximum dimension of twenty inches, though twenty-two is noted in parenthetical. After reviewing previous versions of the Zoning Code, the latest Ordinance updating this provision, and after discussions with you and those involved with the last revisions to this provision, I find that that the maximum dimensions should be those noted in the parentheticals in the existing Zoning Code provision, i.e. 22 by 28 inches in size.

Please inform Gridics of this error and update the Zoning Code to reflect the corrected language below.

**Section 11-109. Temporary noncommercial signs.**

- A. Temporary signs displaying only a noncommercial message shall be permitted, subject to all of the following conditions:
1. Except as provided in Section 11-109.B. below, there shall be no more than one (1) temporary noncommercial sign per building, lot, and/or tenant space.
  2. No sign permitted under this Section shall exceed **twenty-two (22)** inches by twenty-eight (28) inches in size.

This opinion is issued pursuant to Section 2-252(e)(8) and (9) of the City Code authorizing the City Attorney's Office to interpret the Zoning Code on behalf of the City and address scrivener's errors.