

## AGENDA



Thursday, May 27, 2010

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION****Item No. 62**

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**Subject:** Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code related to residential remodeling of non-complying structures and non-conforming uses. (Suggested date and time: June 24, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second St., Austin, TX).

**For More Information:** John McDonald, 974-2728

**Prior Council Action:** December 6, 2007 - Council adopted a resolution directing the City Manager to initiate changes to the Land Development Code that create new standards for defining residential remodels.

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On December 6, 2007, the Council approved a resolution directing the City Manager to initiate changes to the Land Development Code that create new standards for defining residential remodels.

The proposed amendment to Chapter 25-2-963 will incorporate the following requirements for remodeling of residential non-complying structures:

1. No more than 50% of the exterior walls and supporting structural elements, down to the framing or studs, may be demolished or removed unless the building official requires replacement of additional structural elements in order to meet minimum health and safety requirements.
2. Replacement or alteration of the original foundation cannot change the finished floor elevation more than one foot.
3. For any use other than single-family in a SF-3 or more restrictive zoning district, each of the following requirements must be met in order to add square footage or convert accessory space into conditioned or habitable space:
  - a) The structure must comply with current occupancy and parking requirements.
  - b) If the site is noncomplying with minimum lot area or lot width, the cost of any additional square footage or converted space may not exceed 20% of the value of the structure before the improvement.
  - c) An improvement required by law to meet minimum health and safety requirements or an improvement to a complying portion of a structure may not be used in determining valuations under paragraph (3)b) of this subsection.
4. If a non-complying structure or portion of a structure is demolished or otherwise altered in violation of this subsection, it loses its non-complying status and may only be rebuilt in accordance with current code requirements.