



MEMORANDUM

To: Mayor and Council

From: Rodney Gonzales, Director, Development Services Department
Greg Guernsey, Director, Planning and Zoning Department

Date: May 19, 2017

Subject: Update on Council Resolution No. 20161103-044

City Council Resolution No. 20161103-044 directed the City Manager to initiate amendments to Title 25 (Land Development) of the City Code related to a landlord providing notice of a pending demolition to commercial tenants and enforcing a notice requirement. The City Manager was directed to prepare a draft ordinance, to the extent feasible, consistent with this initiation to present the draft ordinance to Council for its consideration.

The draft ordinance would be required to follow the standard code amendment process which requires stakeholder meetings, submission to the Codes and Ordinances Joint Committee, and then submission to the full Planning Commission. The Development Service Department (DSD) and the Planning and Zoning Department (PAZ) have discussed the timeline for moving such a code amendment forward. Combined with notification requirements and agenda posting requirements, the anticipated Council consideration would be this Summer at the earliest and potentially later depending on stakeholder input. The timeline will conflict with Council budget deliberations and potentially during hearings related to the adoption of CodeNEXT.

In order to avoid confusion and duplication of effort and to take advantage of the ongoing CodeNEXT effort, DSD and PAZ recommend that language related to notification for demolition permits be incorporated as part of the CodeNEXT process. The new draft code is anticipated to be discussed by Council at the end of this year.

As an alternative, Council may consider adopting a resolution that exempts the draft ordinance from following the standard code amendment process. The Legal Department can advise Council should this alternative be pursued.

In the interim DSD will initiate administrative changes that will encourage, but not require, commercial landlords to voluntarily notify commercial tenants that a demolition permit is being pursued. Specifically, DSD will do as follows:

- Modify Commercial Demolition Permit applications to ask whether the commercial landlord has notified commercial tenants at least 30 days in advance of submitting the Commercial Demolition Permit application.
- Insert the following statement within the Commercial Demolition Permit application, "The City of Austin respectfully requests that Commercial Landlords notify commercial tenants at least 30 days in advance of submitting a Commercial Demolition Permit application."

Carl Wren, Assistant Director for DSD, has been assigned to lead the implementation of Council Resolution. You may contact Carl Wren at (512) 974-7254 should you have further questions.

cc: Elaine Hart, Interim City Manager
Bert Lumbreras, Assistant City Manager
Ann Morgan, City Attorney