

DEMOLITION PERMIT PROPOSAL

The City of Austin's current demolition policies, in contrast to those of other peer cities, may negatively impact the City's goals of encouraging vibrant, active streetscapes and neighborhoods. Once a determination is made that a structure may be demolished, demolition permits are issued and, subject to the expiration and extension provisions of Sec. 25-11-94, will expire if work does not begin after 180 days, with a single 180-day extension available to the applicant at the discretion of the City.

The current expiration and extension provisions may create an incentive for those holding a demolition permit to demolish structures prior to when the property may actually be redeveloped. In the core urban area of downtown, this regulatory hurdle may result in structures being demolished while waiting on a development cycle, producing blighted 'dead zones' or surface parking lots. This also occurs in Austin's neighborhoods, where property values often far exceed that of existing structures.

This proposed ordinance revision offers an additional tool to link a demolition permit to the actual redevelopment of a property. It provides a level of certainty to the property owner, that they hold the ability to demolish a structure when and if they obtain site plan approval and a building permit, for a period of up to 2 years, with a single 1 year extension available. It also removes the incentive to demolish simply to avoid the expiration of a demolition permit, which may subject the applicant to the uncertainty of the permitting process. Especially during times of economic uncertainty, it allows structures to remain standing that may have adaptive reuse potential. For structures that are dangerous or threaten the safety of others, the city retains the ability to bring a nuisance action against the owner.

Proposed Code Provisions:

- The life of a demolition permit be extended from the current 180 days (with one, 180-day extension possible), to 2 years (with one, 1-year extension possible);
- Once a demolition permit is approved, it may not be released until such time as a site plan for the replacement structure is submitted and approved, building permits are approved, and all fiscal and fees are tendered to the City; and
- Exceptions shall remain for the timely demolition of a structure deemed to be a nuisance or impacting health, safety and welfare, or for economic hardship, all at the discretion of the director.