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City of Austin Planning Commission

Re: Proposed amendment to the Land Development Code for Amnesty Certificate of Occupancy

Dear Commissioners:

I am in support of the proposed amendments to the Land Development Code to expand the date of applicability for issuance of an amnesty Certificate of Occupancy as currently described in Section 25-1-365.

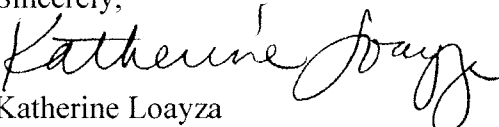
I would like to add a clarification to the proposed language as provided to you by Stuart Hersh as follows:

“An amnesty Certificate of Occupancy be issued if the building use is allowed in the zoning district at the time the use was first established”.

Under the current process, staff will grant an amnesty Certificate of Occupancy for a legal non-conforming use if the zoning ordinance has changed since the original use was established. This clarification will remove any ambiguity as to the intent of the amnesty provision and is consistent with the procedures for approval of an amnesty Certificate of Occupancy since the March 1, 1986 grandfather date was established.

I appreciate your consideration of this proposal.

Sincerely,


Katherine Loayza