

# FREQUENTLY ASKED QUESTIONS

NOV. 6 OPEN HOUSE

## HOME AMENDMENT QUESTIONS

### QUESTION: WHAT AREAS OF AUSTIN WILL BE AFFECTED BY THE PROPOSED HOME AMENDMENTS?

The proposed changes, which allow up to three units – including tiny homes – on a property, and revise rules for properties with two homes, apply to properties throughout Austin zoned Single-Family Residence Large Lot (SF-1), Single-Family Residence Standard Lot (SF-2), and Family Residence (SF-3). You can check the zoning of your property or other properties in the city using the interactive Property Profile tool at <https://maps.austintexas.gov/GIS/PropertyProfile/>. In addition to zoning, other considerations such as site limitations, homeowners associations, deed restrictions, and tree regulations may impact a property's ability to add additional units.

### QUESTION: DO THE CHANGES REQUIRE ANYONE TO BUILD ADDITIONAL HOUSING UNITS ON THEIR PROPERTY OR SELL OR SUBDIVIDE PART OF THEIR PROPERTY?

No. The proposed changes do not require property owners to do anything to their property. Property owners will be able to continue to use their property as they do today, build a single home, or take advantage of new options to build two or three homes, including tiny homes.

### QUESTION: WILL PEOPLE BE REQUIRED TO PARK OFF THE STREET?

As of Nov. 2, 2023, property owners may choose how much of the property will be dedicated to parking. The City no longer has minimum parking requirements.

### QUESTION: WHAT ARE THE PLANS TO IMPROVE ROAD INFRASTRUCTURE?

The City monitors and responds to changing demand related to infrastructure improvement. The Transportation and Public Works Department (TPW) regularly reviews traffic congestion and intersection functionality and remains adaptable to emerging challenges, such as the need to install new traffic signals or intersection control measures to enhance traffic flow. TPW's ongoing collaboration with the Austin Fire Department ensures it stays informed about street conditions, vehicle demand, and ongoing congestion issues. The City will respond to changing conditions as they are identified by community members. Furthermore, the City is currently constructing and planning many street improvements across the city to

increase mobility for all road users, including drivers, pedestrians, and cyclists, following the [Austin Strategic Mobility Plan](#) at:

[https://www.austintexas.gov/sites/default/files/files/Transportation/ASMP/AdoptedASMP\\_Executive\\_Summary\\_and\\_Introduction2022.pdf](https://www.austintexas.gov/sites/default/files/files/Transportation/ASMP/AdoptedASMP_Executive_Summary_and_Introduction2022.pdf).

#### **QUESTION: ARE IMPERVIOUS COVER REGULATIONS AND THE TREE ORDINANCE CHANGING?**

The Phase I proposal does not include any proposed changes to impervious cover within SF-1, SF-2, or SF-3 zoning districts when one unit is built on a lot. However, when building a duplex, two-unit, or three-unit use, the impervious cover is proposed to be 45% in all zones, including SF-1. In SF-1 zoning, the current impervious cover regulation is set at a maximum of 40%. The tree ordinance is not being amended and tree regulations are not changing.

#### **QUESTION: HOW WILL THIS AFFECT PROPERTIES WITH DEED RESTRICTIONS OR RESTRICTIVE COVENANTS?**

A deed restriction is a civil matter enforced by the parties named in the restriction, such as a property owners' association or a property owner. Changes to city zoning regulations should not affect the enforceability of deed restrictions. An enforceable deed restriction now should continue to be enforceable, regardless of changes to City zoning regulations.

While the City does not enforce deed restrictions, the current residential permit application form requires the applicant to acknowledge the following:

- The applicant has checked for any property-specific information such as deed restrictions or restrictive covenants on the property.
- The applicant is responsible for any conflicts between the property-specific information and the request for the proposed development.

If a building permit application complies with the Land Development Code, then staff must approve the application whether or not it conforms to a deed restriction.

#### **QUESTION: HOW WILL TINY HOMES BE DESIGNATED AS DWELLING UNITS, AND WILL THEY BE SUBJECT TO LIMITS ON THE MAXIMUM NUMBER OF DWELLINGS ALLOWED ON A PROPERTY?**

Tiny homes that meet standards in the International Residential Code (IRC) will be allowed on residential properties and will be subject to limits on the maximum number of dwelling units on a property. The IRC allows certain deviations from standard dwelling requirements for tiny homes, including lower ceiling heights.



### **QUESTION: WILL TINY HOMES BE REQUIRED TO HOOK UP TO WATER, WASTEWATER, ELECTRICITY, AND GAS UTILITIES?**

Yes. All tiny homes will be required to have permanent connections to utilities.

### **QUESTION: ARE RVS GOING TO BE ALLOWED IN PHASE 1 OF THE PROPOSED CHANGES?**

In the current Phase 1 of the HOME Amendments, there are no changes proposed concerning Recreational Vehicles (RVs). City staff could evaluate criteria to allow RVs as housing units on single-family zoned properties in Phase 2. Phase 2 is scheduled for review and adoption by City Council in Spring 2024, pending further direction from City Council.

## **OCCUPANCY LIMITS QUESTIONS**

### **QUESTION: WHAT AREAS OF AUSTIN WILL BE AFFECTED BY THE PROPOSED AMENDMENTS TO OCCUPANCY LIMITS?**

The proposed change to remove the restriction on the number of unrelated adults that can live together applies to any property throughout Austin where there is a residential use, including single-family homes and apartments. The City's Property Maintenance Code (Chapter 4, Section 404) has enforceable occupancy limits based on square footage per person, which ensures health and safety and prevents overcrowding.

You can check the zoning of your property or other properties in the city using the interactive Property Profile tool at <https://maps.austintexas.gov/GIS/PropertyProfile/>.

### **QUESTION: DO THE PROPOSED CHANGES TO THE LAND DEVELOPMENT CODE AFFECT COMMERCIAL PROPERTIES?**

The occupancy limit changes are related to residential-zoned property and residential land uses. If a commercial-zoned property is developed with a residential use, the proposed change to remove the restriction on the number of adults allowed to live together would apply. However, the City's Property Maintenance Code (Chapter 4, Section 404) has enforceable occupancy limits based on square footage per person, which ensures health and safety and prevents overcrowding.

You can check the zoning of your property using the interactive property profile tool: <https://maps.austintexas.gov/GIS/PropertyProfile/>.

### **QUESTION: HOW MANY UNRELATED ADULTS WILL BE ALLOWED TO LIVE TOGETHER?**

There will be no restriction in the Land Development Code on the number of adults allowed to live together. The City's Property Maintenance Code, however, will continue to limit the number of occupants per bedroom, depending on bedroom size. Properties housing 16 or more adults where food is provided, stored, or prepared onsite or offsite by a third-party are considered a Group Residential land use and a permit will be required to operate. A Group Residential land use would not be allowed in any Single-Family zoning districts.