

# Land Development Code CONVERSATION GUIDE

Use this guide when talking about Austin's Land Development Code with your colleagues and clients.

## What is the Land Development Code?

The Land Development Code (LDC) is a section of the Code of the City of Austin that determines how land can be used throughout the city, what can be built where, and how much can or cannot be built. (AustinTexas.gov/LDC)

## Why is the City revising its Land Development Code?

The City's current LDC was written back in the mid-'80s, when Austin had half the population it has now. Since the city's population has a history of doubling every 20 years and is on track to do so again, it is imperative that our code keeps up with the times. The current LDC has become overly burdensome and complicated since it has been amended and re-amended over the last 35 years. If we want to manage our growth and plan for the future, we need a code that is straightforward and simple to understand for residents and homeowners.

## What is Imagine Austin?

The Austin City Council adopted the Imagine Austin Comprehensive Plan unanimously in 2012 with broad community support. It called for a compact and connected community and dictated that the City rewrite its Land Development Code as part of the implementation framework.

## How is the community being involved in the process?

The community conversation around the Land Development Code revision has been going on since Imagine Austin was adopted. An earlier rewrite process known as CodeNEXT started in 2014 but had several stops and starts. All of the community input from earlier efforts carried over into this current conversation. In the current iteration, there have been open houses, office hours, and direct opportunities for feedback and ideas from anyone who has something to contribute. The Planning Commission voted on the draft in November, and the City Council is expected to take up the draft on first reading in December 2019.

### Is single-family zoning being eliminated?

**No**, but the current “SF” zoning classifications will be known as “Residential,” and the maximum number of units that can be built on any given lot by right will be designated as “R2” for two residential units by right, “R4” for four residential units by right, and so on. Under the new code, some residential zoning classifications would also allow additional residential units if the property owner participates in the Affordable Housing Bonus Program (AHBP), meaning the property owner would have to provide some onsite affordable units or financially contribute to the City’s affordable housing fund in exchange for the additional entitlements. Most single-family properties today already have the ability to build a second unit on the same lot and those entitlements will carry over.

### Will my property taxes go up if my home is in a transition zone?

**No.** Texas law prohibits raising property taxes on a property based on zoning, if there’s a homestead exemption. Property taxes are based on use, not zoning, so you won’t see any property tax increase if your property is zoned for multiple units and you are using it as single family. In addition, the value of your property can only be compared against other single-family homes for their taxable values.

*“By law, if it’s a single-family residence used as a residence and has the protection of a homestead exemption, we must always consider that the highest and best use is as a single-family residence. So, we will always compare that to other single-family residences, even though the underlying zoning underneath it may be something different.” - Chief Appraiser Marya Crigler*

### Will I be prohibited from remodeling or expanding my single-family house?

**No.** There might be some restrictions to size or updates to floodplain regulations, but in most cases single-family property owners will still be able to remodel and be allowed to build at least one additional dwelling unit if they so choose.

### Would the LDC override deed restrictions or HOA rules?

**No.** In fact, deed restrictions and HOA rules would trump the LDC. Deed restrictions that are enforceable today should continue to be enforceable, regardless of changes to City zoning regulations.

### Will the new Code promote the demolition of existing homes?

**No.** In fact, a key tenet of the proposed code is the “preservation bonus”, which incentivizes homeowners to remodel their existing home rather than demolish it. If a homeowner preserves the original home, they would then also be allowed to build up to two additional units on their property.

### Will the LDC only benefit developers?

All property owners will be treated equally. The intent is not to benefit developers, but to increase housing options for Austinites.

### How will transition zones affect neighborhoods?

**It depends.** The City Council set a policy goal of creating transition zones that are generally two to five lots deep off of major corridors. The goal is to keep density in appropriate areas--on busier streets--while easing up on the density in surrounding neighborhoods. However, some neighborhoods, such as Bouldin or Hyde Park, might have narrower residential areas between the corridors, so those transition areas would not be as deep. This is because of City Council direction that a majority of an existing single-family neighborhood should not be in a transition zone.

### How many new housing units will be built under the proposed Code?

The Austin Strategic Housing Blueprint calls for an additional 135,000 housing units to be built in the next 10 years to help balance out the market. The City Council called for a housing capacity of 405,000 units, which is the maximum allowable number of units that could be built on existing land. The actual yield of housing units is expected to come close to meeting 135,000.

### Will this create more affordable housing?

**Yes,** the draft code has created a new city-wide Affordable Housing Bonus Program to incentivize more affordable units.

### What are the proposed new parking requirements?

Minimum on-site parking requirements per property would be reduced, but a property owner would still be allowed to include as many parking spaces as they'd like or as the market demands.

### How will the Code help with traffic congestion?

One of the main Council-stated policy goals of the LDC is to support the Austin Strategic Mobility Plan, which calls for a 50/50 mode share by 2039. This means that in the next 20 years, half of the trips in and around the city should be car-based and the other half would be alternatives such as mass-transit, bikes, pedestrian, etc.

### When will the new Code be adopted?

The City Council is scheduled to vote on the LDC on first reading in December. Three readings are required, so the second and third readings will likely come in early 2020.

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