



## Land Development Code Revision Common Misconceptions

As design professionals who use the Land Development Code every day, AIA members are uniquely qualified to study and comprehend the draft code. To better assist our community we have reviewed the proposed draft code and wish to share with you our findings related to common misconceptions.

“If my property is zoned R4, will I be forced to build multiple units?”

**No**, if you have an existing single family home on your property you can do an addition, remodel, or tear down and rebuild a single family home in this zone.

LDC Draft: Division 23-2H-3020

“Will my property taxes go up if I’m now 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

Texas Property Tax Code Section 23.01 (d)

“Will the draft code promote demolition of existing homes?”

**No**, the draft code has created a new preservation incentive. This incentive will help preserve existing homes by allowing more density on properties that do so.

LDC Draft: See Preservation Incentive Requirements specific to each zoning category in Article 23-3

“Will the draft code increase opportunities for affordable housing?”

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

LDC Draft: Division 23-4E-1

“Will parking go away?”

**No**, while the draft code reduces some parking requirements, **the current market will still demand on site parking**. Financial Lenders will still require parking as well. Downtown is a good example of this, there are no parking requirements downtown, yet parking is included in nearly every single project.

LDC Draft: See Parking Requirements specific to each zoning category in Article 23-3

“Will the draft code increase flooding?”

The proposed onsite detention requirements are **more strict** than current regulations. While the transition zones have a slight increase in impervious cover, many of the corridor zoned sites have lower impervious cover than allowed under current code.

Division 23-9E-3010

“Will the buildings in the transition zones tower over my house?”

**No**, in the transition zone: RM1 buildings are limited to 40 feet in height. This is only 5 feet higher than the 35 feet allowed everywhere else. In transition zone R4, the base height is 35 feet. If you provide affordable housing, you can build to 45 feet. This is residential in scale.

LDC Draft: Table 23-3C-3130(D) & Table 23-3C-4060(D)

“Why are we revising our Land Development Code?”

In 2012, Austin adopted the Imagine Austin Comprehensive Plan. Per state law, and per City Charter, **zoning regulations must be adopted in accordance with a comprehensive plan**. Therefore, our zoning regulations needed to be revised to align with Imagine Austin.

Texas Local Government Code; Section 211.004