



## MEMORANDUM

**To:** Mayor and Council Members

**From:** Veronica Briseño, Assistant City Manager

**Subject:** HOME Amendments Considerations

**Date:** December 1, 2023

---

This memo provides information and options for implementing the [Planning Commission's recommendations](#) on the proposed HOME Amendments and responds to ideas under discussion for improving the proposed regulations.

The City of Austin is committed to making the HOME Initiative work for the Austin community and for City staff who will be tasked with applying these new regulations. While staff review remains ongoing, below are the main topics for consideration:

- Front yard setback
- Preservation and Sustainability Bonuses
- Floor-to-Area Ratio (FAR) options

### **Front Yard Setback**

To provide flexibility for establishing front yard setbacks, the Planning Commission recommended applying Subchapter F's "setback averaging" provisions to the new Two and Three-Unit use regulations. While staff appreciates the intent of this recommendation, Subchapter F's rules on setback averaging have proven challenging and costly to utilize. Therefore, in the interest of providing more cost-effective alternatives, staff has identified the following alternative options from which Council could choose:

**Alternative Option 1:** Change the front setback to 20 feet, with the option for a front porch that is open on three sides to encroach up to 5 feet into the front yard as measured from the front setback line. This is similar to AIA's

recommendation of a 15-foot front setback but provides an incentive for building porches and increasing the connection of new units to the public realm.

**Alternative Option 2:** A simplified version of setback averaging would allow applicants to use the shortest front yard setback of the four existing residential structures closest to, and on the same side of the block, as the new units. The additional detail provided in Subchapter F would be omitted, thereby providing for a more flexible and streamlined process.

### **Preservation and Sustainability Bonuses**

The Planning Commission recommendations regarding Preservation and Sustainability Bonuses will require careful implementation. After builders initially opt-in to one of the bonuses and encumber existing structures with preservation requirements, there may be challenges with enforcing limitations on remodels and alterations against subsequent landowners who purchase the preserved units. Tracking bonus entitlements as properties are sold or subdivided may also present implementation challenges.

#### **Elements that would make the bonus program more implementable:**

- Preservation Bonus:
  - Require the existing structure's primary street-facing façade to remain street-facing.
  - Require the Building Official to consult with the Historic Preservation Officer and to adopt rules in the following areas:
    - A requirement that existing openings and siding may not be significantly altered in preserved portions of a structure.
    - Requirements limiting the extent to which a preserved structure may be altered or modified.
    - Other requirements needed to implement the program.
- For the Preservation and Sustainability Bonuses:
  - Authorize the Building Official to adopt rules to administer and enforce the program's requirements.
  - Authorize the Building Official to deny requests to preserve an existing structure if preserving or retaining the structure to the extent required by this program would pose a threat to public health and safety.

### **FAR Maximums**

In reviewing the average potential unit sizes that could be built with the FAR maximums recommended by Planning Commission, and reviewing the AIA Austin recommendations, staff has identified the following alternative options to reduce the unit sizes, if desired. Alternative Option 1, below, would include the square footage of garages and carports in FAR calculations. Alternative Option 2, below, would reduce the

maximum FAR for two-unit developments to lower the size of the units. Council could consider one or both options.

**Alternative Option 1:** Include the square footage for garages and carports in FAR calculations. This is consistent with the AIA Austin recommendation to include garage and carport space in FAR calculations.

**Alternative Option 2:** Another option staff believes would further the intent of the HOME initiative is to lower the allowable FAR for two-unit developments from 0.55 to 0.50. This would more closely approximate existing sizes of two-unit projects while still allowing for the inclusion of garages and carports in FAR calculations. An added benefit of this approach is increasing the likelihood that the Preservation and Sustainability Bonuses will be utilized. See the attachment with information about the currently proposed FAR and square footage maximums, potential average unit sizes, and modeling for additional context for this alternative.

Should you have any questions about these considerations, please feel free to contact me at (512) 974-2156 or [Veronica.Briseño@austintexas.gov](mailto:Veronica.Briseño@austintexas.gov).

**Cc:** Jesús Garza, Interim City Manager  
Lauren Middleton Pratt, Director, Planning Department  
Rosie Truelove, Director, Housing Department  
José Roig, Director, Development Services Department

Modeling and Proposed Floor-to-Area Ratio (FAR) and Square Footage (sq. ft.) Maximum Information

Planning Commission’s Proposed FAR and Sq. Ft. Maximums within McMansion Area:

<b>TWO-UNIT FAR OR SQ. FT. MAX</b>	
<b>PER SITE</b>	<b>ANY SINGLE UNIT</b>
Greater of 0.55 FAR or 3,200 sq. ft.	Greater of 0.4 FAR or 2,300 sq. ft.

<b>THREE-UNIT FAR OR SQ. FT. MAX</b>		
<b>PER SITE</b>	<b>ANY SINGLE UNIT</b>	<b>ANY TWO UNITS</b>
Greater of 0.65 FAR or 3,750 sq. ft.	Greater of 0.4 FAR or 2,300 sq. ft.	Greater of 0.5 FAR or 2,900 sq. ft.

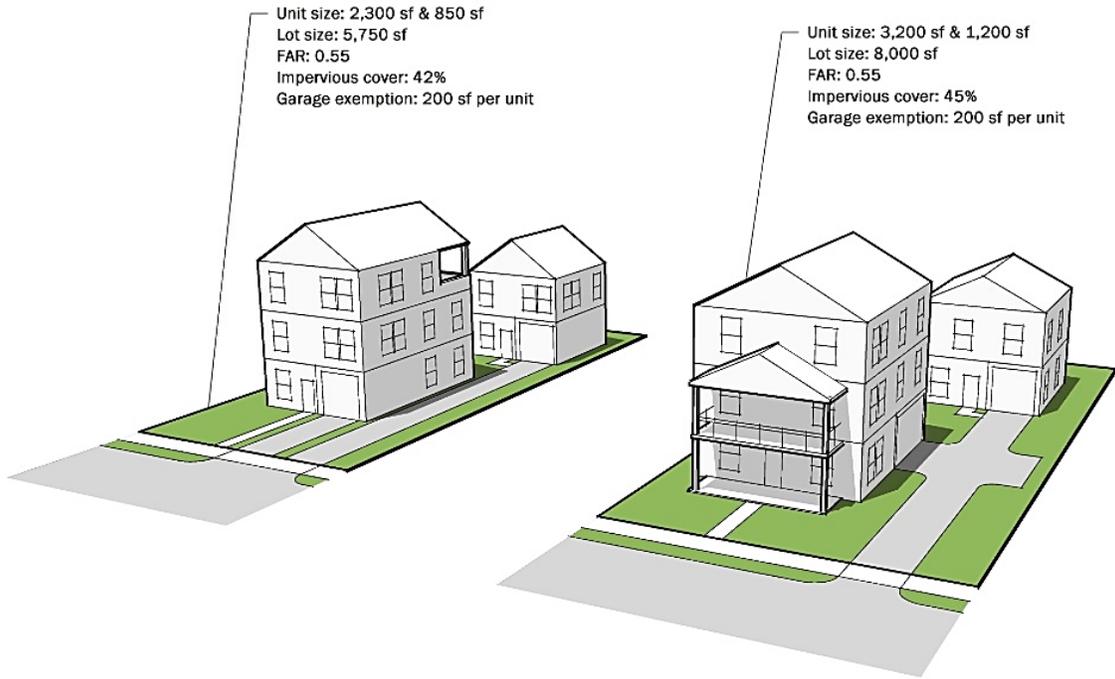
<b>LOT SIZE</b>	<b>CURRENT REGS. PER SITE (.4 FAR)</b>	<b>PROPOSED TWO-UNIT PER SITE (.55 FAR)</b>	<b>PROPOSED THREE-UNIT PER SITE (.65 FAR)</b>
5,750 Sq. Ft.	2,300 Sq. Ft.	3,200 Sq. Ft.	3,750 Sq. Ft.
8,000 Sq. Ft.	3,200 Sq. Ft.	4,400 Sq. Ft.	5,200 Sq. Ft.
10,000 Sq. Ft.	4,000 Sq. Ft.	5,500 Sq. Ft.	6,500 Sq. Ft.

Potential *Average* Unit Sizes within McMansion Area with Proposed Planning Commission Maximums:

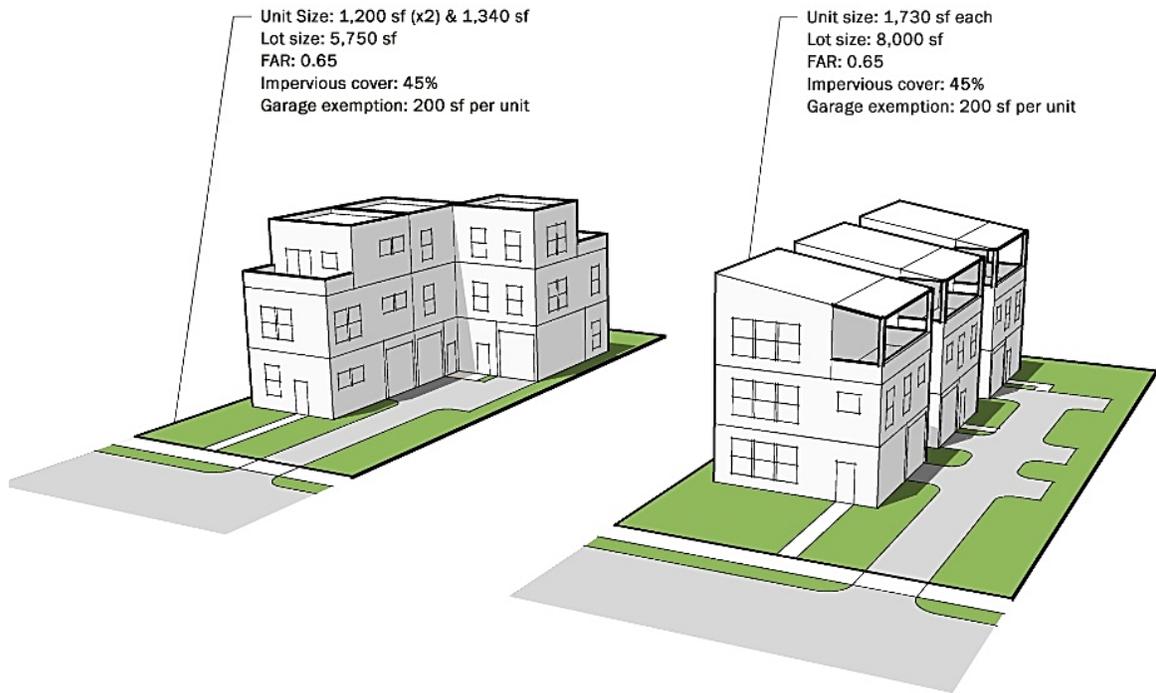
<b>LOT SIZE</b>	<b>CURRENT REGS. (ONE UNIT) (.4 FAR)</b>	<b>PROPOSED TWO-UNIT (.55 FAR)</b>	<b>PROPOSED THREE-UNIT (.65 FAR)</b>
5,750 Sq. Ft.	2,300 Sq. Ft.	1,600 Sq. Ft.	1,250 Sq. Ft.
8,000 Sq. Ft.	3,200 Sq. Ft.	2,200 Sq. Ft.	1,733 Sq. Ft.
10,000 Sq. Ft.	4,000 Sq. Ft.	2,750 Sq. Ft.	2,167 Sq. Ft.

# Inside McMansion Area

## Two Units

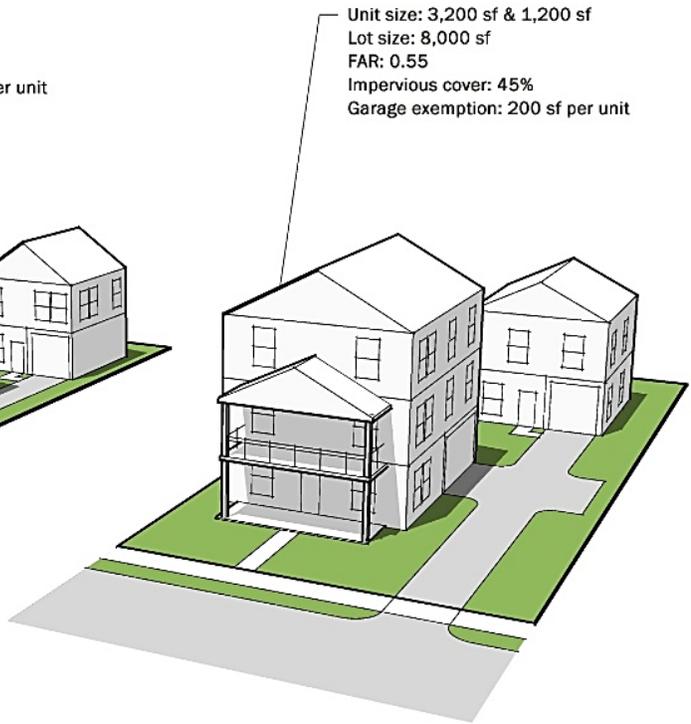
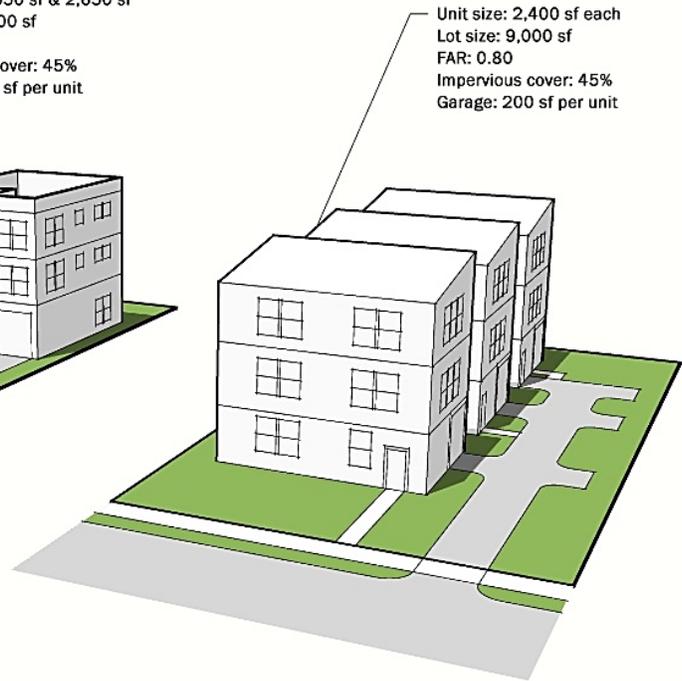
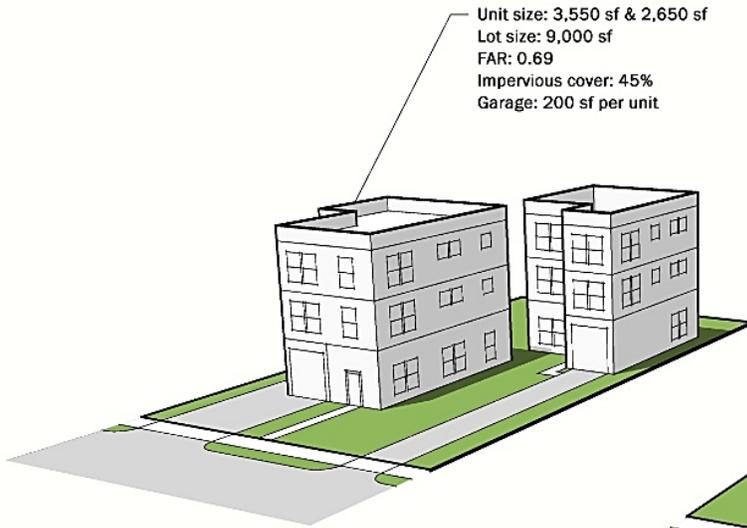


## Three Units



# Outside McMansion Area

(no proposed FAR or sq. ft. maximums)



## Preservation Bonus

