

Clarification of HOA Status and Resolution 126

We've received clarification on Resolution 126. The take-away is that it is radical, far-reaching, and one must wonder about the intent. Is it a trial balloon to see how citizens will respond?

If you search the word "upzoning", you will find a plethora of articles about this type of zoning change across the country. It is a national movement, and the effects on HOAs is unclear. The City has remained silent on this question.

Considering the "whys" is speculation, but we can look at what the City has posted - a massive overhaul to residential neighborhoods that may eventually extinguish single-family homes. The driving force behind this movement is the belief that it will bring more living units to middle-income earners. Sadly, there is little data to support this conclusion – only the hope that it might work.

If passed, there likely will be many lawsuits – many expensive lawsuits, and the costs could be heavy for HOAs.

The City Council has a history of posting agenda items that are changed at the last minute. What brings on these changes – the number of people protesting, the number of groups protesting, the number of citizen letters and emails protesting. Knowing this, every clearly stated opposition has value and is our best way forward now.

The Austin Neighborhood Council held a press conference to discuss the Council's lack of engagement with residents. A popular phrase bandied about is single-family zoning is exclusionary. The group of people at the press conference showed the opposite. People from all walks of life and all parts of the city agree on this issue – they want their own homes and their own yards.

10/26 Agenda Items

Speak at the City Council Meetings

From the COA Website

Speaker sign up will begin online at 10am on Monday, October 23rd. Online sign up will close at 12 pm on Wednesday, October 25th. Speakers can continue to use the kiosks at City Hall to sign up to speak until 1:15pm on Thursday, October 26th.

Each speaker will have two minutes to speak. People signed up to speak will be able to donate time. Time may be donated to a person so that the speaker will have up to 6 minutes total time to address the joint bodies. People wishing to donate time must coordinate with the City Clerk prior to being called. All parties (speakers and donors) must be present in person to be eligible for donation of time.

We will begin the meeting with a presentation by City Staff to outline the proposed changes. Following the presentation, we will hear public testimony.

Email Council Members

Write McKenzie Kelly, Mayor Watson and the entire Council.

[Email Council Members](#)

Sign the Petition

The Petition process is unclear, and there is no response from the City. Using the Community Not Commodity website as a guide, we recommend that you file a protest for your own property. Each person listed on the deed should file a separate protest - pages 4-5 of the Petition file.

Additionally, we are collecting more information about people living along a golf course filing a petition for a property within 200 feet of their home. Stay tuned for more insights as we get them.

[COA Petition](#)

Talking Points

No one denies the need for middle-income housing. However, people have specific knowledge of their neighborhoods, which is being ignored.

Developers are not charitable organizations

- Need balance of land purchase, construction costs, and profit.
- Land purchase and demolition costs are part of the expenses that a developer must recoup.
- For small infill projects, the land costs will be much higher than undeveloped land, which then drives up the final sales price.
- Purchase prices for middle income earners average \$325,000.
- If you do the math, it becomes clear that few infill developments will meet these needs of middle income buyers.

- Reducing impervious cover decreases aquifer recharge.
- Many areas do not have sufficient mass transit, which will increase automobile density, usage, and air pollution.
- Dense development creates a heat island effect.
- Already over-crowded schools will face higher enrollments.
- Reduction of trees and vegetation has harmful effects on air quality and wildlife.
- Live Oak trees have large root systems that expand into adjacent yards. Construction may affect the root systems and harm or kill the trees.
- Older subdivisions have many mature trees. While the zoning notes cite attempts to save trees, it will not be possible if 3 or more new and taller homes are built. The result is a loss in tree canopies.

A one size fits all approach to creating middle-income housing does not take into consideration the constraints and needs of different neighborhoods. It does place the burden of dealing with the fallout on the residents.

A Final Thought

If you've been following this news, you know several people from the HOA have spent long hours researching, compiling, and sharing the information. They do so because of a love for their neighbors and the community.

Paying the attorney and this email service costs dollars. To continue to serve the neighborhood the HOA needs annual dues. If you have benefitted from this and other information and services, then join the HOA. The dues are only \$50 annually. Follow the link below.

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