

Frequently Asked Questions About the City of Austin's Front and Side Yard Parking Ordinance (aka the Restricted Parking Area Map)

Intent of the Ordinance and Definitions:

Q: What is the intent of the Restricted Parking Area Map? (Front and Side Yard Parking Ordinance)

The intent of this ordinance is to prohibit a person from parking a motor vehicle in the front or side yard of a residential property **except in a driveway or a paved parking space depicted on an approved site plan (which is usually shown on a subdivision plat)**. Please note, this ordinance applies only in those areas as shown on the Restricted Parking Area Map.

Residential properties include but are not limited to: single family houses, duplexes, condominiums, town houses, and apartment buildings.

PLEASE NOTE: This ordinance does not prohibit parking on the public street.

Q: What is classified as a Motor Vehicle?

A **motor vehicle** includes, but is not limited to, automobiles, motorcycles, trucks, vans, motor homes, panel trucks, buses, and sports utility vehicles.

Q: What is classified as the Front and Side Yard? (Land Dev. Code Sec. 25-1-21)

A **FRONT YARD** means a yard extending the full width of a lot between the front lot line and the front setback line.

A **SIDE YARD** means a yard extending the depth of a lot from the front yard to the rear lot line between the side lot line and the side setback line. For a corner lot, a street side yard is a yard that extends from the front yard to the rear lot line.

Q: Where can I park my motor vehicle if I am located in an area that is located within a Restricted Parking Area Map Overlay?

A motor vehicle may only be parked on a driveway or paved parking space. **Depending on the zoning district where the residential property is located, no more than 45% of residential lot may consist of impervious surface coverage (impervious coverage is a surface in the landscape that cannot absorb rainfall, such as building rooftops, pavement, sidewalks, driveways and compacted earth.)**

Additionally, a motor vehicle may be parked along a street as long as it does not block a driveway, alley, or access to a fire hydrant or is prohibited by a "No Parking" sign. A motor vehicle may not be parked on a sidewalk or in a manner that blocks a sidewalk.

Check the Austin City Land Development Code to determine the amount of impervious surface coverage that is permitted on your property before expanding your driveway, or making a new parking area. Again, before installing or expanding a parking area or driveway, a property owner needs to ensure that they do not exceed the impervious surface coverage for their zoning district. All new parking spaces are required to be paved with asphalt, concrete or brick. Other materials, including gravel, dirt, cinders or stone may not be used to create/install a new parking area.

If a residential curb cut is needed to install or expand a driveway, a curb cut permit is required. Property owners may obtain a curb cut permit with the City of Austin's One-Stop Shop. For more information on this issue, call the One-Stop Shop at (512) 974-6370.

Q: Is my driveway or parking area required to be paved to comply with the Restricted Parking Area Map?

Driveways made out of compacted gravel, cinder, crushed stone and even dirt are typically found in older areas of the City that were built before cement or asphalt pavement was required, and have been grandfathered in. However, expanding a pre-existing driveway or new parking area made out of gravel, cinder or dirt is NOT permitted. In addition, all new curb cuts must lead to a paved driveway. Again, new driveways or parking areas made out of cinder, crushed gravel, dirt, or rock are not permitted.

Driveways are required to have a 12 ft. wide apron that leads up a driveway, which is required to be a minimum of 9 ft. wide and up to a maximum of 25 ft. wide. For one vehicle, the paved parking pad is required to be a minimum of 8.5 ft. wide by 17 ft. long. For two vehicles parking in a long row, the paved parking pad is required to be 8.5 ft. wide by 34 ft. long. For vehicles that are parked side-by-side, the paved parking pad is required to be 17 ft. wide by 17 ft. long.

Q: How much is a curb cut fee if I want to install a new driveway?

Curb cut fees are \$2 per linear ft. You may obtain a curb cut permit at the Permit Center at 505 Barton Springs Road, located in the One Texas Center Building, located on the second floor of the building. For more information on this issue, call the One-Stop Shop at (512) 974-6370.

Q: Can more than one curb cut be granted to a single household?

Only one curb cut is permitted per residence (two curb cuts are allowed for a duplex.) Circular driveways with an in and out curb cut are permitted if the front of the front yard line is at least 36 ft. wide.

A joint access driveway in certain circumstances may be permitted in front of the lot or by a paved alley or paved private access easement at the rear of the lot.

Q: We live in a subdivision built in the 1950's, when many families had only one car. As such, most driveways only have a curb cut that is just wide enough for one car. If a person has a gravel driveway, can they park two cars next to each other on that gravel?

The ordinance states, "A person may not park a motor vehicle in the front yard or side yard of a residential property, except in a driveway or a paved parking space depicted on an approved site plan." To expand a driveway to make an additional parking space, the property owner has to ensure that they do not exceed the impervious coverage for their residential zoning district. Additionally, the new parking area is **required to be paved with asphalt, concert or brick**, and cannot be made out gravel, dirt, or cinder material.

To report an illegal expansion of a driveway or parking area in a residential neighborhood, call 311. To discuss the impervious surface requirements for your residential property, please call the City of Austin One-Stop-Shop to determine the total amount of impervious surface coverage you are allowed. The One-Stop-Shop phone number is (512) 974-6370.

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Again, you cannot expand a driveway or make a new parking area unless you ensure: (1) that the new parking area or driveway does not exceed the impervious surface coverage of the residential zoning district, of your property; and (2) the new or expanded parking area or driveway is paved with asphalt or concrete.

Q: What if someone has one parking space on gravel and the other in the yard, can they simply put down gravel or loose stones and park their vehicle side by side in that area, as long as they access that area from the curb cut?

Putting down gravel, loose stone, dirt or cinder to expand a driveway or parking area is illegal and is subject to a citation.

Again, you cannot expand a driveway or make a new parking area unless the property owner ensures: (1) that the new parking area or driveway does not exceed the impervious surface coverage according to the zoning of that residential property; and (2) the new or expanded parking area or driveway is paved with asphalt, brick, or concrete.

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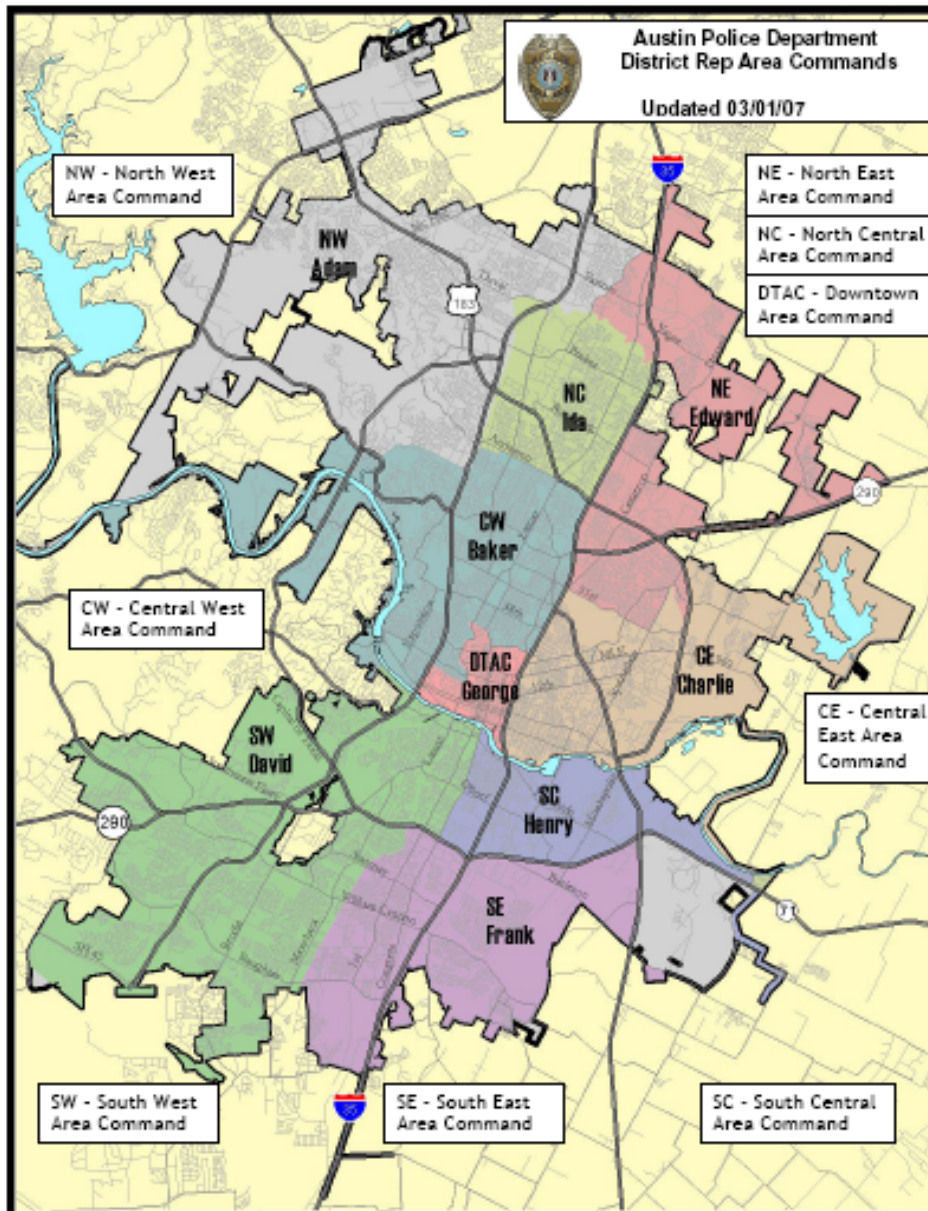
Enforcement and Penalties Associated with this Ordinance

Q: What do I do if I see someone violating the Restricted Parking Area Map Overlay? In addition, who enforces the Restricted Parking Area Map Overlay (Front and Side Yard Parking Ordinance)? Finally, how does the Austin Police Department obtain information on violators of this ordinance?

The Austin Police Department District (APD) Representatives are the enforcement agency for this ordinance. This ordinance is also complaint driven and citizens are required to call to report a violator of the restricted Front and Side Yard Parking Ordinance to APD District Reps. To report a violation, please call 311 **OR** your APD District Representative Office at:

Austin Police Department District Representative Areas	Phone Numbers
North West (NW) District Representative	974-5743
North East (NE) District Representative	974-5598
North Central (NC) District Representative	974-5722
Central West (CW) District Representative	974-5340
Central East (CE) District Representative	974-5919
Downtown Area (DTAC) District Representative	974-5345
South West (SW) District Representative	974-8241
South Central (SC) District Representative	974-8510
South East (SE) District Representative	974-8230

See the map below to find out what Austin Police Department District Rep you are located in:



Q: What are the fines given for violating the Restricted Parking Area Map Overlay?

Typically, one warning is given before ticketing a violator of this ordinance. There is one exception—if the neighborhood association has called in 10 or more complaints in a 12 month period, a warning is no longer required.

The penalty for a first offense for parking a motor vehicle on the front or side yard is \$40.00. The fine is reduced to \$20.00 if the fine is paid early. The penalty for a second offense within 24 months is \$50.00. The penalty of a third offense within 24 months is \$60.00. Additional citations will be issued to repeat offenders.

Q: What if citations/tickets are left unpaid, what will happen? What if the violator of this ordinance pays the fine but continues to illegally park? What is the eventual enforcement method to get a violator to comply with this ordinance?

If citations are not paid, then a court date is issued. If the offender does not show up for their court date, then a warrant is issued for their arrest. Repeat offenders will be issued additional citations as long as someone reports a violation and they are cited/ticketed by the Austin Police Department.

Q: How can I find out the latest updates to Restricted Parking Area Map Overlay?

By checking out this site:

http://www.ci.austin.tx.us/planning/neighborhood/fyp_mfv.htm

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Application Process

Q: Who can apply to be placed on the Restricted Parking Area Map?

Only Registered Neighborhood Associations or Neighborhood Planning Contact Teams with adopted Neighborhood Plans may request inclusion onto the Restricted Parking Area Map by sending an application to City of Austin’s Neighborhood Planning and Zoning Department. The open period to submit applications is any working day during the month of February. Residents and property owners located in a neighborhood planning area where a neighborhood plan is being adopted may also request to opt-in to be included on the Restricted Parking Area Map.

Q: How can my Neighborhood Association or Neighborhood Planning Area Contact Team apply to be placed on the Restricted Parking Area Map Overlay?

There are two ways a neighborhood associations or planning area contact teams may request that these parking restrictions apply to their area: 1) during the neighborhood planning process; or 2) submit an application during the open filing period in February of each year.

A Prohibited Front and Side Yard Parking application can be found at the following website:

https://www.ci.austin.tx.us/zoning/downloads/parking_application_0308.pdf

Applications may be hand delivered or mailed to the Neighborhood Planning and Zoning Department Offices at 505 Barton Springs Road, 5th Floor.

Q: We are not in a neighborhood planning area (with an adopted neighborhood plan). What if some members of our neighborhood association want to be placed on

the Restricted Parking Area Map, but other members do not want to be covered by this ordinance?

The officers of a registered neighborhood association have to decide according to their official bylaws whether they want to **fully** opt into the Restricted Parking Area Map Ordinance and have their **entire** neighborhood covered. The City cannot enforce only part of a neighborhood association opting in to this ordinance due to logistical and administrative reasons. As for planning area contact teams, they may designate all or part of their planning area to be included on the Restricted Parking Area Map.

Q: What would happen to the above neighborhood association or planning areas recommended the front yard parking restrictions, submitted a complete application, and City Council approved it?

The City of Austin's Neighborhood Planning and Zoning Department is required to mail out a notice to all property owners and City of Austin utility account holders in the newly designated area newly covered by the Restricted Parking Area Map Overlay. The notice (in English and Spanish) explains the specifics of the ordinance, and penalties if the ordinance is violated.