

UNLOCKING AFFORDABILITY: THE IMPACT OF LOT SIZE REGULATIONS ON HOUSING COSTS



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Executive Summary

Owning a home is an essential part of the American Dream. It is often seen as a metric of success, a tangible result of hard work. Owning a home cements a place in the community and grants a new outlook as a stakeholder in the city, state, and nation. Yet, housing has become less affordable due to the cost of labor, material, and government. However, it need not necessarily be so expensive. In 1998, Houston took steps to blunt rising housing costs by significantly lowering their minimum lot size for single family lots ([Gray & Millsap, 2020](#)). This reform's success has inspired other jurisdictions to consider similar changes to their zoning ordinances. Understanding the effect that minimum lot size regulations have on the price of housing is crucial to addressing housing affordability in Texas.

In theory, reducing minimum lot size requirements will help improve housing affordability as a function of supply and demand. Consider that many cities in Texas have grown in population over the last 10 years. With this increased population has come a high demand for housing that the market has been unable to meet due, in large part, to burdensome local regulations governing density, lot size, and other aspects of private property. Government interference “is the fundamental cause of America’s Housing shortage,” which is a contributing factor to the sharp rise in housing prices ([Furth & Hamilton, 2022, p. 1](#)). Thus, the key to easing the affordability crisis centers on minimizing or eliminating unnecessary government regulation. Allowing developers to build houses on smaller lots will decrease costs and create more supply, both of which contribute to lower prices.

To test the theory that a more relaxed regulatory environment benefits affordability, we examined five large Texas cities with varying minimum lot sizes—Austin, Dallas, Fort Worth, Houston, and San Antonio. Further, the affordability of these cities was assessed using two measures: the Texas Housing Affordability Index (THAI) and the median housing price for each city.

The THAI is a measure of how affordable a house is for a family. It is measured as a ratio of median family income, or MFI, and how much of that income is required to pay a mortgage on a median priced house in a geographic location defined as Metropolitan Statistical Area or MSA which is typically a large city and its surrounding area. For example, examining Dallas would also include Irving and Plano, or the Dallas-Irving-Plano MSA. When interpreting the THAI score, the higher the score the more affordable housing is, and the lower the THAI score is the less affordable housing is. The methodology used to determine the ratio was developed by the Texas A&M Real Estate Center ([Texas A&M Real Estate Center, n.d.](#)). This measure is included to show how minimum lot size affects affordability in different MSAs.

Key Points

- Stricter minimum lot size requirements create less affordable housing.
- Houston’s model of loose zoning regulation has led to high resilience to rising housing prices.
- The city of Austin is considering the HOME initiative, which will address minimum lot size, housing density, and housing variety.
- The Houston model is an example of what a statewide solution would look like.
- Policymakers can take steps toward more affordable housing with less government.

If state and local policymakers want to find a meaningful way to tackle the housing affordability issue, they should consider drastically reducing or, better yet, eliminating minimum lot size requirements imposed by Texas cities.

Median housing price is simply a measure of what the cost of housing is at the point in time it was measured in each specific MSA. This measure is included to show how median housing price differs between cities with different minimum lot sizes and to examine the effect lot sizes have on the rate of price increase, or resilience. To remain consistent with these measures the median housing price data were collected from the Texas A&M Real Estate Research Center (TRERC).

In general, the results showed that homes in cities with lower minimum lot sizes were more affordable and more resilient to price increases. As will be demonstrated in the research in each selected city median housing prices showed a strong positive correlation, meaning as minimum lot size increased, housing prices also tended to rise on a one-to-one ratio. The THAI score does correlate with minimum lot size but in a weaker way than median housing price. This is likely due to the THAI score incorporating income of the residents of that city, meaning that higher income residents can push the affordability index higher.

Based on the research and the available body of knowledge, there is evidence that lowering minimum lot size can make housing more affordable. If state and local policymakers want to find a meaningful way to tackle the housing affordability issue, they should consider drastically reducing or, better yet, eliminating minimum lot size requirements imposed by Texas cities.

Introduction

According to a poll conducted by the University of Texas' Texas Politics Project, inflation and rising prices rank among the top six issues for Texans ([Texas Politics Project, 2023](#)). Since 2020 the price of goods and services have been dramatically increasing without commensurate increase in wages, the purchasing power of citizens has plummeted ([FRED, 2023](#)). The current housing supply is woefully

outmatched by demand, contributing to a dramatic increase in housing prices that places homeownership out of reach. No generation is immune to this problem, and the lack of affordable housing is also a major contributor to the rising number of those facing homelessness. One solution being considered by cities facing housing affordability issues involves loosening government regulation of minimum lot sizes. Using the Texas Housing Affordability Index (THAI) and the median housing price provided by Texas A&M University as measures of housing affordability, this research examines Texas' five largest cities and the effect of minimum lot size regulations on housing affordability in their communities.

What Is 'Minimum Lot Size'?

"A minimum lot size regulation is a requirement that every individual parcel of land in the regulated area be equal to or greater than a specified square footage" ([Furth & Gray, 2019, p. 4](#)). This means that if a municipality sets the minimum lot size at 5,000 square feet, then no lot can be divided to be smaller than 5,000 square feet, but it could be as large as the market will bear. Exceptions can be made for lots that are smaller than the minimum lot size especially if they vary by only a few square feet.

How Does Lot Size Affect the Cost of Housing?

A larger minimum lot size means that fewer homes can be built in the area, which affects the available supply of housing. The size of the lot itself also plays a part in the cost of housing. When prospective homeowners are shopping for houses, they have to consider the price of the house along with the price of the "dirt" which constitutes 20.4% of the overall cost to new homeowners, according to Dr. Ali Anari, a research economist from Texas A&M University in a Fiscal Notes article ([King, 2018, para.8](#)).

How Different Municipalities Handle Minimum Lot Size Across Texas

In Texas, residential zoning is left up to each city to decide. The ordinances that govern minimum lot size vary as each major city has its own rationale on how to handle lot sizes. Houston and San Antonio have lower minimum lot sizes compared to Austin and Dallas while Fort Worth falls in the middle. The disparate approaches to residential zoning, including minimum lot size, also reflect a difference in housing price and affordability of these cities.

Table 1
Housing Market Characteristics in Texas' Five Most Populous Cities

Municipality	2022 Median Home Price	Minimum Lot Size Requirement	THAI Ratio
Austin	\$501,000	5,750 sq. ft.	1.21
Dallas	\$425,000	5,000 sq. ft.	1.12
Fort Worth	\$365,000	3,500 sq. ft.	1.23
Houston	\$335,000	1,400 sq. ft.	1.25
San Antonio	\$320,000	1,250 sq. ft.	1.25

Note. Data from *Texas Housing Affordability Index (THAI) Q3 2023*, by Texas A&M Texas Real Estate Research Center, 2023 (<https://www.recenter.tamu.edu/data/housing-affordability#!/thai-dp4qr35>). Data from *Housing Activity* by Texas A&M Real Estate Research Center, 2022 (<https://www.recenter.tamu.edu/data/housing-activity#!/activity/MSA>).

Austin

The capital of Texas has been growing rapidly over the last decade. Between 2010 and 2020, Austin's population grew by 171,465 residents from 790,390 to 961,855 ([U.S. Census Bureau, 2010a](#); [U.S. Census Bureau, 2020a](#)). Under current municipal zoning regulations, the minimum lot size for Austin is 5,750 square feet ([Austin Land Development Code § 25-2-492](#)). There are exceptions for single family lots for residential use that were recorded before March 15, 1946, so long as they have an area no less than 4,000 square feet, have street access, and are maintained by the property owner ([§ 25-2-943](#)). There are also some very limited exceptions for legally created lots no smaller than 2,500 square feet that had already existed ([§ 25-2-1406](#)).

Austin's minimum lot size regulations are among the most onerous in the state and may be a key contributor to the area's pronounced housing affordability issues. With the most liberal application of methodology using the THAI, the Austin-Round Rock area is the second lowest MSA, of the cities studied in this research, when it comes to housing affordability, with a THAI ratio of 1.21 according to research conducted by the Texas A&M University's Texas Real Estate Research Center ([TRERC, 2023a](#)). In other words, out of all the major metro areas, the Austin-Round Rock area is one of the least affordable. The median price of housing has also increased between 2010 and 2022 from \$189,356 to \$501,000, ([TRERC, n.d.-b](#)).

Dallas

As North Texas' commerce hub, Dallas has also seen an increase in population over the last 10 years. Between 2010 and 2020, the city's population grew by 106,563 residents

from 1,197,816 to 1,304,379 ([U.S. Census Bureau, 2010b](#); [U.S. Census Bureau, 2020b](#)). Dallas is also confronting rising housing costs due to this population increase coupled with the second highest minimum lot size of the cities included in the research. The smallest allowable lot for single family use is 5,000 square feet ([Dallas City Code SEC. 51A-4.101](#)). However, according to testimony in front of the Dallas Council by the director of the Urbanity Project and senior research fellow at the Mercatus Center and George Mason University, Salim Furth, Dallas practices "uncoordinated lenience" which has led to "actual lot sizes [that] frequently depart from their predevelopment minimum lot size" ([Furth, 2023, p. 3](#)). Furth observed that the most common minimum lot size was 7,500 square feet and the uncoordinated leniency practice has allowed for some lots as small as 900 square feet ([pp. 1, 3](#)). Using the same measurements as those applied to the Austin-Round Rock area, the Dallas-Plano-Irving metroplex has a THAI ratio of 1.12 making it the lowest rated MSA in this study in terms of housing affordability. The median price of housing has also increased between 2010 and 2022 from \$160,449 to \$425,000 ([TRERC, n.d.-c](#)). Out of all the major metro areas selected, the Dallas-Plano-Irving area is the least affordable.

Fort Worth

Also located in North Texas, Fort Worth has seen an even higher increase in population over the last decade than its sibling city, Dallas. Between 2010 and 2020, the city experienced a population growth of 177,709 new residents from 741,206 to 918,915 ([U.S. Census Bureau, 2010c](#); [U.S. Census Bureau, 2020c](#)). Even with the greater increase in population, Fort Worth's housing affordability remained resilient and is currently the highest ranked out of the five

When comparing the five selected cities, we can see that generally the THAI ratio shows a loose relationship with minimum lot size. While it is not exactly one to one, the cities with the lowest minimum lot size, Houston, and San Antonio, have the highest affordability ratio.

selected cities, with a THAI ratio of 1.23. The median price of housing has also increased between 2010 and 2022 from \$135,860 to \$365,000 (TRERC, n.d.-d). A likely contributing factor to this resilience is a much smaller minimum lot size compared to Dallas or Austin. Under the current code, the minimum lot size is 3,500 square feet (Fort Worth Code of Ordinances § 4.706).

Houston

Houston is Texas' largest city and the fourth largest in America. It is a shipping hub, energy hub, and tech hub. As such, it has attracted a large and diverse population. Even with its increase of 205,129 residents from 2,099,451 to 2,304,580, Houston's housing market was the most resilient of the selected cities (U.S. Census Bureau, 2010d; U.S. Census Bureau, 2020d). Houston has lax zoning ordinances and of the cities examined in this study, it has the second lowest minimum lot size at 1,400 square feet (Houston Code of Ordinances § 42-182). This likely aided housing affordability in the Houston MSA, comprised of Houston-The Woodlands-Sugarland, which is a THAI ratio of 1.25. The median price of housing had only increased between 2010 and 2022 from \$153,695 to \$335,000 (TRERC, n.d.-e). Houston's minimum lot size ordinance was changed in 1998 to allow for higher supply through increased housing density. Implementing this law allowed Houston developers to construct more than 398,126 units between 2005 and 2018 (Park & Guajardo, 2021, p. 10). Houston has been held as an example for other cities, like Dallas, and served as a template for Senate Bill 1787 (2023), which sought to empower property owners statewide by significantly lessening minimum lot size regulations. The Houston lot size ordinance also allows for neighborhoods to petition to keep larger lot sizes.

San Antonio

San Antonio has attracted many people over the last decade. San Antonio's population grew by 107,218 from

1,327,407 to 1,434,625 residents between 2010 and 2020 with one of its driving forces likely being its housing affordability (U.S. Census Bureau, 2010e; U.S. Census Bureau, 2020e). The THAI ratio score for the San Antonio-New Braunfels Metropolitan Statistical Area is 1.25. The median price of housing has also increased between 2010 and 2022 from \$149,951 to \$320,000 (TRERC, n.d.-f). San Antonio has the lowest minimum lot size requirement of the selected cities at 1,250 square feet, as codified in the zoning ordinance (Sec. 35-310.01), and is tied for the highest affordability out of the five cities with Houston.

Results

When comparing the five selected cities, we can see that generally the THAI ratio shows a loose relationship with minimum lot size. While it is not exactly one to one, the cities with the lowest minimum lot size, Houston, and San Antonio, have the highest affordability ratio. Fort Worth falls in the middle of the five cities in terms of affordability along with its lot size. Austin and Dallas are the lowest of the selected cities regarding affordability and have the highest minimum lot size. However, it is interesting to note that while Austin has a higher minimum lot size than Dallas, Austin is still more affordable than the Dallas area according to the THAI ratio. This is likely due to the practice of uncoordinated leniency. While by ordinance the official minimum lot size is 5,000 square feet, Dallas employs the use of Planned Development Districts (PDD) which are created to "provide flexibility in the planning and construction of development projects" (Sec. 51A-4.702 (a) 1). This means that while *nominally* Dallas has a lower minimum lot size than Austin, in reality the "899 PDDs, each with its own litany of sub-ordinances ... has led to a fragmented style of zoning regulation" (Marcano, Festa, & Shelton, 2017, p.11) allowing for developments to deviate from the 5,000 square foot minimum lot size and implement large lot sizes which leads to less affordable housing.

However, when comparing median housing prices there is a stronger relationship. San Antonio has the lowest minimum lot size and the lowest median house price. Houston has the second lowest minimum lot size and the second lowest median house prices. Fort Worth falls directly in the middle with minimum lot size and its median house prices. Dallas has the second highest minimum lot size and the second highest median house prices. Finally, Austin has the highest minimum lot size and the highest median house prices.

Interestingly, even though minimum lot size is not as strongly related to THAI score as is it to median housing

price, THAI score does tell a story about how lower minimum lot sizes can maximize the amount of housing that can be purchased with lower income. When examining affordability through THAI and breaking down MFI we can see that even though Houston and San Antonio have the lowest MFI, they have the most affordable housing, while Austin and Dallas have the highest MFI but the least affordable housing. Houston and San Antonio also have a significantly lower minimum lot size than Dallas and Austin. This could be evidence that minimum lot size allows lower earners to afford more housing.

Local and Statewide Policy Proposals

The housing affordability crisis has caught the attention of policymakers at the state and municipal levels. Austin has been facing especially steep increases in housing prices so they are looking to adopt new policies that will allow for higher housing density and supply in the form of the HOME initiative. State policymakers have also explored a proposal, during the 88th legislative session, that would apply uniformly across Texas with Senate Bill 1787.

Austin's HOME Initiative

As one of the municipalities with the worst affordability, Austin has been looking for a way to curb housing prices. In 2023, the Austin City Council put forward the Home Options for Middle-Income Empowerment initiative, referred to as the HOME initiative, to tackle high housing costs caused by a dearth of supply. The main thrust of this initiative is to “facilitate the availability of smaller, more diverse housing types, and to allow more housing units on single-family lots” according to Austin City Council Item 126 from July 2023 ([Austin City Council, 2023](#)). To achieve the goals set out by the Austin City Council, the city manager is directed to propose methods on how to:

1. Reduce the lot size in single family zoning districts to 2,500 square feet or less so lots can be subdivided and developed with a variety of housing types.
2. Allow for at least three units per lot in single-family zoning districts.
3. Allow for flexible housing configurations in single family zoning districts.

Similar measures were attempted in 2020; however, an injunction was filed by citizens in Austin to keep the law from being enforced. The district court found that the “attempt to adopt a comprehensive revised Land Development Code by (a) failing to provide

statutorily-required notice ... as to the changes in zoning of Plaintiffs' property and nearby property in the City of Austin; and (b) failing to recognize Plaintiffs' protest rights” ([Acuna v. City of Austin, 2020, p. 2](#)). To address these concerns the Austin City Council launched an information campaign that included physical mail and a public hearing where citizens were able to ask questions and voice either their support or opposition to the plan ahead of each of their 2023 hearings on the HOME initiative. The Austin City Council directed the city manager to provide briefings that explain the plans to implement these changes early in November before the November 23, 2023, Housing & Planning Committee. The Austin City Council voted to approve phase I of the HOME initiative on December 7, 2023, which will improve housing density by allowing up to three units, as well as triplexes, to be built on single-family lots built but will have no effect on current minimum lot size. Phase II will include minimum lot size but a vote on this phase is more likely to take place in 2024 ([City of Austin, 2023](#)).

Senate Bill 1787

While Houston and San Antonio have already taken action to bolster their housing markets, and Austin is beginning the process of emulating some of the same policies, there was movement at the state level to loosen local government regulations regarding minimum lot size. SB 1787 applied to municipalities that are located in part or wholly in a county with a population of 300,000 or more ([SB 1787, 2023, p 1](#)). With the most current data, would apply to cities located in the top 18 most populous counties in Texas ([Texas Demographic Center, 2022](#)). Cities in these counties would be prohibited from adopting or enforcing a regulation that required a residential lot to be larger than 1,400 square feet. Cities would also be prohibited from restricting housing density to fewer than 31.1 homes per acre. The bill made it out of the Senate and the House Land & Resource Management committee and was placed on the General State Calendar in May of 2023 but never made it to the floor for a full House vote.

Pushback

Changes in zoning ordinances like changing minimum lot size, allowing for varying types of housing units, and increased housing density have faced some resistance. Since the issue is currently being considered in Austin, many of the arguments against changing the minimum lot size in general can be found in the Joint Meeting of the Austin City Council and the Planning Commission. One concern that people express is that allowing for

higher housing density or allowing for varying kinds of buildings would “destroy the character of neighborhoods” ([Joint Meeting of the Austin City Council and the Austin Planning Commission, 2023, p. 22](#)). Residents say that they have worked hard to purchase homes in quiet suburbs where their neighbors have similar incomes and share similar lifestyles. In a city council meeting held regarding the Austin HOME initiative, many residents talked about how they oppose the initiative, with one questioning “where ... the clamor is from people living in these core neighborhoods to have their next door neighbors lots redeveloped ... with towering multifamily townhouses” ([p. 20](#)). Some are afraid that already cramped streets would be clogged with parking from the influx of new families and that would cause issues for emergency vehicles. Others question whether additional homes would put a strain on the wastewater system, the electric grid, and the water supply ([p. 44](#)). This past summer Texas faced a drought that led to water rationing and residents were concerned that if we faced the same conditions again, more people drawing on the same system would cause an even greater water shortage. The effects of Winter Storm Uri are still fresh in the minds of Texans. So much demand during that dreadful winter led to blackouts. Residents are worried that more housing would place even more stress on the grid. Another issue brought up during the hearing is the loss of some public spaces. One woman and her son voiced their concern about losing a neighborhood park to development ([p. 18](#)).

Proponents

The proponents of policies that change zoning regulations in favor of increased housing density and housing variety are just as diverse as those who oppose it. One argument that has surfaced is that not having affordable housing near the city center is leaving important places like hospitals understaffed. One resident says that three mammography

units in north, central, and south Austin have struggled to keep staff and one had to shut down because “the staff could not afford living in that area” ([Joint Meeting of the Austin City Council and the Austin Planning Commission, 2023, p. 23](#)). Other supporters are urban planners who believe that increased housing density can help the environment by reducing carbon emissions ([p. 46](#)). Smaller houses use less electricity and leave a smaller carbon footprint. Also, building up instead of out would keep urban sprawl from consuming farmland. Teachers and parents also note that this could help increase ISD enrollment: By having more affordable housing in the area, families are more likely to stay instead of flee cities to outlying areas ([p. 37](#)). Proponents also say that it is a way for cities to gather more revenue without necessarily having to raise taxes. With more residents, more people contribute to the tax base ([p. 32](#)). Many of those who support these kinds of measures are also property rights advocates. They believe that property owners should be able to develop the lots that they own in a fashion that maximizes their benefit so long as it does not constitute a nuisance ([p. 61](#)).

Conclusion

Housing affordability is a complex issue that does not exist in a vacuum. It involves a variety of different factors. Access to quality schools, property taxes, the environment, property rights, and government interference in the marketplace, to name just a few. This is why it is difficult to bring up this crisis without having to address other issues as well. However, as in nearly every other instance, the most obvious solutions begin with a conversation on how to get government out of the way. In this case, that means reducing or eliminating minimum lot size regulations and empowering market actors to be able to use their own private property in the manner they best deem appropriate. ★

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ABOUT THE AUTHOR



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Prior to joining TPPF John served in the University system as a Graduate Assistant until he was given the opportunity to teach Principles of American Government. John holds a Master of Arts in Political Science from Texas State University and a Bachelor of Arts in Political Science from Sam Houston State University.

As a proud Eagle Scout John is an avid camper and enjoys spending time in the outdoors as well as at home with his wife.



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