



# Mayor's Task Force on Preserving Dynamic & Diverse Neighborhoods

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# Draft Report

April 17, 2015

[Insert Letter from Mayor]

DRAFT

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## Introduction

On May 15, 2014 the San Antonio City Council, in a 6 to 4 vote, rezoned a property on the banks of the San Antonio River that, as part of the city's Mission reach project, had been targeted for development. The site, Mission Trails Mobile Home Park, had been home to individuals in some instances for generations. The rezoning of that site led to a redevelopment project that displaced 296 individuals, including 150 children. By the end of February 2015 all the mobile home owners had left. However, as of this writing there are still some families who are living in borrowed quarters as they try to obtain adequate housing. Because no relocation policy exists for privately funded development in the City of San Antonio voluntary relocation assistance provided by the developer for many of those displaced was not deemed sufficient.

Shortly thereafter, in response, and before becoming Secretary of the U.S. Department of Housing and Urban Development, Mayor Julian Castro assembled 'The Mayor's Task Force on Preserving Dynamic and Diverse Neighborhoods'. The task force was organized to plan the best ways to manage change to our urban core in a manner that maintains and creates vibrant, diverse, and inclusive neighborhoods. Mayor Castro explained to task force members that while we want new residents and new businesses to invest in our urban neighborhoods, we also want current residents and established businesses to thrive there as well.

While we celebrate the growth of our inner-city neighborhoods, we seek to ensure that the growth is inclusive and all citizens of San Antonio benefit from the "Decade of Downtown". The Decade of Downtown was launched with SA2020 to stimulate growth in our downtown and surrounding neighborhoods. More than 2,400 new housing units have been developed as a result. New businesses have followed, and now entire neighborhoods exist where once empty storefronts dominated the landscape. Yet it is in our existing neighborhoods that San Antonio culture thrives and communities flourish. Some of those neighborhoods have seen property values increase and residents displaced as a function of the new development. At the same time, other neighborhoods are experiencing severe decay as their older housing stock suffers from lack of investment and maintenance. These two circumstances together – increased investment in some and deferred maintenance in others – directly threaten former-Mayor Castro's desire to "maintain and create" vibrant, diverse, and inclusive neighborhoods. It has been the responsibility of this task force to address this balance between creation of the new and maintenance of the old. This report documents the preliminary work that will continue with the creation of the San Antonio Housing Commission.

Mayor Castro articulated two grand goals – encouragement of new investment and preservation of existent communities. Subsequent policies (including the ICRIP and CCHIP) have encouraged new investment effectively; the second (preservation) remains to be addressed. It has been the charge of this Task Force to begin that process. This report is divided into two sections meant to address preservation of our neighborhoods: first, to strengthen our urban fabric and second to begin creating mixed-income communities. In addition, we offer a third – a focused attention on our most vulnerable citizens: our seniors, our

disabled, our renters, and our poor. Overseeing all we recommend the formation of the San Antonio Housing Commission that will implement the policies developed in the following pages. The first work of the Commission must be to evaluate the impact of current revitalization policies on our inner-city neighborhoods.

This report is the culmination of ten months of work by Task Force members, but, perhaps more importantly, is issued near the first anniversary of the rezoning of the Mission Trails Mobile Home Park. It is intended to prevent the human suffering that accompanied that zoning change.

### **Goals for Preserving Dynamic and Diverse Neighborhoods:**

1. Strengthen the fabric of our existing neighborhoods so current homeowners may remain in their homes amidst economic reinvestment and neighborhood revitalization;
2. Create vibrant, diverse, and inclusive neighborhoods where new residents and businesses thrive alongside current residents and established businesses;
3. Provide for the protection of our most vulnerable residents from the physical, cultural, and emotional impacts of neighborhood change.

### **Summary of Goals and Strategies**

The following foundational strategies support all three goals for preserving dynamic and diverse neighborhoods:

- Create a San Antonio Housing Commission to Increase Workforce and Affordable Housing Preservation and Production and Implement Task Force Recommendations
- Produce an Annual Report Detailing Results on Efforts to Minimize Displacement and Mitigate the Effects of Neighborhood Change
- Plan and Host an Annual Housing Summit to Establish a Unified Housing Policy on Workforce/ Affordable Housing Preservation and Production as well as Policies to Minimize Displacement and Mitigate the Effects of Neighborhood Change
- Conduct a Systematic Assessment of Policies, Programs, and City Boards/ Commissions to Determine their Impact on Displacement and Neighborhood Change

### **Goal 1: Strengthen the fabric of our existing neighborhoods so current homeowners may remain in their homes amidst economic reinvestment and neighborhood revitalization**

The number one concern voiced by the citizens of San Antonio at the community meetings held in preparation of this report was the prevention of displacement. That concern is mirrored in former Mayor Castro's directive to "recommend a policy approach to [ensure that] *current* residents and businesses thrive" as *new* residents and businesses invest. In cities across the United States, as inner-city neighborhoods revitalize current residents often find themselves unable to afford to live in the neighborhood they helped create. Various processes are at work that may ultimately lead to displacement, including deterioration of the housing stock, rising

property values and thus tax rates, and real estate speculation. While these processes are nascent in San Antonio, we intend to mitigate their impacts on our existent neighborhoods with five strategies meant to enable current homeowners to remain in the neighborhoods they created and nurtured if they so choose. These policies are intended to minimize displacement.

Five strategies are recommended:

- Identify and/or create a dedicated funding source of low-interest funds (loans) and grants to assist current home owners with maintenance and rehabilitation
- Develop a Comprehensive Plan and Timeline for the Issuance of a Housing Bond
- Investigate targeted property tax relief available to long-term homeowners
- Amend the zoning change notification process
- Explore the Creation of Neighborhood Empowerment Zones

**Goal 2: Create vibrant, diverse, and inclusive neighborhoods where new residents and businesses thrive alongside current residents and established businesses.**

We understand former Mayor Castro's description of "vibrant, diverse, and inclusive neighborhoods" to mean (in part) mixed income neighborhoods, yet San Antonio continues to be one of the most economically segregated cities in the United States. As we build new housing, we should keep this goal in mind. In the meantime, the Comprehensive Housing Needs Assessment and Strategic Housing Plan prepared under contract by the U.S. Department of Housing & Urban Development (HUD) identified an unmet demand for 142,674 housing units affordable to households with incomes below 80% of the median household income in San Antonio. The demand for affordable housing is expected to grow to 153,672 housing units by 2016. In our effort to create more mixed-income neighborhoods, so too must we create more affordable housing.

Four strategies are recommended:

- Explore and Implement an Inclusionary Housing Policy for Residential Development
- Develop a Comprehensive Plan and Timeline for the Issuance of a Housing Bond
- Develop a Community Land Trust or Similar Organization while reconstituting the Housing Trust
- Develop a Policy for Creation and Rehabilitation of Alternative Housing Typologies

**Goal 3: Provide for the protection of our most vulnerable residents from the physical, cultural, and emotional impacts of neighborhood change.**

The rezoning case at Mission Trails was the impetus for the creation of this Task Force, and this report. It is apparent that the real and emotional case at Mission Trails led our City to a discussion that will ultimately make us better prepared to handle displacement and vulnerable populations. It is through their story that we have amplified both the positive and hopefully preventable negative consequences and impact of investment. We thus include a third set of strategies geared specially to our most vulnerable populations, and pay tribute to this moment

in our recent past in order to more carefully approach a future with the story of real people and their circumstances.

Four strategies are recommended:

- Designate renter advocacy programs as primary sources for residents
- Amend the zoning change notification process
- Develop a relocation assistance policy
- Explore Community Land Trust and Other Tools for the Protection of Existing Mobile/Manufactured Home Communities and Residents

## **Task Force Members**

Mayor and Chair Ivy R. Taylor  
Councilman Roberto C. Treviño  
Councilwoman Rebecca Viagran  
Councilman Rey Saldaña  
Councilwoman Shirley Gonzales  
Rod Radle  
María Berriozábal

Susan R. Sheeran  
David Adelman  
Nettie Hinton  
Richard Milk  
Jackie Gorman  
Christine Drennon, PhD

## **Task Force Charge**

### Goal

Identify policies and programs that encourage investment in inner city neighborhoods but minimize or prevent displacement of people or adverse impacts related to history, culture, and quality of life of unique neighborhoods.

### Task Force Purpose

- Review current policies
- Review best practices from other communities
- Identify short term and long-term recommendations
- Seek community input/educate community on scope of issue
- Be inclusive of varying perspectives

## **Task Force Meeting Dates**

The Task Force has met at the following dates and times. The agendas and meeting minutes have been incorporated into the Appendix and can be found on the City's website at <http://www.sanantonio.gov/Planning/DynamicDiverseNeighborhoods.aspx>.

- October 16, 2014 – 5:00 p.m.
- October 23, 2014 – 2:00 p.m.



- October 30, 2014 – 2:00 p.m. – Agenda posted but meeting was cancelled
- November 13, 2014 – 2:00 p.m.
- November 17, 2014 – 3:00 p.m.
- November 24, 2014 – 3:00 p.m.
- December 11, 2014 – 2:00 p.m.
- January 8, 2015 – 5:00 p.m.
- January 16, 2015 – 2:00 p.m.
- January 29, 2015 – 3:30 p.m.
- February 3, 2015 – 3:30 p.m.
- February 12, 2015 – 3:30 p.m.
- April 9, 2015 – 1:30 p.m.
- April 14, 2015 – 3:30 p.m.
- April 21, 2015 – 9:30 a.m.

## Citizen Input

All task force meetings were open to the public. Citizen attendance grew throughout the course of the meetings. The task force meetings were covered extensively by television, print, and online media. This coverage provided the greater citizenry with an opportunity to track the task force discussion and provide input through the media outlets or by contacting the Mayor's office or a task force member.

A series of Town Hall and Open House meetings were held at the following times and locations:

- Wednesday, March 18, 2015, 6:00pm at Tafolla Middle School
- Thursday, March 19, 2015, 6:00pm at Ella Austin Community Center
- Thursday, March 26, 2015, 6:00pm at Central Library
- Wednesday, April 1, 2015, 6:30pm at South San Antonio High School

Meetings were open to the public and provided interested citizens with an opportunity to review and provide input on the Task Force recommendations. The Task Force met on Thursday, April 9, 2015 to review the public input provided at the Meetings. Over 300 people attended one or more of community meetings and more than 50 addressed the Task Force with questions and comments.

Citizen comments covered a variety of topics, but centered on key themes:

- Frustration, confusion, fear and anger and a sense that vulnerable low income/ working class neighborhoods are in danger of disappearing
- Fear that homes, neighborhoods, and culture are being taken from them and yet no one is listening to their voices
- Concern that existing City policies and programs favor redevelopment over preservation
- The need for policies and programs that help existing residents stay in their homes

- The need to identify ongoing funding sources for both preservation and creation of workforce/affordable housing
- The need to recognize and protect the City’s most vulnerable populations including senior citizens, the working poor including service industry workers, and mobile home park residents
- The importance of an ongoing dialogue with community members

## Task Force Discussion Summary

The Task Force discussed a range of topics on areas related to the Task Force’s charge, many of which warrant further discussion by the proposed San Antonio Housing Commission (see commission recommendation on page 8). These topics are summarized below.

- Preservation of neighborhood character, culture, and history in the midst of physical and demographic change
- Small business-owner displacement
- Rising property taxes for long-term residents and “urban pioneers”
- Emotional aspects of displacement and neighborhood change
- Strategies and funding to preserve and improve aging housing stock
- Capacity of current programs for workforce and affordable housing production and preservation
- Impact of neighborhood change on public school quality and enrollment

The following topics were identified as critical issues for future consideration by the San Antonio Housing Commission. These topics warrant additional research and discussion and could generate additional recommendations not included in this report.

- Policies to protect family members from significant property tax burden when inheriting homes
- Impact of capital improvements on surrounding property values
- Definition and identification of various types of vulnerable residents (in addition to renters)
- Support for state-level policy changes that would advance task force recommendations, such as inclusionary zoning, barring discrimination against tenants based on source of income, provisions for a “fair share” distribution of affordable housing, and allowing state funds to complement relocation assistance funds available from the federal government.
- “Circuit Breaker” property tax relief programs to protect vulnerable populations, such as senior citizens, the working poor, mobile home park residents, and long-time residents and “urban pioneers” from being “overloaded” by property tax increases.

## Goals for Preserving Dynamic and Diverse Neighborhoods

1. Strengthen the fabric of our existing neighborhoods so current homeowners may remain in their homes amidst economic reinvestment and neighborhood revitalization
2. Create vibrant, diverse, and inclusive neighborhoods where new residents and businesses thrive alongside current residents and established businesses;
3. Provide for the protection of our most vulnerable residents from the physical, cultural, and emotional impacts of neighborhood change.

## Key Indicators

The following key indicators have been identified by the task force as the ideal to which San Antonio will aspire. The proposed San Antonio Housing Commission should establish baseline measures and set targets for these indicators.

- The number of renter households displaced without adequate notification and compensation, per year
- The Metropolitan Area ranking in the Pew Research Center's Residential Income Segregation Index (RISI), indicating a proportion of residents living in mixed-income neighborhoods
- Funds raised and leveraged for fulfilling the goals outlined in this document
- The percentage of households who pay 30% or more of gross income on housing, US Census Bureau American Community Survey 5-Year Estimate
- The percentage of occupied units with severe physical problems, HUD American Housing Survey

## Recommendations

### Short-Term

#### **Create a San Antonio Housing Commission to Increase Workforce and Affordable Housing Preservation and Production and Implement Task Force Recommendations**

The proposed Commission would be a coordinating body charged with making recommendations to City Council on workforce/affordable housing preservation and production as well as policies to minimize displacement and mitigate the effects of neighborhood change. The Commission would initially be tasked with implementing the recommendations of the Mayor's Task Force on Preserving Dynamic and Diverse Neighborhoods. A more detailed description of the Commission's ongoing charge is outlined below:

- Recommend policies and strategies to minimize displacement starting with Task Force recommendations
- Recommend policies and strategies to mitigate the effects of neighborhood change

- Recommend policies and strategies to increase the supply of workforce/affordable housing in targeted geographies through both preservation and production
- Oversee the production of the Annual Report on Neighborhood Change
- Oversee the planning and implementation of the Annual Housing Summit
- Oversee implementation of long-term goals identified in this report
- Recommend policies and strategies to increase the number of mixed-income neighborhoods in San Antonio
- Protect the City's most vulnerable citizens from the physical, cultural, and emotional impacts of neighborhood change

The Commission would be appointed by the Mayor and would be comprised of dedicated and knowledgeable citizens representing the following categories: Non-profit Developer/Service Provider; Private Real Estate/Development; Non-profit Housing Provider; Housing Law and Policy Expert(s); Neighborhood Groups; Community Representatives; and others as identified by City Council. Staff support would be provided by the Department of Planning and Community Development (DPCD) and other departments as needed. It is recommended that DPCD create a new Housing Policy Officer position to organize, implement, and analyze complex policies, programs and services related to long-term and affordable housing initiatives and community development activities and provide support to this new Commission. The Commission would establish a standing meeting once a month and keep stakeholders and the public at large informed of issues and strategies with the annual Housing Summit. The Commission would be required to provide regular updates to City Council, and demonstrate successful implementation of Task Force recommendations within a specified time frame to be determined at the establishment of the Commission.

*TIMEFRAME:* Zero to 3 months

*SUCCESS MEASURES:*

- A dedicated Commission, consisting of expert citizen representation from at least six of the categories listed above, created within the timeframe listed.

### **Produce an Annual Report Detailing Results on Efforts to Minimize Displacement and Mitigate the Effects of Neighborhood Change**

Neighborhood change and displacement are rapidly evolving issues in the City of San Antonio. Developing effective strategies to minimize displacement and mitigate the effects of neighborhood change will require sound data analysis to identify where displacement is currently occurring and where displacement pressures will be highest in the future. Sound data analysis will also be required to measure the impact of the strategies adopted to minimize displacement and mitigate the effects of neighborhood change and test the impact of new or revised strategies. DPCD will produce an annual report on neighborhood change to make this information available to decision makers and the general public. DPCD will partner with UTSA

or other institute of higher learning for assistance developing methodology and gathering and analyzing data. The report will include the following:

- Identify areas where displacement is currently occurring
- Forecast areas where displacement pressures will be highest in the future
- Update Residential Income Segregation Index
- Track performance measures and indicators
- Provide recommendations for revised strategies based on data analysis, nationwide best practices, and feedback from community residents
- Innovative graphical information communication techniques and technologies

The new Commission will oversee the production of the Annual Report by DPCD staff. The Report will be presented to The Commission and City Council and made available to the general public during the Annual Housing Summit.

### **Amend the Zoning Change Notification Process to Include Notification for Renter Households and Commercial Tenants**

In an attempt to reach the greatest number of impacted individuals, San Antonio has added several notification procedures to the rezoning process over the years. Notifications to neighborhood associations and planning teams, maps, clip-out response forms, and signs posted on the subject property are just a few of the additions the City has added to go above the state-mandated notification regulations. Further enhancing the transparency of the zoning change process was identified by the Task Force as a way to increase public awareness and involvement in property use changes. Therefore, the Task Force is recommending the following amendments to the City's current policy on proposed zoning change notifications:

- Increase the size of the sign posted on the property and add general information regarding the request, e.g. "From Commercial to Residential"
- Require owner/applicant to provide list of tenants on the subject property and their addresses as part of the application so that staff may provide them notice of the proposed change and the public hearings
- Develop a procedure for rezoning notification to inform impacted citizens including renter households and business lessees within 200 feet of the property proposed to be rezoned

*TIMEFRAME:* 6 months to 1 year

#### *SUCCESS MEASURES:*

- Enhanced rezoning signage and notification to all citizens and establishments within the subject property and within 200 feet of the subject property will provide more useful information about the potential community impacts of the proposed rezoning.

## **Designate the City Housing Counseling Program and the Fair Housing Council of Greater San Antonio as Primary Resources for Vulnerable Residents to Minimize Displacement and Mitigate the Effects of Neighborhood Change**

The City of San Antonio, Department of Human Services (DHS) Fair Housing/Housing Counseling Program and the Fair Housing Council of Greater San Antonio provide Fair Housing education in the community to reduce discrimination against persons belonging to the specific classes protected under the Federal Fair Housing Act and City ordinances. These programs also seek to resolve tenant/landlord disputes by working between the tenant and the landlord where possible, provide assistance in filing discrimination claims with HUD, and provide referral information to other relevant services. Additional information on these agencies including services provided is included in Appendix A.

The DHS Fair Housing/Housing Counseling program also serves as an intermediary in resolving lease agreement related disputes between landlords and tenants, provides foreclosure prevention counseling, financial literacy education, predatory lending education and home equity conversion education. When legal representation or further advocacy is needed, DHS refers clients to partner organizations such as Texas Rio Grande Legal Aid. In cases of displacement, DHS Housing Counselors assist families to identify available housing through case management and some limited financial assistance. Additionally, DHS provides wrap-around services to residents including emergency utility and rental assistance, education and training, subsidized childcare, and free one-on-one financial counseling.

The majority of Housing Counseling clients contact the program through the United Way 2-1-1 information line and the City's 3-1-1 information line. Others are referred by non-profit service providers and council offices. The program conducts information presentations on fair housing and foreclosure prevention throughout the year and regularly attends community fairs to raise awareness of available services.

DHS will:

- Provide outreach to tenant residents who are anticipated to be displaced by redevelopment of their residence, so that each affected resident understands options available to them for relocation to safe housing.
- Provide outreach services to homeowners who have received notice of code violation(s), including a Notice of Substandard and Dangerous Structure
- Re-brand the Housing Counseling program and conduct additional outreach to increase community awareness of available services. Disseminate widely throughout the city via city council district offices, COSA 311 information line, and United Way 211 information line
- Evaluate demand for services and capacity over the next several months and, if needed, make recommendations for program improvements or consolidation to address high demand or gaps in services.

- Enable counselors to intervene in landlord-tenant issues, including coercion, intimidation, or neglect.

*TIMELINE:* Zero to 6 months

*SUCCESS MEASURES:*

- Collaboration among applicable agencies to ensure displaced tenants are made aware of available services
- Percent of tenant households displaced by re-development of property receiving notice of available services: 100 percent of households

### **Develop a Relocation Assistance Policy for Circumstances When Displacement Cannot be Avoided**

Most strategies proposed are intended to prevent displacement and relocation of our citizens, yet in extreme circumstances, residents will be displaced by economic development and neighborhood revitalization. Under current Federal Law, the Uniform Relocation Assistance Act of 1970 establishes a minimum standard for federally funded programs and projects that require real property (real estate) acquisition or displace persons from their homes, businesses, or farms. The Uniform Act's protections and assistance provides three different types of benefits to include advisory services, moving expense payments and replacement housing assistance.

In researching best practices for non-federally funded displacements, the Task Force reviewed programs within the State of Texas and nationally to include Austin, Dallas, Boston, Chicago, Los Angeles, State of Maryland and Seattle. It should be noted that Texas State statute currently prohibits state agencies from providing any additional relocation assistance entitlements in excess of what is authorized in the Uniform Relocation Act (State Chapter Section 21.046 under Relocation Assistance).

In cases of displacement either the incoming developer or property owner were responsible for paying relocation assistance to tenants with additional stipends available to senior and/or disabled individuals. In all cases, displaced residents were required a minimum of 90 days written eviction notice. In addition to financial assistance, dislocated individuals received technical assistance and relocation counseling to identify a new residence or benefits available. It was also identified that cities enforced the policies and issued fines and penalties associated with the program.

The Task Force recommends that developers or property owners provide relocation assistance for tenants displaced by projects receiving City incentives (i.e. SAWS and City Fee Waivers, Tax Abatements and Refunds, Tax Increment Financing, Inner City Incentive Funds, etc). The relocation assistance policy would include financial assistance for residents earning up to 80



percent area median income (AMI) based on the difference between previous rent and rent at a new location for up to 12 months. Additional stipends for elderly or disabled individuals, technical assistance and counseling, and sufficient eviction notification would also be available. The Commission should work with stakeholders to determine the appropriate amount of financial assistance.

*TIMEFRAME:* Zero to 6 months

*SUCCESS MEASURES:*

- Percentage of renter households, or other vulnerable households, that receive relocation assistance when displacement by projects receiving City incentives cannot be avoided.

**Plan and Host an Annual Housing Summit to Establish a Unified Housing Policy on Workforce/ Affordable Housing Preservation and Production as well as Policies to Minimize Displacement and Mitigate the Effects of Neighborhood Change**

The Task Force recommends holding an annual Housing Summit. The goal of the annual summit is to establish a unified housing policy and to support current housing planning and community development efforts.

The initial Housing Summit will be hosted by the Mayor of the City of San Antonio and will be held on May 15, 2015, at the San Antonio Convention Center. The agenda will include an overview of current local government practices and programs, a panel on national best practices, and a luncheon with keynote speaker and afternoon work sessions. The panels and work sessions will be free and open to the public (with the exception of the luncheon).

In the opening session, the Mayor will deliver her charge to create a comprehensive housing policy that supports the development and expansion of stable, mixed-income neighborhoods. The best practices panel will examine topics ranging from housing financing strategies to market-based approaches to the delivery of wrap-around services for lower-income residents. The afternoon work sessions will be geared toward developing innovative practical solutions for current local challenges such as achieving maximum leverage for public sector investments to strategies for improving financial literacy and family economic stability. Mechele Dickerson, the Arthur L. Moller Chair in Bankruptcy Law and Practice at the University of Texas School of Law, is the invited keynote speaker for the 2015 Summit.

*TIMEFRAME:* Immediately (Summit to be held in May 2015)

*SUCCESS MEASURES:*

- Achieve attendance by representatives from all City departments, all housing-related nonprofit organizations, private housing developers, educational institutions, advocacy organizations, Bexar County, HUD, human services nonprofits, students, and the San Antonio Apartment Association



- Receive and integrate stakeholder and public input on housing-related issues, including workforce/affordable housing, urban revitalization, housing and cultural preservation, economic development, sustainability, and education

## **Long-Term**

### **Conduct a Systematic Assessment of Policies, Programs, and City Boards/ Commissions to Determine their Impact on Displacement and Neighborhood Change**

The Task Force recommends that a wholesale review of City policies, programs, and boards/ commissions be conducted to identify impacts on displacement and neighborhood change, and to seek opportunities to revise such policies in order to strengthen and stabilize neighborhoods where displacement is occurring or likely to occur, and to foster more diverse, mixed-income communities throughout the city.

An independent, third-party consultant should be contracted to conduct the assessment and provide recommendations to the appointed Commission and City staff.

Policies, Programs, and Commissions to be reviewed include, but are not limited to:

- Unified Development Code
- San Antonio Minimum Property Maintenance Code
- City Development Incentives including ICRIP and CCHIP)
- Planning Commission
- Zoning Commission
- Board of Adjustment
- Development Services Department, Code Enforcement Division
- Building Standards Board
- Historic and Design Review Commission

***TIMELINE:*** One to 2 years

***SUCCESS MEASURES:*** Completion of independent third-party review.

### **Explore and Implement Workforce/ Affordable Inclusionary Housing Policies for Residential Development**

The Task Force recognizes that significant dialogue will need to occur among all stakeholders (developers, financial institutions, local and state elected officials, local neighborhoods and residents) to ensure that the following recommendations will have the intended impact of encouraging both new development to occur and increasing workforce and affordable housing options within our city. The need for housing increases each year in our city while the allocated resources diminish. The exploration of bold alternatives will allow the City to provide viable solutions to our growing housing needs.

Inclusionary housing is the practice of requiring affordable and/or workforce housing units as a portion of a market-rate residential development. While mandatory provision of affordable units is required in many U.S. cities, such mandates are currently prohibited in Texas. Two options are recommended in order to implement inclusionary housing policies:

1. Mandated participation for City incented developments as a means of ensuring that city-based incentives result in equitable development activities within the city limits; and,
2. Mandated participation for all housing developments. (The second option would require a modification by the State Legislature.)

Each alternative will have options for developers to pay an affordable housing development fee in-lieu of constructing on-site affordable units.

The Commission should explore City-based incentives for residential development (including Center City Housing Incentive Policy (CCHIP), Tax Increment Financing (TIF), City tax abatements, and acquisition of city-owned property) determined in part by whether housing unit creation increases or decreases residential income diversity in a census block group. City-incented residential projects would be required to provide a minimum number of workforce/affordable housing units based on the Income Majority Category (i.e. Low Income, Middle Income, Upper Income, No Majority) for the block group in which the project will be located. The set aside would vary based on the Income Majority Category. Developers would have the option to pay an affordable housing development fee in-lieu of constructing on-site affordable units. The fees generated from any fee in-lieu would be utilized to incentivize the creation of workforce and affordable housing. Final recommendations require vetting among stakeholders and must be approved by City Council.

A second strategy, which will require action by the state legislature, would require all developments with a residential component to include a specified share of workforce and/or affordable housing units. Developers would have the option to pay a workforce/affordable housing development fee in-lieu of constructing on-site affordable units, or to develop the required workforce or affordable housing units within the neighborhood where the new development is proposed. This option would ensure that a continual stream of funding would be available to assist in meeting the housing needs of our community, either directly through the construction of affordable units or through generated fees. As noted above, further dialogue will need to occur in order to craft a policy that will work for all stakeholders.

***TIMELINE:*** Six to 12 months for City-Incented Residential Development and approximately two years for full Inclusionary Housing Policy Implementation for all Residential Development.

***SUCCESS MEASURES:***

- Number of affordable and/or workforce housing units created per year (either through direct developer participation or through in-lieu fees) Approval of modification of state legislation allowing for mandated inclusionary housing in San Antonio
- Number of affordable and/or workforce housing units created per year (either through direct developer participation or through in-lieu fees) following change in inclusionary state legislation

### **Develop a Plan and Timeline for the Issuance of a Housing Bond for the Rehabilitation, Preservation, and Creation of Workforce/ Affordable Housing**

Dallas, Houston, and Austin have all leveraged bond funds for affordable housing development to address unmet demand for affordable housing. According to a 2012 presentation by the Dallas Office of Economic Development, \$18.8 million in bond funds from the 2006 Bond Program yielded an estimated \$94 million in private investment, or five times the initial bond investment. These funds created 600 affordable residential units in strategic locations. The City of Austin leveraged its \$55 million bond investment from the 2006 Bond Program into \$250 million in affordable housing development, or 3.5 times the original bond investment.

A bond issuance, to be brought forth to voters has been identified as one of several strategies to meet current and future housing needs through rehabilitation and preservation of existing high-quality housing stock as well as creation of new housing units. Following research with other cities who have utilized the successful use of bonds to meet critical housing needs of their residents, staff will work with the Commission to craft the use of the funds and a proposed funding amount. This recommendation would then be presented to City Council for consideration. Should Council determine that a Housing Bond issuance is warranted, a date would be set for the election.

Several of the following areas could be addressed through the Housing Bond:

- Acquisition and rehabilitation of existing homes for rental and resale
- Rehabilitation of owner-occupied homes
- Senior Housing (both rental and owner-occupied)
- Housing for persons with disabilities (both rental and owner-occupied)
- Down-payment/closing cost assistance to first-time homebuyers
- Land acquisition
- Assistance for the production of alternative housing types
- Remediation of hazardous housing conditions
- Housing counseling services

***TIMELINE:*** Six months to gather information from cities that have employed successful housing programs through the issuance of housing bonds. An additional six months to develop the

intended use and structure of the bonds, as well as the proposed amount to take for a public vote.

Additional three months for Council review and consideration.

*SUCCESS MEASURES:*

- Funds raised by the successful housing bond issuance will be dedicated to meeting some of the critical housing needs identified above and will leverage additional capital at least 3.5 times the amount of funds generated from the bonds.

**Identify Ongoing Sources of Funds to be Utilized by the San Antonio Housing Trust and Nonprofit Housing Providers for the Rehabilitation, Preservation and Creation of Workforce & Affordable Housing**

Based on the housing needs identified, the Task Force recommends the Commission secure additional funding sources for the rehabilitation and preservation of existing housing stock and the creation of new workforce/affordable housing units. Funds could be utilized for:

- Grants and/ or loans to assist with the correction of code violations
- Grants and/ or loans for owner-occupied rehabilitation
- Grants and/ or loans for emergency repairs
- Downpayment assistance for first-time homebuyers
- Financing for construction of workforce/ affordable housing

In addition to funding sources already utilized by the City, such as Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds, other options to explore include:

- Linkage/impact fees
- HUD program funds for the creation of senior housing and housing units for persons with disabilities
- Private endowments/ grants

The City and the Local Initiatives Support Corporation (LISC) are currently in discussions regarding the establishment of a San Antonio LISC office. LISC is an intermediary that would expand access to capital from foundations and other private sources.

*TIMELINE:* Six months to 1 year

*SUCCESS MEASURES:* TBD

## **Amend the Unified Development Code to Support the Rehabilitation and Creation of Alternative Housing Types**

Neighborhood-scale development that accommodates a spectrum of living arrangements is key to fostering diversity and affordability in a rapidly growing region like San Antonio. Today, single adults, couples without children, and empty nesters together make up the bulk of the population. These groups are less interested in the standard single-family home in the suburbs and are fueling a growing demand for more compact and efficient housing that is located in walkable areas with convenient access to amenities. Inner-loop neighborhoods provide an ideal environment for this type of development, with lot sizes and arrangements that are suitable for alternative housing typologies (also known as “missing middle” housing); that is, a broad range of housing types between a single-family house and a mid-rise multifamily building that have been largely absent from development since the mid-20<sup>th</sup> Century. These include duplexes, small multifamily developments, accessory dwelling units, micro units, small lot subdivisions, bungalow courts, and live-work units.

A base analysis of the City’s Unified Development Code was conducted to determine whether such alternative housing types are permitted within the city limits. Although many of these housing types are permitted by the UDC, current development standards make them infeasible in most neighborhoods. As a result, it is recommended that changes be made to the UDC to promote the development of alternative housing types, particularly in neighborhoods within Loop 410. Proposed UDC amendments are listed below. A more thorough analysis will be conducted by staff in conjunction with the Commission, and stakeholders will be provided an opportunity for input as part of the UDC Update Process.

### *PROPOSED CODE AMENDMENTS TO SUPPORT ALTERNATIVE HOUSING TYPES*

- Relax minimum parking requirements in walkable and transit-accessible areas
- Relax criteria for accessory dwelling units to reduce development costs and allow for wider use
- Allow small trailer-mounted ADUs (also known as “tiny homes”) within the city limits
- Reduce code requirements on housing units and other structures under 1000 sq. ft.
- Reduce fees and overall development costs to promote the construction of alternative housing types in existing urban neighborhoods.

*TIMEFRAME:* Zero to 6 months

### *SUCCESS MEASURES:*

- Number of housing units created and rehabilitated annually that are classified as alternative housing types

## **Explore the Development of a Community Land Trust to Construct, Acquire, Rehabilitate, and Resell Housing**

There is an affordable housing crisis in every city in the United States. Oftentimes low to moderate income (50-80% AMI) families and households are housed in deteriorating housing. Deferring the maintenance on that housing stock has resulted in the loss of affordable housing that surpasses the rate of building, or replenishment. The Task Force recommends the development and support of a Community Land Trust (CLT) to meet mixed-income neighborhood policy goals. A CLT is a non-profit organization that purchases land and develops workforce/ affordable housing. The CLT can sell the housing units but maintains ownership of the land, allowing for lower sales prices and an opportunity for homeowners to earn some equity as home values appreciate. The CLT conveys real property to individual homeowners (or rental housing owners) through long-term ground leases. Since the CLT owns land in perpetuity, it can also serve a critical stabilizing role in neighborhoods that are seeing rapidly increasing land values and rents.

The CLT is typically a community-based organization that allows for flexible development for a variety of land uses and a diversity of building tenures and types. CLTs around the country construct, acquire, rehabilitate, and resell housing of many kinds, including single-family homes, duplexes, condominiums, cooperatives, single-room occupancies (SROs), apartment buildings, and mobile home parks. Establishing a CLT may provide an additional option for low- and moderate-income households, including Senior Citizens, interested in homeownership. Through the ground lease, the CLT can also support homeowners in times of financial hardship by intervening to cure defaults on property taxes and mortgages. It can thereby forestall a potential foreclosure and allow the homeowner to retain ownership of the structure.

*TIMEFRAME:* Six months to 2 years

*SUCCESS MEASURES:*

- [fill in]

## **Explore Community Land Trust and Other Tools for the Protection of Existing Mobile/ Manufactured Home Communities and Residents**

There are 160 manufactured home communities within the City of San Antonio. Manufactured home communities are often the lowest cost housing option for families. Consequently, special attention should be paid to the protection of existing manufactured home communities and residents. The Task Force recommends that the Commission develop a tool kit to specifically address displacement of manufactured home communities and residents.

Best practice research and local experience shows that the following tools should be considered:

- Community Land Trust for the purchase of the land where manufactured homes are sited

- Assistance with cooperative purchase of the land where manufactured homes are sited
- Targeted fair housing and housing counseling services

*TIMEFRAME:* Six months to 2 years

*SUCCESS MEASURES:*

- [fill in]

### **Explore the Creation of a Neighborhood Empowerment Zone and Other Tools to Provide Targeted Property Tax Relief for Preserving and Creating Workforce/Affordable Housing, Increasing Economic Opportunities, and Improving Services to Residents**

In a speculative real estate housing market, affordable housing quickly loses its affordability. While home owners may benefit from their increase in equity, the increase in property taxes may be overly burdensome to low and middle-income taxpayers. Residential property taxes are regressive, requiring low-income property owners to pay more of their income in tax than middle and upper income taxpayers.

The Task Force recommends that the proposed Commission explore the creation of Neighborhood Empowerment Zones (NEZs) under Chapter 378 of the Texas Local Government Code. Other Texas cities have established these zones to create and rehabilitate affordable housing, increase economic development, and improve services provided within designated zones. The proposed Commission could explore qualifying criteria for NEZ designation, which may include proximity to the center city, population served, land use, quality of existing structures and housing stock, recognized developmental challenges, accessibility issues, or other such criteria as deemed appropriate. NEZs and other tools could be utilized for the following:

- “Circuit Breaker” property tax relief programs to protect vulnerable populations, such as senior citizens, the working poor, mobile home park residents, and long-time residents and “urban pioneers” from being “overloaded” by property tax increases.
- Tax abatements for workforce/ affordable housing rehabilitation to minimize property tax increases on improvements
- Tax abatements for workforce/ affordable housing development
- Fee waivers for permits, plan reviews, and application fees
- Expedited permitting
- Other tools as deemed appropriate

*TIMEFRAME:* Six months to 2 years

*SUCCESS MEASURES:*

- [fill in]

## Appendix

- A. [Fair Housing and Housing Counseling Services Agency Overview](#)
- B. [Residential Segregation by Income Map](#)
- C. [Agendas](#)
- D. [Meeting Minutes](#)
- E. [Presentations and Handouts](#)
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