



Mayor's Task Force on Preserving
Dynamic & Diverse Neighborhoods

Draft Report

February 11, 2015

[Insert Letter from Mayor]

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Task Force Members

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

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.

An Open House meeting was held on (date) at (location). This meeting was 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 (date) to review the public input provided at the Open House.

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 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 affordable housing production and preservation

Topics identified for future consideration:

- Policies to protect family members inheriting homes from significant property tax burden
- Increasing earning potential of residents who may potentially be displaced
- Impact of neighborhood change on public school quality and enrollment
- Impact of capital improvements on surrounding property values

Policy Goals

- To mitigate the human costs of revitalization, including residential displacement
- To increase the number of mixed-income neighborhoods throughout the city
- To identify reliable, dedicated funding sources to increase the availability of affordable and workforce housing and to mitigate the costs of household displacement

Key Indicators

- The number of renter households displaced without adequate notification and compensation, per year = Zero
- Metropolitan Area ranking in the Pew Research Center's Residential Income Segregation Index (RISI), indicating a proportion of residents living in mixed-income neighborhoods = First Place
- Funds raised and leveraged by 2017 Bond for fulfilling the goals outlined in this document = \$400 million (includes Bond funds as well as private and public leveraged funds)

Recommendations

Short-Term

Create a Commission to Track Implementation of Task Force Recommendations

The proposed Commission would be a coordinating body charged with making recommendations to City Council on affordable/ workforce housing preservation and production as well as displacement mitigation policy. 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:

- Monitor displacement
- Recommend policies and strategies to mitigate the negative impacts of displacement
- Recommend policies and strategies to increase the supply of affordable/ workforce housing in targeted geographies through preservation and production
- Oversee the production of the Annual Report on Neighborhood Change
- Oversee the planning and implementation of the Annual Housing Summit
- Oversee long-term goals identified in this report
- Recommend policies and strategies to increase the number of mixed-income neighborhoods in San Antonio

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; Real Estate/Development; Non-profit Housing Provider; 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's 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 and periodic updates to City Council.

TIMEFRAME: Zero to 3 months

SUCCESS MEASURES:

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

Produce an Annual Report on Neighborhood Change

Neighborhood change and displacement are rapidly evolving issues in the City of San Antonio. Developing effective strategies to mitigate the effects of displacement will require sound data analysis to identify where displacement is currently occurring and where displacement is likely to occur in the future. Sound data analysis will also be required to measure the impact of the displacement mitigation strategies that are adopted and test the impact of new or revised displacement mitigation 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 is likely to occur
- Update Residential Income Segregation Index
- Track performance measures and indicators
- Provide recommendations for revised strategies based on analysis and nation-wide best practices

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

Amend the Zoning Change Notification Process

Further enhancing the transparency of the zoning change process was identified by the Task Force as a way to increase public involvement. Therefore, the Task Force is recommending the following amendments to the City's current policy on proposed zoning change notifications:

- Require owner/applicant to provide list of tenants on the subject property and their addresses as part of application so that staff may provide them a courtesy notice of the public hearings
- Increase the size of the sign posted on the property and add general information regarding the request, e.g. From Commercial to Residential

TIMEFRAME: 6 months to 1 year

SUCCESS MEASURES:

- Rezoning signage will be enhanced to improve visibility as well as provide more useful data to the public

Designate the City Housing Counseling Program and the Fair Housing Council of Greater San Antonio as Primary Resources for Residents

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.

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. DHS will re-brand the Housing Counseling program and conduct additional outreach to increase community awareness of available services. DHS will also 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.

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

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	City of San Antonio Fair Housing/Housing Counseling	Fair Housing Council of Greater San Antonio
Address	106 S. Saint Mary's St San Antonio, TX 78205	4414 Centerview Drive San Antonio, TX 78228
Field Offices	<ul style="list-style-type: none"> • <u>Claude Black Center</u> 2805 East Commerce • <u>Neighborhood Place</u> 3014 Rivas • <u>Willie Velasquez Center</u> 1302 N. Zarzamora 	<ul style="list-style-type: none"> • 30 Providencia Court, 5G, Brownsville, TX 78526
Service Area	City of San Antonio	Bexar County and South Texas Region (36 Counties)
Services Provided	<ul style="list-style-type: none"> • Education to landlords and tenants regarding housing discrimination • Serves as intermediary in landlord/tenant lease disputes, illegal eviction, lockout, utility shut-off, and improper seizure of property, where possible • Assists residents in filing discrimination claims with HUD • Provides sample lease templates, security deposit refund forms, request for repair forms, etc. • Provides referrals to other relevant services, including legal services through legal aid, etc. • Foreclosure prevention counseling • Financial literacy education and predatory lending education • Case management to assist displaced residents identify housing options 	<ul style="list-style-type: none"> • Education to landlords and tenants regarding housing discrimination • Serves as intermediary in landlord/tenant lease disputes, illegal eviction, lockout, utility shut-off, and improper seizure of property, where possible • Assists residents in filing discrimination claim with HUD • Provides sample lease templates, security deposit refund forms, request for repair forms, etc. • Provides referrals to other relevant services including legal services through Texas RioGrande Legal Aid • Provides limited housing counseling

Limitations	<ul style="list-style-type: none"> • Cannot guarantee that displaced residents are relocated to other permanent housing, although DHS can provide case management, assistance identifying relocation options, assist eligible residents through ESG homeless prevention/rapid re-housing • Subject to Federal program funding guidelines/ requirements • Not attorneys 	<ul style="list-style-type: none"> • Does very limited foreclosure prevention counseling, and financial literacy education, and makes referrals to DHS as appropriate • Subject to Federal program funding guidelines/ requirements • Not attorneys
Funding/ Structure	<ul style="list-style-type: none"> • CDBG Grant Fair Housing • HUD Housing Counseling Grant • Located in City of San Antonio Department of Human Services • Community Services Block Grant • Program Budget: \$250K • 5 staff 	<ul style="list-style-type: none"> • HUD Fair Housing Initiatives Program (FHIP) • Nonprofit organization, Sandra Tamez, Executive Director • Program Budget: ~\$341K (2013) • 6 staff
	City of San Antonio Fair Housing/Housing Counseling	Fair Housing Council of Greater San Antonio
Clients Served	1,684	624 (Bexar County)
Improved housing stability	834	*
Received Fair Housing Assistance	200	346 (Bexar County)
Received Housing Counseling	731	*
Assisted with Tenant Landlord Mediation (Incl. understanding Leases)	952	72 (36 counties)
Received Predatory Lending Counseling	80	*
Tenant referrals to legal aid or TRLA	26	*
Referrals to HUD for discrimination complaints	24	40 (36 counties)
Referrals to other services	424	*
Relocation case management	343	*

Received rental assistance	260	*
Community Education / Presentations	47	24 (Bexar County)

* Some detailed information not available at time of report compilation

Develop a Relocation Assistance Policy

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, City staff looked at 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 prohibits state agencies from providing any additional relocation assistance entitlements authorized in the Uniform Relocation Act (State Chapter Section 21.046 under Relocation Assistance).

Staff analysis found that in cases of displacement either the incoming developer or property owner were responsible for paying dislocation 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 eviction notice. In addition to financial assistance, dislocated individuals received technical assistance and relocation counseling in identifying a new residence or benefits available. It was also identified that cities enforced the policies and issued fines and penalties associated with the program.

It is staff’s recommendation 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.

TIMEFRAME: Zero to 6 months

SUCCESS MEASURES:

- Number of renter households, or other vulnerable households, displaced each year by projects receiving City incentives without adequate notification and compensation: zero

Plan and Host a Housing Summit

The Task Force proposes to hold a Housing Summit in May 2015 that will continue on an annual basis. While there will be a fee, staff will explore scholarship opportunities to provide free registration. Proposed topics for the 2015 Housing Summit include workforce housing, urban

revitalization through creating stable mixed-income communities, and the need for affordable housing in “high opportunity” areas.

In the late 1990s, the City of San Antonio held an annual community development and housing summit to address housing policy issues and to provide training and capacity building for housing professionals. It also created a better integrated provider and service network that included public, private, and not-for-profit entities. The summits included keynote speakers for breakfast and lunch, panel discussions, HUD training sessions, and financial training sessions. Summits were typically single-day events, but related training sessions extended for several days before and after the summit. Sponsorships allowed for minimal registration and meal costs, ranging from \$25 to \$40 for the event.

In the past, panel topics included a range of policy and operational issues including the relationship between school and housing, basic information on tax credits, and building partnerships for better resident services. The City of San Antonio hosted the summit with sponsorship from SAHA, the local HUD office, for-profit development firms, and development services companies.

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

Long-Term

Explore an Inclusionary Housing Policy for City-Incented Residential Development *INCENTIVE OPTION*

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 prohibited in Texas. A local alternative is to tie *voluntary* incentives to the provision of affordable and workforce units as a means of ensuring that city-based incentives result in equitable development activities within the city limits.

City staff could 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

projects of more than ten (10) residential units will be required to provide a minimum number of affordable/workforce housing units based on the Income Majority Category for the block group in which the project will be located. The formula in the table below outlines the number of units required for each Income Majority Category. Developers would have the option to pay an affordable housing development fee in-lieu of constructing on-site affordable units. Final recommendations require vetting among stakeholders and must be approved by City Council.

Income Majority Category	Example Area	Set Aside	Income Targets	# of Affordable/ Workforce Units Required in 300 Unit Development
Low Income	Alamodome; AT&T Center	0 – 5%	50-80% AMI	0 – 15
Middle Income	Pearl Brewery	5 – 15%	50-80% AMI	15 – 45
Upper Income	Dominion Country Club	10 – 15%	50-80% AMI	30 – 45
No Majority	Brooks City-Base; Six Flags	0 – 10%	50-80% AMI	0 – 30

* AMI: Area Median Income

REZONING OPTION

Such a policy would likely require changes to state law. City staff does NOT recommend this policy. As an alternative, all developments with a residential component of more than ten (10) units that are granted a developer-initiated upzoning that allows for increased residential density on the subject parcel or parcels will be required to include a specified share of workforce and/or affordable housing units according to the table below. Developers would have the option to pay an affordable housing development fee in-lieu of constructing on-site affordable units. City staff advises against this option.

Income Majority Category	Set Aside	Income Targets	# of Affordable/ Workforce Units Required in 300 Unit Development
Low Income	Up to 25% of units added due to rezoning	50-80% AMI	Varies, depending on change in density granted
Middle Income	15 – 40% of units added due to rezoning	50-80% AMI	Varies, depending on change in density granted
Upper Income	25 - 50% of units added due to rezoning	50-80% AMI	Varies, depending on change in density granted
No Majority	10 - 30% of units added due to rezoning	50-80% AMI	Varies, depending on change in density granted

See Residential Segregation by Income Map (Appendix A).

TIMELINE: Six to 12 months

SUCCESS MEASURES:

- Number of affordable and/or workforce housing units created per year (either through direct developer participation or through in-lieu fees): 100

Pursue an Affordable & Workforce Housing Bond Program in 2017

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.

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 proposition, to be brought forth to voters in 2017, has been identified as one of several strategies to meet current and future housing needs through both preservation of existing housing stock and creation of new housing units. Upon voter approval, the 2017 Affordable & Workforce Housing Bond could be used for activities including:

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

TIMELINE: Six months to 1 year (vote anticipated in May 2017)

SUCCESS MEASURES:

- Funds raised by 2017 dedicated to meeting the housing targets above (including Bond funds as well as private and leveraged funds): \$400 million

Develop a Policy for Creation and Rehabilitation of Alternative Housing Typologies

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-20th 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 as part of the 2015 update process to promote the development of alternative housing typologies, particularly in neighborhoods within Loop 410. Proposed UDC amendments are listed below. A more thorough analysis will be conducted by staff, and stakeholders will be provided an opportunity for input as part of the UDC Update Process.

PROPOSED CODE AMENDMENTS TO SUPPORT ALTERNATIVE HOUSING TYPOLOGIES

- 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 fees and overall development costs to promote the construction of alternative housing types in existing urban neighborhoods.

TIMEFRAME: Zero to 6 months (UDC Update Process scheduled for 2015)

SUCCESS MEASURES:

- Number of housing units created and rehabilitated annually that are classified as alternative housing types: Increase by 20% in areas where displacement is currently occurring or forecast to occur.

Explore the Development of a Community Land Trust or Similar Organization

City staff recommends the development and support of an organization actively focused on the production of affordable units. An organization, such as a Community Land Trust (CLT), can help meet mixed-income neighborhood policy goals. A CLT is a non-profit organization that purchases land and develops affordable housing (and sometimes commercial developments). 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, 99-year 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 draws one-third of its board members from its own leaseholders, one-third from residents of its community, and one-third public officials, housing providers, or other individuals representing public interest. It 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 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 the Creation of a Neighborhood Empowerment Zone

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. Once NEZs are identified, a range of tools could be utilized to achieve the goals of the NEZ, such as the following:

- Tax abatements for residential, commercial, industrial, or mixed-use rehabilitation or 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. Residential Segregation by Income Map
- B. Agendas
- C. Meeting Minutes
- D. Presentations and Handouts

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