

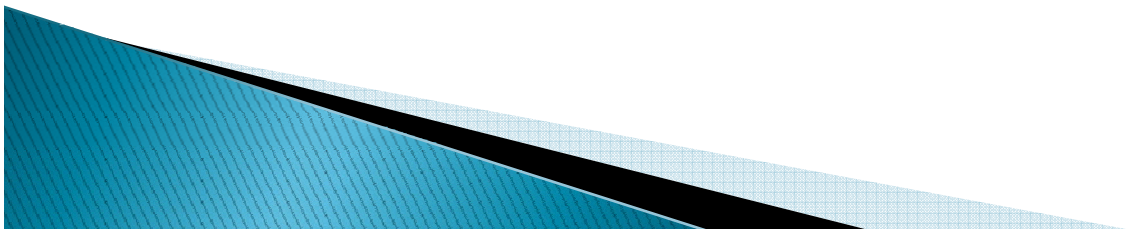
# Texas Local Government Code Chapter 374 Urban Renewal in Municipalities

Charles E. Zech, Denton, Navarro, Rocha & Bernal, P.C. – San Antonio, TX



# Powers

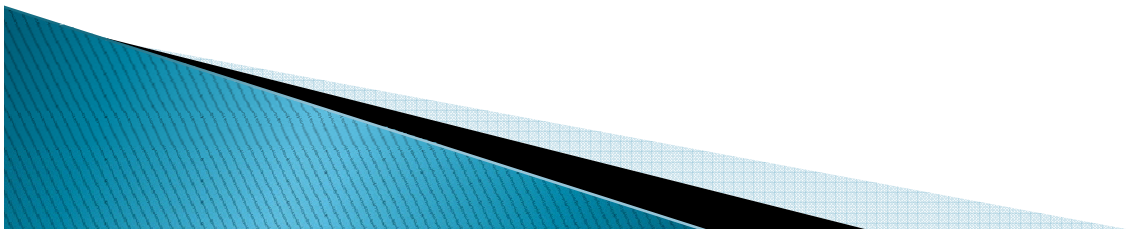
A municipality may exercise urban renewal project powers through a board or through municipal officers selected by the governing body of the municipality by resolution (Section 374.021).





# Powers

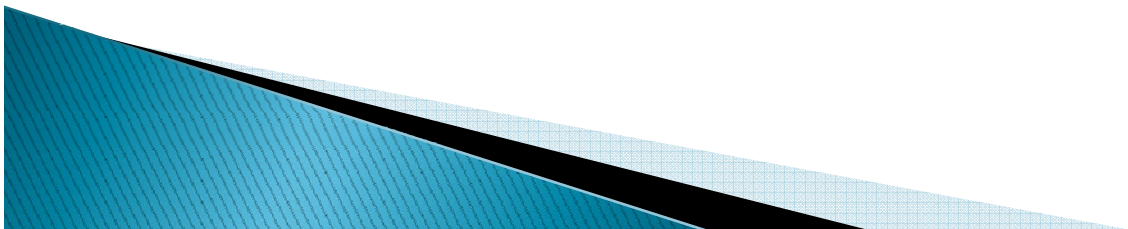
A municipality may exercise urban renewal project powers through an urban renewal agency (Section 374.021).





# Powers

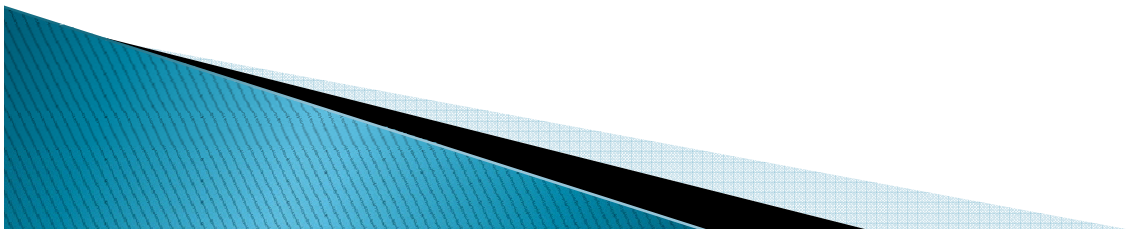
A municipality may enter into agreements with an urban renewal agency vested with urban renewal powers which may extend over any period (Section 374.015).





# Powers

An urban renewal agency created under this subchapter may exercise all the urban renewal project powers of the municipality (Section 374.021).





# Powers

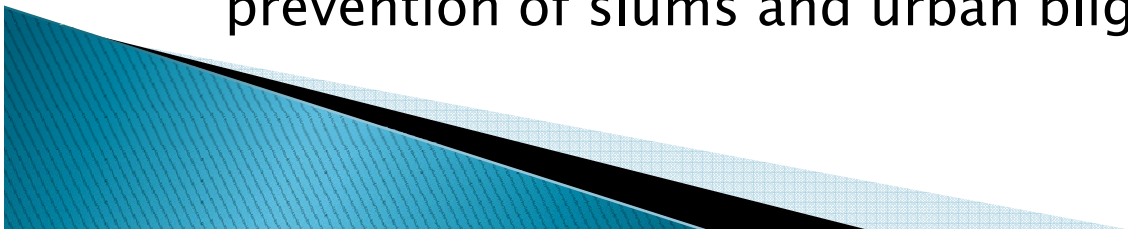
A municipality may exercise all powers necessary or convenient to carry out the purposes of this chapter, including the power to (Section 374.015):

1. Conduct preliminary surveys to determine if undertaking an urban renewal project is feasible;
2. Conduct urban renewal projects within its area of operation;
3. Execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter;
4. Provide, arrange or contract for the furnishing or repair of series, privileges, works, streets, roads, public utilities, or other facilities in connection with an urban renewal project;



# Powers

5. Acquire any real property, including improvements, and any personal property necessary or incidental to an urban renewal project;
6. Invest urban renewal project funds in property or securities;
7. Borrow money and apply for and accept advances, loans, grants, contributions and other forms of financial assistance;
8. Make plans necessary to carry out this chapter in its area of operation, contract with any person in making and carrying out the plans, and adopt, approve, modify or amend the plans;
9. Develop, test, and report methods and techniques for the prevention of slums and urban blight;

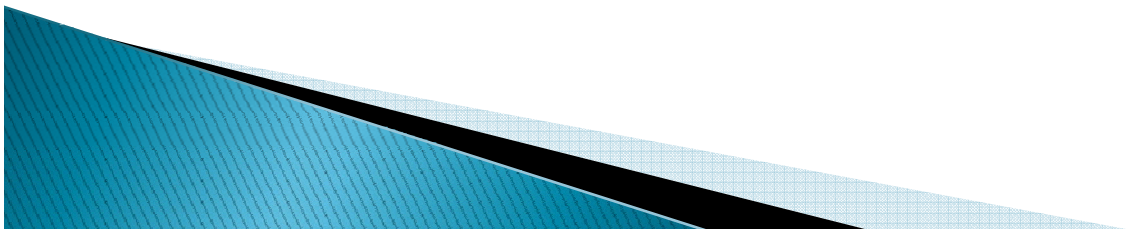






# Powers

10. Prepare plans and provide reasonable assistance for the relocation of persons displaced from an urban renewal project area;
11. Appropriate funds and make expenditures as necessary ;
12. Close, vacate, plan, or replan streets, roads, sidewalks, ways or other places, plan, replan, zone or rezone any part of the municipality and make exceptions from building regulations;
13. Organize, coordinate, and direct the administration of this chapter;
14. Issue tax increment bonds



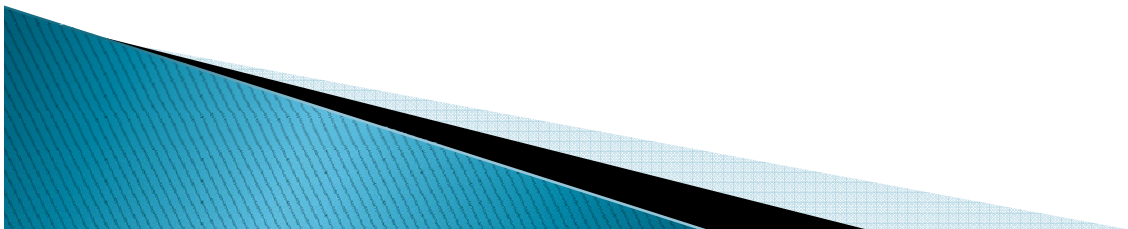




# Powers

An Urban Renewal Agency does not have the power to (Section 374.021(b)):

1. Determine an area as a slum area, blighted area, or both and to designate that area as appropriate for an urban renewal project;
2. Approve and amend urban renewal plans and hold public hearing relating to those plans;
3. Establish a general plan for the locality as a whole;
4. Establish a workable program under Section 374.013;

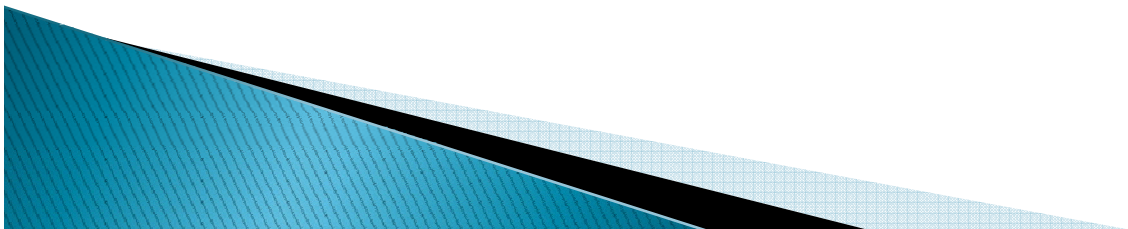




# Powers

An Urban Renewal Agency does not have the power to (Section 374.021(b)):

5. Make determinations and findings under Section 374.011(a) (that an area is a slum or blighted), 374.013(b) (determinations of need for rehabilitation or redevelopment of the area), or 374.014(d) (findings necessary to approve an urban renewal plan);
6. Issue general obligation bonds; and
7. Appropriate funds, levy taxes and assessments





# Powers

Real property or an interest in real property subject to Section 374.017 may not be sold, leased, or otherwise transferred or retained at less than the fair value of the property for uses in accordance with the urban renewal plan(Section 374.017).



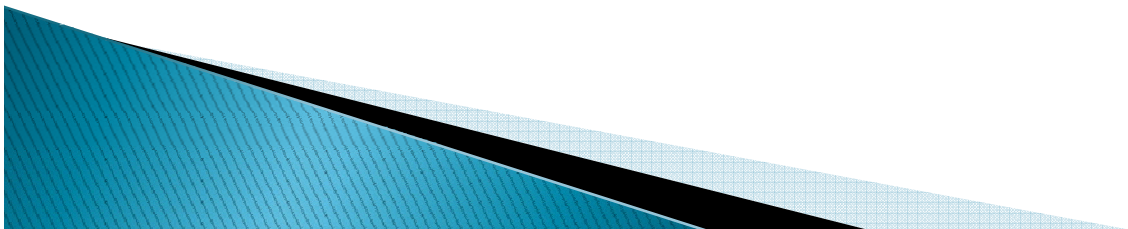
# Powers

An urban renewal agency created under this subchapter may issue bonds from time to time to finance an urban renewal project, including the payment of principal and interest or any advances for surveys and plans (Section 374.026).



# Urban Renewal Plan Approval

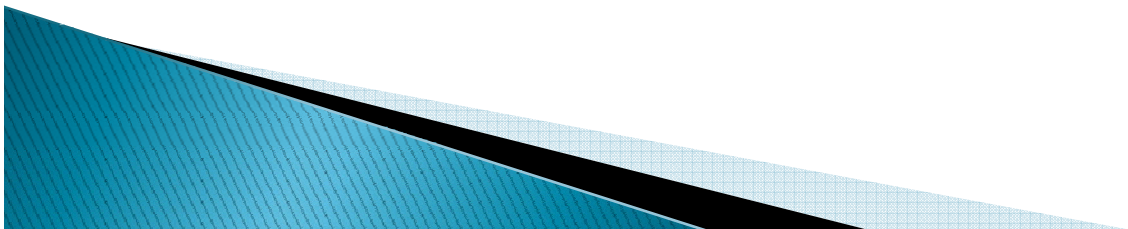
Any person may submit an urban renewal plan to the municipality (Section 374.014).





# Urban Renewal Plan Approval

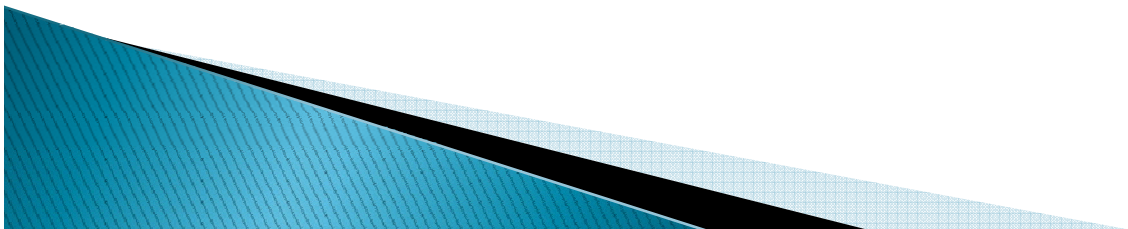
The governing body may not approve an urban renewal plan until a general plan has been prepared for the municipality (Section 374.014).





# Urban Renewal Plan Approval

The urban renewal agency and the planning commission shall submit written recommendations relating to the proposed urban renewal plan to the governing body within 30 days after the date the plan is received for review (Section 374.014).

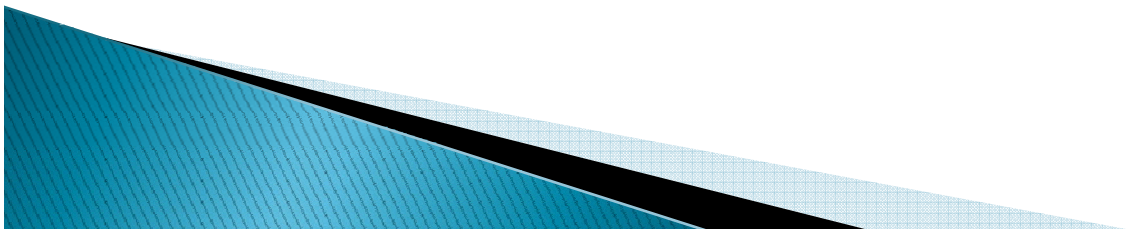






# Urban Renewal Plan Approval

The Governing Body must hold a public hearing on the plan.

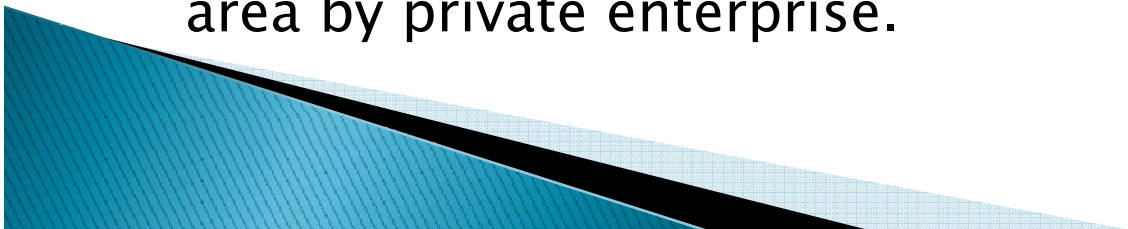




# Urban Renewal Plan Approval

The Governing Body may approve the plan if they find (Section 371.014 (d)):

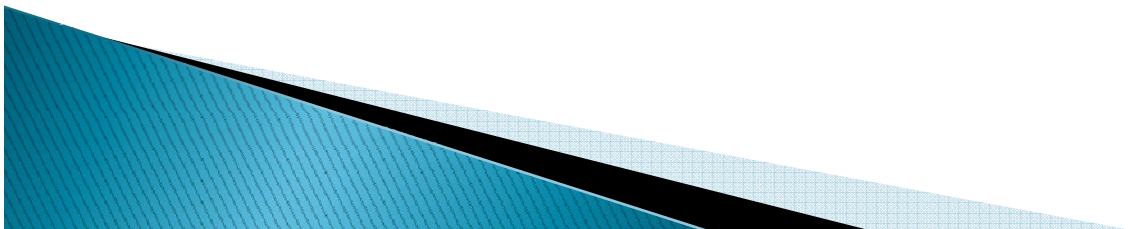
1. A feasible method exists for the relocation, in decent, safe, affordable, and sanitary accommodations, of families or individuals who will be displaced from the urban renewal area without undue hardship to those persons;
2. The urban renewal plan conforms to the general plan for municipal development; and
3. The urban renewal plan offers the maximum opportunity, consistent with the needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.





# Urban Renewal Plan Modification

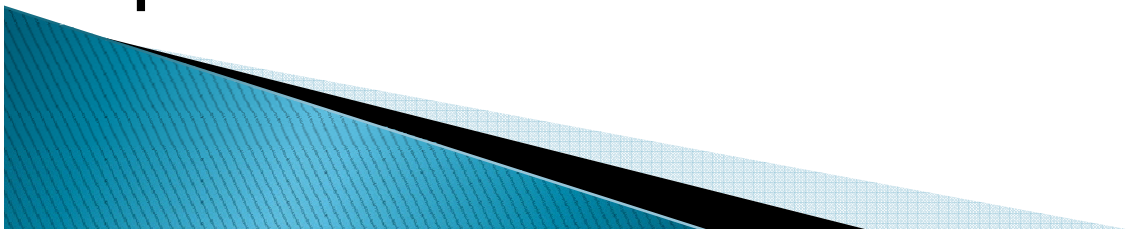
An urban renewal plan may be modified at any time.





# Urban Renewal Plan Modification

If a proposed modification affects the street layout, land use, public utilities, zoning, if any, open space, or density of the area, the modification may not be made until it is submitted to the planning commission and a report is made to the governing body as provided Section 374.014(b).





# QUESTIONS?

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