

TLGC CHAPTER 374

URBAN RENEWAL IN MUNICIPALITIES



TEXAS URBAN RENEWAL LAW LEGISLATIVE FINDINGS

- **SLUM AND BLIGHTED AREAS EXIST IN MUNICIPALITIES IN THIS STATE AND THOSE AREAS:**
 - **ARE A SERIOUS AND GROWING MENACE THAT IS INJURIOUS AND INIMICAL TO THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF THE RESIDENTS OF THIS STATE;**
 - **CONTRIBUTE SUBSTANTIALLY AND INCREASINGLY TO THE SPREAD OF DISEASE AND CRIME, REQUIRE EXCESSIVE AND DISPROPORTIONATE EXPENDITURES OF PUBLIC FUNDS FOR THE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY, CRIME PREVENTION AND MAINTENANCE OF ADEQUATE PUBLIC SERVICES AND FACILITIES; AND**
 - **CONSTITUTE AN ECONOMIC AND SOCIAL LIABILITY, IMPAIRING GROWTH AND REDUCE HOUSING ACCOMMODATIONS.**

TEXAS URBAN RENEWAL LAW LEGISLATIVE FINDINGS

- **FOR THESE REASONS, PREVENTION AND ELIMINATION OF SLUM AND BLIGHTED AREAS ARE MATTERS OF STATE POLICY AND CONCERN THAT MAY BE BEST ADDRESSED BY THE COMBINED ACTION OF PRIVATE ENTERPRISE, MUNICIPAL REGULATION AND OTHER PUBLIC ACTION THROUGH APPROVED URBAN RENEWAL PLANS.**
 - **REPAIR AND REHABILITATION OF BUILDINGS AND OTHER IMPROVEMENTS IN AFFECTED AREAS**
 - **PUBLIC ACQUISITION OF REAL PROPERTY**
 - **DEMOLITION OF BUILDINGS AND OTHER IMPROVEMENTS IN AFFECTED AREAS**
 - **DISPOSITION OF PROPERTY ACQUIRED IN AFFECTED AREAS AND INCIDENTAL TO THESE PURPOSES**
 - **OTHER PUBLIC ASSISTANCE TO ELIMINATE THOSE CONDITIONS**

TEXAS URBAN RENEWAL LAW

KEY TERMS

- **URBAN RENEWAL ACTIVITIES** - Includes slum clearance, redevelopment, rehabilitation, and conservation activities to prevent further deterioration of an area that is tending to become a blighted or slum area.
- **URBAN RENEWAL AREA** - Means a slum area, blighted area, or a combination of those areas that the governing body of a municipality designates as appropriate for an urban renewal project.

TEXAS URBAN RENEWAL LAW

KEY TERMS

URBAN RENEWAL PLAN - Means a plan for an urban renewal project that conforms to the general municipal plan except as provided by Section 374.903; and includes:

- any zoning and planning changes;
- building requirements;
- land uses;
- maximum densities;
- land acquisition;
- redevelopment;
- rehabilitation;
- demolition and removal of structures; and
- a description of the plan's relationship to local objectives relating to public transportation, traffic conditions, public utilities recreational and community facilities, and other improvements.

TEXAS URBAN RENEWAL LAW

KEY TERMS

URBAN RENEWAL PROJECT - includes any of the following activities undertaken in accordance with an urban renewal plan:

(A) municipal activities in an urban renewal area that are designed to eliminate or to prevent the development or spread of slums and blighted areas;

(B) slum clearance and redevelopment in an urban renewal area;

(C) rehabilitation or conservation in an urban renewal area;

(D) development of open land that, because of location or situation, is necessary for sound community growth and that is to be developed, by replatting and planning, for predominantly residential uses; or

(E) any combination or part of the activities described by Paragraphs (A) - (D).

TEXAS URBAN RENEWAL LAW MUNICIPAL POWERS

- **GOVERNING BODY ADOPTS A RESOLUTION FINDING THAT A SLUM AREA OR BLIGHTED AREA EXISTS AND THAT THE REHABILITATION, CONSERVATION, OR THE SLUM CLEARANCE AND REDEVELOPMENT IS NECESSARY AND A MAJORITY OF THE VOTERS FAVOR ADOPTION (PRE-1973)**
- **MUNICIPALITY MAY FORMULATE A WORKABLE PROGRAM TO USE APPROPRIATE PRIVATE AND PUBLIC RESOURCES TO ENCOURAGE URBAN REHABILITATION, REDEVELOPMENT OR TO UNDERTAKE OTHER ACTIVITIES TO ACHIEVE THE OBJECTIVES OF THE PROGRAM**

TEXAS URBAN RENEWAL LAW MUNICIPAL POWERS

- **EACH MUNICIPALITY SHALL AFFORD THE MAXIMUM OPPORTUNITY FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL AREA BY PRIVATE ENTERPRISE, INCLUDING:**
 - **FORMULATION OF WORKABLE PROGRAM FOR URBAN RENEWAL**
 - **APPROVAL OF URBAN RENEWAL PLANS CONSISTENT WITH THE GENERAL PLAN OF THE MUNICIPALITY**
 - **EXERCISE OF ZONING POWER**
 - **ENFORCEMENT OF OTHER LAWS, CODES AND REGULATIONS RELATING TO LAND USE, OCCUPANCY AND DISPOSITION OF ANY PROPERTY ACQUIRED**
 - **PROVISION OF NECESSARY PUBLIC IMPROVEMENTS**

TEXAS URBAN RENEWAL LAW

MUNICIPAL POWERS

- **MUNICIPAL URBAN RENEWAL PLAN (URP)**
 - **MAY PREPARE A PLAN FOR AN AREA THAT HAS BY RESOLUTION BEEN DECLARED TO BE A SLUM AREA, A BLIGHTED AREA OR BOTH AND HAS BEEN DESIGNATED AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT**
 - **MAY NOT PREPARE AN URP UNTIL A GENERAL PLAN HAS BEEN PREPARED**
 - **MAY NOT ACQUIRE REAL PROPERTY FOR A PROJECT UNTIL THE URP HAS BEEN APPROVED**
 - **ANY PERSON MAY SUBMIT A URP TO THE MUNICIPALITY**
 - **MUST BE SUBMITTED TO AGENCY AND P&Z FOR REVIEW AND RECOMMENDATION AS TO PLAN'S CONFORMITY WITH THE GENERAL PLAN**
 - **MUST HOLD A PUBLIC HEARING ON THE PROPOSED URP BEFORE APPROVAL**
 - **MAY BE MODIFIED AT ANY TIME**

TEXAS URBAN RENEWAL LAW

URBAN RENEWAL AGENCY

- **URBAN RENEWAL PROJECT POWERS**
 - **AGENCY MAY BE CREATED BY APPROVAL OF RESOLUTION FINDING PUBLIC PURPOSE**
 - **AGENCY MAY EXERCISE ALL OF THE URBAN RENEWAL PROJECT POWERS EXCEPT:**
 - **DETERMINE AN AREA AS A SLUM AREA, BLIGHTED AREA OR BOTH AND DESIGNATE SUCH**
 - **APPROVE AND AMEND URP AND HOLD PUBLIC HEARINGS**
 - **ESTABLISH A GENERAL PLAN FOR THE MUNICIPALITY AS A WHOLE**
 - **ESTABLISH A WORKABLE PROGRAM UNDER 374.013**
 - **MAKE DETERMINATIONS AND FINDINGS UNDER 374.011(A), .013(B) OR .014(D)**
 - **ISSUE GENERAL OBLIGATION BONDS; AND**
 - **APPROPRIATE FUNDS, LEVY TAXES AND ASSESSMENTS, ETC...**

TEXAS URBAN RENEWAL LAW

URBAN RENEWAL AGENCY

- **BOARD OF COMMISSIONERS**
- **AGENCY PERSONNEL AND REPORT**
- **MUNICIPAL APPROVAL REQUIRED OF PROJECTS**
- **BONDS**
- **TIF (BY ELECTION)**
- **PUBLIC HOUSING (BY ELECTION)**
- **DISASTER AREA (IF DECLARATION)**