

The City of Madison’s 2013 Analysis of Impediments to Fair Housing Choice identified five major categories of impediments, and recommended 34 action items to address impediments across the five categories. The categories included:

- I. *Supply Impediments (Private Sector)*
- II. *Affordability Impediments (Private Sector)*
- III. *Financial Impediments (Private Sector)*
- IV. *Spatial Impediments (Public and Private Sector)*
- V. *Administrative Impediments (Public Sector)*

The following sections contain a summary of action items for each impediment and the progress the city has made toward achieving those goals.

### I. SUPPLY IMPEDIMENTS

#### PROGRESS UPDATE: INADEQUATE SUPPLY OF RENTAL HOUSING

2013 AI: “Based on stakeholder interviews and analysis of available data, the most important impediment to fair housing was determined to be low supply of rental units. A 5% vacancy rate has been established as the appropriate balance between interests of both tenants and landlords, yet the rate was 2.5% when assessed in late 2012 for the 2013 Analysis of Impediments.”

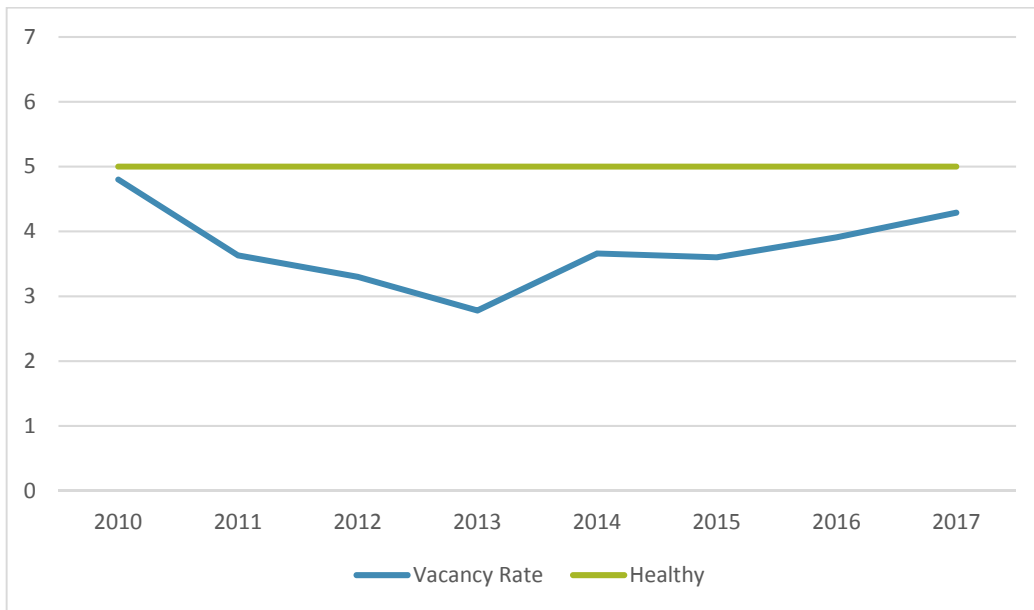
*2013 Action 1.1.1: The city should establish policies that seek to establish and maintain a 5% city-wide rental vacancy rate, this target should be noted in the comprehensive plan and the vacancy rate should be noted in planning staff reviews of proposed new rental units.*

City Planning Division performed an update to Madison’s Comprehensive Plan in 2018, and as a measure of that process have implemented increases in allowable height and density for some future land use categories. This will enable and encourage a larger number of dwelling units per acre than previously allowed for in many areas, directly addressing a need for increased production of units in key corridors, notably those areas well-served by transit. These target areas for increases in height and density by land use designation overlay favorably with the City of Madison’s current Affordable Housing Targeted Area Map as used for assessing Affordable Housing Fund allocations. These programs when coupled together will allow for increased unit production aimed at increasing the rental vacancy rate.

In 2012, MGO 33.34 created a permanent Housing Strategy Committee with the designated goals of “*servicing as a forum for discussion & communication about housing strategies; shall establish a schedule for the Dept. of Planning & Community & Economic Development to prepare and submit a biennial housing report to the Mayor and the Common Council, which will include the following: current data on Madison and regional housing supply and trends, strategies for maintaining a broad range of housing choices for all households and income levels; and strategies for maintaining & increasing affordable owner-occupied and rental housing in Madison and the region.*”

The Housing Strategy Committee, Common Council, and City staff all operate under the direction that 5% is a desirable and healthy vacancy rate for the growth of fair housing choice within the City. This recommendation has resulted in an increase in total housing units, which has raised the vacancy rate toward the targeted level (Figure 1).

**Figure 1: Madison Multifamily Rental Vacancy Rate 2010 – 2017, 2<sup>nd</sup> Quarter**



Source: Madison Gas & Electric

Measure of apartments vacant as determined by gas & electric service inactive or returned to owner's name.

*2013 Action 1.1.2: The city should encourage building and development designs that accommodate and allow either rental or condominium use, or both at the same time, to improve flexibility in response to market shifts.*

While there remains no official policy to encourage fluidity of development between either condominium or rental units, construction type and quality of units are comparable for both types. Under recent market conditions, according to the Planning Division the demand has largely been for increased amounts of rental housing. From 2008 onward, the largest single year for construction permits for condominiums was for 25 units, compared with the largest amount of rental permits for 1,842 units. Building permit records in recent years display a large discrepancy between numbers of apartment and condominium units overall from 2008 forward.

The City of Madison Planning Division places extreme emphasis to developers on access to amenities and durability of buildings in construction. Regarding access and durability of construction, it is possible that some units would convert from rental to condominium should market demand shift in the future, allowing a larger amount of flexibility for developers and management companies to respond to market demands in ways that best serve the interests of households in the City.

*2013 Action 1.1.3: The City should consider various programs and incentives to encourage new rental unit development. Consider programs implemented by the city of Vancouver, including required development of demolished units, incentives and ideas to encourage accessory dwelling units, and incentives to protect units for rental use for 60 years.*

The Vancouver model of program refers to a required 1-for-1 replacement of any demolition of rental housing, as well as “fast tracking” city approvals for any developments that are 100% rental housing, including relaxed zoning requirements and density bonuses. Given preemptions by the State of Wisconsin, the City is currently unable to require or offer any Vancouver-style model of program or incentive.

**PROGRESS UPDATE: INADEQUATE SUPPLY OF LARGER ASSISTED RENTAL UNITS**

2013 AI: “Based on stakeholder feedback and Public Housing Authority data, there is unmet demand for large rental units available to lower-income residents affecting the ability of larger families with limited incomes to find housing. This is having a disproportionate effect on Hispanic residents due to the prevalence of larger families, making it an indirect impediment to fair housing choice.”

*2013 Action 1.2.1: The City should encourage the inclusion of a wider variety of unit sizes in new multifamily developments, especially including three-bedroom options in affordable housing projects. Incentives should be considered as an option to encourage such units, such as a density bonus or cash contribution to compensate for the loss of smaller units.*

The City of Madison Affordable Housing Initiative was developed in 2014 as a \$4.5 million dollar fund to support the development of a range of affordable housing options within the City. This initiative requires any family development receiving a loan of Affordable Housing Funds to create a unit mix that includes large-units (three bedrooms or larger) as a component of the development. While the City also encourages and in some cases requires larger bedroom units within market-rate developments, new data and observation of demand for units in new developments has indicated that the area of greatest need is for one- and two-bedroom units. An analysis by City staff utilizing CHAS, ACS, and PUMS data indicated that the largest need for extremely low-income household is for 1-bedroom units (63% of all households in need), followed by 2-bedroom units (25% of all households in need), and 3+ bedroom units (12% of all households in need).

The City of Madison completed a complete update to the Zoning Code in 2013 which requires a set mix of unit sizes for developments within the Downtown Residential District in order to accommodate ample housing opportunity for families in the Downtown core of the City. Outside of the Downtown Residential District, planning staff encourage developers to incorporate larger units when development is occurring in areas of the City which do not already have a large number of large-unit housing options, as well as areas in which there is a high-level of access to key family amenities.

#### **PROGRESS UPDATE: INADEQUATE SUPPLY OF SINGLE ROOM OCCUPANCY UNITS**

2013 AI: “Single room occupancy units provide choices for residents that may have few other choices. An adequate supply helps to prevent homelessness. The apparent decline in the supply of these units is an indirect impediment to fair housing choice of low-income and disabled residents, and it increases the risk of prevalence of homelessness. “

*2013 Action 1.3.1: The Housing Strategy Committee should further study this supply gap and offer strategies to fill it. The City should focus especially on the supply of units for residents with special needs in its various programs and policies to reduce homelessness.*

Study of the supply gap in Single Room Occupancy Units was addressed by a 2013 SRO Study which provided concrete strategies the City could use to address the gap in demand and supply. An analysis of SRO need is also updated every two years as a part of the staff-produced Biennial Housing Report, a study of housing market gaps within the City across differing demographics and geographies. Recognizing this gap, the City has prioritized and built heavily subsidized permanent supportive housing units which addresses this need, specifically among chronically homeless individuals in Madison. These developments provide supportive services onsite to serve homeless and formerly homeless populations.

The most notable development from this action item is Rethke Terrace, a 60-unit permanent supportive housing development for at-risk and formerly homeless singles and Veterans, utilizing 25 VASH vouchers to serve and address veteran homeless populations. This development utilized \$1.45 million from the City’s Affordable Housing Fund as a commitment to helping end homelessness in Madison. There are two other permanent supportive housing developments for the City’s homeless population currently planned or under construction, leveraged with \$3.7 million of City funding. These developments will supply 163 new units to house and serve Madison’s homeless residents by 2020.

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## **II. AFFORDABILITY IMPEDIMENTS**

#### **PROGRESS UPDATE: INADEQUATE SUPPLY OF AFFORDABLE HOUSING**

2013 AI: “Affordability is not by itself a fair housing issue, as income is not a protected class. However, due to the strong local correlation between income and race and ethnicity, such that minority residents make up a disproportionate part of the City’s low-income population, the limited supply of affordable units has the effect of restricting housing choice for minority residents. This is an indirect impediment to fair housing.”

*2013 Action 2.1.1: The City should evaluate and define housing demand at various income levels as part of a Comprehensive Housing Strategy that sets targets and strategies for new unit creation.*

The City of Madison, under the authority of the Housing Strategy Committee and Common Council, publishes a Biennial Housing Report to serve as a comprehensive guide and strategy for setting and tracking housing goals within the City. This biennial report is an analysis of the City's entire housing market with an emphasis in the affordability of housing and breadth of housing options. Chapters within the report detail individual segments of the housing market in Madison that attempt to:

- Clearly articulate how supply and demand function in the market segment
- Identify the primary challenges impacting the market segment
- Highlight ongoing local initiatives and national best practices to address challenges in the market segment
- Develop specific recommendations to guide City of Madison-related programs and policies to address these challenges

The following segments of the market are analyzed and addressed in the Biennial Housing Report:

- Homelessness
- Low-Income Rental
- Market Rate Rental
- Low-Income Homeownership
- Market Rate Ownership
- Student Housing
- Senior Housing

The City of Madison's Affordable Housing Fund is a result of one of the recommendations identified in the Biennial Housing Report to incentivize the development of low- and very low-income units. This fund has assisted in the creation of 365 units of low-income housing in Madison to date with an additional 474 affordable units currently under construction or scheduled to begin construction by 2019. Beyond the Affordable Housing Fund, the City's Community Development Division has contributed approximately \$7.3 million dollars in additional funding for affordable housing since 2013, creating or preserving 273 units, including units currently under construction.

*2013 Action 2.1.2: The City should continue to encourage the inclusion of affordable units in development and redevelopment plans in all parts of the City, at least including units deemed affordable to low income (80% of County Median Income) and very low income (50% of County Median Income) residents.*

The City of Madison continues to encourage, and in some cases incentivize the development of low-income and very low-income units throughout the City. This is most clearly achieved through the annual Affordable Housing Fund allocation process, which awards funds to proposals through a competitive process that are located in areas identified in the Targeted Area Map.

City Planning and Zoning policy clearly demonstrates and emphasizes the need for unit mixes of all income levels across the City, and actively encourages developers to produce a healthy mix of unit sizes and price points in all areas. Additionally, low-income units are eligible for Park Impact Fee waivers from the City of Madison, providing substantial cost savings for developers who include these units in developments.

*2013 Action 2.1.3: The City should implement policies and programs to mitigate the replacement of affordable market rate housing by high-end market rate housing. Aging units that remain safe serviceable are an important aspect of the local housing market. Programs may include incentives for rehabilitation and a requisite analysis of demand for housing whenever a new project would eliminate units, to include demand for the units to be lost and the units to be created.*

The City of Madison's Affordable Housing Fund provides a direct incentive to developers in the creation of new units of affordable housing, as well as making funds available for proposed rehabilitation of units. Due to state limitations in policy for protecting "naturally occurring affordable housing" in the private rental market, the City is unable to directly address

the market need for preservation of this unit type. The City of Madison Plan Commission actively encourages developers to preserve existing affordable housing by relocating small rental structures to nearby lots when under review for large development projects. Considering the share of household growth in Madison has largely occurred in the highest and lowest income brackets, it is reasonable to assume that there is a demand for both market rate as well as affordable new unit creation.

*2013 Action 2.1.4: The City should encourage and facilitate the development of non-traditional housing types and ownership structures to increase affordable options in both new and existing neighborhoods, including community land trusts, co-housing, cooperative housing, and accessory dwelling units. This may include the relaxing of the permit process for cooperative housing in 1-3 family units outside the downtown area.*

The City of Madison completed a zoning code update in 2013 that eased regulation and application for many non-traditional housing types. The City has consistently relaxed restrictions and the permitting process for many types of non-traditional housing, including co-housing, cooperative housing, and accessory dwelling units. While the City has not seen a large increase in proposed units of non-traditional housing, it has eased requirements to expedite the approval of non-traditional units and recognizes the importance of such. Considering the inability of the City to directly influence market demand, the basis for facilitating the creation of such units exists and is ready to be implemented should market demand increase.

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### III. FINANCIAL IMPEDIMENTS

#### **PROGRESS UPDATE: LACK OF LOANS TO MINORITIES**

2013 AI: “The HMDA data shows that minorities, especially African Americans and Latinos, are less likely to originate a conventional loan and more likely to be denied. If they secure a loan, it is more likely to be a non-conventional loan. The inability to secure a mortgage, refinance, or home improvement loan is clearly a barrier to housing choice. This is an indirect impediment that the City should work to eliminate.”

*2013 Action 3.1.1: The City and Homebuyers Roundtable should collaborate to provide more credit and home-buying education to citizens, especially minority residents. Training should address how condominiums work, and all training should be offered in both English and Spanish.*

City staff, as members of the Homebuyers Roundtable, host homebuyer education classes once per month and three Saturdays per year. Each class lasts two days and consists of seven hours of instruction, comprehensively covering the home buying process including: credit, money management, down payment assistance, mortgage lending, choosing a realtor, shopping for a home, hiring inspectors, insurance agents, and closing agents. All class attendees undergo a full housing counseling process to inform and direct their specific situational needs to best serve the long-term success of the first-time homebuyer.

The City of Madison also partners with the University of Wisconsin - Extension to provide ongoing home buying education in Spanish, utilizing experts from the University of Wisconsin to provide education, services, and situational counseling to non-English speaking populations. Funding resources have been allocated in 2018 and are expected to continue in subsequent budgets to provide continuing, long-term homebuyer education in the City. Homebuyer education is considered a priority of the City to promote first-time homeownership, and is anticipated to remain a priority for 2019 onward.

*2013 Action 3.1.2: The City and Homebuyers Roundtable should provide education and information for local lenders on predatory lending practices and common pitfalls for new buyers, to ensure that efforts to reduce the racial disparities in loan origination do not have the unintended consequence of increased rates of default and foreclosure among minority borrowers.*

The City provides an annual training session for Realtor and lender education on predatory lending practices and common pitfalls for new buyers so that all participants of the home buying and lending practice may be aware of disparities and requirements. Aside from the annual training, the City presents to the Homebuyers Roundtable once per year on lending practices and pitfalls for new buyers to ensure consistency and reach of this information.

Independently, the Realtors Association of South Central Wisconsin has a standing committee on Affordable Housing and Equal Opportunities, which addresses homeownership opportunities for persons of color and persons with disabilities. Aiming to increase equal ownership opportunity through education, community outreach, fundraising, increasing affordable housing, the committee fosters connections with non-profit organizations that offer buyer assistance.

*2013 Action 3.1.3: The City could address the apparent lesser interest in homeownership among minority residents by doing more to improve the success of minority homebuyers post-purchase. The City could offer workshops and training on the physical aspects of maintaining a home, energy conservation, budgeting, rehabilitation programs, home improvement loans, refinancing, money management, and foreclosure prevention.*

Recognizing the need and positive correlations of post-purchase assistance, the City has signed contracts with several non-profit organizations to provide workshops and trainings on the physical aspects of maintaining a home, energy conservation, budgeting, rehabilitation programs, home improvement loans, refinancing, money management, and foreclosure prevention with the goal to better assist all low-income purchasers post-closing. These non-profit partners (Project Home, Habitat for Humanity of Dane County, and Movin' Out) specialize in both housing counseling as well as continued counseling and assistance post-purchase, allowing the organizations to tailor their programs to long-term individual needs.

*2013 Action 3.1.4: The City and Homebuyers Roundtable should collaborate to encourage local lenders to take steps themselves to Affirmatively Further Fair Housing and to ensure they are extending credit to underserved communities.*

The City encourages this action item by providing an annual training session for Realtor and lender education on predatory lending practices and common pitfalls for new buyers, that lenders may address fair housing in their daily work. The City presents at the Homebuyers Roundtable annually in order to promote and encourage fair housing practice from all parties.

*2013 Action 3.1.5: The City should further target its home loan programs toward racial and ethnic households and neighborhoods.*

A new marketing strategy for down payment assistance programs will be launched in 2019 to better serve populations underrepresented in the owner-occupied housing market.

*2013 Action 3.1.6: The City's web-based loan program and information should be made easier to find and understand.*

The City is currently in process of redesigning websites and print materials which make loan program and information easier to find and understood by the general public.

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#### IV. SPATIAL IMPEDIMENTS

##### **PROGRESS UPDATE: ASSISTED/SUBSIDIZED HOUSING PROJECTS DIRECTED TOWARD LOW INCOME NEIGHBORHOODS**

2013 AI: "Multiple factors have tended to result in the development of assisted and subsidized housing units in low income neighborhoods, including the perception that that is where the units should be, stronger resistance from neighbors in other neighborhoods, and the relatively lower cost of land in those neighborhoods. It would be a greater benefit to low-income residents if proximity to concentrations of jobs employers, transit, schools, and other community amenities were considered in the siting of such units."



*2013 Action 4.1.1: Plan Commission and Council Members should resist the influence of strong groups if and when those groups seek to block affordable housing projects in existing neighborhoods. The new zoning ordinance should be used to streamline the approval process when appropriate.*

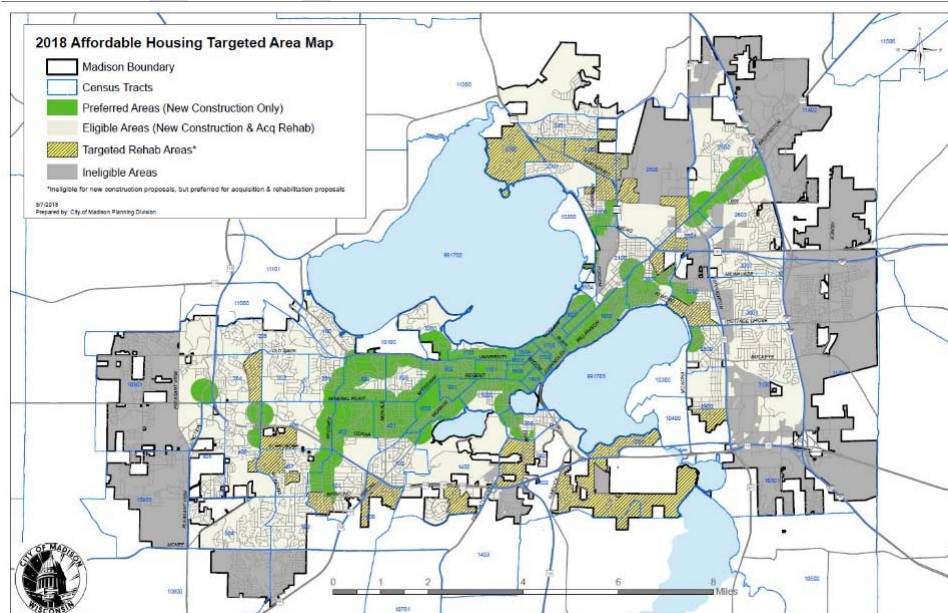
The Plan Commission and City Alders have been vocal in their support for the development of affordable housing initiatives in all areas of the city. The creation of the Biennial Housing Report to serve as a guiding document has emphasized the need for improving the availability of affordable units, and the approval process has been adequately streamlined to promote healthy rental vacancy rates. The Common Council has worked to encourage developers to include affordable units in all appropriate areas. Additionally, City Alders recognize the need and importance of partnering with community and neighborhood groups. Developers are required to meet with neighborhood groups as part of the zoning entitlement process. Mandating this process has streamlined communication among all stakeholders, proactively alleviating concerns regarding increases in affordable housing development.

While not universal, many neighborhood associations in key transit and amenity corridors of Madison in recent years have registered at Plan Commission and Common Council meetings not to block affordable development, but to register in favor of more affordable units within market rate developments. Through public engagement processes, it seems there is a desire among residents at a neighborhood level to preserve housing and rental prices that will remain accessible to the current members of the community, even as the neighborhood becomes more densely populated over time.

*2013 Action 4.1.2: City planning staff should collaborate with the CDA, WHEDA, and other housing subsidy funding entities to direct new assisted and subsidized units to neighborhoods that do not already have concentrations of such units.*

Due to the nature of affordable housing development, there are few tools which the City can leverage to influence the spatial nature of development location. Among these are the Affordable Housing Fund, HOME, CDBG, and TIF. The Affordable Housing Fund is administered through a joint process comprised of many stakeholders, including members of City staff from CDD, the Planning Division, and the Economic Development Division. This fund infuses needed gap financing in the form of loans to developments that apply for competitively allocated Low-Income Housing Tax Credits through WHEDA. A key component of the Affordable Housing Fund's RFP process in analyzing proposals is the Affordable Housing Fund's Targeted Area Map, which prioritizes areas of the City for development. This map is a direct action to guide the placement of assisted and subsidized units within the City, having created and approved 839 units of affordable housing in 14 developments since inception.

**Figure 2: 2018 Affordable Housing Targeted Area Map**



*2013 Action 4.1.3: The city should develop a Comprehensive Housing Strategy to design and facilitate thoughtful housing development. This may include the identification of High Opportunity Zones and Low Opportunity Zones where new affordable units (market rate or subsidized) are either specifically encouraged or specifically discouraged.*

The Biennial Housing Report serves as a full comprehensive housing strategy for the City of Madison, analyzing all aspects of the City's housing market condition, including identifying housing needs and actions to address those needs. The analysis from that report influences the Affordable Housing Targeted Area Map as developed for the Affordable Housing Fund, serving as a means of identifying areas of high opportunity within the City.

*2013 Action 4.1.4: The City should consider the creation of a tiered development review permit system that ties the permit cost to the price point of the proposed units (rental or owned).*

The City has explored alternative permitting costs, instead utilizing a Park Impact Fee waiver to provide substantial savings to developers building low-income housing units. This allows for continued affordability of units, which may not feasibly be built without municipal cost reduction features such as this waiver.

#### **PROGRESS UPDATE: RACIAL SEGREGATION**

2013 AI: "The City has mild to moderate racial and ethnic segregation. This indicates a real or perceived lack of housing choices for African American and Hispanic residents outside of neighborhoods where each minority group is concentrated (primarily north and south sides of the City). This is a symptom of other issues, especially the income disparities for African American and Hispanic residents, but it is also a cause, an impediment itself, because the physical segregation perpetuates the conditions that lead to differing outcomes and fewer housing choices for African American and Hispanic residents. It should be noted that many of the actions recommended in this report have the potential to reduce racial segregation, especially the actions to increase the supply of rental housing and affordable housing throughout the city, and all of the actions in this section addressing spatial disparities and impediments. "

*2013 Action 4.2.1: The City should specifically acknowledge and address racial segregation and concentrations of racial and ethnic minorities, especially on the north and south sides, in the Comprehensive Plan, neighborhood plans, the Comprehensive Housing Strategy, and the 5 year Consolidated Plan for HUD funding.*

The 2018 update to the City of Madison's Comprehensive Plan addresses segregation as a theme throughout the document through a focus on racial equity within the City. City Planning also regularly updates and utilizes a database containing population by race for each neighborhood of the City, using this data to prioritize funding and resource allocation to individual neighborhoods. Planning staff actively promote and encourage a mix of housing and unit types across neighborhoods to encourage mobility and choice throughout the City.

The Biennial Housing Report serves as the City's comprehensive housing strategy. While initially focused primarily on market outlook by income, staff have written supplemental reports to enhance demographic data contained within the research as compiled. One of these supplements as requested by the Housing Strategy Committee and Common Council is a report on housing and opportunity by racial and ethnic group within the City, with focus on geographic distribution of those demographics.

This AI will influence the City's Five-Year Consolidated Plan as it will be submitted to HUD in 2019. While the Consolidated Plan has historically addressed segregation as required, it is the City's goal to better utilize available data sources to analyze and address segregation and disparities through targeted and proactive policies.

#### **PROGRESS UPDATE: TRANSIT COMMUTING DIFFICULT AT SOME TIMES AND LOCATIONS**

2013 AI: "The relative difficulty of reaching some parts of the City by bus in a timely manner is an impediment because it limits where a transit-dependent resident can choose to live and/or work. Schedule limitations affecting some 2<sup>nd</sup> shift employees are also a concern."



*2013 Action 4.3.1: The City should continue to evaluate changes to the transit routing system and schedules, including the potential for later routes that better support second shift employment and development of express modes such as bus rapid transit. This evaluation should address the needs of and impact on neighborhoods with concentrations of low-income and minority residents.*

The City of Madison is currently analyzing transit routes as they best serve all communities, and is actively analyzing the ability to implement multiple bus rapid transit corridors. In addition to extending the availability of core bus service (bus stops and stations served by a bus route every 30 minutes, seven days per week) to areas with concentrations of low-income and minority residents, the City has prioritized distance from core transit as a key data point in determining allocation of Affordable Housing Fund awards, placing priority to areas within a 0.25-mile buffer around core transit stops.

*2013 Action 4.3.2: The City should direct new assisted & subsidized units toward key transit corridors, to put more residents close to transit lines for improved access to school and jobs.*

The City of Madison’s Affordable Housing Fund emphasizes transit access as a primary factor in developing Preferred Areas used to evaluate proposals seeking an allocation of funds. These Preferred Areas consist of land located within a 0.25-mile radius of core transit stops to encourage affordable development in areas readily accessible by all forms of transportation. For the purposes of the Affordable Housing Fund, Core Transit is defined as 30-minute, 7-days per week service. Beyond affordable housing development, the market-rate housing market has shown a strong interest in current and future transit corridors. Over the past ten years (2007-2017), approximately 40% of all new development has occurred within walking distance (0.25 miles) of a core transit stop.

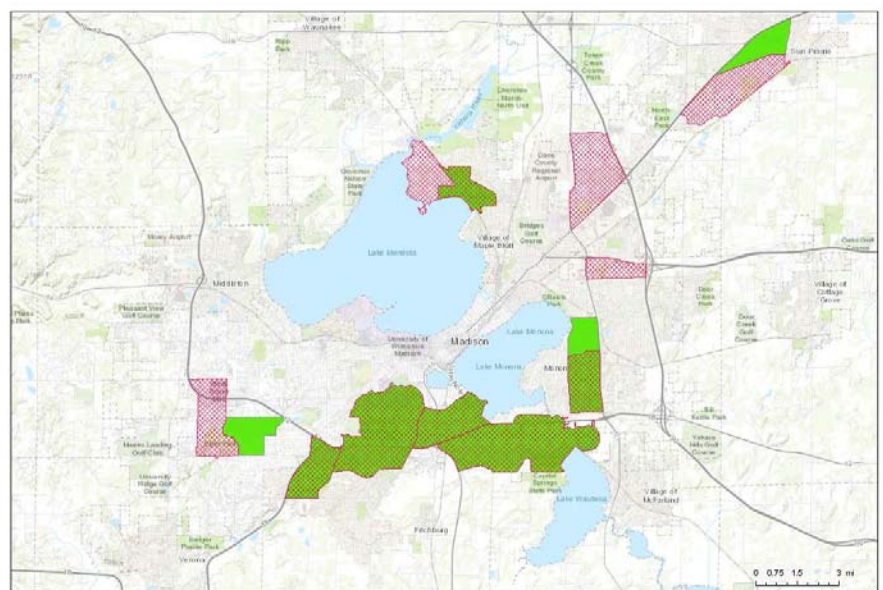
The City has also implemented a Transit Overlay District designation, the use of which allows increased height and density in transit corridors. As transit expands throughout Madison over the next ten years, necessitated by population growth and implemented through bus rapid transit, these zoning tools and special designation districts will be available as ways to increase both density and affordability in core transit ways.

**PROGRESS UPDATE: POOR GROCERY STORE ACCESS IN SOME MINORITY NEIGHBORHOODS**

2013 AI: “There are areas on the south side of the city where minority residents are concentrated and that are not within walking distance of a grocery store. This is an indirect impediment to fair housing choice, as it may be disproportionately limiting the ability of racial/ethnic minority residents to maintain healthy diets.”

*2013 Action 4.4.1: The City should support development and/or services that enable daily access to fresh food in all neighborhoods.*

The City has explored several strategies for development that enables access to daily fresh foods in all neighborhoods, most notably through the use of TIF and land banking in neighborhoods throughout the City. Additionally, the City operates a Healthy Retail Access Program to encourage the development and availability of fresh foods to all neighborhoods of the City. This program has assisted in opening stores in select neighborhoods that provide access to fresh, healthy foods in areas that previously did not have access.



U and LA at 1 and 10 miles 2010  
 U and LA at 1 and 10 miles 2015

Fresh Food Access 2010 vs. 2015

Date: 12/20/2017 Source: USDA Economic Research Service, ESRI. For more information: <https://www.ers.usda.gov/lata-products/food-access-research-atlas/documentation>

The data in the map above is displayed as low-income census tracts (>20% poverty or <80% HAMFI) where a significant share of residents live more than one mile from the nearest grocery store. Qualifying 2010 tracts are denoted by red and qualifying 2015 tracts denoted by green. As demonstrated, there are several areas in which the City has made progress in enabling expanding access to fresh food. More areas are being analyzed for ways in which to implement or encourage access to fresh grocery through different planning processes, primarily through the work of the Food Policy Council in targeting creative small loan programs to improve access to options on a neighborhood level.

## V. ADMINISTRATIVE IMPEDIMENTS

### **PROGRESS UPDATE: LIMITED USE OF FAIR HOUSING COMPLAINT PROCEDURES**

2013 AI: “The low number of complaints and feedback throughout the community survey suggest that residents don’t bother to file complaints because they don’t know how and/or they don’t think it will make a difference. Once initiated, the City’s process for handling complaints is actually quite easy and practical, with its focus on early mediation. However, it is difficult to figure out how to file a housing discrimination complaint using the City’s website. “

*2013 Action 5.1.1: The City should evaluate and simplify the presentation of materials associated with fair housing complaints, from the perspective of a complainant. Emphasize the ease of the complaint process and the City’s focus on quick, practical solutions.*

With regard to material simplification, the Equal Opportunities Division has updated and simplified all online fair housing information and physical marketing materials as of 2016. This update was performed to ease accessibility of information and options for anyone who may be discriminated against in the housing market. The City of Madison Department of Civil Rights is constantly analyzing the mediation process with the goal of increasing efficiency and highlighting the benefits of mediation to all parties. For example, the Department developed a new settlement option for parties wherein they may opt to have the Department of Civil Rights as a party to the agreement. This has assisted in ensuring smooth and efficient executions of settlement processes. The Equal Opportunities Commission regularly assess fair housing complaint procedures to better ensure quick, practical solutions.

*2013 Action 5.1.2: The City should optimize the organization of fair housing materials on the City’s website to ensure that a search for “housing discrimination Madison” or similar quickly leads to the City’s information and materials. Add a link from the Building Inspection Department’s Housing Complaint page for the benefit of people who land there when searching for fair housing information.*

The City Department of Civil Rights has partnered with the City’s Information Technology Office to fully reconstruct the Department’s website, including creating the ability to begin a housing complaint filing process on the Department’s homepage. There is clear access to materials on housing discrimination, including from a search for “housing discrimination” on the City’s website.

*2013 Action 5.1.3: The Building Inspection Department and the Department of Civil Rights should have coordinated training so that they know each other and recognize all types of housing related complaints and violations, and can smoothly guide and refer complainants to the appropriate office and staff person.*

The City has created a Certified Community Partner program, in which the Department of Civil Rights collaborates with other Departments and organizations to share available resources in identifying and referring residents to the Department of Civil Rights in instances of housing discrimination.

*2013 Action 5.1.4: The City should expand the “Report a Problem” system to include housing discrimination as a type of problem. Staff resources may need to be enhanced to identify and distinguish between fair housing and safe housing issues and direct each to the appropriate agency or department.*

Housing Discrimination was added to the “Report a Problem” system by the Department of Civil Rights in 2016.

*2013 Action 5.1.5: The City should consider contracting with a Qualified Fair Housing Enforcement Organization to provide additional investigative services, including testing.*

The City of Madison has contracted with the Fair Housing Center of Greater Madison, a satellite location of the Metropolitan Milwaukee Fair Housing Council to perform these services.

*2013 Action 5.1.6: The City and County should revise their fair housing ordinances to be consistent with state law, to reduce confusion.*

MGO 39.03, the referenced fair housing ordinance, is consistent with all core components of state law in terms of protections. The City furthers fair housing protections to several other protected classes as described in the City's Equal Opportunity Ordinance, offering further protection from discrimination.

#### **PROGRESS UPDATE: UNCERTAIN IMPLEMENTATION STRATEGY AND RESPONSIBILITY**

2013 AI: "An extended vacancy in the Community Development Division (CDD) Director position and a prolonged and continued vacancy (over a year) in the supervisor position of the Community Development Block Grant (CDBG) Office have created organizational deficiencies which, if unaddressed would raise concern about the ability to address impediments identified in this report."

*2013 Action 5.2.1: The Director of Planning & Community & Economic Development should clearly identify and define staff roles and responsibilities for monitoring and implementing fair housing issues and initiatives. The lead role may be a CDBG Grants Supervisor, but other roles in various City agencies should also be defined and charged with implementation.*

Staff roles and responsibilities are currently assigned and defined by Biennial Housing Report findings, Consolidated and Annual Plan findings, and critical updates to this document, the Analysis of Impediments to Fair Housing Choice. The Community Development Division has staff assigned to Fair Housing, including monitoring and implementing initiatives.

*2013 Action 5.2.2: City staff should improve coordination and collaboration between the CDBG office (or other entity designated with responsibility for fair housing), the CDA, and the Department of Civil Rights, including clear identification of the roles of each agency in the effort to Affirmatively Further Fair Housing.*

As a direct result of the 2013 Analysis of Impediments to Fair Housing Choice, there have been increased levels of coordination between various City Departments, notably among the Community Development Authority, the Community Development Division, and the Planning Division. While the level of coordination and communication toward housing goals and actions have been beneficial, additional focus should be placed on ensuring that coordination and collaboration exists among these Departments and the Department of Civil Rights to further enforce and implement fair housing roles within the City.

*2013 Action 5.2.3: The City should consider streamlining all home ownership funding programs to put them under the management of one City department. Or, at minimum, collaboration and communication should be prioritized and information about the various policies, programs and housing resources should be presented in a more streamlined manner, such that the departmental structure supporting those programs is invisible and irrelevant to the end user.*

Due to the City of Madison Community Development Authority's designation as a Public Housing Agency, several homeownership programs fall under the sole administration of the CDA, notably any homeownership programs involving public housing or Housing Choice Voucher participants. These programs are unable to be combined with other ownership programs due to federal regulation. The City of Madison Community Development Division has streamlined homeownership assistance into one program, resulting in the Home-Buy The American Dream program administered solely by CDD.

#### **PROGRESS UPDATE: ZONING CODE PERMITS CONCENTRATION OF DISABLED RESIDENTS**

2013 AI: “The zoning ordinance allows Community Living Arrangements to have more than 15 residents, in some cases. This could result in an illegal segregation of these residents and could become an impediment to fair housing choice.”

*2013 Action 5.3.1: Planning and Civil Rights staff should monitor the development of larger group home establishments and consider revisions to the zoning ordinance to prevent violation of the “Olmstead Mandate.”*

The updated City zoning code as adopted in 2013 allows community living arrangements (CLAs) in a variety of areas across the City as a permitted use, allowing greater neighborhood choice for persons with disabilities in where they choose to receive services. The zoning code also allows for CLAs as a conditional use for most areas above a certain threshold, furthering this choice.

**PROGRESS UPDATE: PROTECTED CLASSES UNDERREPRESENTED ON BOARDS AND COMMISSIONS**

2013 AI: “African Americans, Asian Americans, Hispanics, disabled persons and women are unrepresented or underrepresented in key boards and commissions, creating a higher risk for decisions that could result in impediments to fair housing choice. This is an issue of concern for the Plan Commission, the Housing Strategy Committee, the Community Development Block Grant Committee, the Equal Opportunities Commission, the Commission on People with Disabilities, and the Community Development Authority.”

*2013 Action 5.4.1: The City should continue to actively recruit protected class representatives to each of these committees, including women, African Americans, Hispanics, and disabled persons.*

The active recruiting of protected classes to serve on City Committees is an integral part of representation and inclusion for all residents of the City, and as such, the process is ongoing and promoted to ensure equal representation. There is currently a well-represented demographic mix on city boards, commissions, and committees, and the City will work to ensure this remains as such in the future.

DRAFT