



City of San Antonio

Agenda Memorandum

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Agenda Date: August 1, 2022

In Control: Planning and Community Development Committee

DEPARTMENT: Office of Historic Preservation

DEPARTMENT HEAD: Shanon Shea Miller

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing and possible action regarding the proposed deconstruction ordinance.

SUMMARY:

Staff will provide a briefing on the proposed deconstruction ordinance with possible action to include referring the ordinance to City Council for consideration.

The Community Health, Environment, and Culture Committee was briefed in February 2022. The former Planning and Community Development Committee and Arts, Culture, and Heritage Committee were briefed in 2019 and 2020 respectively. This item will include an overview of the deconstruction initiative to date, a summary of ordinance components and phasing, proposed implementation strategies, and next steps.

BACKGROUND INFORMATION:

General

A 2017 Council Consideration Request (CCR) directed the Office of Historic Preservation to explore a deconstruction policy as a tool to mitigate cultural, environmental, social, economic, and community concerns related to the mechanical demolition of older housing stock. Sometimes called "construction in reverse" or "unbuilding," deconstruction removes a building by selective disassembly of structural and non-structural building components to maximize the recovery and reuse of material. Since 2018, OHP has worked with stakeholders, peer cities, and Deconstruction Advisory Committee (DAC) to develop policy recommendations for a local deconstruction program.

Proposed program components include an ordinance that would require deconstruction and salvage for older buildings approved for full removal, incentives and resources for deconstruction projects, development of the Material Innovation Center, and integration of materials reuse concepts into City efforts such as affordable housing preservation and production.

Initiative Overview

The proposed deconstruction ordinance is a result of nearly four years of collaborative, integrative, community-driven work and engagement. OHP has developed a deconstruction ordinance designed to promote the circular economy, while implementing a phased approach to mitigate any effects of the ordinance and support incremental market growth.

Prior to ordinance implementation, the Office of Historic Preservation has taken several steps to ensure that the program will be successful:

- Formed a Deconstruction Advisory Committee (DAC) in 2018 to guide policy development with the inclusion of technical input and expertise from stakeholders. The DAC includes representatives from the following:
 - - Demolition, deconstruction, real estate and development, reuse retail, architecture, solid waste, historic preservation, and general contracting industries, plus City representatives from the Development Services Department, Office of Sustainability, Solid Waste Management Department, Metro Health, Office of Innovation, and Neighborhood and Housing Services Department.
- Organized two Certified Deconstruction Contractor trainings, with another in the planning stages for late summer 2022.
- Secured multiple solid waste grants from the Alamo Area Council of Governments (AACOG) to support the community engagement, the undertaking of a deconstruction strategic plan, the creation of a deconstruction grant program, and the purchase of equipment to support deconstruction contractors and the Material Innovation Center at Port San Antonio.
- Hosted a Deconstruction “think tank” of peer cities and industry professionals to provide additional input and share new ideas for achieving common waste diversion and material reuse goals, which provided multiple opportunities for local public participation.
- Published the report *Treasure in the Walls: Reclaiming Value Through Material Reuse in San Antonio*, which illustrates how a deconstruction ordinance can meet or advance

explicit goals and strategies in the City's adopted Climate Action and Adaptation Plan (CAAP), Solid Waste Management Plan, and Strategic Housing Implementation Plan (SHIP), as well as advance local economic growth.

- Integrated permit workflows for deconstruction projects into the development of the Build SA portal.
- Developed strategic relationships with UTSA facility and researchers to further collaborative, data-driven projects that advance building material recovery, building product innovation, and competitiveness for federal grants supporting landfill waste reduction, disaster resiliency, and urban equity.
- Participated in the Office of Innovation's inaugural Innovation Academy to develop evaluation metrics for the Material Innovation Center.
- Developed a comprehensive public engagement strategy to notify the community of the policy prior to the ordinance taking effect.
- Implemented deconstruction training into the City's Ready to Work training catalogue.

Additionally, an early need identified by the Deconstruction Advisory Committee was for the City to provide space for excess building materials recovered as a result of a deconstruction ordinance. In March 2022, the Office of Historic Preservation announced that its Living Heritage Trades Academy and new Material Innovation Center would be located at the Port San Antonio Bungalow Colony. The Material Innovation Center will divert construction and demolition materials while providing support for the Academy's workforce training programs and serving as a community tool library. This innovative endeavor will serve as a site for material receivership and temporary lay-down space; provide a community education and workforce development hub; and jumpstart a center for material innovation and technological advancement in the reuse of building materials.

Policy Components & Anticipated Outcomes

As proposed, the deconstruction ordinance includes the following policy components:

- Deconstructions will be administered by OHP through the existing demolition permitting process.
- A requirement to deconstruct the property will be based on construction date and building type; anyone can initiate a permit request, but permits will only be issued to Certified Deconstruction Contractors, who will be responsible for meeting requirements.
- Contractors must complete a pre-deconstruction materials inventory and salvage plan on a digital form provided by OHP staff.
- Contractors must submit a close-out report to OHP staff when the deconstruction project is complete.
 - For data collection purposes, the close-out report will include information about the quantity of materials that were salvaged and where the salvaged materials went (retail shop, storage, or reuse on either another project or on site) to evaluate program impact.
- Materials must be sorted and secured on site during deconstruction unless otherwise documented by the contractor. Materials may be distributed or sold from the site. Material ownership for private deconstructions is at the discretion of the property owner and certified contractor.

Applicability of the ordinance will be phased as follows:

PHASE 1	Effective date of City Council adoption	City-executed demolitions that fall within the parameters of Phase 2. This phase would capture approximately 3% of demolition permits.
PHASE 2	Effective January 1, 2023	Residential single family, multifamily 4 units or less, and rear accessory structures built in 1920 or earlier, citywide; plus residential single family, multifamily 4 units or less, and rear accessory structures built in 1945 or earlier, with a historic zoning overlay or located within a Neighborhood Conservation District (NCD). This phase would capture approximately 28% of demolition permits.
PHASE 3	Effective January 1, 2025	Residential single family, multifamily 8 units or less, and rear accessory structures built in 1945 or earlier, citywide; plus residential single family, multifamily 8 units or less, and rear accessory structures built in 1960 or earlier, with a historic zoning overlay or located within a Neighborhood Conservation District (NCD). This phase would capture approximately 40% of demolition permits.

Key anticipated outcomes from the implementation of this ordinance include:

- Increase in the availability, accessibility, and affordability of locally available, high quality building materials sourced from San Antonio’s “urban forest,” mitigating dependency on new materials that are currently subject to volatile and economically burdensome material supply chains;
- Fostering of a local circular economy, where existing materials are kept in productive use or given new life (aligning with mitigation strategies in the Climate Action and Adaptation Plan);
- Reduction of water consumption, construction and demolition landfill waste, and carbon emissions associated with demolition;
- Generation of new local jobs in deconstruction, warehousing, retailing, trades, and value-added manufacturing sectors (on average, deconstruction and reuse creates 300 jobs for every 10,000 tons of material, compared to 6 for demolition);
- Inclusion of new participants in the salvage exchange market, including those traditionally excluded;
- Increased likelihood of safe abatement of hazardous materials in older structures, among other public health and air quality benefits;
- Generation of a stockpile of quality reclaimed materials to be used in affordable housing repair and production, including City programs like REHABARAMA, Shotgun House Initiative, and Minor Repair Program; properties identified through the Building Standards Board (BSB) and Historic and Design Review Commission (HDRC) review processes; and future innovative housing initiatives like the creation of a Salvage-to-ADU program; and

- Promotion of reuse, upcycling, and other creative and sustainable waste habits citywide.

ISSUE:

A shift from demolition to deconstruction of older housing stock reduces the hazardous particles entering communities, reduces landfill waste and thus GHG emissions, and promotes the economy through the salvage of valuable materials and creation of green jobs.

Key Issues in San Antonio:

- Over the past 10 years, more than \$16 million worth of salvageable building materials were sent to local landfills, amounting to nearly 170,000 tons of irrecoverable resources.
- More than 500 buildings are demolished in San Antonio every year, an increase of 68% since 2012.
- Over the past 10 years, more than 1,500 pre-1960 houses in San Antonio were demolished. This type of housing, which disproportionately provides shelter for the city's low-income residents, is increasingly vulnerable to demolition.
- More than 30% of existing residential buildings in San Antonio are of historic age and were constructed using old-growth hardwoods that are no longer available. Maintaining and repairing older buildings is most successful when reclaimed and salvaged historic materials are locally accessible.
- According to the EPA's Environmental Justice Screening Tool, the areas where pre-1960 residential structures are most demolished – Districts 1, 2, and 5 – are in the 92nd percentile for lead paint, 82nd percentile for 2.5 particulate matter (the smallest and most harmful airborne pollutant size), and 83rd percentile for toxic air respiratory exposure, compared to the national average.

Deconstruction is proven to mitigate the release of particulates into the air by carefully dismantling materials by hand versus crushing them with machines and releasing dust into and onto the surrounding air, ground, and structures. Every instance of material breakage that is prevented by deconstruction means less harm to area residents that live and breathe near the structure.

San Antonio is part of a growing network of cities around the world seeking to disrupt this pattern by advancing the circular economy, an economic system that prioritizes reuse, repair, and product longevity to tackle waste, pollution, and the overconsumption of finite and natural resources. A deconstruction ordinance is critical to facilitating an increase in building material recovery for reuse and for the development of vibrant building materials reuse industry that prioritizes equitable access to resources.

In sum, the proposed deconstruction of select building types in San Antonio would divert waste and provide new opportunities for reuse, job growth, and affordability, while mitigating public health disparities.

FISCAL IMPACT:

No FY23 budget increase is requested for OHP. Funding is available from an Alamo Area Council of Governments (AACOG) Solid Waste Pass-Through grant and the Office of Historic Preservation's existing budget for a deconstruction grant program. Any additional costs associated with City-executed demolitions will be absorbed by the existing budget for demolition.

ALTERNATIVES:

An alternative to referring this ordinance to City Council would be continued stakeholder meetings and the continued mechanical demolition of pre-1945 housing stock.

RECOMMENDATION:

Staff recommends referring this item for City Council consideration.