



THE CITY OF  
**OXFORD**

Memorandum

A Special Meeting of the Oxford Affordable Housing Commission will be held on **Wednesday, March 18, 2026 at 11:00 a.m.**, in the City Hall Courtroom. The following items are on the agenda:

1. Call to Order (Cissell)
2. Approval of Agenda (Cissell)
3. Discussion
  - a. Carrots and Sticks Report
  - b. Annual Report
4. Other Business and Discussion
5. Adjourn

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Memorandum

RE: Affordable Housing Commission Special Meeting

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Should you have any questions, comments, or need assistance with accessing the meeting, please feel free to contact me directly at [bjrequet@oxfordms.net](mailto:bjrequet@oxfordms.net).

Thank you,

Benjamin Requet, AICP  
Director of Planning

## MEMORANDUM

**To:** Oxford Affordable Housing Commission  
Attention: Josh Cissell

**From:** Stewart Rutledge

**Date:** March 4, 2026

**Subject:** Options for City of Oxford to “move the needle” with respect to affordable housing

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### 1. Executive Summary

Discussions about affordable housing often begin with the question, “What can we do?” The implication is often that little can actually be done. In reality, many tools exist to increase the supply of affordable housing. The real issue is not the lack of options, but what policymakers and the public are willing to do.

For example, in theory, the private sector could fund large amounts of affordable housing through charitable contributions. That rarely happens. Government, however, has significant policy tools available. For example, any level of government could impose an additional 20% tax and dedicate the revenue to building affordable housing. Doing so would dramatically reduce affordable housing shortages. These examples simply illustrate that the question is not what could be done, but what the public and its policymakers are willing to do.

This memorandum outlines a range of approaches that have been implemented in other jurisdictions. It is intended to be informational, not prescriptive. Stewart Rutledge is not advocating for or opposing any of the measures described. For example, one could list “implement communism” as an option to address housing shortages. While that is technically an option, identifying it does not mean the author supports it.

The purpose of this memorandum is to identify the policy tools that exist within the American legal system so that policymakers can understand the practical options available to influence the production of affordable housing with a focus on actions available to local government.

### 2. Existing affordable housing efforts

To find solutions to Oxford, Mississippi's affordable housing issue, the City of Oxford created the Affordable Housing Commission in 2021.<sup>1</sup> The goals of the Commission, as

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<sup>1</sup> The City of Oxford, *City of Oxford Affordable Housing Annual Report*, (2022); Oxford, MS, Code of Ordinances, Ch. 22, Art. VI, Div. 3, § 22-259 (Oct. 22, 2025).

stated in the code of ordinances, were to develop (1) an Affordable Housing Trust Fund, (2) create Affordable Housing Ordinances, (3) and create community outreach and engagement.<sup>2</sup>

Since then, the Affordable Housing Trust Fund has developed into a separate non-profit entity called the Oxford-Lafayette County HTF and is in partnership with the CREATE Foundation.<sup>3</sup> In addition, the city has passed several ordinances to help further incentivize affordable housing. The incentive ordinances are in Section 22-257 of the Oxford, Mississippi Code of Ordinances.<sup>4</sup> The incentive ordinances include provisions for (1) development fee waivers and reductions; (2) waivers or reductions of "site restoration performance bonding" requirements; (3) permissive reduction of "tree preservation and mitigation;" and (4) a permissive modification of storm water management requirements.<sup>5</sup>

While these incentives show a real willingness by the City to try things to produce more affordable housing, the results have been weak.

### **3. Menu of Options for further City action**

The City of Oxford could, if it so desired, support or encourage affordable housing more aggressively in one of two ways: by using a "stick" or by using a "carrot." "Sticks" are laws and regulations that demand conformity (e.g. buy health insurance or pay a tax penalty; zoning laws that prohibit commercial units from being in residential areas). "Carrots," on the other hand, incentivize a certain kind of conduct by offering a "reward" if one conforms to the desired conduct (e.g. tax deductions for charitable contributions, etc.) The following is a list of "sticks" and "carrots" the City of Oxford could utilize.

#### **3A. Sticks**

- i. **Inclusionary Zoning:** Inclusionary zoning requires a percentage of housing units in a given area or residential development to be marketed at below market rate.<sup>6</sup> For example, San Francisco, CA requires residential properties with ten or more units to either allow a certain percentage of units to be sold at below the market

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<sup>2</sup> *Id.*

<sup>3</sup> The City of Oxford, *City of Oxford Affordable Housing Annual Report Fiscal Year 2024*, at 7 (2025).

<sup>4</sup> Oxford, MS, Code of Ordinances, Ch. 22, Art. VI, Div. 3, § 22-257 (Oct. 22, 2025).

<sup>5</sup> *Id.*

<sup>6</sup> The Environmental Protection Agency, *Strategies to Minimize Displacement: Inclusionary Zoning*, [https://www.epa.gov/system/files/documents/2023-04/Brownfields\\_IZ\\_FINAL.pdf](https://www.epa.gov/system/files/documents/2023-04/Brownfields_IZ_FINAL.pdf).

rate or pay a fee.<sup>7</sup> Another example is the City of Worcester, MA, which requires at least 15% of "dwelling units" to be affordable to households who earn a certain percentage less than the median income.<sup>8</sup>

- ii. **Vacancy Tax:** A vacancy tax is a special kind of tax levied on units that are empty for a certain percentage of the calendar year.<sup>9</sup> These can operate as a tax on vacant housing units or on abandoned property.<sup>10</sup> For example, Rhode Island empowers their cities to levy a vacancy tax on vacant or abandoned properties at a rate of \$10 per every \$100 of assessed value of the property.<sup>11</sup> It will be important to ensure that these taxes comport with the requirement that the Mississippi Legislature grant the authority for a city to levy new taxes.<sup>12</sup>
- iii. **Affordable Housing Fees:** Some jurisdictions require a fee per square footage of new construction projects to create an affordable housing fund.<sup>13</sup> These are also called linkage fees or impact fees. It will be important to ensure that these fees comport with the requirement that the Mississippi Legislature must grant municipalities the authority to levy new taxes.<sup>14</sup> For example, the city of Denver, CO charges an Affordable Housing Linkage Fee on new residential and commercial units.<sup>15</sup> The fee is calculated based upon the "gross floor area" or the

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<sup>7</sup> City and County of San Francisco, *Inclusionary Housing Program*, <https://www.sf.gov/information--inclusionary-housing-program>

<sup>8</sup> City of Worcester Inclusionary Zoning Ordinance, Art. VII, Sec. 4(A), (2023) <https://www.worcesterma.gov/housing-neighborhood-development/document-center/inclusionary-zoning-ordinance.pdf>.

<sup>9</sup> DAWGS Vacant Property Security, *What is a Vacancy Tax?*, (last visited Mar. 4, 2026) <https://www.dawgsinc.com/vacant-property-security-knowledge-base/what-is-a-vacancy-tax/>.

<sup>10</sup> Rita Jefferson, *Local Vacancy Taxes: A Tool but Not a Panacea*, Institute on Taxation and Economic Policy, (Nov. 17, 2025), <https://itep.org/vacancy-tax-bligh-tax-property-tax-tools/>.

<sup>11</sup> RI Gen L § 44-5.1-4. (2025).

<sup>12</sup> See *Mayor & Bd. of Aldermen v. Homebuilders Ass'n of Miss., Inc.*, 932 So.2d 44 (Miss. 2006) (holding that an impact fee was a tax unauthorized by the Mississippi State legislator).

<sup>13</sup> Grounded Solutions Network, *Linkage Fee Program*, (last visited Feb 25, 2026) <https://inclusionaryhousing.org/designing-a-policy/program-structure/linkage-fee-programs/#:~:text=Linkage%20fees%2C%20sometimes%20called%20impact,the%20production%20of%20affordable%20housing>.

<sup>14</sup> See *Mayor & Bd. of Aldermen v. Homebuilders Ass'n of Miss., Inc.*, 932 So.2d 44 (Miss. 2006) (holding that an impact fee was a tax unauthorized by the Mississippi State legislator).

<sup>15</sup> City and County of Denver, *Affordable Housing Linkage Fee FAQ*, (last visited Mar. 4, 2026) <https://denver.prelive.opencities.com/files/assets/public/v/2/community-planning-and-development/documents/ds/other-forms-and-guides/ahlf-faq.pdf>.

new "gross floor area" added onto a standing structure.<sup>16</sup> These fees are collected and then placed into an affordable housing fund.<sup>17</sup>

### 3B. Carrots

- i. **Reform the High-Density Zoning:** Market opportunities for high-density zoning as something that developers can receive if they build affordable housing. This can be likened to a "cash-discount" at a restaurant where the restaurant could simply say that it is charging a credit card fee, but, instead, it advertises that the buyer gets a discount as compared to the credit-card fee if he or she uses cash. Likewise, the city can take some of its current entitled higher densities and change its code to say that developers can receive the "reward" of those high-densities if they agree to construct affordable housing.
- ii. **Dedicated Property to be Built by the City:** New construction projects require essential infrastructure like sewers, water, roads, and sidewalks that end up being dedicated to the city. Developers shoulder the costs associated with constructing this infrastructure. To incentivize the construction of affordable housing, the city can offer subsidies for the construction of the dedicated infrastructure. In other words, if a developer decides to build an affordable housing unit, the city can step in and cover the costs associated with building the sewers, water, and sidewalks, etc.
- iii. **Amend Ground Floor Commercial Zoning:** The ground floor in Oxford is often required to be commercial. Developers often seek special exceptions to this requirement in order to build residential units on ground level. The city can give a waiver to this requirement on the condition that developers designate some of their residential ground units as affordable housing.
- iv. **Use Public Land to Build Affordable Housing Units:** The city can designate certain portions of public land to the building of additional affordable housing units. Cities and counties that do this include Baltimore City, MD and Shelby County, TN.<sup>18</sup> Developers in Baltimore were granted public land at no cost as long as they designated a certain percentage of units to affordable housing.<sup>19</sup> In Shelby County, TN, ordinances allow developers to partner with the city to build

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<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> Patrick Spence, *Counties Unlock Public Land for Affordable Housing*, National Association of Counties, (Oct. 20, 2025) <https://www.naco.org/news/counties-unlock-public-land-affordable-housing>.

<sup>19</sup> *Id.*

affordable housing on empty portions of public land.<sup>20</sup> The city does have vacant land that could accommodate affordable housing.

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<sup>20</sup> *Id.*

## Footnotes