

Housing

Small Group Meeting Summary

Sessions were held on October 20, 2010, in the Council Chambers Room and October 21, 2010 in the Sister Cities Room.

Policies are in **bold font**. Action Items are regular front. Public feedback is inserted directly under the relevant Policy or Action Item, and is in **large font, bold and italic**

As a general comment for the housing chapter, there may be circumstances where it makes sense to differentiate between privately-owned and publicly-owned deed restricted housing.

I. Sustainability and Maintenance Policies & Action Items

I.1. Ensure all Community Workforce Housing (CWH) has adequate capital reserves for maintenance and significant capital projects. ***Seven people agreed with this policy statement.***

Difference between starting new projects and those that require maintenance. Deed the costs anticipated into original approval of the development.

Government sometimes has to step in and help out – don't want this. Has to be instituted from the beginning of a project.

Need good modeling of long-term cost.

Need more specificity in this policy.

I.1.a Require new CWH to complete a Capital Reserve Study and regular updates. (I – APCHA)

Strongly agree with this policy.

I.1.b Ensure CWH assess adequately for maintenance and reserves based on the study. (I – APCHA)

I.1.c Conduct Capital Reserve Studies of publicly-owned rental inventory and set priorities for maintenance of existing housing stock. (I – APCHA, City Manager, County Manager)

I.1.d Create a requirement for existing HOAs to prepare Capital Reserve Studies. (I – APCHA)

I.2. Ensure all deed-restricted housing units are utilized to the maximum degree possible. ***Five people agreed with this policy statement.***

Missing details in the policy...explain what this means. Is it number of people per bedroom?

Deed restrictions need to be explained in action items.

Should be about standardized across the board.

Is this really a problem? This is an over-reaction.

Clarify this: make sure the units are used appropriately (owner doesn't also have a house in Hawaii, for instance).

I.2.a Update and standardize deed restrictions as practically possible upon new sales. (I – APCHA)

I.2.b Review seasonal and rental usage of CWH to ensure the policy is being implemented. (I – APCHA)

I.3. Emphasize the use of durable and environmentally responsible materials, while recognizing the realistic lifecycle of the buildings. **Six people agreed with this policy statement.**

Add an action item about life cycle costs, funding, and educate people about it so they are aware of the savings.

Incentivize and require use of durable and environmentally responsible materials, systems, and provide ability to adjust with changing technology.

Employee housing must be fiscally responsible.

Concerned the CWH is constricted by homeowners with like to contribute to the homeowners association. If they lack the reserves, who bails them out?

I.3.a Create incentives for CWH residents to improve the energy efficiency and safety of their units. (I – APCHA, EH, CI, B)

I.3.b Amend the Housing Guidelines to establish standards for materials, equipment and utility systems that emphasize durability, environmental stewardship, and safety. Allow for amendments to keep pace with technological improvements. (I – APCHA, P, B, EH)

I.4. Ensure all deed-restricted housing units are used and maintained for as long as possible, while considering functionality and obsolescence. **Six people agreed with this policy statement.**

Include energy audits on city rental units.

Educate homebuyers about energy efficiency.

Need a new action item: city standards need to be beyond current code to test systems to discover most efficient and provide community leadership.

Education is a part of this policy

Need a new action item: Create a task force of homeowners associations and experts to address environmentally responsible materials, energy efficiency, etc as a tool for education and mentorship.

Sustainability is so important it should be a topic of its own – to include more specifics in the action items.

Should be able to upgrade units with solar, greenhouses, renewable, etc. without a land use review → just go to permit. Also incentivize these things.

Housing that is older may need an audit to make sure it is environmentally efficient and costs over time are considered – sustainable.

Consider a role in which APCHA or city or county is liaison to other NGO.

Clarify this – the action item seems clearer.

Maintenance in general is important.

I.4.a Conduct a cost/benefit study of housing inventory to determine whether it is more cost effective to maintain existing housing stock or to rebuild it. (I – APCHA)

Provide 0% interest public loans for upgrades. Make other funding/incentives available.

I.5. Provide educational opportunities to potential and current homeowners regarding the rights, obligations, and responsibilities of homeownership. **Five people agreed with this policy statement.**

Create a network of groups/associations that are kept abreast of the policy decisions so that the credibility of APCHA is constantly on display.

Make it online format to learn about the features of the units.

Create a timeline based system for maintenance history, improvements, and action plan.

City has responsibility to set an example for how good housing can be.

City should set example by applying for grants.

How should programs and policies differ for publicly owned deed restricted housing vs. privately owned deed restricted housing?

I.5.a Create and implement an education program for buyers and existing owners of CWH that addresses the issues of funding, buyer's rights and obligations, and homeowner's responsibility to maintain units for future generations. (LT – APCHA)

I.5.b Create and implement an education program that outlines the purpose of the CWH program and the trade-offs made by the community to build CWH. (LT – APCHA)

I.5.c Educate applicants regarding all costs and ongoing expenses related to living in CWH, including taxes, heating and water rates, snow removal, special assessments, etc. (LT – APCHA)

I.5.d Revise APCHA guidelines to ensure applicants can only purchase the category that is within their financial means. (I – APCHA)

I.5.e Require professional home inspections by CWH home buyers when housing units are purchased. (I – APCHA)

II. Development and Program Needs Policies & Action Items

II.1. Ensure the housing inventory bolsters our socioeconomic diversity. *Five people agreed with this policy statement.*

Bolster is not the right word - if there is a need for one socioeconomic group why build that.

What is meant by “socioeconomic diversity.”

II.1.a Review and revise APCHA Guidelines to reflect current and future category demand using 3-5 year projections. (I – APCHA)

II.1.b Create options to provide greater flexibility for movement of existing residents within APCHA inventory to accommodate shifts in housing needs. (I – APCHA)

II.1.c Review current mix, categories, and incentives to ensure opportunities for a broad spectrum of workers. (I – APCHA)

II.1.d Study the model used by Aspen Volunteer Fire Department for possible implementation. (I – APCHA)

II.2. Ensure Community Workforce Housing (CWH) is prepared for the growing number of retiring Aspenites. *Three people agreed and one person disagreed with this policy statement.*

The Housing Program needs to address retirement housing. Should not continue offering housing to this group.

What happens when folks in affordable housing begin to retire? We can't build enough housing for it...don't build 3,000 more units.

II.2.a Gather data on the current and future trend of retiring Aspenites and analyze the potential impacts on CWH. Amend the Housing Guidelines to implement the findings. (LT – APCHA)

II.3. Promote private involvement in the creation of Community Workforce Housing (CWH). Four people agreed with this policy statement.

Private developers need incentives to participate. Only way to be financially viable. Clarify what is meant by “short-term deed restrictions.”

II.3.a Establish a working group of people who represent the City, County, public agencies, and the private sector in the development of CWH to implement the policy. (I – APCHA, Housing Frontiers, City and County Managers, private sector, taxing districts)

II.3.b Explore the creation of a program where the City or County would provide a tax benefit, payment or life estate planning or other financial incentive to a free-market homeowner to include their property in the City/County's land banking of future CWH. (I – City Manager, County Manager)

II.3.c Explore creating a program for short-term deed restrictions. (I – APCHA)

II.3.d Explore the benefits of expediting specific projects through the development and construction phase. (I – P, B, APCHA)

II.4. Increase the rate of occupancy for existing Accessory Dwelling Units & Caretaker Dwelling Units and ensure new ADUs and CDUs are occupied by local working residents. *with incentives. Four people disagreed with this policy statement; one person agreed but only if the statement could actually be realized.

Relaxing “9 month” rule on renting of ADU/CDU would increase rentals.

**Do it through incentive that work for owners
Get rid of the programs. One person agreed with this statement.
How?...get rid of program going forward.**

II.4.a Determine the relative value of the City ADU and County CDU programs versus other mitigation methods. If the programs are determined to be ineffective, then discontinue the programs or establish new incentives or occupancy requirements to generate increased utilization of units. (I – APCHA, P)

II.4.b Amend the City and County land use codes to ensure mandatory occupancy of new ADUs and CDUs by local workers. (I – P, AO)

II.4.c Explore incentives and penalties to ensure existing ADUs and CDUs are occupied by local workers. (I – P, APCHA)

II.5. Ensure employers participate in the creation of seasonal rental housing. *One person agreed with this policy statement.*

Why make employers create housing? Burdensome; they are creating jobs.

More than “participate.”

How can we get small businesses involved?

II.5.a Create a working group of interested parties to explore the creation of new seasonal rental housing. (I – APCHA, Housing Frontiers, City Manager, County Managers, private sector)

II.6. Ensure employers who provide housing for their workers through publicly-owned seasonal rental housing assume proportionate responsibility for the maintenance and management of the facility.

What does this mean?

II.6.a Explore methods to place proportionate responsibility on employers for the management and use of existing seasonal housing. (I – APCHA, City Manager, County Managers, private sector)

II.7. Redefine and improve our policy of re-using existing housing stock. *Three people agreed with this policy statement.*

You can get stuck with deed-restricted units in free-market complexes...how do they co-exist?

II.7.a Amend the City and County land use codes and Housing Guidelines to clarify the parameters of buying down a property to address issues such as requirements of condominium declarations, allocation of assessments, physical condition and long term maintenance. (I – P, APCHA)

II.7.b Explore amending the City and County land use codes to define the parameters of a “buy-down” mitigation unit, in other words, whether buy-down applies solely to free market units, or can also occur within CWH categories. (I – P)

II.7.c Conduct a study to determine the financial feasibility of the public sector engaging in the buy-down of free-market units compared to constructing new affordable housing units. (LT – P, APCHA)

II.7.d Explore the creation of a buy-out program. (I – APCHA)

“Buy-Out” should be changed to “buy-back”

II.7.e Require a Capital Reserve Study, plan and adequate assessments for maintenance and proportionately-funded reserves when a buy-down or buy-out is being considered. (I – APCHA)

III. Development and Funding Policies & Action Items

III.1. Ensure fiscal responsibility regarding the development of publicly-funded housing.
Three people agreed with this policy statement.

Define the term “publicly funded” housing – does it include public/private partnerships; subsidies to HOAs of existing housing stock, or only housing or land developed or purchased and/or managed by public agencies?

Go further in defining the sources of public funding to educate interested parties about how and where funding is obtained.

Ensure long-term (public and private) fiscal responsibility relating to housing stock.

Determine appropriate levels of public funding for housing land acquisition, construction and long-term maintenance.

Assess the relationship between APCHA, the City and the County - and their roles in development and funding to determine how they can most effectively facilitate development of housing.

Establish a balance between City and County participation in the APCHA organization.

Public-private partnerships are critical to achieving housing goals given the cost of land, construction, etc.

Cooperative ownership is a preferable means of achieving housing goals.

III.1.a Evaluate current funding sources for sustainability and develop a list of potential funding options. (I – APCHA, City Manager, County Manager)

III.1.b Explore APCHA’s taxing authority as an option to fund CWH. (I – APCHA)

III.1.c Explore the potential to obtain grants from FHA and other entities. (I – APCHA)

III.1.d Update housing cash-in-lieu fees to reflect the total cost of development. (I – APCHA)

It is a priority to update cash-in-lieu fees NOW to realistic figures.

III.1.e Establish criteria or attributes that help identify and rank desirable housing locations. (I – APCHA, City Manager, County Manager)

III.1.f Conduct a cost/benefit analysis in order to prioritize existing publicly-owned property to be developed for CWH within the UGB. (I – APCHA, City Manager, County Manager)

III.1.g Identify all housing that carries expiration on its deed-restrictions, such as Centennial, Castle Ridge, and evaluate the feasibility of keeping them in the inventory. (I – APCHA, City Manager, County Manager)

Clarify that the Centennial reference is only about these rental units. Or make the policy more general without calling out Centennial and Castle Ridge.

III.1.h Require the City and County engage a local real estate broker, appraiser, and inspector as buyer's agents before the purchase of any real estate. (I – City Manager, County Manager)

IV. Land Use and Zoning Policies & Action Items

IV.1. All development should provide housing to accommodate 100% of its employees. **Three people agreed and four people disagreed (one very strongly) with this policy statement.**

Housing mitigation can stifle commercial development/re-development.

Concerned that you don't get mitigation credit for creating your own affordable housing (i.e. when skico creates housing in Carbondale they don't get credit for it)...we have to look at ourselves as a valley.

Mitigation housing still has to react to current markets

Should be sliding scales – some projects should provide 100% but others may be better suited for less.

Development should provide a percentage of housing based on the environment at the time.

100% mitigation will stop any re-development or rejuvenation of our commercial core.

This is too absolute. Natural spread of where employees want to live based on preference, status, history.

Hard to quantify based on the type of development. Does this mean both commercial and residential? Does it mean new and redevelopment?

Why 100%?

This could potentially stop most, if not all development. Also stops the rejuvenation of town. “Nothing with be done” if this is implemented.

There will be no room for the project with this – trying to do too much on each lot.

IV.1.a The City and County shall conduct an updated study on job generation impacts for all types of development, including part-time and full-time residential development. The study should include consideration of different property types and neighborhoods, and should be updated as needed. *(I - P, APCHA)*

IV.1.b Explore the creation of a partial exemption process if clearly defined community housing benefits are provided (see 1.d). If a partial exemption process is pursued, consider a minimum threshold of required housing mitigation. *(LT – P, APCHA)*

Shouldn’t be “Community Housing Benefits” but should be any community benefits (lodging, open space, etc might be major benefits)

IV.1.c Develop and codify review standards that allow the mix of on-site versus off-site community housing to be evaluated objectively based on the community housing benefits list (see IV.1.d). *(LT – P)*

Shouldn’t be “Community Housing Benefits” but should be any community benefits (lodging, open space, etc might be major benefits)

IV.1.d Define Community Housing Benefits. *(I - P&Z, APCHA)*

IV.1.e Amend the City and County codes to incorporate the 100% mitigation policy and job generation study (see 1.a), while allowing for exemptions for projects with community housing benefits. *(I - P)*

IV.1.f Amend the City and County codes:

- i - to ensure, to the greatest extent possible, the categories of housing mitigation / cash-in-lieu fees match the income level of the jobs created by the development.
- ii - to require housing mitigation to be provided prior to or concurrent with the development that generates it.
- iii - to ensure that public sector projects are subject to housing mitigation requirements.

(I – APCHA, P)

IV.2. On-site mitigation is preferred. One person agreed and five people disagreed with this policy statement.

On-site mitigation should not be required

Not a blanket case. A scenario will arise where it is not okay with the public.

Needs to be realistic. Dilutes the opportunity for developer/new business. Like IV.1, needs to be realistic in the logical distribution of employees.

Have to be prepared for more mass/scale if this policy is pursued → it contradicts IV.3 about being in scale with neighborhoods.

Grouping, instead of site specific, may save both development and long-term costs.

How desirable is on-site housing in every situation?

On-site mitigation contradicts policy item #s. On-site will likely mean larger buildings.

There will be no room for the project with this – trying to do too much on each lot.

IV.2.a Amend the city and county codes to include the following prioritization for housing mitigation for all types of development:

- i. on-site
- ii. off-site (buy-down, buy-out, and Housing Credits)
- iii. cash-in-lieu (I – P)

IV.2.b Amend the city and county codes to prohibit the conversion of existing lodge units to affordable housing. (I – P)

Could be a challenge to accomplish.

IV.2.c Update the Housing Guidelines to provide a mechanism to reject mitigation offered by developers when it does not meet APCHA guidelines/policies. (I – APCHA)

IV.2.d Amend the City and County codes to allow off-site housing only through a special review process. (I – P)

IV.2.e Amend the City and County codes to require all development that generates jobs within the Aspen UGB to provide mitigation in the UGB. (I – P)

IV.3. The design of new Community Workforce Housing (CWH) should be compatible with the massing, scale and character of the neighborhood, while optimizing density. Five people agreed and one person disagreed with this policy statement.

IV.3.a Amend City and County codes to ensure that all new CWH is compatible with the massing, scale and character of the neighborhood. (I – P)

IV.4. CWH should be designed for the highest energy efficiency and livability. Three people agreed and two people disagreed with this policy statement.

Good design doesn't have to cost a lot of money. Take livability into consideration.

Guidelines for design are needed.

Benefit needs to be weighed against the costs, including community benefits (i.e. increased workforce).

Too vague. Are standards updated/going to change?

Livability means adequate storage for lifestyle, a garage for the climate, bedrooms, bathrooms.

IV.4.a Amend the Housing Guidelines to establish standards for materials, equipment and utility systems that emphasize durability, environmental stewardship, while keeping pace with technological improvements. (I – APCHA)

IV.4.b Amend the Housing Guidelines to establish livability standards that promote pride of living in CWH. These could include soundproofing, and storage that meets the needs of a community that enjoys an active, outdoor lifestyle. (I – APCHA)

IV.5. Ensure that residents of Community Workforce Housing (CWH) and free-market housing in the same neighborhood are treated fairly, equally, and consistently regarding quality of life issues. Three people agreed and one person disagreed with this policy statement.

Shouldn't be "Community Housing Benefits" but should be any community benefits (lodging, open space, etc might be major benefits)

Determine what is a "quality of life right" vs "quality of life privilege."

IV.5.a. During the review of any new CWH development, the prohibitions, constraints, and permissions generally found in the neighborhood, such as those regarding parking and pets, should be consistently applied to the proposal. New CWH development must not be the subject of discrimination. (I – P)

IV.6. Track trends in housing inventory and job generation to better inform public policy discussions. Four people agreed with this policy statement.

Most currently available information should be used to determine current and future needs.

IV.6.a Develop and implement a system to reliably track the gain and loss in free-market housing traditionally used by local workers. (I – P, City Manager, County Manager, APCHA)

V. Regulatory Policies & Action Items

V.1. Ensure the rules, regulations and penalties of Community Workforce Housing (CWH) are clear, understandable and enforceable. **Seven people agreed with this policy statement.**

Follow state rules that are coming soon.

Should City/County/APCHA be managing housing?

Ensure rules are not violated.

Do the rules today meet the expectations of the original intent? → the times have changes and there are no free-market units people can move into now that would allow people to move up and out of affordable housing.

Make sure capital reserves are in here.

Understand what a specific project has in place relative to sustaining the asset.

Consistency of HOA guidelines is important

We should require background checks and check a person's overall ability to afford a unit.

Hire a manager of CWH with specific qualifications to do enforcement.

Update as many existing deed restrictions as possible.

This is related to education – letting the public know that there's no one deed restriction. Even two neighbors may have different deed restrictions.

Pursue deed restriction changes through a voluntary program.

V.1.a Rewrite the Housing Guidelines (APCHA rules, regulations, and penalties) in a clear and concise format. (LT – APCHA)

V.1.b Review and revise enforcement methods with specific placement of authority, recognizing monetary resources needed to implement. (I – APCHA)

With current relaxed policy if someone is caught violating the housing guidelines the penalty should be significant.

Disclosure forms should be annual and penalties should be clearly communicated on the form. And give a penalty for not filling out the form.

Follow up with APCHA needs to happen.

V.1.c Clarify the roles and authority of APCHA in the City-County Inter-Governmental Agreement (IGA), and revise as necessary. Review the objectives of the IGA and determine how the IGA should operate. This should be a meeting that is facilitated by an independent party. (LT – APCHA, City Manager, County Manager)

V.1.d Amend the Housing Guidelines to require people to sell their free-market home before they are able to move into CWH. (I – APCHA)

Change “move into” to “buy.” Otherwise there is a loop hole...BUT make sure the policy is reasonable for lottery winners selling their property.

V.2. Ensure effective management of CWH assets. Five people agreed with this policy statement.

HOAs need education on how to manage their assets effectively.

V.2.a Create a formal governance/management agreement between APCHA and individual homeowners associations.
(I – APCHA)

Why should an individual HOA have any agreement between HOA and APCHA?

V.2.b Review local, state, and federal guidelines and laws related to homeowners associations to ensure compliance. (I – APCHA)

V.2.c APCHA should vigorously pursue requiring all associations to adopt the Colorado Common Interest Ownership Act (CCIOA). (I – APCHA)

OR lobby the state to amend CCIOA to remove the exemption.

V.2.d Actively review state law, and lobby when appropriate regarding the development and funding of CWH. (LT – APCHA, City Manager, County Manager)