

Ridgway Workforce & Affordable Housing Committee
Meeting Agenda
Monday, August 28, 2023

Pursuant to the Town's Electronic Participation Policy,
the meeting will be conducted both in person and via a virtual meeting portal. Members of
the public may attend in person at the Community Center, located at **201 N. Railroad
Street, Ridgway, Colorado 81432**, or virtually using the meeting information below.

Join Zoom Meeting

<https://us02web.zoom.us/j/85369852998?pwd=QzJlbFdXbWR1aTRKM0tBaGR3NTFpQT09>

Meeting ID: 853 6985 2998

Passcode: 969749

Dial by your location

+1 346 248 7799 US

+1 253 215 8782 US

5:30 p.m.

ROLL CALL Polly Kroger, Kevin Grambley, Beth Lakin, Terry Schuyler, JT Thomas, Russ Meyer and John Clark

PUBLIC HEARINGS

1. Consideration of a request for exception from Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines §3.1.1.1 Qualified Employee from Alisha Brieske.

ACTION ITEMS

2. Consideration of delegation of authority to the Administrator to approve Minimum Work Standard exceptions for Ridgway Wetterhorn Homes deed-restricted units.

ADJOURNMENT

AGENDA ITEM #1



200 E. 7th Street, Suite 412
Loveland, CO 80537
Tel: 970-541-4951
E-mail: lottery@impactdf.org
Web: impactdf.org/impactdevelopmentservices

MEMO

To: Ridgway Workforce & Housing Committee
Cc: Preston Neill, Town Manager, Town of Ridgway
From: Ross Valdez, Impact Development Services
Date: August 28, 2023
Re: Consideration of a request for an exception to Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines 3.1.1.1 Qualified Employee
Attachments: Exception Request Form

Introduction

Consideration of requests for exception from Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines §3.1.1.1 Qualified Employee from Alisha Brieske. Qualified Employee is defined as follows:

At least one member of the Household who is an Owner shall be a Qualified Employee who must demonstrate and verify 1,200 hours of employment physically performed in the School District boundaries for a minimum of forty (40) hours per month for at least eight (8) of the previous twelve (12) months immediately prior to submission of an application or provide verifiable intent to physically perform 1,200 hours of work in the School District boundaries within twelve (12) months of application at a minimum of forty (40) hours per month for eight (8) of the next twelve (12) months.

Background

Alisha Brieske. Brieske is a full-time, year-round employee at Alpine Lodging in Telluride and currently resides in Placerville after two years as a full-time caretaker for a family member in the Telluride area. She considers herself a long-time local who wants to engage and be involved in the Ridgway community. Brieske has lived in the San Juan region (Telluride and Montrose) on and off for 20 years and has been in the region permanently for the past 10 years. She visits Ridgway frequently and intends to build relationships and a life within the community.

Staff Recommendation

Staff has received a handful of inquiries and one application (denied due to ineligibility) for the remaining three homes during the five-week application period for households that do not require an exception. The application period was advertised regularly in the Plaindealer and those that were on the interest list were contacted frequently as well. Since promoting the opportunity for exceptions to be heard, the request for exception from Brieske was completed by the deadline and the applicant demonstrated a strong desire to become a member of the Wetterhorn Homes community.

The applicant meets the Minimum Work Standard, not including employment within the Ridgway School District (R-2) boundary. The individual has demonstrated longevity in the region by having 10



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years of continuous residency. The applicant proactively sought the opportunity to apply, was forthcoming with their ineligibility, and provided timely submissions of their application materials.

Granting the exception to this applicant would allow them the opportunity to purchase one of the remaining homes by entering into an agreement with Rural Homes and qualifying for a mortgage.

Staff recommends approval of the request for exception considering they meet all other criteria outlined in the guidelines.

Exception Review Criteria:

Pursuant to Guidelines §11.1.3, the applicant must demonstrate and the Committee must find that the Exception meets one or more of the following review standards:

- 11.1.3.1 That the Exception meets the general RH policy goals; and
- 11.1.3.2 That the Exception meets one or more of the following review standards:
 - 11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.
 - 11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.
 - 11.1.3.2.c Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include “luxuries”).
 - 11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit
 - 11.1.3.2.e Enables a Household to own and occupy a Housing Unit more suitable to the Household’s needs; or
 - 11.1.3.2.f Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability.)



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Ridgway Wetterhorn Homes
Exception Request – Alisha Brieske

Exception Requests for Guidelines standard § 3.1.1.1

Based on the exception request materials, the Ridgway Workforce and Housing Committee ("Committee") OR the Administrator made the following Findings of Fact:

- ☐ That the Exception meets the general RH policy goals, § 11.1.3.1 to provide affordable housing for residents and their families who make a living primarily from Employment that within the boundaries of the Ridgway School District (R-2), whose income and assets are below certain targeted limits, and who choose to be part of the local community.
- ☐ That the Exception meets **one** or more of the following review standards §11.1.3.2
 - ☐ a. Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.
 - ☐ b. Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.
 - ☐ c. Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include "luxuries").
 - ☐ d. Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit.
 - ☐ e. Enables a Household to own and occupy a Housing Unit more suitable to the Household's needs; or
 - ☐ f. Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability.)



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Deny: Move to **DENY** the exception requests to Guidelines §3.1.1.1 Qualified Employee based upon the following finding:

- ☐ Granting such an Exception does not meet the General Policy Goal of providing high quality homes for working residents and their families who make a living primarily from employment in the Ridgway R-2 School District

OR

Approve: Based upon the findings of fact noted above, I move to **GRANT** an exception to Applicant, Alisha Brieske, to Guidelines §3.1.1.1 Qualified Employee to the physical performance of employment in the School District boundaries conditioned upon the following:

- ☐ The Exception is granted for a limited time and should Applicant not close on a RWH Housing Unit pursuant to the Guidelines within _____ days of today's date, this exception shall be null and void.
- ☐ Should Applicant's employment status change between today's date and the closing, Applicant is required to notify Administrator of such change within five (5) days of said change.
- ☐ Other _____.
- ☐ Other _____.

APPLICANT ACCEPTANCE:

Applicant(s) _____ hereby verify the facts stated herein and acknowledge and accept the above conditions of the Exception granted this _____th day of _____ 2023.

End of Memorandum

Name of Applicant

Alisha Brieske

**Request for Exception to
Ridgway Wetterhorn Homes Deed Restriction and Guideline**

1. All Applicants must sign and date affidavit below.
2. Attach to the Ridgway Wetterhorn Homes Application and ask for staff assistance if you have questions.

Name(s) of applicant(s): Alisha Brieske Phone no. (608) 921-0614
Email address: alisha.brieske@gmail.com

Please explain why you are requesting an exception. You may be required to submit required documentation to support your Request for an Exception. Please note that the Ridgway Work Force and Housing Committee will hear the Request for an Exception at a publicly noticed meeting and may put extra conditions on the approval. Please consult with IDS staff for typical conditions that may be required.

Please note the following exceptions **will not** be granted per the Guidelines:

11.1.4.4 To Households whose Net Assets exceed three times the Maximum Sales Price of the Housing Unit.

11.1.4.5 To Households whose income is in excess of 120% AMI.

Name of Applicant

Alisha Brieske

REQUEST FOR AN EXCEPTION

Affidavit

(You may attach a typed or hand-written statement on a separate sheet if you need more room):

I, Alisha Brieske, hereby declare, under penalty of perjury, that the following is a true statement:

PART I

1. I/We need an exception for: policy 3.1.1.1, I work outside Ridgway school district
2. Explain why exception is needed: _____

please see attached

PART II

The Exceptions process is explained in Guidelines §11.1-11.3. In order for your Exception Request to be considered you must demonstrate, and the HA must find that:

11.1.3.1 The Exception meets the general Ridgway Wetterhorn Homes policy goals.

Please explain: The policy goals are to provide affordable housing to locals who

want to engage & be involved in the community. I consider myself a long-time local who wants to do exactly that.

11.1.3.2 The Exception meets one or more of the following review standards: Please identify any and all review standards met and explain: I would like to continue to live in

the area & engage in the community. Affordable housing option like this would

- ☐ 11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means. enable me to securely settle down here for good.

- ☒ 11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.

Name of Applicant Alisha Brieske

- ☐ 11.1.3.2.c. Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include "luxuries").
- ☐ 11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit
- ☐ 11.1.3.2.e. Enables a Household to own and occupy a Housing Unit more suitable to the Household's needs; or
- ☐ 11.1.3.2.f. Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability).

Signature: Alisha Brieske Date: 8/23/23

Signature: _____ Date: _____

Applicant: Alisha Brieske

Part I

1. I need an exception for: policy 3.1.1.1 regarding the work requirement.
2. Explain why exception is needed:

I understand that the Wetterhorn Homes project is a wonderful opportunity to provide affordable housing to those who work in the Ridgway school district. I am requesting an exception for myself to this requirement. I have lived in the San Juan Mountain region on and off for 20 years and have been here permanently for the past decade. I love this area and have worked hard to be a part of the communities in it. I have lived in Telluride and Montrose during my time here and came back to the Telluride area to take care of my father at the end of his life (very graciously in the home of my aunt, where I currently reside). I am getting my life back in order after taking care of him full time for the past two years and would love to finally have a home that I can call mine. I love Ridgway, I am there every weekend, and would love to build relationships and a life within the community if given the opportunity.

AGENDA ITEM #2

Meeting Date: August 28, 2023

TO: Ridgway Workforce and Housing Committee
FROM: Lois Major, Special Counsel to the Rural Homes, LLC
DATE: August 24, 2023
RE: Consideration of a Protocol for Exception Requests for the Affordable Housing Units in the Ridgway Wetterhorn Project
ATTACH: Ridgway Wetterhorn Guidelines, §11
Exception Approval Form template

Purpose: In order to create a fair and consistent process and streamline the anticipated exception requests from purchasers of residential properties located in the Ridgway Wetterhorn project, you are asked to consider the creating of a protocol for and temporary delegation of the authority to approve exceptions to the Ridgway Wetterhorn Deed Restriction Covenant (“Covenant”) and Guidelines.

General Policy Goals: To provide high quality homes that will remain affordable for working residents and their families who make a living primarily from employment in the Ridgway School District (R-2) (“RSD”) boundaries, whose income and assets are below certain targeted limits, and who choose to be part of the local community.

Overview: The Ridgway Wetterhorn project consists of 14 housing units (“Units”). The initial sales lottery process is complete and there are 11 homes under contract for sale. Following the lottery, the Administrator waited 5 weeks to allow locals that did not require an exception to apply to purchase on a first-come, first-served basis. During that period one purchaser presented themselves. That person’s application is not complete as of today.

In order to get the remaining 3 Units under contract, the Administrator and Ridgway Homes, LLC (“Developer”), would like the Ridgway Workforce and Affordable Housing Committee (“Committee”) to create a protocol to hear exception requests and hear such request or, in the alternative, delegate authority to the Administrator to grant exception requests with direction.

The Administrator accepted requests for exceptions for a short window that closed on Thursday, August 24, 2023. Two applications for purchase with a request for exception were submitted by the deadline. Both exception requests are for Applicants who meet the requirements of the Covenant and Guidelines except that their Minimum Work Standard is physically performed outside the RSD boundaries.

Controlling Authority: The Covenant and Guidelines are the controlling authority when considering any request for an exception. An exception request is defined in the Guidelines as “the process used when the Applicant understands and acknowledges the Covenant and Guidelines criteria and believes that there exists a legitimate and compelling reason why the Applicant should be excused from such criteria or allowed a modification of the criteria”.

The Guidelines §11 EXCEPTIONS, APPEALS AND GRIEVANCES provides for direction and allows the Committee or it's designee (the Administrator) to accept requests for and grant exceptions to most qualification standards.

Limits on Authority: There are situations in which exceptions are not allowed. Guidelines §11.1.4 specifies the 5 situations in which no exception shall be granted. They are listed below:

11.1.4 Exceptions shall not be granted:

11.1.4.1 To Applicants who have been issued a Notice of Violation and who remain in violation of provisions of applicable Deed Restriction or of the Guidelines.

11.1.4.2 To an Unqualified Household to purchase a Housing Unit if there is a Qualified Household that can purchase the same Housing Unit. However, if the Owner has shown a bona fide advertisement effort which shall be no less than forty-five (45) days in duration and no Qualified Household presents itself, an Exception may be considered for the Unqualified Household.

11.1.4.3 To increase the total debt against the Housing Unit in excess of the OPP.

11.1.4.4 To Households whose Net Assets exceed three times the Maximum Sales Price of the Housing Unit.

11.1.4.5 To Households whose income is in excess of 120% AMI.

Protocol: Under normal situations, the Committee or the Administrator would consider requests for exceptions on a case-by-case basis for a single Unit.

The Committee is empowered to create a system to accept and evaluate the requests under the Guidelines.

Delegation of Authority: The first step is to determine whether the Committee desires to delegate the power to accept or deny standard exception request to the Administrator. The Committee may either hear each request as they are submitted or delegate the authority to the Administrator. Delegation of authority can be temporary or continuing. It can also be limited by directive. For example, you may allow the Administrator to grant an exception request for applicants who work outside the RSD but within the Boundaries of Ouray County or Montrose County and ask to hear ones from further afield. Options will be provided in the motions at the end of the memo.

Analysis: The Committee has already scheduled time to hear the current two exception requests that were submitted under the deadline. However, in order to get future Applicants under contract and move-in ready when the Units are ready, the Administrator and Developer requests that the Administrator be given temporary authority to approve Minimum Work Standard Exceptions (out of area work) for applicants for the remaining 3 Units. This temporary authority would avoid repetitive hearings for the Committee.

The Committee could delegate authority to the Administrator of other types of exceptions if desired. Motion #2 is open for that purpose.

Possible Actions: If the Committee is in favor of allowing Administrator the opportunity to approve Minimum Work Standard exceptions, the following action is recommended. Should the Committee not be in favor, no motion is required.

1. I move to delegate the authority to the Administrator to approve Minimum Work Standard exceptions for Ridgway Wetterhorn deed-restricted units.

With the following conditions:

- ☐ Applicants meet all the requirements of the Covenant and Guidelines, except the Minimum Work Standard.
- ☐ Applicant meets the Minimum Work Standard outside the RSD.
- ☐ Applicants work in Ouray County.
- ☐ Applicants work in Montrose County.
- ☐ Applicants work in San Miguel County.

Said assignment of authority shall expire on -_____ OR

Said assignment of authority shall continue until rescinded by the Committee.

2. I move to delegate the authority to the Administrator to approve _____ exceptions for Ridgway Wetterhorn deed-restricted units.

With the following conditions:

- ☐ Applicants meet all the requirements of the Covenant and Guidelines, except (insert exception being granted)
- ☐ Condition 2 _____
- ☐ Condition 3 _____
- ☐ Condition 4 _____

Said assignment of authority shall expire on _____. OR

Said assignment of authority shall continue until rescinded by the Committee.

Ridgway Wetterhorn Guidelines:

11. EXCEPTIONS, APPEALS AND GRIEVANCES.

All applications for Exceptions and Appeals and all Grievances shall be reviewed on a case-by-case basis as provided for as follows.

11.1. Request for Exception.

11.1.1 Request must be presented in writing to HA on forms available from HA, and must include a fully completed Request for Exception Form, including:

11.1.1.1 The particular ground(s) upon which the Exception is based; and

11.1.1.2 The action or remedy requested; and

11.1.1.3 The name, mailing and electronic addresses and telephone number of the exception Applicant and similar information of exception Applicant's representative, if any; and

11.1.1.4 Proof of notification of the Exception request to the Housing Unit's homeowner's association, if applicable; and,

11.1.1.5 Exception fee (see Appendix E).

11.1.2 Process. All requests for Exceptions will be reviewed by HA for completeness and handled administratively ("Administrative Exceptions") or forwarded to the HA Board for consideration at a public hearing.

11.1.2.1 Prior to consideration, HA shall prepare a written report analyzing the impact of the Exception on the Housing Program. HA shall distribute a copy of the report to the Applicant requesting the Exception and shall make the report available to the public.

11.1.3 Standards for Review of Exception Applications. Exception Applicants desiring an Exception must demonstrate, and the HA must find:

11.1.3.1 That the Exception meets the general RH policy goals; and

11.1.3.2 That the Exception meets one or more of the following review standards:

11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.

11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.

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11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit

11.1.3.2.e Enables a Household to own and occupy a Housing Unit more suitable to the Household’s needs; or

11.1.3.2.f. Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability).

11.1.4 Exceptions shall not be granted:

11.1.4.1 To Applicants who have been issued a Notice of Violation and who remain in violation of provisions of applicable Deed Restriction or of the Guidelines.

11.1.4.2 To an Unqualified Household to purchase a Housing Unit if there is a Qualified Household that can purchase the same Housing Unit. However, if the Owner has shown a bona fide advertisement effort which shall be no less than forty-five (45) days in duration and no Qualified Household presents itself, an Exception may be considered for the Unqualified Household.

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11.1.4.5 To Households whose income is in excess of 120% AMI.