



**CURRENT TOOLS IN AFFORDABLE HOUSING  
AND TRANSIT ORIENTED DEVELOPMENT IN  
DENVER .**

# About FRESC: Good Jobs, Strong Communities



Coloradans who work hard should be able to provide for their families and have the opportunity to achieve a good quality of life. The public should have a meaningful voice in the government decisions and investments that impact their communities and their lives.

Economic development and public investments should build environmentally safe and sustainable communities where ordinary people can afford to live, work and thrive.

# The Work FRESC is Doing



<b>The Opportunity</b>	<b>The Challenge</b>
2,413 Estimated Construction Jobs Annually	Will we use the project as an opportunity to train local residents for long term careers?
\$1.2 Million in Construction Wages	Will these be paid to local workers who will spend most of it locally?
New housing development will be spurred near transit stations	How much of this will be affordable to working families?
Government subsidies may help make environmentally-friendly, mixed-use development near transit possible	How can we ensure subsidies go only to development that broadly benefits the community, by including affordable housing, community amenities, and/or good jobs?

# RTD's Joint Development Policy and Strategic Plan for TOD



## **A Summary of RTD's Process to Evaluate Mixed Income Housing Opportunities for Joint Development**

- Will apply to the sale or lease of any RTD land which may include residential uses
- RTD will follow an established process to work with the local jurisdiction where the parcel is located to consider establishment of an affordable goal for the parcel
- The process specifically calls for consideration of goals that serve families earning between 0-50% of Area Median Income (AMI), due to the demonstrated need and the ridership boost at this level
- Where a goal is established, it may include any AMI or mix of AMI levels that meet the established need of the jurisdiction, the potential for financing, and other site-specific factors
- Upon acceptance of an RFP or conclusion of a negotiation, affordable commitments become a part of the legal documents associated with a transaction, subject to financing, along with all other aspects of the deal

# Denver's Inclusionary Housing Ordinance



- Adopted by City Council in 2002
- Requires that all development of 30 or more for sale units must include a minimum of 10% of units must be moderately priced.
- Restricted sale price, income eligible buyers.

# Denver's Inclusionary Housing Ordinance



## Developer Incentives

- Reimbursement, Density Bonus, Parking Reduction, Expedited Processing

## Alternative Compliance Options

- Build units off site
- Cash in lieu payments

AMI	Studio	1 Bed	2 Bed	3 Bed	4 Bed
80%	\$72,306	\$77,594	\$94,838	\$110,810	\$124,524
95%	\$93,154	\$99,880	\$121,438	\$141,633	\$158,771

# Additional Needs in a Changing Market



- Foreclosures
- Below 80% AMI
- Rental
- The current process

# Lot Thirty-Four, L.L.C. v. Town of Telluride, Colorado



Town of Telluride enacted an ordinance which was intended to provide affordable housing to employees of developments by requiring developers to create affordable housing for forty percent of employees generated by the development. Challenged on the basis that it is rent control in violation of C.R.S §38-12-301.

## C.R.S §38-12-301



“The general assembly finds and declares that the imposition of rental control on private residential housing units is a matter of statewide concern; therefore, no county or municipality may enact any ordinance or resolution which would control rents on private residential property. This section is not intended to impair the right of any state agency, county, or municipality to manage and control any property in which it has an interest through a housing authority or similar agency.”