ADAMS COUNTY

COLORADO

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio – District #4
Mary Hodge – District #5

STUDY SESSION AGENDA
TUESDAY
January 28, 2020

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

10:00 A.M.	**ATTENDEE(S):**	**Adam Burg / Eliza Schultz / Elisabeth Rosen**
	ITEM:	**Legislative Update**
10:45 A.M.	**ATTENDEE(S):**	**Jill Jennings Golich**
	ITEM:	**Down Payment Assistance Program**
11:15 A.M.	**ATTENDEE(S):**	**Jill Jennings Golich / Jen Rutter / Greg Barnes / Christy Fitch**
	ITEM:	**2020 Regulation Amendments**
12:15 P.M.	**ATTENDEE(S):**	**Raymond Gonzales**
	ITEM:	**Administrative Item Review / Commissioners Communication**
12:45 P.M.	**ATTENDEE(S):**	**Alisha Reis / Joseph Espinosa, Executive Director**
	ITEM:	**Brighton Housing Authority Proposal**
1:30 P.M.	**ATTENDEE(S):**	**Joe Barela, Executive Director**
	ITEM:	**Colorado Department of Labor and Employment (CDLE) Update**
2:30 P.M.	**ATTENDEE(S):**	**Rick Garcia, Executive Director**
	ITEM:	**Colorado Department of Local Affairs (DOLA) Update**

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

*****AGENDA IS SUBJECT TO CHANGE*****

ADAMS COUNTY
COLORADO

STUDY SESSION AGENDA ITEM

DATE:	**January 28, 2020**
SUBJECT:	**Presentation on Down Payment Assistance Program**
FROM:	**Jill Jennings Golich, Director**
AGENCY/DEPARTMENT:	**Community & Economic Development**
ATTENDEES: Jill Jennings Golich, Ric Reed and Ben Dalman; Michael Kerrigan and Andrew Johnston (City & County of Denver)	
PURPOSE OF ITEM: Informational and determination on whether the County wants to participate in the program	
STAFF RECOMMENDATION:	**That the Board of County Commissioners consider whether participation in this program would be a benefit to residents of unincorporated Adams County.**

BACKGROUND:

The City of Denver manages a down payment assistance program for the metro area cities and counties and has done so since 2013. A total of 28 metro area cities and counties have participated. The program was relaunched in 2019, and Denver is seeking to present to the Board of County Commissioners information about this program and answer questions to help determine if this is a program for which the Board would like to participate.

The County previously had a down payment assistance program through the use of federal funds through the Community Development Division of Community and Economic Development. That program was discontinued due to the increased housing prices in the market as the amount of assistance that was able to be provided was not enough to help.

Below is information Denver has provided. They will have two staff present to discuss the program and answer questions. Adams County has not participated in this program in the past.

Program Information

- Since inception to 1/31/19 we provided a grant of up to 4% for the down payment assistance. Due to secondary mortgage market pricing the loans coupled with a grant no longer generate sufficient value to provide the down payment assistance at a competitive rate for the borrowers.
- We now have moved to provide the down payment assistance via a no interest 2nd loan that is forgivable after 36 months. Assistance levels are up to 6% now.
- The City of Denver does not use any bond capacity to fund the assistance for the program. The down payment assistance is provided by the value generated by the loans in the secondary mortgage market.
    - In exchange for obtaining the down payment assistance the borrowers accept a slightly higher interest rate than they would in absence of the assistance.

- There is no cost to your County for participation in the program.
    - Denver pays the startup costs and the ongoing operational costs for the program.
- We have changed the marketing name of the program to "metroDPA", all of the legal documents still reference MMA+.
- There is an option for participating jurisdictions to add their own money into the program, this is a feature we anticipate adding in the near future. We are still building the infrastructure to facilitate this functionality, but it is not ready yet. The plan would be for the jurisdiction's additional money to be only spent within the contributing jurisdiction's boundaries, there is no requirement for a jurisdiction to participate in this part of the program.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Finance and the County Attorney's Office

ATTACHED DOCUMENTS:

A PowerPoint presentation

FISCAL IMPACT:

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

Fund:

Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ **YES** ☐ **NO**

Future Amendment Needed: ☐ **YES** ☐ **NO**

Additional Note:

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager

Deputy County Manager

APPROVAL OF FISCAL IMPACT:

Budget

Down Payment Assistance Program
Homeownership & Wealth Building

Department of Finance
Capital Planning and Programming Division

Adams County Requested Action

DENVER
THE MILE HIGH CITY

Approve and execute the Delegation and Participation Agreement for the Metro Mortgage Assistance Plus Program*

- No cost to the County
- Denver pays set-up and on going operational costs for program
- Agreement terminates when Program is discontinued

* Rebranded to "metroDPA Program" in Feb. '19.

Previous MMA+ Program Review

- Started Spring 2013
- Metro area cities and counties participate in program
- Down payment assistance was offered as a grant ("DPA") available to people seeking to purchase a home
- Buyers must meet standard loan qualifications (max. debt to income ratio, min FICO scores, etc.) and participate in a homebuyer education course

- In total (through December 2019), the program has
  - 1,597 Households helped
  - $377 Million in mortgages originated
  - $14.6 Million in down payment assistance provided

Program Updates – metroDPA

- City issued an RFQ to identify qualified program partners to refresh the down payment assistance program
- The City sought responses exhibiting:
  - Innovations
  - Efficiencies
  - Enhancements to the current MMA+ program
  - Strong borrower focus
- George K. Baum & Company, now Stifel, was selected based on:
  - Focus on providing lowest mortgage rate to borrower
  - Desire and plan to expand existing program
  - Knowledge of local market

Program Updates – metroDPA

2 Phase Approach To Updating Program

- Initial Updates– Implement Changes & Efficiencies *(Completed)*
  - Update program documentation including agreements between partners
  - Rebranded and reenergized program
  - Expanded down payment assistance (DPA) options
  - Change from grant to a forgivable 2nd mortgage resulting in lower interest rate to borrowers
  - Benefit provided by Freddie Mac for borrowers under 80% AMI
  - Active lender and realtor outreach and training with local boots on the ground
  - Expand jurisdiction using City and Stifel relationships
  - Provide daily program updates to lenders
  - Offer program support in person and online

Program Updates – metroDPA

Multi-Servicer Phase – Additional Program Changes *(Ongoing)*

- Increase servicer participation and program options
- Increase lender base (national banks and credit unions) by conducting lender outreach
- Create Pilot Program for additional support from the City and other partners
- Continue to expand program jurisdiction by actively engaging with target areas
- Dynamic stage allows program to react to the needs of the public and market conditions

Updated metroDPA Details

- 3%, 4%, 5% & 6% down payment assistance options
- 3-year forgivable 2nd loan
- Home purchases only (no refinancing)
- No maximum purchase price

Homebuyer Requirements:

- No first-time homebuyer requirement
- *Maximum* qualifying income: $139,200
  - 150% of Denver AMI
- Minimum 640 FICO credit score
- Homebuyer education required from HUD approved agencies
  - Free option available

Current metroDPA Jurisdiction

Cities				Counties
Arvada	Commerce City	Frederick	Northglenn	Arapahoe County
Aurora	Dacono	Golden	Parker	Boulder County
Bennett	Denver	Greeley	Sheridan	Broomfield County
Boulder	Edgewater	Lakewood	Superior	Denver County
Brighton	Englewood	Littleton	Thornton	Jefferson County
Broomfield	Erie	Lochbuie	Westminster	
Castle Rock	Federal Heights	Lone Tree	Wheat Ridge	
Centennial	Firestone	Longmont		

Continually adding more jurisdictions!

Program Changes for Borrower

Comparison of 1st Year Housing Costs Utilizing the metroDPA Program:

- $335,700 Purchase Price
- 3.5% Down Payment Requirement
- 30 Year Mortgage

Housing Cost Comparison After 1st Year*				
Housing Cost Type:	**Using City Programs**		**Not Using City Programs**	
	Applicable %	**$ Amount Equivalent**	**Applicable %**	**$ Amount Equivalent**
Down Payment	3.5%	$11,750	3.5%	$11,750
Estimated Closing Costs	1%	$3,240	1%	$3,240
MMA+ Down Payment Assistance	4%	($12,958)	0%	$0
1st Year of Mortgage Payments (Principal and Interest)	@ 4.50% Interest Rate	$19,697	@ 3.91% Interest Rate	$18,358
Total 1st Year of Housing Costs	**$21,728**		**$33,347**	

All else equal

1st Year of Housing Cost Savings from Utilizing the MMA+ Program:	**$11,619**

Program Partners

- Sponsor – City and County of Denver
- Program Manager – Stifel Financial Corp.
- Bond Counsel – Kutak Rock, LLP
- City Housing Financial Advisor - CaineMitter
- Servicers – US Bank | Lakeview
- Program Administrator – eHousingPlus
- Local Lenders – 90+ approved
- Participating Municipalities – 36 approved

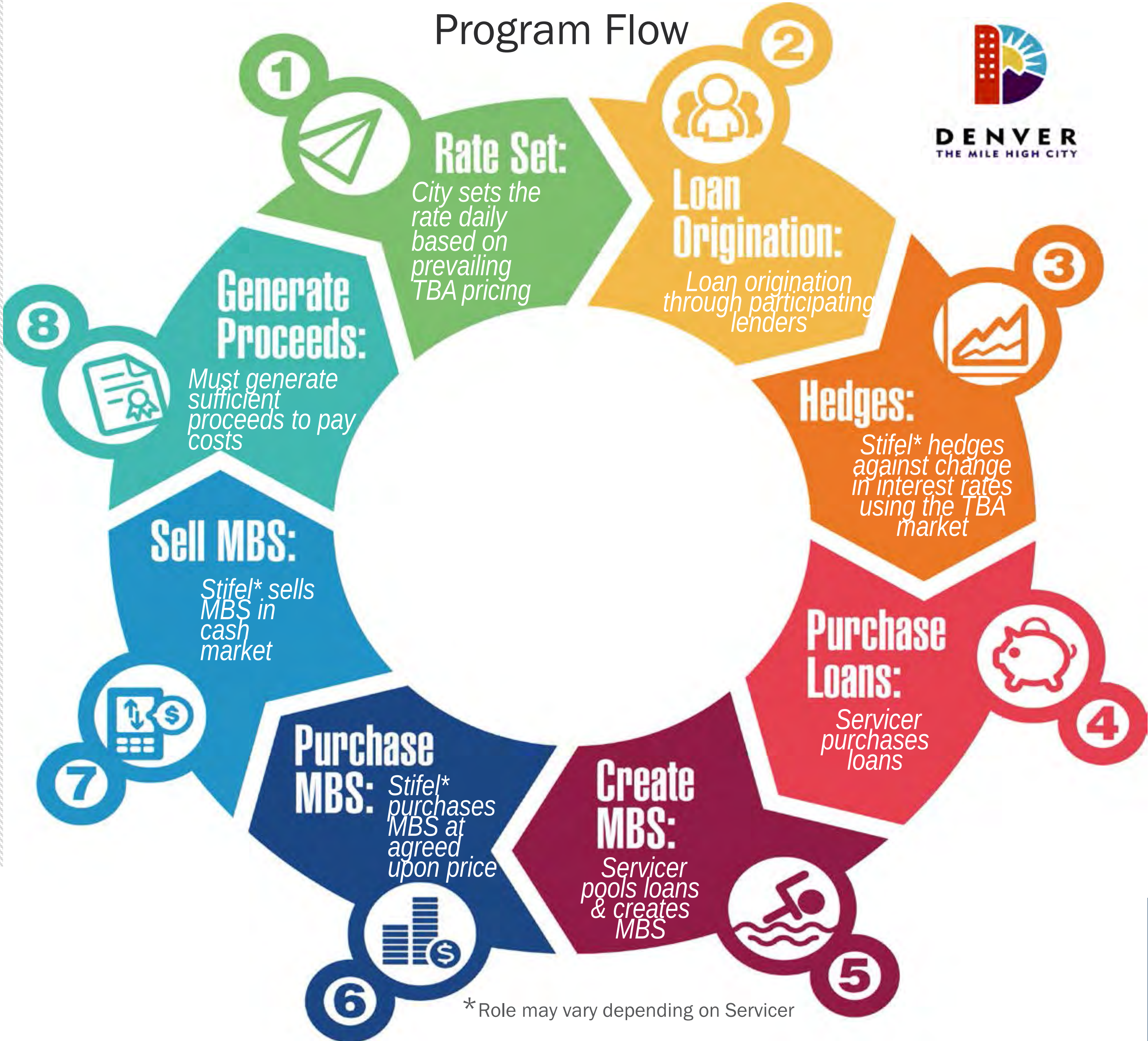
TBA TUTORIAL:

1. metroDPA *sets the rate* daily based on prevailing TBA pricing and the market. Rates & guidelines posted online.
2. *Loan origination* through participating lenders. Borrowers use approved lenders.
3. Stifel* *hedges* against a change in interest rates using the TBA market
4. Servicer *purchases loans*
5. Servicer pools loans & *creates MBS*
6. Stifel* *purchases MBS* at agreed upon price
7. Stifel* *sells MBS* in cash market
8. Must *generate* sufficient *proceeds* to pay costs

DENVER
THE MILE HIGH CITY

Program Flow

DENVER
THE MILE HIGH CITY



*Role may vary depending on Servicer

ADAMS COUNTY
COLORADO

STUDY SESSION AGENDA ITEM

DATE:	**January 28, 2020**
SUBJECT:	**2020 Regulation Amendments**
FROM:	**Jill Jennings Golich, Director**
AGENCY/DEPARTMENT: Community & Economic Development	
ATTENDEES: Jen Rutter, Greg Barnes, Christy Fitch	
PURPOSE OF ITEM: Receive direction on several proposed text amendments	
STAFF RECOMMENDATION: That the Board of County Commissioners allow staff to move forward with the proposed regulation amendments.	

BACKGROUND:

Staff is proposing a number of text amendments to the County's Development Standards and Regulations. These proposed amendments include updates to a variety of uses, specifically their definitions, where they are permitted, conditionally permitted, or prohibited, as well as associated performance standards. In addition, Staff is proposing updates to the sign code, processes for special districts and public land dedication fees, as well as many other miscellaneous updates.

In this Study Session, Staff is looking for direction from the Board of County Commissions on whether to proceed with some or all of the proposed text amendments and whether some should be prioritized over others.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Attorney's Office
Public Works

ATTACHED DOCUMENTS:

PowerPoint Presentation

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:	
Cost Center:	

	Object Account	**Subledger**	**Amount**
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

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Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ **YES** ☐ **NO**

Future Amendment Needed: ☐ **YES** ☐ **NO**

Additional Note:

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager

Deputy County Manager

APPROVAL OF FISCAL IMPACT:

Budget

2020 Regulation Amendments

Community and Economic Development Department

January 28, 2020

Summary of 2020 Text Amendments

- ❑ Uses
  - ❑ Definitions (Services, Heavy Retail Heavy Services)
  - ❑ Use Chart (Auto/Fuel uses, Light Industry)
  - ❑ Performance Standards (i.e. Setbacks)
- ❑ Sign Code
- ❑ Special Districts
- ❑ Public Land Dedication (PLD) Fees
- ❑ Updates to Chapters 7, 8, and 9 (Engineering)
- ❑ Other Updates

Uses - Definitions

- Services
- Heavy Retail Heavy Services
- Group living facilities
- Fuel and ice dealers

Use Chart

- Wildlife sanctuaries
  - Change to conditional in the A-1 district
- Animal hospitals
  - Change to permitted in A-3
- Food Stores, Restaurants, Event Centers, Indoor Sports Arenas (Ag Tourism)
  - Change to conditional in A-1, A-2 & A-3 with performance standards to limit lot coverage and focus on it being related to farming
- Greenhouses (retail)
  - Change to conditional in A-1, permitted in A-2/A-3

Use Chart

- Heavy Retail Heavy Services
  - What districts uses are allowed in (likely some conditional in C-2/C-3)
- Convention Center
  - Change to conditional in C-0, C-1, C-2 & C-3
- Day care centers
  - Allow In all districts
- Animal feeding operation and concentrated animal feeding operation
  - Consider a change to conditional in the I-1/I-2

Use Chart

- Explore whether any business park uses should be permitted in the C-3 district
- Review whether any heavy industry uses conditionally allowed in A-3 should be removed
- Consider additional heavy industry/heavy manufacturing & processing use changes in I-1/I-2 for consistency with zone district intent

Use Chart

- Fuel, oil, gasoline & petroleum products (bulk storage and/or sale)
  - Remove as conditionally allowed use in C-0, C-1, C-2 & C-3 districts
- Sugar and beet refining
  - Consider as a conditional use in the A-3 district
- Fertilizer manufacturing and processing
  - Review whether this use should be allowed in A-1, A-2, A-3, C-4, C-5 & I-1 districts

Uses – Performance Standards

- Add size limitation for day cares in less intense zone districts
- Setbacks for auto service stations with fuel from residential property

Sign Code

- Brightness and luminance levels for electronic signage (electronic message centers)
- Back to back signage versus 45-degree angle counting as one sign (current regulation allows just back to back)
- On premise versus off premise signage
- Timeline for sign permits – billboards require a CUP
- Off site directional signage

Special Districts

- Process
  - Clarify and streamline
- Template Service Plan
  - Create a standard template for easy review
- Financial Review
  - Hire outside consultant to review the financials
  - Charge fee to developer for review

Public Land Dedication (PLD) Fees

- Process for determining the value of land
  - Look at the process Arapahoe County uses
- Population data (currently outdated)
- Open space/park criteria for dedication

Updates to Chapters 7, 8, and 9

- Chapter 7 – Roadway Standards & Technical Criteria
- Chapter 8 – Access Design and Traffic Requirements
- Chapter 9 – Storm Drainage Design and Stormwater Quality Regulations

Other Updates

- Short-Term Rental (Definition and Standards)
- Marijuana Hospitality
- Inert Fill Definition
- Fee Waiving
- No condo plats for ADUs
- Temporary Use Limitations
- R-2 Lot Size & width for Duplex
- Exemptions from Structure Height (Standards)
- Animal Use Chart (Clarification)
- Amendments to OGF (Minor)

Next Steps

- Public Outreach
  - Meetings
  - Website
- Stakeholder Outreach
  - Meetings
- Study Sessions
  - Planning Commission
  - Board of County Commissioners

Discussion

- Recommendation:
  - Proceed with public and stakeholder outreach for proposed text amendments

- Direction Needed:
  - Prioritization of proposed amendments

ADAMS COUNTY
COLORADO

STUDY SESSION AGENDA ITEM

DATE: January 28, 2020
SUBJECT: Brighton Housing Authority Proposal
FROM: Alisha Reis, Deputy County Manager
AGENCY/DEPARTMENT: County Manager's Office
ATTENDEES: Alisha Reis, Joseph Espinosa, Executive Director, Brighton Housing Authority
PURPOSE OF ITEM: Brighton Housing Authority will present a project proposal at 19th & Bridge Street in Brighton, CO
STAFF RECOMMENDATION:

BACKGROUND:

The Brighton Housing Authority will present to the Board of County Commissioners a project proposal located at 19th and Bridge Street in Brighton, CO.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

Presentation

FISCAL IMPACT:

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Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ **YES** ☐ **NO**

Future Amendment Needed: ☐ **YES** ☐ **NO**

Additional Note:

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager

Deputy County Manager

APPROVAL OF FISCAL IMPACT:

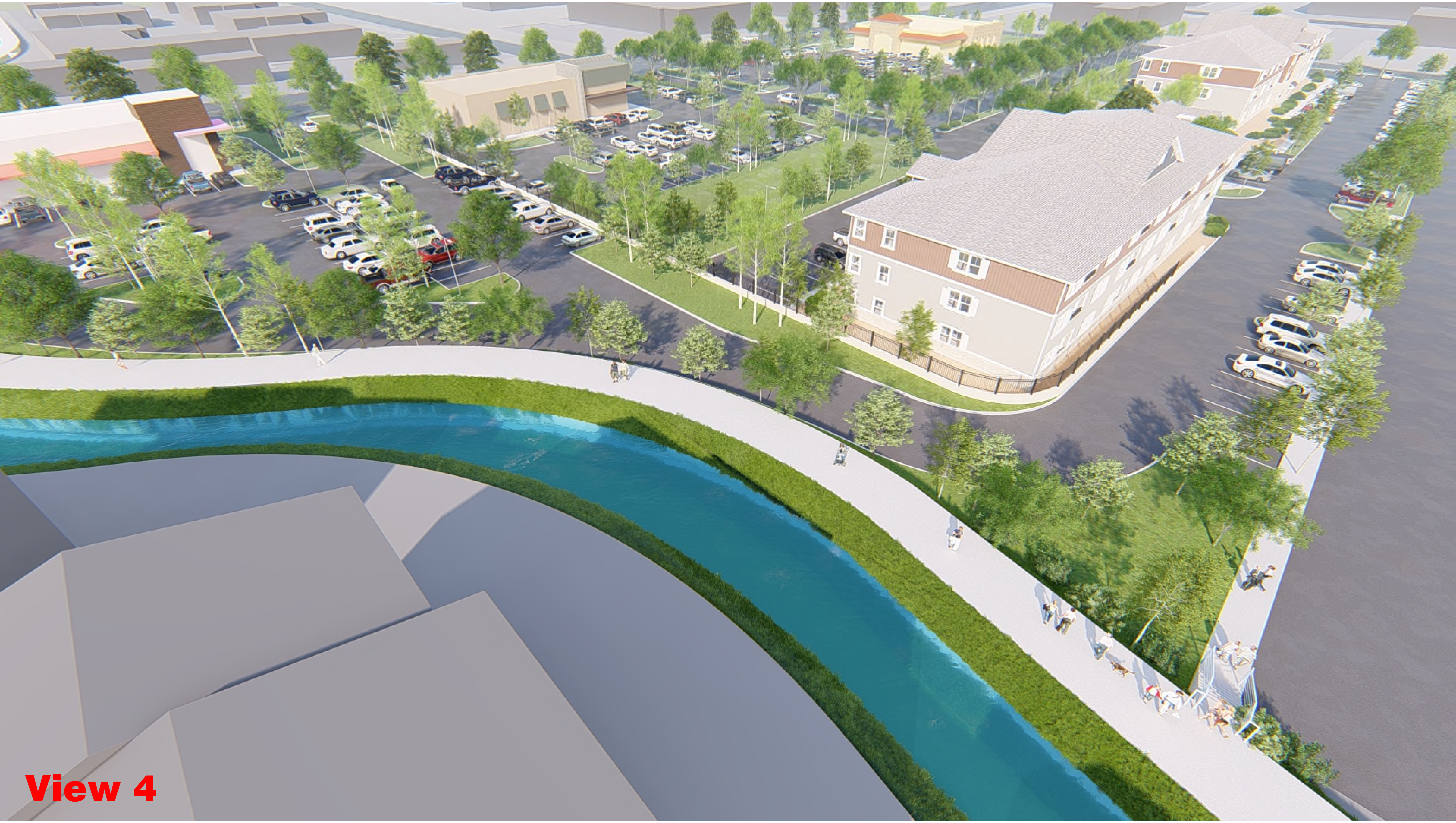
Nancy Duncan

Budget


View 1


View 2

View 3


View 4

View 5

View 6

View 7


View 7 Existing

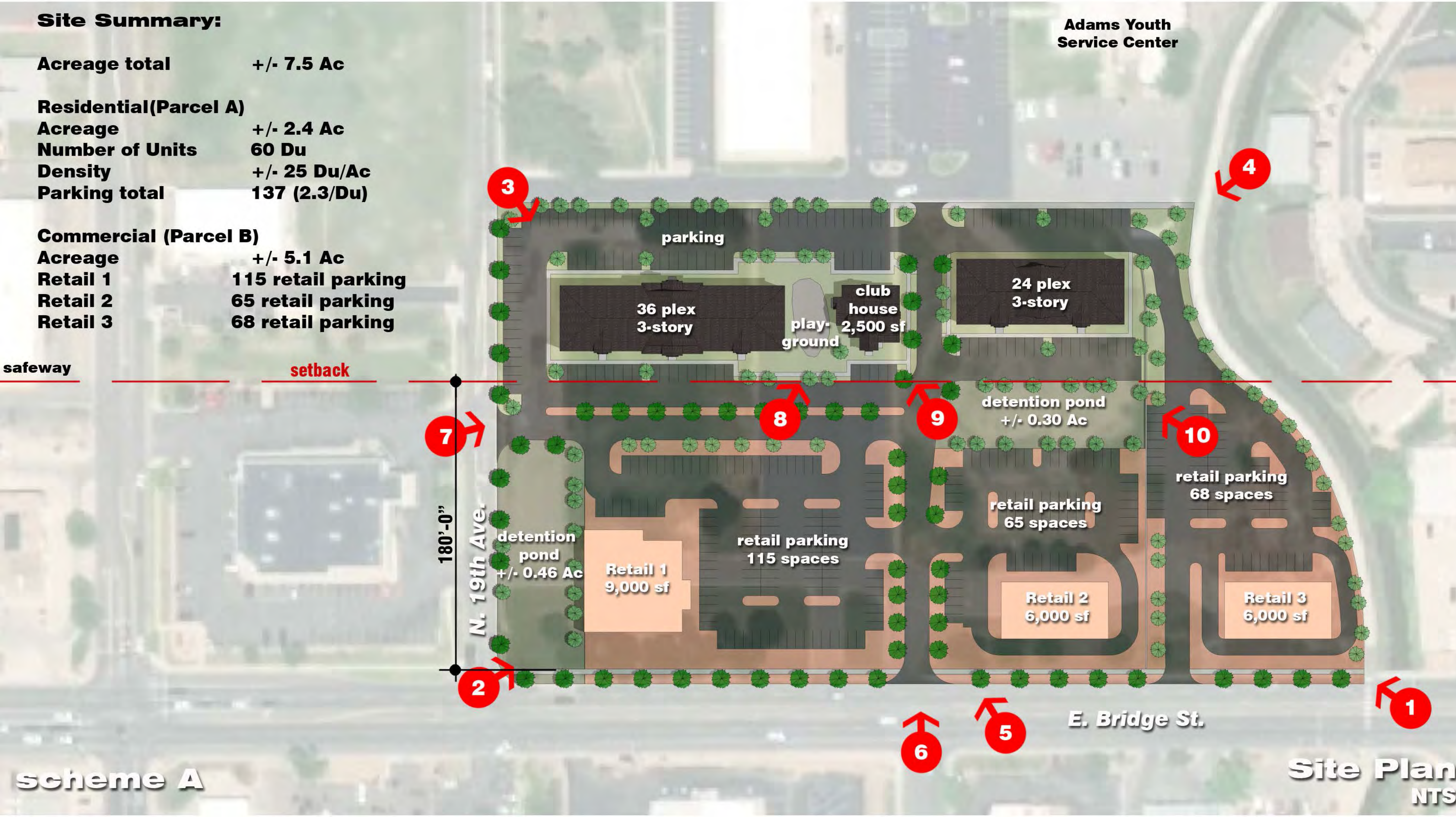

View 8

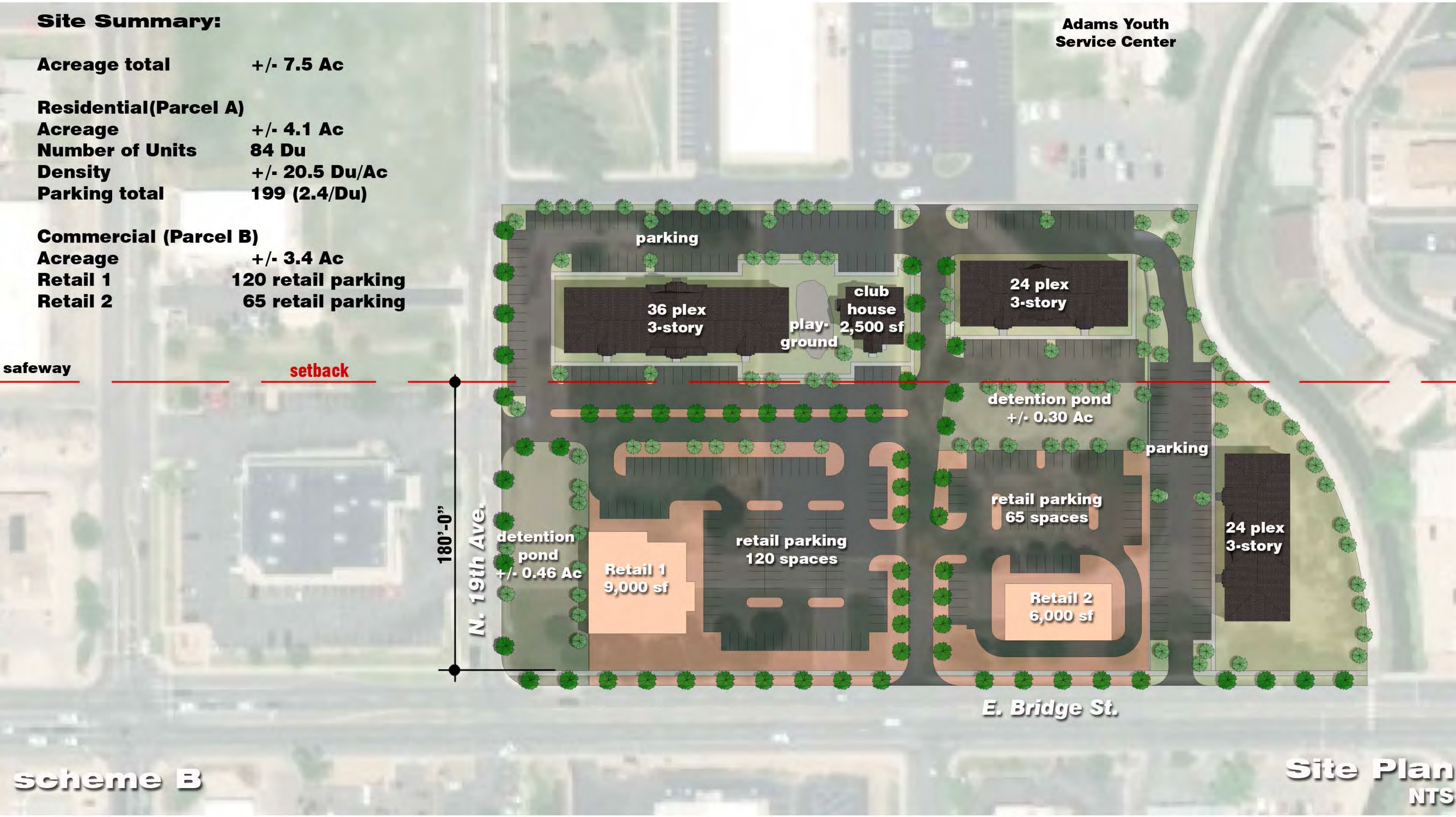

View 9


View 10


Night shot at Entry

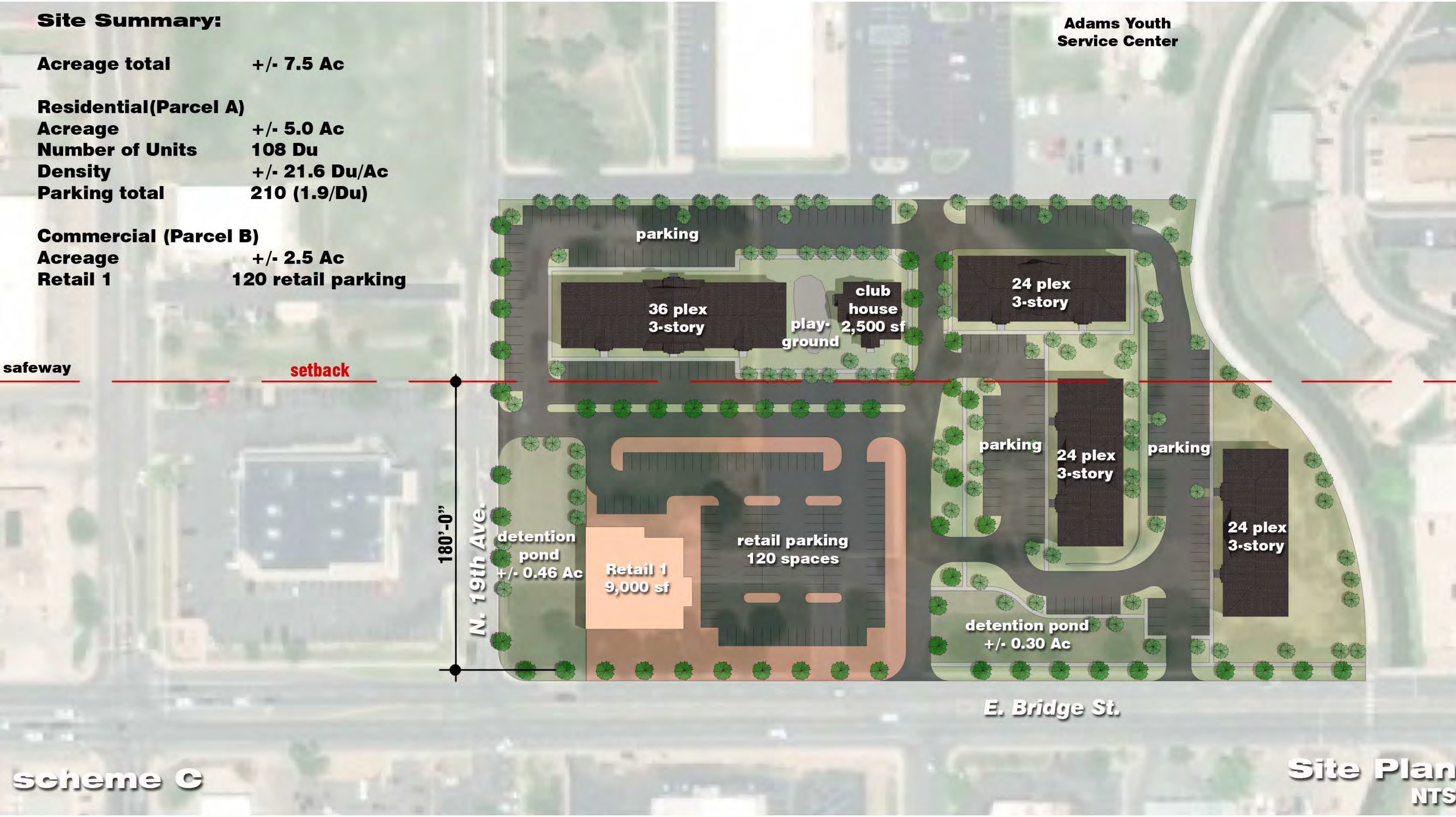

Existing at Entry


Site Summary:
Acreage total +/- 7.5 Ac
Residential(Parcel A)
Acreage +/- 2.4 Ac
Number of Units 60 Du
Density +/- 25 Du/Ac
Parking total 137 (2.3/Du)
Commercial (Parcel B)
Acreage +/- 5.1 Ac
Retail 1 115 retail parking
Retail 2 65 retail parking
Retail 3 68 retail parking
Adams Youth Service Center
parking
36 plex 3-story
play-ground
club house 2,500 sf
24 plex 3-story
safeway
setback
detention pond +/- 0.30 Ac
detention pond +/- 0.46 Ac
180'-0"
N. 19th Ave.
Retail 1 9,000 sf
retail parking 115 spaces
retail parking 65 spaces
retail parking 68 spaces
Retail 2 6,000 sf
Retail 3 6,000 sf
E. Bridge St.
1
2
3
4
5
6
7
8
9
10
scheme A
Site Plan
NTS


Site Summary:
Acreage total +/- 7.5 Ac
Residential(Parcel A)
Acreage +/- 4.1 Ac
Number of Units 84 Du
Density +/- 20.5 Du/Ac
Parking total 199 (2.4/Du)
Commercial (Parcel B)
Acreage +/- 3.4 Ac
Retail 1 120 retail parking
Retail 2 65 retail parking
Adams Youth Service Center
parking
36 plex 3-story
play-ground
club house 2,500 sf
24 plex 3-story
safeway
setback
detention pond +/- 0.30 Ac
parking
retail parking 65 spaces
180'-0"
N. 19th Ave.
detention pond +/- 0.46 Ac
Retail 1 9,000 sf
retail parking 120 spaces
Retail 2 6,000 sf
24 plex 3-story
E. Bridge St.
scheme B
Site Plan
NTS

Site Summary:

Acreage total	+/- 7.5 Ac
Residential(Parcel A)	
Acreage	+/- 5.0 Ac
Number of Units	108 Du
Density	+/- 21.6 Du/Ac
Parking total	210 (1.9/Du)
Commercial (Parcel B)	
Acreage	+/- 2.5 Ac
Retail 1	120 retail parking



scheme C

Site Plan
NTS