

# WHITEFISH COMMUNITY HOUSING COMMITTEE MINUTES

Monday, July 24, 2023, at 4:00 p.m.

City Hall – City Council Conference Room

## 1. Call to Order

The meeting was called to order at 4:00 p.m. by Ben Davis

*Present:* Ben Davis, Cameron Blake, Rhonda Fitzpatrick, Dwarne Hawkins  
Carolyn Pitman, Daniel Sidder,

*Staff:* Dana Smith, City Manager; Wendy Compton-Ring, Senior Planner; Luke Sponable,  
Housing Planner

*Others:* none

## 2. Communications from the public.

a. None

## 3. Approval of minutes from the June 26th and July 6th meeting.

Carolyn moved, Daniel seconded, all in favor - approved

## 4. Update on the resort tax re-allocation plan.

Dana - Council directed staff to proceed.

Have a draft of resolution and notice.

Public hearing August 7<sup>th</sup>. Resolution adopting plan and then resolution adopting ballot language.

Dana – Met with Shelter WF who is promoting flat rate relief to explain how calculate and what mils are. 5% must be property tax relief by law. 20% is open as to distributions.

Dana - Questions around how would do just residents – who? Owner’s relief would go down. Way to do it but lots of work to figure out. City is only about .25 of overall tax bill.

Cameron – if rental owners don’t receive benefit – might raise rents.

Carolyn – property owners pay more then renters as pay for schools and more.

Daniel – meeting with Chamber, WHA, Shelter WF to figure out mechanism – PAC? More than \$250 or two people is a PAC. Will also independently push talking points.

Letters to Editor, media, getting a plan together.

Dana – City staff, councilors can’t say how to vote (can outside of City time, property), no City logo, no financial contributions.

Dana - Depot home groundbreaking in October – will show process.

Daniel - Rental assistance plan will be announced soon.

## 5. Review light deed restriction drafts (ownership and rental).

Dana - In packet is in reference to Annexation, larger developments, deed restricted for primary homeowners. Annexations are at will of council. “Light” deed restriction as can’t require pricing, only residency per state law.

We reviewed drafts and written in comments. Will review again with Angie present at our next meeting.

Ben – one of goals of housing plan is preserve ratio of primary to secondary homeowners.

Dana Other ways to use deed restrictions – ADU & deed restriction like Legacy homes (optional). ADU deed restrictions null on void Jan 1. With new bill 382, PUD’s go away.

Daniel – no income?

Dana – correct – State law says can't use price or income – hence light.  
Ben, Could we use in zoning? Question - Deed restriction upon annexation, could be 100% or could be 80% How do you decide. Would need to re execute upon subdivision.  
Daniel – other cities? Impact?  
Wendy – yes to other cities – came from consultants.  
Dana - Missoula annexes based upon developer agreement.  
Cameron – will it limit units developers are willing to build – costs? More commercial?  
Rhonda - Tired of just building for people who don't live here.  
Wendy – unintended consequence - would it push housing to county?  
Dana – Hwy 93 south – high cost to extend – City may have to do it. Big Sky – utility expansion limited connections to 100 market rate, rest affordable.  
Discussion - resort tax money could be used for utilities for annexed property.  
Full time resident is 10 months.  
Defs - Workforce is part of community housing.  
Discussed how to enforce, workforce vs residency requirements. Exceptions for disability, retiree  
One person or two.  
Community housing – defines as lives and work in Whitefish in Road Map.  
Discussion – live in community, work in community, committed to community? Who are we helping. What if changes.  
Dana – reminded that can't have income requirements per state law.  
Review document – see Angie's comments on what we need to address.  
Dana – 2.2 can rent if hardship – ie have to go to Mayo clinic for year for kid with cancer. Would need to rent to “qualified” renter.  
Carolyn – say I really want to live here and buy house – how do we control if someone decides they don't want to live here and rent out.  
Dana - Would have to sell to qualified buyer.  
Carolyn – if workforce live here and work here.  
What if transferred short term?  
Dana – clarified sell for market sales price – no restriction on appreciation amount – just qualified buyer.  
Ben – keep it simple – take out maintenance as no limit on appreciation.  
Discussed transfer fee – consensus to keep affordable – don't add costs. Needs to be a fee to cover costs – currently reads as Housing Authority decides. The Housing Authority should decide what they need to cover their costs. Or could have City pay from housing money.  
Ben –How do we enforce deed restriction?  
Discussion on rentals – need to stay in line with landlord tenant law. Number of months?  
Dana addressed rental agreement – some of language different from sale. Definitions similar sale versus rental units. Developers may not know upon annexation if they will be building rentals or for sale housing – but would need to execute deed restriction upon final plat.  
Simple developer agreement - if develop housing - 80%.  
Ben – we are removing a property right to use property as second home.  
Wendy – could there be a fee that could exempt from the 80%? Is there an amount? (if it went to housing?)  
Rhonda – let's find out how Colorado – Summit does enforcement.  
Dana – Roadmap – talks about asset requirement with workforce (exception for ADA)  
Luke – Breckenridge – 80% deed restriction/workforce on annexation.  
Dana – rental agreement – WHA would qualify tenants to meet deed restrictions.

Dana – Will ask Angie questions we came up with today. Will connect Luke with consultants from before who had examples.

Carolyn – where does this fit into units needed that are below market? Need 75% of 1300 new units below market rate. What category does this fit into?

Ben - separate goal was 80-20 primary and secondary residence. This fits that.

Dana – Below market rate will require a subsidy.

**6. Other items not on the agenda.**

a. Dana – with Luke here this fall will get all groups together who worked on Roadmap and they can show what has been done. Daniel’s rental assistance program ready to launch soon. It will request funds from the City as well as others.

b. Cameron – Jerry Dunker brought up cost of impact fees – had to pay up front. Paying later could reduce costs.

Dana - He brought it to City Council but will require ordinance change Hard to collect impact fee. Looking at mechanism. impact fees are dictated by State Law. Updating impact fees – work session August 21.

Ben – tie to occupancy – C of O. Would at least be paid later.

c. Cameron – any update on STR enforcement. Meeting in August. Looks like the business license will stay the same. In budget. If goes to litigation would lose funding and would need another funding source.

Rhonda – now looks like 700 nightly units.

**7. Next committee meeting. Monday, August 28th at 4:00 p.m.**

**8. Adjourn at 5:55.**