SUMMARY OF AFFORDABLE HOUSING CONDITIONS

Requirement	Proposed condition by Councilmember Scott	Developer's Response
Number of homes	25% of the added density. In this case that equals 25 homes.	Developer is willing to provide 18 homes with affordability restrictions as provided below:
Maximum home size	1,600 square feet of living area for each designated home.	Developer agrees with proposed condition.
Average home size	An average of 1,300 sq.ft. of living area for the homes.	Developer agrees to an average of 1,400 sq.ft.
Initial purchaser	A qualified first-time homebuyer (see exception below).	Developer agrees as modified below.
First-time buyer definition	Buyer hasn't owned a principal residence during the prior 3 years.	Developer agrees with proposed condition.
Initial marketing	Each designated home must be actively marketed to qualified first-time buyers for at least 90 days, with information about available down-payment assistance programs.	Developer agrees with proposed condition.
Exception if no first-time buyer	If no first-time buyer enters into a purchase contract during that home's 90-day marketing period, the developer may sell that home to a purchaser who will occupy it as a primary residence, after documenting compliance with the marketing requirement.	Developer agrees with proposed condition with the exception that if the seller cannot find a purchaser who will occupy it as a primary residence for a period of an additional 90 days then the restriction would be waived from that period forward.
Independent requirement for later homes	An exception for one home doesn't waive the first-time-buyer requirement or 90-day marketing period for other homes.	Developer agrees with proposed condition.
Designation and phasing	Identify and record the designated homes before construction or initial sale, with an approved allocation across development phases so the commitment cannot be deferred indefinitely.	Developer agrees with proposed condition.
Home-size compliance	The City verifies the 1,600-square-foot maximum for each home and the 1,300-square-foot average for the designated homes in each phase before permits are issued.	Developer agrees with proposed condition with the exception that the average home size is 1,400 sq.ft.
Owner occupancy	Each designated home must be occupied as a primary residence for 5 years beginning with its initial sale.	Developer agrees to designate that the home must be occupied as a primary residence for 2 years beginning with its initial sale.

SUMMARY OF AFFORDABLE HOUSING CONDITIONS

Requirement	Proposed condition by Councilmember Scott	Developer's Response
Owner Occupancy Resale	Resale is permitted at market price. Each subsequent purchaser must occupy the home as a primary residence for the remaining portion of the original ten-year term; the clock does not restart.	Developer agrees with proposed condition with the exception that it is a 2-year term.
Owner Occupancy expiration	The owner-occupancy restriction expires 5 years after initial sale.	Developer agrees with proposed condition with the exception that it is a 2-year term.
Owner occupancy hardship exceptions	Clearly defined exceptions for military service, medical needs, employment relocation, financial hardship, and comparable circumstances, with a documented approval process.	Developer agrees with proposed condition.
Documentation and enforcement	Record the restrictions against each designated property; verify first-time-buyer eligibility and good-faith marketing; and establish a practical mechanism for monitoring owner occupancy.	Developer agrees to record the restrictions and the establishment of a practical mechanism for monitoring.
Marketing exception verification	Require dated listing records, outreach materials, assistance-program information, and buyer-inquiry/offer records sufficient for the City to verify that the 90-day exception was earned. Verification is to be administrative.	Developer agrees with the proposed condition but is not sure it will be able to track buyer inquiries. They are confident that they can track offers.