

Gorton
Blues
Gray
Ellinger
James
Lawless
Beard
Feigel
Stinnett
McChord

A G E N D A

PLANNING COMMITTEE

October 20, 2009
1:00 P.M.

1. **Student Housing Task Force** – Lawless (1-5)
2. **Items Referred to Committee** (6)

“Planning Committee, to which should be referred matters relating to parks, planning and zoning, housing, transportation, grants, legislation and social services.”

Council Rules & Procedures, Section 2.102(1)

STUDENT HOUSING in PARTNERSHIP PROGRAM (SHIPP)

This program is based on various models and practical experience. The current market offers an ideal time to provide a financial incentive to build property owner participation in a voluntary program called the Student Housing in Partnership Program, or SHIPP. SHIPP would start with a pilot program of no more than 50 individual addresses with more properties to be added within 3-6 months. SHIPP should have a very minimal cost to start and operate.

Two levels of SHIPP participation would be offered to property owners who rent to students, either BASIC or PREFERRED. Additional requirements as well as additional benefits would be part of PREFERRED participation.

1. BASIC Program Participation

- a. Primary contact person established for each property.
- b. Contact phone number and email required (kept current by participant).

Benefits:

- Informal timely notification of issues on property
- Silver identification sticker for property as "BASIC SHIPP MEMBER"

2. PREFERRED Program Participation

- a. Primary contact person established for each property.
- b. Contact phone number and email required (kept current by participant).
- c. Make available contact information for every person on the lease (phone number, email, secondary address).
- d. Participation in voluntary inspection process to exceed basic housing safety codes.
- e. Agreement to include required language in all student leases.
- f. Agree to Quick response action requirements.
- g. Agree to collect and distribute tenant fines mandated by the SHIPP program coordinator
- h. Agree to property owner code of ethics.
- i. Agree to one-year time participation.
- j. Premature drop or ejection from program makes property ineligible for a minimum of one year.

Benefits:

- Informal timely notification of issues on property.
- Identification Sticker for property as "PREFERRED SHIPP MEMBER"
- Promotion as "Preferred Housing Provider" having exceeded safety inspection requirements.
- Recognition by Code Enforcement & Fire Marshall for possible Opt-out capability for sweeps
- Apartment communities can negotiate with coordinator to have representative inspections (not every unit)

Q&A

What does "above current standards" mean?

The SHIPP-required standards will be developed with input from stakeholders. Examples will likely include:

- Smoke detectors in every room, although they wouldn't have to be hardwired
- Carbon monoxide detectors
- Police residential safety survey conducted

How often will inspections be conducted?

Properties will undergo an initial safety inspection by both the LFUCG Division of Fire and the Division of Code Enforcement (housing) and be held to a set of standards above the current minimum standards. A subsequent inspection would be required in a year. Thereafter, code inspections would be conducted annually and fire inspections would be conducted on 3-5 year schedule.

What language will be required in the leases to meet the "above-minimum" standards?

The language would require renters to adhere to specific standards, such as:

- *Beer kegs or large volume alcohol dispensers (above 2 liters) not allowed on the premises.*
- *Trash and debris including cigarette butts are not allowed to be in the yard.*
- *Residents and guests are prohibited from placing any furniture or other material on the roof or accessing the roof area other than for fire or similar type emergency.*
- *Residents will maintain the leased premises in a clean and sanitary condition at all times, including disposing of garbage and all other*

waste promptly by placing it in plastic trash bags in the roll cart or dumpster provided and making sure the same are taken to and from the street curb at the proper times so they may be emptied.

- *Property owners will have a pre-defined set of fees/fines that will be levied against residents if federal, state, local laws and/or ordinances are violated.*

Can the lease agreements with renters be more restrictive than the SHIPP requirements?

Yes. Property owners would be held to the SHIPP standards but would be able to make lease agreements more restrictive if they wish.

What are “quick response action requirements”?

Property owners will be required to promptly address any deficiencies or violations noted, such as prompt abatement of trash and debris violations, removal of improper furniture that is outdoors, etc.

What kinds of things would cause tenants to receive a fine?

The property owners and the SHIPP program coordinator will jointly develop a list of violations and administrative fines. Some examples of potential fines include:

- *Picking up Trash, Limbs & Other Debris - \$5-50/occurrence*
- *Picking up Cigarette Butts off ground - \$5 each occurrence*
- *Placing Trash Containers to & from Curb - \$5 each occurrence*
- *Placing Recycling Containers to & from Curb - \$5 each occurrence*
- *Keeping Porches & Decks Neat and Clean - \$5 each occurrence*
- *Issuance of a “Party Plan Property” designation or unauthorized party - \$100/Resident*
- *Issuance of an alcohol or noise ordinance violation - \$100/occurrence*
- *Violating any portion of the Gathering/Parties clause - \$25/occurrence + damages*
- *Disconnection of any smoke detector for any reason - \$20/occurrence + damages*
- *Using charcoal grills on decks or wood porches - \$25/occurrence + damages*
- *Involvement of Owner by Law Enforcement for any reason - \$100/occurrence*
- *Involvement of Owner by Code Enforcement - \$25-100/occurrence & as charged by the city*

- *Climbing on any roof or gutter - \$25/occurrence + damages*
- *Any types of Fines, fees or civil penalty issued by the city - \$5-100/occurrence & as charged*

What happens to the money collected for tenant fines?

65% of the fine will go to the property owner; 25% will go to SHIPP to support the program; and 10% will be distributed to qualified neighborhood associations.

SHIPP offers the following benefits:

Rental units inspected and provide a safe environment to live.

Resource database of safe student housing options

Voluntary but will economically influence other property owners to participate.

Renters required to maintain a higher standard.

Promotes UK

Maximizes city resources.

Stakeholders

University of KY

The University will:

- Provide a list of properties that can be accessed by parents and students that will list the address and contact information of the property.
- Promote these locations as preferred properties that have met more than minimum standards when inspected. This list will be maintained and updated periodically. (Determine how often to update; who will provide information).

Residents

Residents will be held to higher standards. Residents will be expected to follow all federal, state, and local laws and ordinances mandated by the city of Lexington, KY and obey all provisions of the apartment lease/contract. In the event residents break any of these laws, ordinances or provisions, the owner may issue a fee/fine to the residents for each occurrence depending upon the nature of the offense and considering the owner's administrative costs. Residents may also be required to pay any civil penalty along with any legal costs the owner may incur as a result of the residents infraction.

City

The City will provide resources for inspections such as Code Enforcement, Building Inspection, Fire Marshal, etc.

Neighborhood Involvement

Neighborhoods will provide volunteers to personally meet students at their residences. They will provide a positive contact and give each student a welcome packet containing information such as the Student Source Book, neighborhood association materials, contact information and other resource material. They will continue to outreach to student residents for ongoing communication. They may possibly have neighborhood events such as Seven Parks. Efforts should be directed at involving students so that they will cultivate responsibility, ownership, and pride in where they are living. The neighborhood will have a direct point of contact (the SHIPP Program Coordinator) to mediate or resolve issues.

SHIPP Program Coordinator

The Program Coordinator will work with landlords, the University, students, the City and the neighborhoods. The Program Coordinator will:

- Notify the property management of those addresses if there are issues
Property management will respond the following day to survey for any property damage, trash and debris violations, and provide notification to the occupants of the residence.
- Maintain files on landlords who want to participate in the program.
- Provide safety tips.
- Follow up to determine the nature of the call and its disposition.
- Assist with mediating disputes.
- Assist with promotion of PREFERRED SHIPP housing (Jan/Feb)
- Develop Community Ambassador Program (like RA's in the dorm)

Planning Committee- Issues Outstanding

09/16/09

Issue	Member Referred	Date Referred	Status
- Liberty Road Project Status - Newtown Pike Status - Loudon Avenue Phase 1 Status - Student Housing Issues - Fence Regulations- Sight Distance Issues - Mobile Home Trailer Park Quality of Life - Infill Redevelopment Committee Recommendations - Tree Protection Ordinance - Downtown Master Plan - Management Audit Recommendations - Review Civil Penalties/Impose Fines on Property Owners Who Operate a Home Office/Occupation in Violation of the Zoning Ordinance - Impose Restrictions on Issuing Permits to Individuals/Property Owners When There are Pending Written Complaints Regarding Violations of Zoning Ordinances - Place Reasonable Time Limits for Completion of Construction Projects Approved for Existing 1/2 Family Residential Building Permits and Fence/Retaining Wall Permits - Art 16 Zoning Ordinance re Rear Yard Parking in Residential Areas - Parks Master Plan - Downtown Lexington Building Inventory - Residential Additions - Mobile Food Vendor Permits	Stinnett Blues James Lawless Blues James Gray James Lawless Crosbie Henson Henson Henson Henson Stinnett Feigel Lawless Henson	Jan 06 Feb 06 Oct 06 Sept 07 Dec 07 Dec 07 Feb 08 Mar 08 Apr 08 May 08 July 08 July 08 July 08 Apr 09 Feb 09 June 09 Sept 09 Sept 09	Bi Monthly Written Report Bi Monthly Report Bi Monthly Written Report Fall 09 Nov 09 On Hold Unknown Unknown Review Recommendations Subcommittee Formed Working Group Working Group Working Group Fall- Winter 09 Financing Sub Committee Formed Fall 09