



## LDC AMENDMENT FOR SETBACK RELIEF TO ENCOURAGE RESIDENTIAL INFILL IN THE PH OVERLAY DISTRICT

### SUMMARY

#### Applicant

The City of Orlando

#### Applicant's Request

Amend Chapter 58, Part 2AI of the Land Development Code to provide flexible development standards, subject to appearance review, for vacant non-conforming one and two-family residential lots in the Parramore Heritage Overlay District.

In addition, amend Chapter 67, Part 6 of the Land Development Code to update procedures and alternative development standards for certified affordable housing projects and to create consistency with other sections of the LDC. The proposed amendments to Chapter 67 would apply throughout the City.

#### Staff's Recommendation

Approval of the request.

#### Project Planner

Brian Ford  
Planner II

### PROJECT DESCRIPTION

The Parramore Comprehensive Neighborhood Plan (PCNP) is focused on Ten Healthy Community Design principles which are intended to create a healthy, sustainable and vibrant community that looks to the future while preserving, enhancing, and celebrating the culture and heritage of Parramore.

**PCNP Principle #4—Increase Housing Opportunities** calls for the City to preserve and strengthen existing single family and multi-family housing, and promote new housing initiatives, consistent with the City's Fair Housing ordinance, Consolidated Plan and the City's sustainability efforts. In an effort to implement Principle #4, staff is proposing an amendment to Chapter 58, Part 2AI of the Land Development Code to provide more flexible development standards in the previously established Parramore Heritage Overlay District.

Staff is also proposing a companion amendment to LDC Chapter 67, which deals specifically with affordable housing projects. The proposed amendments to Chapter 67 are intended to streamline the development review process for certified affordable housing projects and to ensure consistency throughout the LDC.

### BACKGROUND

#### HUD Sustainable Communities Regional Planning Grant

- The East Central Florida Regional Planning Council (ECFRPC), on behalf of twenty-six (26) partners that comprised the East Central Florida Sustainable Communities Consortium, was awarded \$2.4 million from the U.S. Department of Housing and Urban Development (HUD) to plan for sustainable, transit-oriented development around SunRail station locations. The majority of the grant funds were passed directly to local governments with special emphasis on promoting sustainable and inclusive growth, particularly in minority and/or low-income neighborhoods adjacent to several of the SunRail stations. The overall process was branded "Enhance Central Florida".

#### Parramore Comprehensive Neighborhood Plan

- The Parramore Comprehensive Neighborhood Plan, which was accepted by the Orlando City Council on January 26, 2015, was a major component of the "Enhance Central Florida" regional planning effort.
- The Parramore Comprehensive Neighborhood Plan is an important continuation and further refinement of the **Pathways for Parramore** initiative.
- The Parramore Comprehensive Neighborhood Plan is considered to be an integral component of the **Project DTO—Advancing Downtown Orlando** initiative and the associated CRA Redevelopment Plan.

The Parramore Comprehensive Neighborhood Plan in its entirety can be found on the City of Orlando's City Planning website here: <http://www.cityoforlando.net/city-planning/plans-and-studies/parramore-comprehensive-neighborhood-plan/>

# ANALYSIS

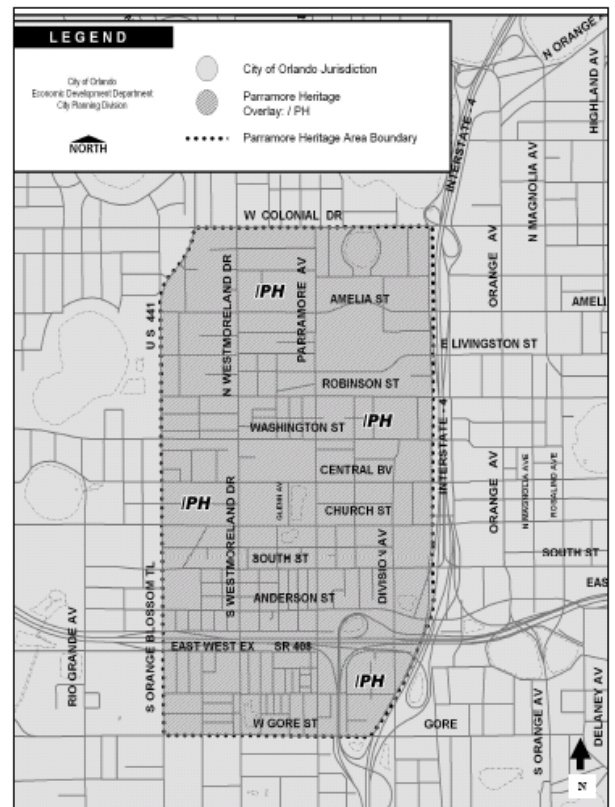
## Understanding the Issue

The Parramore Heritage (PH) Overlay District, which is bounded by Colonial Drive on the north, Gore Street on the south, Interstate 4 on the east, and Orange Blossom Trail on the west, was originally created in order reduce the over-concentration of social service uses within the district. No changes to the social service use provisions are being considered as part of this proposed amendment. Instead, this proposed amendment is intended to expand the purpose of the overlay district, specifically to provide for increased flexibility in development standards for existing non-conforming one and two-family residential lots for the express purpose of encouraging infill residential development.

The Parramore Comprehensive Neighborhood Plan (PCNP), Principle #4—Increase Housing Opportunities, specifically calls for the City to establish a strategy to preserve and strengthen existing single family and multifamily residential housing, and to promote housing initiatives. This set of proposed amendments represents an important component of the City’s overall housing strategy.

The PH Overlay District contains numerous lots that were platted prior to 1959, and which have building envelopes that are greatly limited by current zoning development standards. The table below and the map on page 3 depict lots in the PH Overlay District that have at least one non-conforming dimension. Of the 733 lots zoned R-1/T, R-2A/T, and R-2B/T in the PH Overlay District, a total of 479 are considered non-conforming in terms of lot area. That equates to approximately 65% of all residential one and two-family zoned lots in the district.

The socio-economic challenges and predominant development pattern of small lots are unique to Parramore, and can be traced back to the original platting done in the early part of the 20th century as well as subsequent transportation improvements over decades (paving of roads and provision of sidewalks) that resulted in the reduction of the size of the lots. Due to ownership patterns, the possibility of combining lots to meet current code appears unlikely.

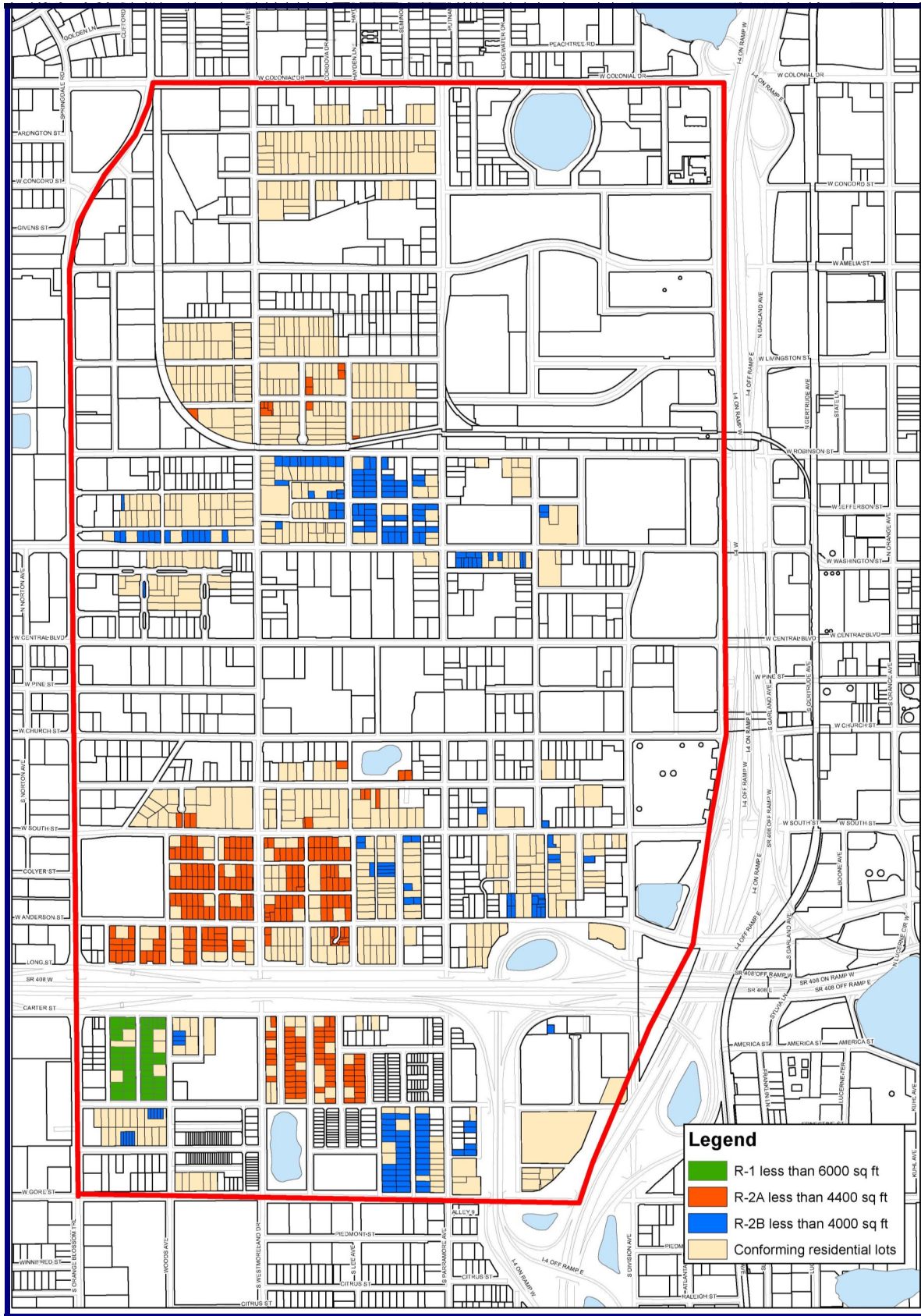


Zoning	Minimum Lot Area (Single Family)	Total Lots	Non-Conforming Lots (Lot Area)	% Non-Conforming
R-1	6,000 sq. ft.	45	45	100%
R-2A	4,400 sq. ft.	372	253	68%
R-2B	4,000 sq. ft.	316	181	57%
<b>Total</b>		<b>733</b>	<b>479</b>	<b>65%</b>

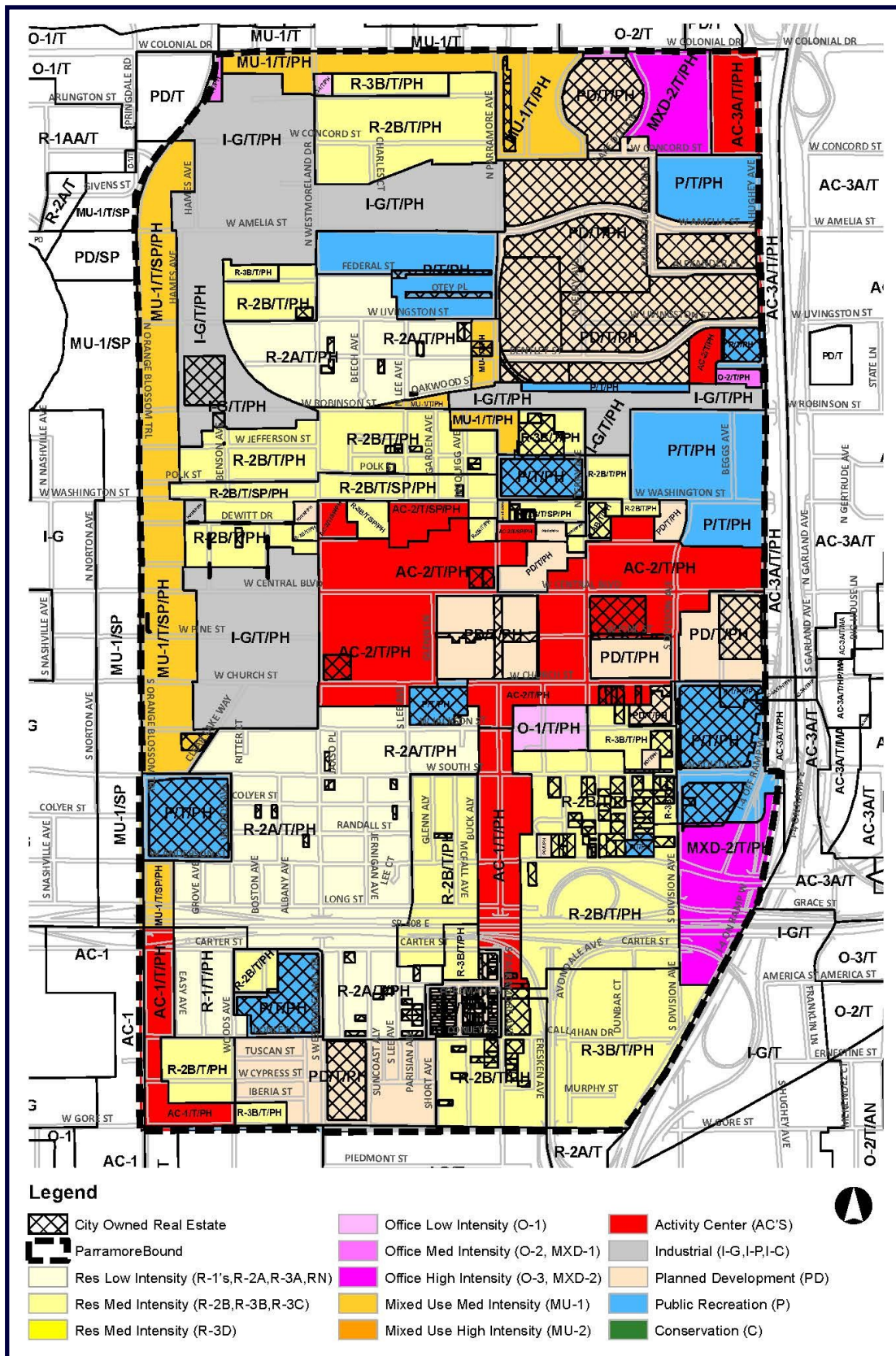
Unfortunately, most of the lots in Parramore, whether publically and privately owned, must apply for a zoning variance through the Board of Zoning Adjustment to receive setback relief to create buildable lots. This process requires a public hearing and takes approximately 3-4 months to complete, creating a very real deterrent to the expeditious redevelopment of these infill lots.

It should also be noted that individual residential lots are generally not able to utilize other provisions of the LDC that would provide flexibility. For instance, LDC Chapter 67 provides alternative development standards but only for certified affordable housing projects (not for market-rate housing). And, in recent years, multi-family residential developers have taken advantage of the Planned Development (PD) zoning option, which allows for the creation of flexible development standards in exchange for superior design. While that mechanism works well for larger projects, the LDC only allows this option to be used on lots greater than 10,000 square feet in size. The vast majority of one and two-family residential lots in the PH Overlay District are much smaller than the 10,000 square foot PD minimum. For these reasons, many lots in Parramore are not eligible for alternative development standards and must instead go through the time-consuming variance process to obtain setback relief.

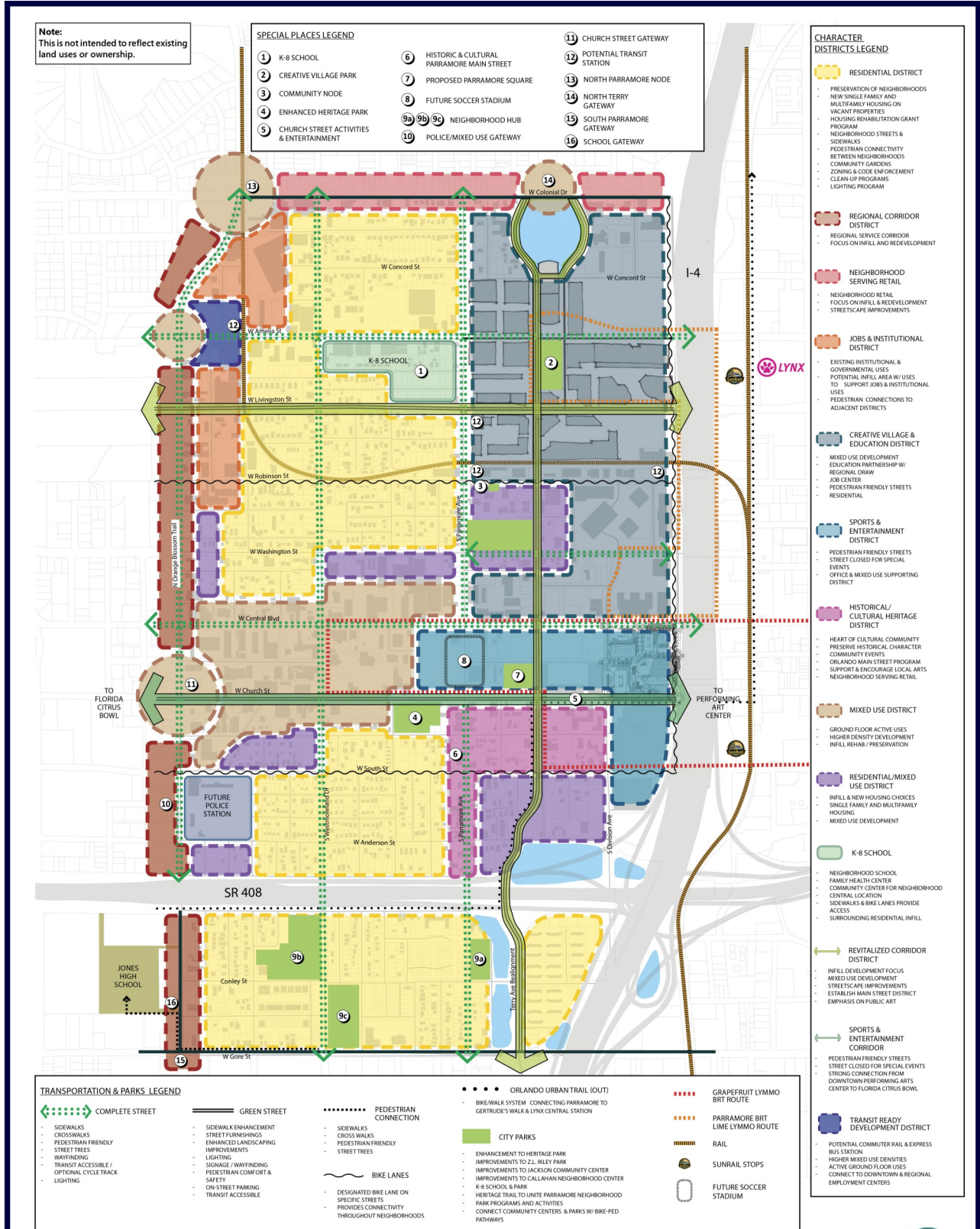
# PARRAMORE HERITAGE OVERLAY DISTRICT— NON-CONFORMING RESIDENTIAL LOTS



# PARRAMORE HERITAGE OVERLAY DISTRICT— ZONING MAP



# PARRAMORE COMPREHENSIVE NEIGHBORHOOD PLAN— COMMUNITY VISION PLAN MAP



## PARRAMORE COMMUNITY VISION PLAN

*Creation of More Flexible Development Standards in the PH Overlay District (Chapter 58)*

In analyzing possible solutions to the issues previously described, staff looked at the LDC and the City's existing land development processes to create the most efficient and effective method of allowing for meaningful setback relief, as well as relief from ISR (Impervious Surface Ratio) requirements, to address the Parramore community's abundance of small, non-conforming lots and the City's desire to encourage redevelopment of these lots.

Proposed amendments include:

- ◆ Expand the purpose of the Parramore Heritage (PH) Overlay District to provide flexible development standards for non-conforming lots of record, or lots being replatted to match a plat recorded prior to 1959.
- ◆ The flexible development standards provisions would apply only to lots that are vacant as of March 1, 2017. The provisions may be extended to all non-conforming lots once the City determines the best way to preserve the character of the neighborhood.
- ◆ All residential development will be subject to all sections of code not superseded by this section, such as Traditional City, along with the density and intensity standards of the applicable zoning district.
- ◆ All residential development within the PH Overlay District will be subject to appearance review with consideration to architectural elements such as exterior finish, front porches, windows, and mechanical equipment.
- ◆ Flexible development standards would be administered via a Modification of Standards by the Zoning Official. Setbacks may be relaxed, at the discretion of the Zoning Official, over and above the 20% numerical standard for Modification of Standards. However, the minimum setback standards described in this section must be met.
- ◆ In addition, impervious surface ratio (ISR) requirements may be relaxed up to 10% for the total lot area, and up to 20% for the front yard area, subject to the approval of the City Engineer.
- ◆ In order to encourage infill residential development, the Modification of Standards application fee will be waived.

*Alternative Development Standards for Affordable Housing (Chapter 67)*

In Chapter 67, Part 6 of the Land Development Code, there are provisions for alternative development standards for certified affordable housing developments. The current language, last updated in 1994, allows both infill lots and residential subdivisions to utilize alternative development standards, subject to a neighborhood compatibility review to be completed by the Technical Review Committee.

Developers have rarely taken advantage of the current alternative development standards, most often opting instead to develop through the Planned Development (PD) district that references portions of this section. Since these references exist, staff recommends updating the alternative development standards for the affordable housing section to create consistent procedures and alternative standards.

The issues and proposed remedies are described below:

- ◆ The current alternative development standards apply to both residential subdivisions and infill housing that meet affordable housing criteria; however, the building site standards and other development criteria are not well suited for infill housing on small platted lots. This proposed code amendment would modify and move provisions for infill housing to the Parramore Heritage Overlay district, where they would be most beneficial to encourage mixed-income housing.
- ◆ The current alternative development standards permit minimum front and rear yard setbacks at 5 feet, which staff would not support today. The code amendment would modify the minimum front and rear setbacks to 15 feet, matching setbacks proposed for infill housing in the Parramore Heritage Overlay district.
- ◆ Under the current code, the Technical Review Committee (TRC) is expected to conduct a neighborhood compatibility review and approve or deny a request for alternative development standards. However, the TRC is a staff advisory committee that has not been designed to vote on projects or be subject to State sunshine laws. The code amendment proposes that alternative development standards be reviewed and approved through a Planning Official Determination, mirroring procedures in Chapter 58, Part 6D - Bonuses for Low Income Housing.

A copy of the proposed code amendment is attached as Exhibit "A".

## FINDINGS

In review of the proposed LDC amendment, it is found that:

1. The proposal is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposal is consistent with the East Central Florida Strategic Regional Policy Plan.
3. The proposal is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposal is consistent with the goals, objectives and polices of the City's adopted Growth Management Plan (GMP). In particular, the proposal further implements GMP Future Land Use Subarea Objective 6B.2 and Subarea Policy S.6.14.
5. The proposal is consistent with the Parramore Comprehensive Neighborhood Plan, which was accepted by the Orlando City Council on January 26, 2015.

## RECOMMENDATION

Staff recommends approval of the proposed amendments to the Orlando Land Development Code, subject to review by the City Attorney for form and legality.

## CONTACT INFORMATION

### **Housing and Community Development Department**

For questions regarding the code amendment, please contact Brian Ford at 407.246.3413 or [brian.ford@cityoforlando.net](mailto:brian.ford@cityoforlando.net).

### **City Planning Division**

For questions regarding the Growth Management Plan (GMP) and Parramore Comprehensive Neighborhood Plan, please contact Paul Lewis at (407) 246-3358 or [paul.lewis@cityoforlando.net](mailto:paul.lewis@cityoforlando.net).

## REVIEW/APPROVAL PROCESS—NEXT STEPS

1. City Council approval of the MPB minutes (tentatively scheduled for April 24, 2017).
2. Staff forwards ordinance request to City Attorney's Office.
3. 1st Reading of the LDC amendment ordinance in May 2017 (tentative).
4. 2nd Reading (adoption) of the LDC amendment ordinance in June 2017 (tentative).
5. Ordinance becomes effective in July 2017 (tentative).

As noted above, the schedule is tentative and subject to change.