



Affordable Housing Advisory Committee

DRAFT 2018 Triennial Report of Recommendations

Executive Summary

The William E. Sadowski Affordable Housing Act was signed into law on July 7, 1992 and later incorporated into Chapter 420 of the Florida Statutes. The Sadowski Act created a dedicated revenue source for local governments allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing. In addition, the Sadowski Act created the State Housing Initiatives Partnership Act (the “SHIP Act”).

In order to receive funding for affordable housing through the SHIP Program, the City of Orlando submitted an Affordable Housing Incentive Plan (AHIP) on February 7, 1994. The AHIP outlined the recommendations of the Affordable Housing Advisory Committee (AHAC), and advisory board to City Council, regarding the adoption of incentives to encourage the production of affordable housing.

In addition, the AHAC was mandated to recommend incentives every three years, and is required to “review established policies, procedures, ordinance, land development regulations, and the comprehensive plan and recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.” (F.S. 420.9076)

The AHAC’s approval of its local housing incentive strategy recommendations must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing.

AHAC membership

| Member | Position |
|------------------|--|
| Bakari Burns | Member who actively serves on the local planning agency. |
| Barbara Friends | An advocate for low-income persons. |
| Gregory Anderson | A citizen who is actively engaged in the residential home building industry in connection with affordable housing. |
| Gregory Jackson | A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing. |
| Enid Peterson | An advocate for low-income persons. |
| Imar DaCunha | A citizen who represents employers within the jurisdiction. |
| Joyce Odongo | A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing. |
| Michael Kulich | A citizen who resides within the jurisdiction. |

Activity

At a minimum, each advisory committee shall submit a report to the local governing body that includes recommendations on affordable housing incentives in the following areas:

- The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

- c. The allowance of flexibility in densities for affordable housing.
- d. The reservation of infrastructure capacity for housing for very-low, low, and moderate-income persons.
- e. The allowance of affordable accessory residential units in residential zoning districts.
- f. The reduction of parking and setback requirements for affordable housing.
- g. The allowance of flexible lot configurations, including, zero-lot-line configurations for affordable housing.
- h. The modification of street requirements for affordable housing.
- i. The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- j. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- k. The support of development near transportation hubs and major employment centers and mixed-use developments.

The AHAC also evaluates the following City of Orlando plans and policies for affordable housing incentives:

- City of Orlando Comprehensive Plan
- State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP)
- Housing and Urban Development (HUD) Consolidated Action Plan

The AHAC conducted meetings to review current Affordable Housing Incentives and Policy in the City of Orlando, and to make recommendations for improvement of those incentives and policies where applicable on the following dates:

- August 10, 2017
- September 18, 2017
- October 2, 2017
- October 16, 2017
- November 13, 2017

During the meetings, the AHAC discussed the affordable housing incentive strategies and policies with staff from the City of Orlando's Housing and Community Development and Planning Departments.

Incentive Strategies and AHAC Recommendations:

1. *Expedited Permitting*

Description: The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects as defined in s. 163.3177 (6) (f) 3.

Established Policy Summary: The Housing Expediter, who works in the Housing and Community Development Department, coordinates with staff in the Permitting Services Division and the City Planning Division to expedite reviews of plans and permits that he or she

has certified as an Affordable Housing Development. The Housing Expediter assists the developer throughout the development review and permitting process, and coordinates with City staff to ensure that any issues are addressed early in the development process.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 5.8: Policies 5.8.1 to 5.8.5
- b. HCD Program Manual

AHAC Recommendation: Have a dedicated affordable housing permit expeditor staff in the permitting division. Consider revising the housing expeditor terms to reflect the differing roles (technical assistance staff in Housing Dept. and permit expeditor in Permitting).

2. Ongoing Review Process

Description: The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations and plan provisions that increase the cost of housing.

Established Policy Summary: All Local Development Code (LDC) and Growth Management Plan (GMP) amendments that may impact the development of affordable and attainable housing are reviewed by the Housing Expediter and the Affordable Housing Advisory Committee (AHAC) before submission to City Council for approval. Recommendations by the AHAC regarding the impacts of the proposed regulations or policy on housing costs are included in the Municipal Planning Board (MPB) report for recommendation to City Council, who makes the final decision.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 5.3: Policy 5.3.4
 - Objective 5.6: Policies 5.6.1 to 5.6.2
 - Objective 5.7: Policy 5.7.1

AHAC Recommendation: No recommendation

3. Affordable Housing Inventory

Description: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Established Policy Summary: The City of Orlando Real Estate Office (REO) and Housing and Community Development (HCD) Department work together to prepare an annual inventory of city-owned properties that are suitable for affordable housing. The lots are categorized by their readiness for development. City Council reviews and approves this list by resolution after a public hearing process. The properties identified as appropriate for use as affordable housing on the adopted inventory may be offered to interested parties for the development of affordable housing by completing a funding application with HCD.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 5.5: Policy 5.5.1

AHAC Recommendation: No recommendation

4. *Impact Fees*

Description: The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Established Policy Summary: The City of Orlando offers incentives for certified affordable housing in the form of impact fee reductions and reimbursements. Transportation impact fees are reduced based upon meeting the City’s commuter criteria. Parks impact fees are reduced based upon the level of service of parks in the surrounding area. Sewer and schools impact fees are eligible for reimbursement using SHIP funds; however, these fees must be paid upfront and residents must meet income requirements promised in the affordable housing certification application in order to be reimbursed.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 2.5: Policies 2.5.1 to 2.5.4
- b. Land Development Code:
 - Transportation Impact Fee: Sec. 56.02, 56.06-56.08, 56.11, 56.15
 - Parks Impact Fee: Sec. 56.32-56.41
 - Sewer Fees: Sec. 30.19-30.20
- c. Orange County Code of Ordinances:
 - School Impact Fee: Sec. 23-141 to 23-163

AHAC Recommendation: Increase the percentage/amounts for impact fee reimbursements.

5. *Flexible Densities*

Description: The allowance of flexible densities for affordable housing.

Established Policy Summary: The City of Orlando operates a voluntary density bonus program. The program offers a density bonus in several residential, office, and commercial districts. In exchange for more density, the developer must commit to build affordable housing units on-site. As an option, instead of building affordable units on-site, the developer may also choose to provide an in-lieu contribution to the “City of Orlando Trust Fund for Low and Very Low Income Housing.”

Comprehensive Plan and Land Development Code References:

- a. Future Land Use Element:
 - Objective 2.4: Policy 2.4.10
- b. Housing Element:

- Objective 5.1: Policy 5.1.1
- Objective 5.2: Policy 5.2.1
- Objective 5.9: Policy 5.9.2
- c. Land Development Code:
 - Sec. 58.1000-58.1105, particularly Sec. 58.1133

AHAC Recommendation: In order to receive a density bonus for residential or mixed-use development, require a developer to either create a number of affordable units in the development or pay into the City’s Trust fund for Low and Very Low Income Housing. Staff will analyze the correct percentage of units to be created and amount to be paid into the Trust fund.

6. ***Reservation of Infrastructure Capacity***

Description: The reservation of infrastructure capacity for housing for very-low income persons, low-income persons, and moderate-income persons.

Established Policy Summary: The committee reviewed this strategy and does not recommend its implementation at this time.

Comprehensive Plan and Land Development Code References:

- a. Future Land Use Element:
 - Objective 1.2: Policy 1.2.1
- b. Public Schools Element:
 - Goal 1: All objectives and policies, particularly Policy 1.3.6
- c. Land Development Code:
 - Sec. 59.100-59.106
 - Sec. 59.500-59.505
 - Sec. 59.600-59.607
- d. OCPS Interlocal Agreement:
 - Sec. 18: School Concurrency Implementation Procedures

AHAC Recommendation: No recommendation

7. ***Accessory Dwellings***

Description: The allowance of accessory residential units in residential zoning districts.

Established Policy Summary: The City of Orlando permits accessory dwelling units in residential zoning districts based upon the lot size. Lots in R-1 zoning districts must be twice the minimum lot size in order to have a detached accessory dwelling. Lots in R-2A districts must meet the lot size requirements of a duplex to be permitted for a detached accessory dwelling. Lots in zoning districts of R-2B or greater may have accessory dwellings by right. No special consideration is given for affordable accessory dwellings.

Comprehensive Plan and Land Development Code References:

- a. Land Development Code:

- Sec. 58.110, particularly Footnote 22 (after zoning tables)
- Sec. 58.500-58.502
- Sec. 58.900-58.901

AHAC Recommendation: Encourage code amendments to allow more opportunities for accessory dwelling units and allow for impact fee waivers to qualified projects. Under Section 58.502 of the Orlando City Code, eliminate the requirement that a family member occupy the Elderly Cottage Housing Opportunity (ECHO) housing unit.

8. *Alternative Development Standards*

Description: The reduction of parking and setback requirements for affordable housing.

Established Policy Summary: The Land Development Code has provisions for alternative development standards for certified affordable housing projects. These provisions promote innovative design, encourage the production of affordable housing, and allow for a more efficient use of land, all without compromising the quality of the development. Approvals may be granted administratively to save both time and money.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 5.1
 - Objective 5.3: Policy 5.3.6
- b. Land Development Code:
 - Sec. 61.322-61.323
 - Sec. 67.600-67.608

AHAC Recommendation: Under Objective 5.3 of the Housing Element, replace the term “mobile homes” with “manufactured homes”.

9. *Flexible Lot Configurations*

Description: The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Established Policy Summary: The City of Orlando permits zero-lot-line development as a design option for one or two family dwellings. With the zero-lot-line standards, the code allows the unit to be placed along the rear and/or side property lines, reduces the rear and front setbacks below the minimum yard requirements in the applicable zoning districts, and reduces the minimum lot depth required in the district.

Comprehensive Plan and Land Development Code References:

- a. Housing Element:
 - Objective 5.9: Policy 5.9.1
- b. Land Development Code:
 - Sec. 58.600-58.604
 - Sec. 67.600-67.605

AHAC Recommendation: No recommendation

10. *Alternative Transportation Standards*

Description: The modification of street requirements for affordable housing.

Established Policy Summary: The Land Development Code has provisions for alternative transportation standards for certified affordable housing projects. These provisions promote innovative design, encourage the production of affordable housing, and allow for a more efficient use of land, all without compromising the quality of the development. Approvals may be granted administratively to save both time and money.

Comprehensive Plan and Land Development Code References:

- a. Land Development Code:
 - Sec. 67.606

AHAC Recommendation: No recommendation

11. *Support Accessible Development*

Description: The support of development near transportation hubs and major employment centers and mixed-use developments.

Established Policy Summary: The City generally supports development at transportation and employment nodes through the allowance of greater densities and heights in mixed-use and activity center zoning districts that surround these nodes. There is no special consideration for affordable housing development at these nodes.

Comprehensive Plan and Land Development Code References:

- a. Future Land Use Element:
 - Objective 2.1: Policies 2.1.1 to 2.1.9
- b. Housing Element:
 - Objective 2.4: Policy 2.4.4
 - Objective 5.4: Policy 5.4.2
- c. Land Development Code:
 - Sec. 58.110
 - Sec. 58.340-58.341
 - Sec. 58.350-58.351

AHAC Recommendation: No recommendation

AHAC Adoption of the 2018 Final Report of Recommendations

The AHAC adopted the report by affirmative vote of a majority of the membership at a public hearing on November 13, 2017. Notice of the public hearing to adopt the 2018 Report of Recommendations was published in the Orlando Sentinel.