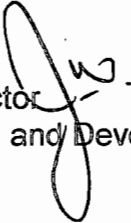




Interoffice Memorandum

November 19, 2020

TO: Mayor Jerry L. Demings
- AND -
County Commissioners

FROM: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development
Services Department 

CONTACT PERSON: Mitchell L. Glasser, Manager
Housing and Community Development Division
407-836-5190

SUBJECT: December 15, 2020 – Consent Item
Orange County's Affordable Housing Advisory Board
Housing Incentives Report

The Florida Housing Finance Corporation administers the State Housing Initiatives Partnership program (SHIP), which provides funds to local governments as an incentive to create, produce, and preserve affordable homeownership and multifamily housing. Beginning in 2020, Housing Bill 1339 amended Florida Statute to require local governments to annually evaluate and review their Affordable Housing Incentives through its Affordable Housing Advisory Board (AHAB). This review was previously completed every three years.

During the housing strategies review, the AHAB must consider, at a minimum, the 11 Affordable Housing Incentives outlined in the Housing Incentives Report for specific action as required by Florida Statute 420.9076(4) (a) through (k). The AHAB may recommend adding and/or changing the existing Affordable Housing Incentives. The AHAB formally approved the housing incentives in the Housing Incentives Report during a public meeting conducted on November 11, 2020. The incentives approved are consistent with our existing policies.

ACTION REQUESTED: Acceptance of Orange County's Affordable Housing Advisory Board Housing Incentives Report November 11, 2020 and authorization for staff to submit the report to the Florida Housing Finance Corporation. All Districts

JVW:MG
Attachment.

Orange County's
Affordable Housing Advisory Board
Housing Incentives Report

November 11, 2020

BACKGROUND

As a recipient of State Housing Initiative Partnership funds the County established an Affordable Housing Advisory Board as required by the Florida Statute Section 420.9076. The Affordable Housing Advisory Board (AHAB) is responsible for reviewing policies, land development regulations, the Comprehensive Plan Policy, and other aspects of the County's policies and procedures that affect the cost of housing. In addition, the AHAB is responsible for making recommendations to encourage affordable housing.

Beginning in year 2020, the AHAB is required to submit an annual Housing Incentive Report. The report includes recommendations by the board as well as comments on the implementation of incentives for at least the following eleven (11) distinct areas:

1. The processing of approvals of development orders or permit, as defined in s.163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
2. The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
3. The allowance of flexibility in densities for affordable housing.
4. The reservation of infrastructure capacity for housing for very low-income persons, low-income persons, and moderate-income persons.
5. The reduction of parking and setback requirements for affordable housing.
6. The allowance of affordable accessory residential units in residential zoning districts.
7. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
8. The modification of street requirements for affordable housing.
9. 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.
10. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
11. The support of development near transportation hubs, major employment centers and mixed-use developments.

AFFORDABLE HOUSING INCENTIVES

Staff presented the latest affordable housing practices and recommendations on affordable housing incentives to the AHAB on November 11, 2020. Each of the eleven (11) affordable housing incentives recommended by the State were thoroughly examined and discussed with AHAB members. This report is a result of the recommendations from the AHAB and meetings held with internal staff members to determine the feasibility of the recommendations. The recommendations below will be used to amend the Local Housing Assistance Plan (LHAP).

1. EXPEDITED PERMITTING

Development permits as defined in 163.3164 F.S. for affordable housing projects are expedited to a greater degree than other projects.

Existing Strategy:

Developments including affordable housing units in their development program are “fast-tracked” through the development review process. This policy gives such projects priority on the agendas of the Board of Zoning Adjustment, Planning and Zoning Commission, Development Review Committee and the Board of County Commissioners. Implicit in this policy is that rezoning applications, engineering plan review and sufficiency reviews will be completed in an expeditious manner.

AHAB Comments:

Reviewed and approved with no comments.

2. MODIFICATION OF IMPACT FEES

Impact fee are discounted or adjusted for affordable housing developments.

Existing strategy:

Orange County, through the SHIP program, has a strategy to reimburse developers building affordable multi-family and single-family housing for impact fees, excluding water capital charges and wastewater capital charges assessed.

The reimbursement rate for multi-family developments is up to 25 percent of the total impact fees and cannot exceed \$5,000 per unit. This incentive is available to developers building multi-family affordable workforce housing units for qualified very low and low-income persons at or below 60 percent of the area median income

The reimbursement rate for affordable single-family developments is up to 100 percent of total impact fees, to be capped at \$15,000. Developments housing moderate-income households will receive up to 50 percent reimbursement, developments housing low-income households will receive up to 75 percent reimbursement, and developments housing very low-income households will receive up to 100 percent reimbursement.

AHAB Comments:

Reviewed and approved with no comments.

3. FLEXIBLE DENSITIES

Allowance of flexibility in densities for developers building affordable homes.

Existing strategy:

Per Comprehensive Plan Policies FLU 3.2.5 (c) and H 1.2.13, projects that incorporate workforce (affordable and attainable) housing units shall be eligible for additional 50 percent density bonuses, as long as all units are workforce (affordable and attainable) housing units.

AHAB Comments:

Reviewed and approved with no comments.

4. RESERVATION OF INFRASTRUCTURE CAPACITY

Reserve infrastructure capacity such as transportation, water, and wastewater for affordable housing development.

Existing strategy:

Developers may defer, until they seek a structural building permit, the payment of water and wastewater capital charges (impact fees).

Existing Ordinance no. 92-21 (Sec 30-596 and 597 of the Orange County Code) also allows affordable developments to reserve capacity for three years without paying transportation capacity fees until such time that building permits are issued.

AHAB Comments:

Reviewed and approved with no comments.

5. PARKING AND SETBACK REQUIREMENTS

The reduction of parking spaces and setback requirements for affordable housing.

Existing strategy:

Section 38 of the Orange County Code addresses parking and development standard requirements. Variances for reduction of setback and parking requirements may be submitted to the Board of Zoning Adjustments for approval, or submitted as a waiver in the Planned Development review process.

AHAB Comments:

A reduction in parking requirements for affordable housing developments should not be considered, unless near a transportation hub.

6. AFFORDABLE ACCESSORY RESIDENTIAL UNITS

The allowance of affordable accessory residential units in residential zoning districts

Existing strategy:

Section 38-1426 of the Orange County Code allows accessory dwelling unit to be constructed with a primary single-family unit.

AHAB Comments:

Reviewed and approved with no comments.

7. FLEXIBLE LOT CONFIGURATIONS

The allowance of flexible lot configurations such as zero-lot –line configuration for affordable housing.

Existing strategy:

Ordinance No. 93-11 specifically encourages zero-lot-line configurations and other similar alternative designs in Residential Low Density (R-L-D) Districts. Additionally, a zero-side yard development is permitted in all residential zoning districts provided that certain standards are met.

AHAB Comments:

Reviewed and approved with no comments.

8. MODIFICATION OF STREET REQUIREMENTS

Modifying street requirements for affordable housing such as limiting the width of a street.

Existing strategy:

Orange County Code Section 30-84 addresses subdivision requirements.

AHAB Comments:

Reviewed and approved with no comments.

9. PROCESS OF ONGOING REVIEW

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

Existing strategy:

A ten (10) member Development Advisory Board (DAB) appointed by the Board of County Commissioners has the primary responsibility of reviewing all Orange County policies, ordinances, and regulations affecting land development, with the exception of zoning, and to suggest changes to the Board of County Commissioners.

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AHAB Comments:

Reviewed and approved with no comments.

10. PUBLIC LAND INVENTORY

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

Existing strategy:

Orange County, through its Housing and Community Development Division, provides public notices to convey county-owned lots to nonprofit entities for the purpose of constructing and

selling affordable homes to eligible homebuyers. A Request for Proposal (RFP) process is implemented to convey the lots.

AHAB Comments:

Reviewed and approved with no comments.

11. SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

The support of development near transportation hubs, major employment centers, and mixed use developments.

Existing strategy:

The County generally supports development of affordable and attainable housing near transportation hubs, major employment centers, and mixed-use developments, and gives priority review and processing of applications scoring 60 or greater on the Access and Opportunity Model.

AHAB Comments:

Reviewed and approved with no comments.