

DEC 15 1992

[Signature]

RESOLUTION NO. 92-M-74

A RESOLUTION OF THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS (THE "BOARD") FINDING THAT MUNICIPALITIES LOCATED WITHIN UNINCORPORATED ORANGE COUNTY WHO ISSUE A CERTIFICATE OF AFFORDABILITY FOR HOUSING PROJECTS IN ACCORDANCE WITH ORANGE COUNTY ADMINISTRATIVE REGULATION 11.02.06, AS IT MAY BE AMENDED OR REPLACED FROM TIME TO TIME BY ORANGE COUNTY, SHALL BE ELIGIBLE FOR A DISCOUNT UNDER THE ORANGE COUNTY SCHOOL IMPACT FEE ORDINANCE WITHOUT FURTHER BOARD ACTION.

WHEREAS, on September 22, 1992, the Board passed the Orange County School Impact Fee Ordinance (Ordinance No. 92-28);

WHEREAS, on December 15, 1992, the Board executed Interlocal Agreements or made formal commitments with all municipalities (with the exception of the City of Edgewood) to implement the school impact fee within unincorporated Orange County;

WHEREAS, Section 3.03 of the School Impact Fee Ordinance states that the Orange County Community Development and Housing Assistance Department shall certify projects as affordable within the guidelines of Orange County Administrative Regulation 11.02.06;

WHEREAS, the Board has determined that the administration and collection of school impact fees will be streamlined and

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1 simplified by permitting municipalities to issue certificates
2 of affordability provided that they are consistent with
3 Orange County Administrative Regulation 11.02.06, as it may
4 be amended and replaced from time to time;

5 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
6 COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

7 1. That any municipality in unincorporated Orange
8 County, Florida, who certifies a project as being affordable
9 using the guidelines provided in Orange County Administrative
10 Regulation 11.02.06, as it may be amended or replaced from
11 time to time by Orange County, a copy of which is attached
12 hereto as Exhibit "A", shall be deemed to be a project
13 eligible for the school impact fee discount as particularly
14 set forth in Section 3.03, of the Orange County School Impact
15 Fee Ordinance without further Board action.

16 2. If any provision of this Resolution or the
17 application thereof to any person or circumstance is held
18 invalid, the invalidity shall not affect other provisions or
19 applications of this Resolution which can be given effect
20 without the invalid provision or application and to this end
21 the provisions of this Resolution are declared severable.

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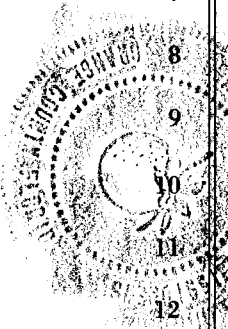
3. This Resolution shall take effect immediately upon its adoption.

ORANGE COUNTY, FLORIDA
BY: Mark Butler
FOR THE County Chairman


DATE: DEC 15 1992

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: Paul M. Skipton
Asst Deputy Clerk



AMY:sac2019 12/09/92

	ORANGE COUNTY ADMINISTRATIVE REGULATIONS	No: 11.02.06
		Date: 09/17/90
Title: THRESHOLD CRITERIA FOR AFFORDABLE HOUSING PROJECTS SINGLE AND MULTI-FAMILY DEVELOPMENTS		Approved By: BCC Revised 06/16/92
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I. POLICY:

The Board of County Commissioners has determined that the provision of affordable housing is a critical need in Orange County and that projects which meet the definition of affordable, as outlined in these threshold criteria, should be given priority processing and/or economic concessions to improve their viability and encourage additional affordable housing developments. The criteria set forth in this regulation represent the minimum standards necessary for a project to qualify as an affordable housing project. It is the intent of this criteria to encourage innovative and creative developments which provide affordable housing.

II. PROCEDURE:

- A. Each developer/builder seeking certification for an affordable housing project will be provided an application to be completed and submitted to the Department of Community Development and Housing Assistance for evaluation, determination and disposition.
- B. For a unit to be determined affordable by Orange County, no more than 30 percent of household income may be spent on housing costs (mortgage (PITI) or rental payments). Orange County uses the following definitions to establish levels of affordability:
1. Moderate income means total household income between 61 percent and 80 percent of Orlando Metropolitan Statistical Area (MSA) median income.
 2. Low income means total household income between 51 percent and 60 percent of Orlando MSA median income.
 3. Very low income means total household income below 50 percent of Orlando MSA median income.

FOR MORE INFORMATION CONTACT: County Administrator's Office
Department of Community Development
and Housing Assistance

REFERENCE: Affordable Housing Task Force Report



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C. Single Family Fee Simple Developments:

In order to receive an affordable housing certification, at least 30 percent of the units in a fee simple single family development (attached or detached units) shall be set aside for households earning 80 percent or less of the area's median income, except as provided in II.E. of this regulation. Single family fee simple developments may include units sold under a lease-purchase agreement. Single family Fee simple developments shall not include condominiums.

D. Multi-Family Rental Developments:

Each developer/builder seeking certification of a multi-family rental development as affordable must set aside a minimum portion of the project units for low or very low income tenants as follows:

1. Twenty percent of the units must be set aside for households earning 50 percent or less of the area's median income; or
2. Forty percent of the units must be set aside for households earning 60 percent or less of the area's median income.

The maximum allowable rents to be charged for units assisted under this regulation shall not exceed 30 percent of adjusted family income for households earning 60 percent of the annual median income for area families. In addition, affordable rents will be adjusted by the number of bedrooms and utilities allowances. Rent schedules for set-aside units will be provided by the Department of Community Development and Housing Assistance.

E. Individual Units:

A developer/builder may receive discounted impact fees for individual single family fee simple units affordable to moderate, low or very low income families; however, no individual builder/developer shall receive discounted impact fees for more than five individual single-family fee simple units within a single platted subdivision, unless the platted subdivision is certified pursuant to II.C. of this regulation. These units are subject to all other applicable conditions contained in these regulations.

- F. In order to receive economic, planning, permitting or regulatory concessions for single family developments or individual single family units, applicants shall certify in advance that units will be sold in fee simple to and occupied by families or individuals meeting the income ranges specified in the application for certification of affordable housing or application for discounted impact fees for individual units.



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In order to receive economic, planning, permitting or regulatory concessions for multi-family rental developments, applicants shall certify in advance that units will be rented to and occupied by families or individuals meeting the income ranges specified in the application for certification of affordable housing, subject to the rate schedule established pursuant to II.D of this regulation. In the event that the certification as specified in the developer's agreement is violated, Orange County may deny one or more certificates of occupancy, require the repayment of economic concessions and/or refuse to grant future building permits to the builder, development company or its principals, or may apply to the circuit court for injunctive relief.

- G. The developer/builder or their principals must have prior experience in housing construction or development, except for owner/builder.
- H. The proposed development must be consistent with Orange County's affordable housing goals and objectives and the Orange County Comprehensive Plan.
- I. If the proposed project is located in the Rural Service Area, a pre-application meeting with the Planning Department and the Community Development and Housing Assistance Department will be required. In addition to all applicable ordinances, including the comprehensive plan, general guidelines to consider when preparing an application are:
 - 1. Residential developments petitioning to expand the urban service area shall commit at least 45 percent of the total development area to affordable housing.
 - 2. Residential developments in existing rural settlements or growth centers shall provide a minimum of 45 percent of the total development area as affordable housing.
 - 3. Residential developments petitioning to expand rural settlements shall commit at least 45 percent of the total development area to affordable housing.

ATTACHMENT A

**AFFORDABLE HOUSING THRESHOLD CRITERIA
ADMINISTRATIVE REGULATION NO. 11.02.06**

I. INFORMATION REQUIRED OF THE PROPOSER

In order to provide a uniform review process and to obtain the maximum degree of comparability, it is required that proposals be organized in the manner specified below.

II. TITLE PAGE

Show the name of the proposer's firm, address, telephone number, name of contact person and date.

III. LETTER OF TRANSMITTAL

- A. State the scope of the work to be performed.
- B. State whether the firm is local, national, or international and indicate the firm's legal status (i.e., corporation, partnership or proprietorship)
- C. Give the date the firm was organized and/or incorporated and where.
- D. Indicate whether the firm is a parent, a subsidiary, an agent, or a branch.
- E. State if the firm is licensed to do business in the State of Florida, and by whom.

IV. PREVIOUS EXPERIENCE/QUALIFICATIONS OF THE PROPOSER

- A. Indicate the firm's background in developing, constructing, and/or providing housing units for low and moderate income families and/or demonstrate the capacity to work with public concerns to accomplish same.
- B. Indicate specifically the members of the firm who will work on the project and provide a resume of each.
- C. Indicate all key individuals, their tasks and areas of expertise.

V. PROJECT AND FINANCIAL INFORMATION

Proposer(s) shall submit documentation which demonstrates the financial wherewithal of the firm to complete the proposed project. Examples of this ability include: borrowing capacity, established lines of credit, arrangements and/or agreements for temporary and permanent financing, etc.

VI. CONSTRUCTION FINANCIAL INFORMATION

- A. If county participation in the form of dollars, assistance with impact fee payments, or density credits is being requested, provide a cost pro forma, including the following:
1. Total hard costs
 2. Total soft costs
 3. Cost per square foot
 4. Cost per unit
 5. Land cost
 6. Total project cost
- B. If none of the items outlined in Section VI. A. are being requested, a response to Section VI is not required.

ATTACHMENT B

**AFFORDABLE HOUSING THRESHOLD CRITERIA
ADMINISTRATIVE REGULATION NO. 11.02.06**

AFFORDABLE HOUSING CERTIFICATION

In accordance with Orange County's Affordable Housing goals, objectives and threshold requirements, the proposer certifies that:

1. No person involved in the selection or decision process has an interest in the firm submitting a proposal.
2. They currently own, or have an option to purchase property for development.
3. They have the capacity to plan, design, develop and construct affordable housing units on a timely basis.
4. They have successfully developed housing or can demonstrate the capacity to do so.
5. They are not on the U.S. list of debarred or suspended contractors.

The undersigned certifies that the above information is a representation of fact upon which reliance is to be placed to proceed with this process.

Authorized Official Signature

Witness (Signature)

Name and Title (Typed)

Name (Typed)

Date

Date