

The definition of **Single-Family** DU per the LDC

- **Single-Family Dwelling Unit (DU)**

A detached residential dwelling unit other than a mobile home, designed for and **occupied by one (1) family** only which includes a kitchen and permanent facilities for living, sleeping, and sanitation.

- **Intent**

To allow one family unit per lot, compatible with low or medium density residential development.

- **Impact**

Its impact is checked during zoning or site plan review.

Family members share amenities:
bathrooms, kitchen and common areas



The definition of **Family** per the LDC

- Family

One (1) or more persons related by blood, marriage, or adoption, exclusive of family servants, occupying a single dwelling unit, and living as a single household unit as distinguished from a group occupying a boarding house, lodging house, hotel or motel, or fraternity or sorority. **A number of persons, not exceeding three (3), occupying a dwelling and living as a single household unit, though not related by blood, marriage or adoption, shall be deemed to constitute a family.**

Roommates share amenities:
bathrooms, kitchen and common areas

- Intent

To allow a limited number of unrelated persons to share a dwelling unit, usually catered for college students and young professionals.

- Impact

It helps accommodate for roommates, but it is difficult to enforce. The City controls the nuisances: excessive cars, noise etc.



The definition of Family in other jurisdictions

- City of Orlando - *Family*: One or more persons occupying a single dwelling unit and living as a single housekeeping unit, provided that unless all members are related by blood, marriage, adoption or foster care responsibility, **no such family shall contain over five persons.**
- City of Winter Park – *Family* means one or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage or adoption, **no such family shall contain over three unrelated persons**, but further provided that domestic service employees employed on the premises may be housed on the premises without being counted as a family or families.
- City of Longwood – *Family*: One or more persons occupying a single dwelling unit; provided that **such family shall not contain over three persons unless all persons are related** by law, blood, adoption, or marriage and are not immediate kindred
- City of Sanford - *Family*: One person, or group of two or more persons occupying a dwelling unit as a separate and independent housekeeping unit with a single set of culinary facilities. The persons thus constituting a family may also include gratuitous guests and domestic servants. **Unless all persons are related by blood, marriage, adoption or foster care responsibility, no such family shall contain over five persons.**
- City of Casselberry – *Family* One or more persons occupying a single dwelling unit and living as a single household unit. **Unless all members are related by law, blood, adoption, or marriage, no family shall contain more than four persons;** however, domestic servants employed on the premises may be housed on the premises without being counted as separate or additional family or families. The term "family" shall not be construed to mean a fraternity, sorority, club, monastery, convent, or institutional group.

The definition of Family in other jurisdictions

- City Altamonte Springs - *Family*: One or more persons occupying a single dwelling unit: **provided that such family shall not contain over three persons unless all persons are related** by law, blood, adoption, or marriage and, provided further that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families. The term "family" shall not be construed to mean fraternity, sorority, club, monastery or convent, or institutional group.
- City of Maitland – *Family*: One or more persons occupying a single dwelling unit, provided that unless all members are related by law, blood or marriage, **no such family shall contain over five persons**. Persons employed on the premises may be housed on the premises without being counted as a separate or additional family or families.
- City of Gainesville – *Family* means one or more natural persons who are living together and interrelated as spouse, domestic partner, child, stepchild, foster child, parent, stepparent, foster parent, brother, sister, grandparent, niece, nephew, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or legal guardian, as evidenced by written documentation of such relationship, **plus no more than two additional unrelated natural persons occupying either the whole or part of a dwelling unit as a separate housekeeping unit**. A family also includes a community residential home, as defined in this chapter, with six or fewer residents. The persons constituting a family may also include domestic servants and temporary gratuitous guests. "Temporary gratuitous guests" as used herein shall refer to natural persons occasionally visiting such housekeeping unit for a short period of time not to exceed 30 calendar days within a 90-day period.

The definition of Duplex per the LDC

- Duplex

A detached residential building containing **two (2) dwelling units in one lot**, designed for occupancy by not more than two (2) families, containing either a common wall or ceiling floor.



- Intent

To allow two families in two separate units in one lot.

- Impact

Only allowed in the City in Medium Density Residential FLU and R-2, R-3 and R-P. Impacts are accounted for if density is met.

Dwellers/family members do not share amenities: bathrooms, kitchen and common areas

The definition of **ADU** (not yet in LDC)

- Accessory Dwelling Unit (ADU) or Ancillary Dwelling Unit per the Comp Plan

A detached or attached accessory residential unit to a single-family residential unit, designed for occupancy of members of the family, individual renters or small families.



Dwellers/family members do not share amenities: bathrooms, kitchen. They may share common areas

- Intent

To increase the availability of different rental options or accommodate extended family.

- Impact

The Comp Plan exempts it from density calculation, but the size limitation helps control its impact. The LDC will regulate ADUs.

- It can be Statutory or non-Statutory

ADU per Statutes 163.31771

- **Definitions**
 - ADU(s) - An ancillary or secondary living unit, that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.
 - Affordable rental - monthly rent and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for extremely-low-income, very-low-income, low-income, or moderate-income persons
- Intent ...the Legislature finds that it serves an important public purpose to encourage the permitting of accessory dwelling units in single-family residential areas in order to increase the availability of affordable rentals for extremely-low-income, very-low-income, low-income, or moderate-income persons.
- Requirement – affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons
- Each accessory dwelling unit allowed by an ordinance adopted under this section shall apply toward satisfying the affordable housing component of the housing element in the local government's comprehensive plan under s. [163.3177](#)(6)(f).



The definition of ADUs in other jurisdictions

- **City of Orlando - *Dwelling Unit, Accessory*:** A dwelling unit which is an accessory use to a detached single family dwelling unit on one lot or an on-site office on an O-1 or O-2 zoned parcel. For the purpose of these regulations, any heated or cooled space adjacent to an Accessory Dwelling Unit and connected internally will be considered as part of the Accessory Dwelling Unit. This terms includes accessory apartments, garage apartments, and accessory cottage dwellings
- **City of Winter Park - *Dwelling, cottage*** means a building which is attached to or detached from a principal dwelling, is smaller in area than the principal dwelling, is occupied exclusively by one family, has one kitchen and is located on the same property as the principal dwelling.
- **City of Sanford – *Accessory Dwelling Unit*:** One dwelling unit contained within the principal building located on the premises and occupied by the owner, relative of the owner-occupant, caretaker or watchman employed on the premises.
- **City of Casselberry - *Dwelling, cottage*** means a building which is attached to or detached from a principal dwelling, is smaller in area than the principal dwelling, is occupied exclusively by one family, has one kitchen and is located on the same property as the principal dwelling.
- **City of Maitland - *Accessory dwelling unit (ADU)*** means an independent self-contained dwelling unit with kitchen and bathroom facilities, on the same lot as an associated primary use or structure. An ADU may be within, attached to, or detached from a primary structure.

The definition of Multi-family

- Multiple-family

Multiple dwelling units which are located in a single building, in which the entrances to individual units may be above the first floor, including but not limited to garden apartments, residential towers, and multiple upper-story residences which are located in mixed-use buildings.

Dwellers/family members share common amenities:
But no bathrooms or kitchens

- Intent

To allow for more density, allowing multiple family dwelling units in one lot.

- Impact

The impact is accounted for during the review process.



The definition of Community Residential Home

- Community Residential Home (2 Categories: Residential use and Commercial use)

A dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for **seven (7) to fourteen (14) unrelated residents** who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents (F.S. § 419.001). Community Residential Homes **of six (6) or fewer residents shall be deemed a single-family unit and a noncommercial, residential use.**

Dwellers/family members share bathrooms and kitchens common amenities

- Intent

To allow for more density, allowing multiple family dwelling units in one lot.

- Impact

Community residential Homes up to 6 members are permissible under R-1A, R-1, R-1B, R-1BB, R-3, MUD-SF, MUD-MF, MUD-NDA and MUD-NDB. Community residential Homes from 7 members to up to 14 members are permissible under R-P, O-C, and C-1.



Different housing typologies have different impact on the City's capacity to serve

Related to the Comprehensive Plan:

- Density
- Population (Fire, Police, Rec and Parks and General administration services and personnel)
- Water and Sewer consumption
- Stormwater
- Solid Waste
- Traffic circulation
- School Capacity

Other impacts:

- Building Code (each typology has its own Building Code requirements)
- Fire Prevention Code
- Land Development Code
- Impact Fees/Capital Recovery Charges

Rooming House

Rooming Homes

- A residential use consisting of at least (1) dwelling unit together with one (1) or more rooms that are rented or intended to be rented to more than one (1) family, but which rooms, individually or collectively, do not constitute separate dwelling units. A boarding house or rooming house is designed to be occupied by longer term residents (month to month) as opposed to overnight or weekly guests.
- Allowed as Special Exception in R-1A, R-1, R-1B, R-1BB, R-2, R-3 and R-P.



Manufactured Homes vs Mobile Homes

Manufactured/Modular Homes

- relate just to the construction process, built on a “factory” as opposed to built on a site.
- In Oviedo, they are permissible in every zoning district a residence is allowed. They have to comply with Florida Building Code, as any other construction. There are also federal regulations.
- They may be affordable, not necessarily.
- A dwelling unit constructed in accordance with the standards set forth in the Standard Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two (2) sections transported to the site in a manner similar to a mobile home (except that the modular home meets the Standard Building Code) or a series of panels or room sections transported on a truck erected or joined together on the site.



Manufactured Homes vs Mobile Homes

Mobile Homes

- A dwelling unit that: (i) is not constructed in accordance with the standards set forth in the Standard Building Code, and (ii) is composed of one (1) or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds forty (40) feet in length and eight (8) feet in width. A travel trailer is not a mobile home.
- Allowed as Special Exception in A and R-2 and permissible in MH-1.



Solutions to increase housing options

- Comprehensive Plan:
 - ✓ 1-1.1.6 Density bonus if workforce or affordable housing is provided
 - ✓ Accessory dwelling units
 - ✓ Increase LDR density to 4.0
- Land Development Code Rewrite:
 - ✓ Regulate Policy 1-1.1.6
 - ✓ Regulate Accessory Dwelling units
 - ✓ Allow duplexes, triplexes and quadruplexes in more zoning districts if they meet the density requirement – this would require a small text amendment in the Comp Plan on the LDR permissible uses. Density would still apply!
 - ✓ Proposed mobility fees assessed by square footage for single family homes

Duplex, Triplex and Fourplex in LDR

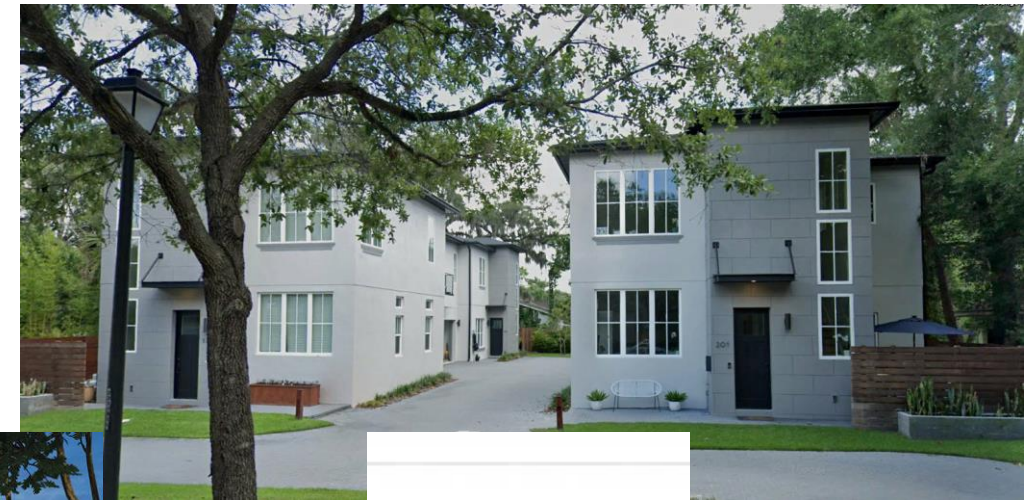
With the Density of 4.0 in LDR, the LDC could allow duplexes, triplexes and fourplexes in more zoning districts.

A Comp Plan amendment would be needed: replacing the single-family use for residential use

0.5 Acre = 2 units

0.75 Acres = 3 units

1.0 Acre = 4 units



A new avenue – linkage fees

F.S. 125.01055



1. Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances
2. An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.
3. An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.
4. In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a county must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to: Density or intensity bonuses, reducing or waiving fees, or other incentives.

Current policies on affordable housing

- Introduction D. Housing – “... This Plan continues to support the provision of adequate, affordable and safe housing for the existing and future residents of the City of Oviedo. It adds new policies that address strategies to encourage the increase of the stock of affordable housing, density bonuses, and coordination with other housing providers and the private sector. ...”
- Introduction IV. Intergovernmental Coordination – “...This Plan includes new policies addressing intergovernmental coordination for regional affordable and workforce housing needs. ...”
- Policy 1-1.1.6 – Density/Intensity Bonus - Affordable/workforce housing is one of the criteria to obtain density/intensity bonus.
- Policy 1-1.11.2 - Provision of a Range of Housing Types - The City shall encourage the provision of a range of housing types appropriate to various age and needs groups, including workforce and affordable housing.

Current policies on affordable housing (cont.)

- Policy 2-1.13.18 – Localized Mobility Fee - The mobility fee may include provisions to encourage and incentivize affordable, attainable, and workforce housing, mixed-use development, multimodal supportive development, targeted employment uses, and development within downtown and multimodal supportive areas, districts, or zones.
- 3-1 Goal: ENSURE THE PROVISION OF ADEQUATE, AFFORDABLE, AND SAFEHOUSING FOR THE EXISTING AND FUTURE RESIDENTS OF THE CITY OF OVIEDO
- 3-1.1 Objective - Provision of Various Housing Types to Meet Different Needs Ensure a range housing options are available within the City of Oviedo to meet the needs of existing and future City residents representing all income and needs groups and stages of life, including affordable, workforce, and market-rate housing.
- Policy 3-1.1.1 - Definition of Affordable Housing - "Affordable" shall mean that monthly mortgage payments or rents do not exceed thirty percent (30%) of the median annual household income, provided, however, that the City shall continue to evaluate this definition based upon actions taken by Federal and State government authorities.

Current policies on affordable housing (cont.)

- Policy 3-1.1.5 – Expedited Permitting Process for Affordable and Workforce Housing - The City shall provide a fast track permitting process to private and not-for-profit builders (Site Development Order in ninety(90)days; Site Construction Level II Permit in forty-five (45)days) for affordable and work force housing developers. The City may approve certain deviations to the Land Development Code minimum requirements to support the provision of affordable and work force housing.
- Policy 3-1.1.6 - Impact of Non-residential Projects - The City shall evaluate non-residential projects for their impacts on affordable housing and shall require mitigation of impacts, such as increased buffering, open space, or pedestrian access, when necessary.
- Policy 3-1.1.7 Strategies to Increase the Stock of Affordable Housing - The City shall implement a full array of diverse strategies to increase the stock of ownership and rental units affordable to very low, low, moderate and middle income households, with a special emphasis on very low and low income households. These strategies shall include, but are not limited to, participation in Federal, State and Local grant programs, coordination with developers to ensure the inclusion of a variety of housing types and costs in new development and redevelopment projects, participation in regional housing strategies, and City-initiated incentive programs, such as expedited permitting (Policy 3-1.1.7)and Density Bonuses (Policy1-1.12.10).

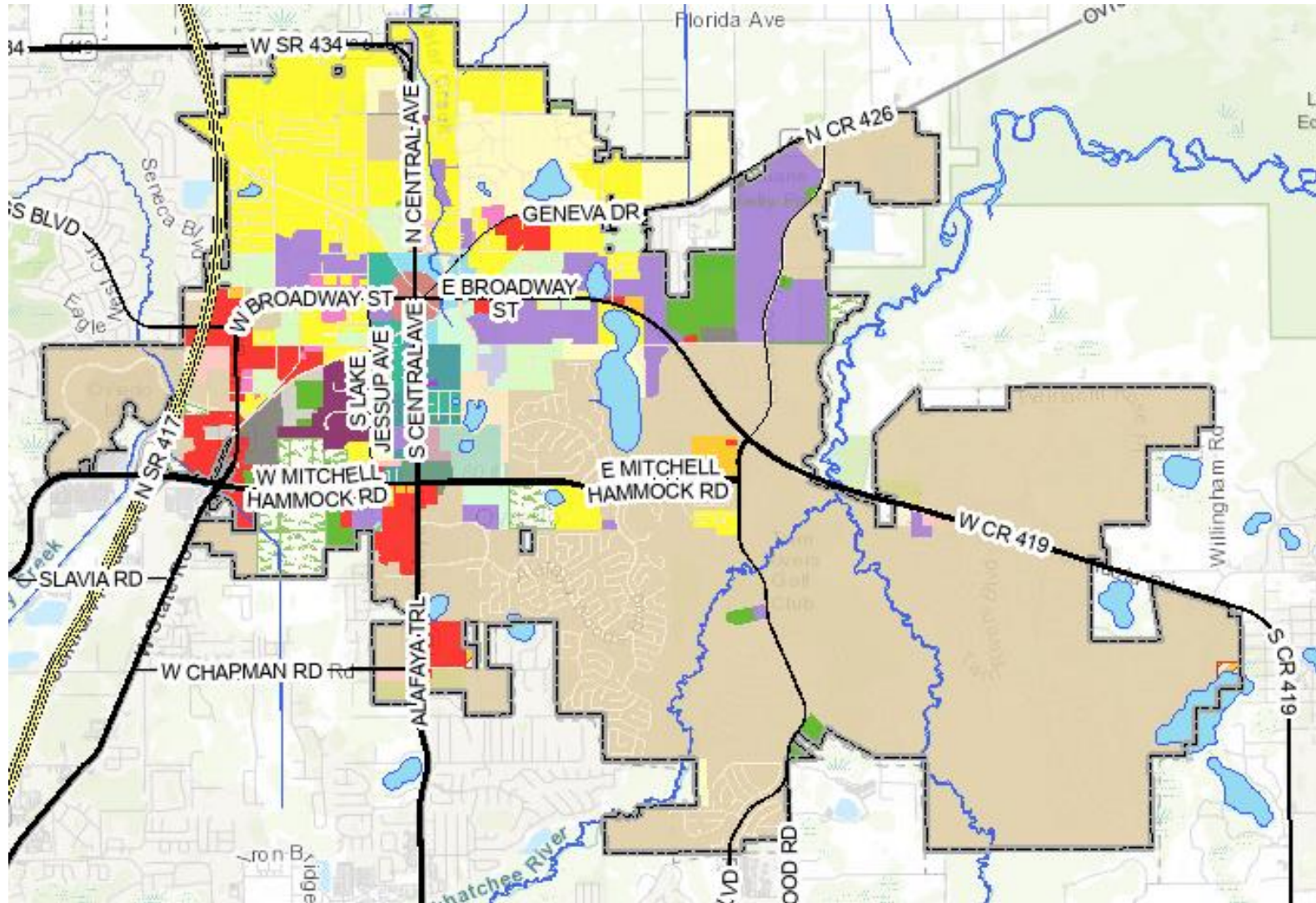
Current policies on affordable housing (cont.)

- Policy 3-1.1.8 – Coordination with Housing Providers and the Private Sector - The City shall coordinate as appropriate with housing providers and the private sector in order to identify and mitigate regulatory barriers to the provision of affordable housing. The City shall also engage in intergovernmental coordination with Federal and State agencies of pertinent jurisdiction.
- Policy 3-1.1.9 - Affordable Housing Units and New Development - When a development request that will result in the addition of ten(10) or more new units is approved, the new development shall be encouraged to designate thirty percent(30%) of the new units as low or moderate housing units.
- Policy 3-1.1.10 Location Criteria - The City shall encourage affordable and workforce housing proximate to employment centers, retail and services, community uses, and multi-modal transportation options by providing adequate locations for mixed-use development.

Current policies on affordable housing (cont.)

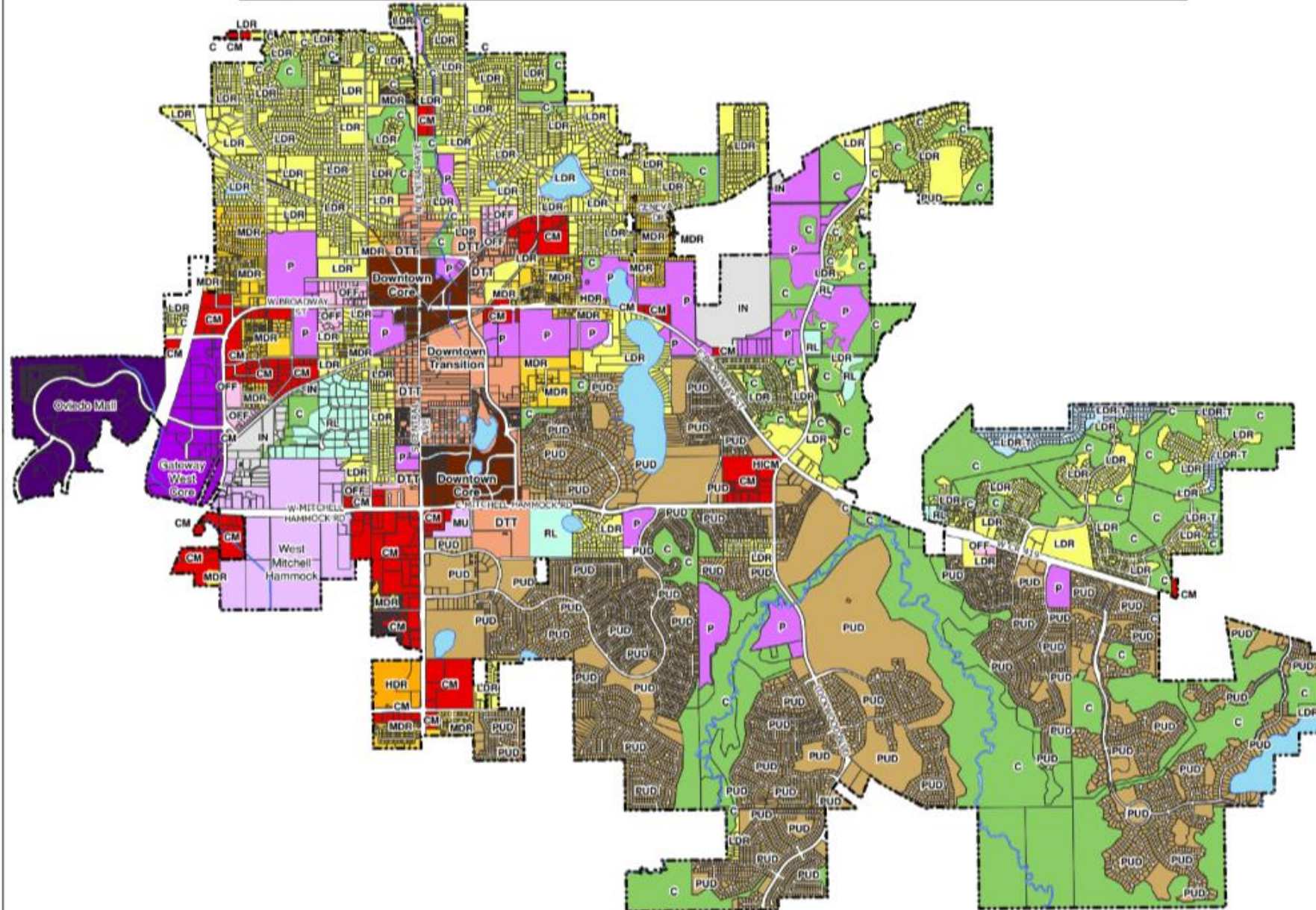
- Policy 3-1.3.4 – Evaluation of Housing Needs – A. At least every seven (7) years the City shall evaluate the housing needs of existing and future residents, and to ensure that there is enough residentially designated land to accommodate the anticipated housing needs, as a component of its Comprehensive Plan Evaluation and Appraisal Report. B. This assessment shall include an analysis of the affordability of its housing stock, using the best available information from the University of Florida Shimberg Center for Affordable Housing, provided, however, that the City shall continue to evaluate any and all requirements of controlling Federal and State law. C. This assessment shall monitor lot size diversity comprising the City's housing stock and shall maintain a residential lot inventory. Requests for change of land use or zoning, and applications for residential planned unit development, shall be evaluated for consistency with maintaining a diversified City-wide residential lot mix.
- Policy 7-1.5.1 - Regional Affordable and Workforce Housing Needs The City shall coordinate with the Federal, State, County and other local governments; the East Central Florida Regional Planning Council(ECFRPC); and other agencies as appropriate regarding the implementation of strategies, plans and programs to address regional affordable and workforce housing needs.

Zoning Map



CITY OF OVIEDO
FUTURE LAND USE MAP SERIES

MAP 1-1 2045 FUTURE LAND USE MAP



Legend

2045 FLU

- Commercial
 - Conservation
 - General Planned Unit Development
 - High Density Residential
 - High Intensity Commercial
 - Industrial
 - Low Density Residential
 - Low Density Transitional
 - Medium Density Residential
 - Mixed Use
 - Office
 - Public
 - Rural
- 2045 Downtown Districts**
- Downtown Core
 - Downtown Transition
- 2045 Gateway Districts**
- Gateway West Core
 - Oviedo Mall
 - West Mitchell Hammock Corridor
- City of Oviedo Boundary
- Waterbody



Questions and Directions

- Any proposed changes to the definition of family?
- ADUs (Ancillary Dwelling Unit) – Only allow Statutory ADU(s)? Or allow ADU(s) that do not need to provide an affidavit requiring to meet an affordability criteria?
- Direction as to the idea of allowing duplexes, triplexes and quadruplexes in residential neighborhoods (single-family), given that density is met, in addition to parking requirements and other planning standards that would not affect the residential character of the neighborhood, such as height, setbacks.?

