



Interoffice Memorandum

January 6, 2021

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

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

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

SUBJECT: January 26, 2021 – Public Hearing  
Ordinance Relating AHAB Amending Section 2-181 of the  
Orange County Code

Orange County's Affordable Housing Advisory Board (Advisory Board) was created by Ordinance No. 92-34 and amended by Ordinance No. 2001-05 and Ordinance No 2008-07. The Advisory Board is required pursuant Florida Statute 420.9076 to participate in the State Housing Initiative Partnership (SHIP) program. The purpose of the Advisory Board is to review established policies, procedures, strategies and incentives to encourage and facilitate affordable housing. The Advisory Board provides input and recommendations on strategies and programs for affordable housing under SHIP and the County's new Affordable Housing Trust Fund Plan.

The Florida Legislature amended Section 420.9076, Florida Statutes to add a requirement that the Advisory Board include one locally elected official. The attached Ordinance amends the composition and membership of the Advisory Board by reducing the membership from eleven to nine members, one of whom shall be an Orange County elected official appointed by the Orange County Mayor.

**ACTION REQUESTED:** Adoption and execution of an Ordinance Relating to the Affordable Housing Advisory Board in Orange County, Florida; Amending Article V of Chapter 2 of the Orange County Code by amending the composition and membership of the Affordable Housing Advisory Board; Amending Section 2-181 to revise board composition; and providing an effective date.

JVW:MG  
Attachment

C: Byron W. Brooks, AICP, County Administrator  
Jeffrey J. Newton, County Attorney  
Lila McHenry, Senior Assistant County Attorney

ORDINANCE NO. 2021-\_\_

AN ORDINANCE RELATING TO THE AFFORDABLE HOUSING  
ADVISORY BOARD IN ORANGE COUNTY, FLORIDA; AMENDING  
ARTICLE V OF CHAPTER 2 OF THE ORANGE COUNTY CODE BY  
AMENDING THE COMPOSITION AND MEMBERSHIP OF THE  
AFFORDABLE HOUSING ADVISORY BOARD; AMENDING SECTION  
2-181 TO REVISE BOARD COMPOSITION; AND PROVIDING AN  
EFFECTIVE DATE.

WHEREAS, the Orange County Affordable Housing Advisory Board ("Advisory Board") was created by Ordinance No. 92-34, as amended by Ordinance No. 2001-05 and Ordinance No. 2008-07; and

WHEREAS, the purpose of the Advisory Board is to review established policies, procedures, and regulations concerning an affordable housing incentive plan (the "Plan") with specific initiatives and incentives to encourage or facilitate affordable housing; and

WHEREAS, pursuant to Laws of Florida 2020-27, the Florida Legislature amended Section 420.9076, Florida Statutes, to add a requirement that the Advisory Board include one locally elected official.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ORANGE COUNTY:

*Section 1. Amendment to Section 2-181 of the Orange County Code.*

Section 2-181 of the Orange County Code hereby amended to read as follows with underlining showing additions and ~~strike-throughs~~ showing deletions:

**Sec. 2-181. Creation; duties; membership; terms of office; meetings.**

(a) The affordable housing advisory board shall review Orange County's established policies and procedures, ordinances, land development regulations and adopted comprehensive plan and shall report to the board of county commissioners on recommended specific initiatives to encourage or facilitate affordable housing

40 while protecting the ability of the property to appreciate in value.  
42 The recommendations may include the modification or repeal of  
44 existing policies, procedures, ordinances, regulations or plan  
46 provisions, the creation of exceptions applicable to affordable  
housing; or the adoption of new policies, procedures, regulations,  
ordinances or plan provisions including recommendations to  
amend the local government comprehensive plan and  
corresponding regulations, ordinances, and other policies.

48 (b) The advisory board shall make recommendations to  
the board of county commissioners on affordable housing  
50 incentives in the following areas:

52 (1) The processing of approvals of development  
orders or permits, as defined in F.S. § 163.3164(7) and (8), for  
54 affordable housing projects is expedited to a greater degree than  
other projects.

56 (2) The modification of impact-fee  
requirements, including reduction or waiver of fees and alternative  
methods of fee payment for affordable housing.

58 (3) The allowance of flexibility in densities for  
affordable housing.

60 (4) The reservation of infrastructure capacity for  
housing for very low-income persons, low-income persons, and  
62 moderate-income persons.

64 (5) The allowance of affordable accessory  
residential units in residential zoning districts.

66 (6) The reduction of parking and setback  
requirements for affordable housing.

68 (7) The allowance of flexible lot configurations,  
including zero-lot-line configurations for affordable housing.

70 (8) The modification of street requirements for  
affordable housing.

72 (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 and major employment centers and mixed-use developments.

(c) The affordable housing advisory board shall consist of ~~eleven~~ nine members one of whom shall be an Orange County elected official appointed by the Mayor and eight of whom shall be appointed by the board of county commissioners pursuant to section 2-206, Orange County Code, and shall include from at least six of the categories below:

(1) One (1) citizen who is actively engaged in the residential home building industry in connection with affordable housing.

(2) One (1) citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

(3) One (1) citizen who is representative of those areas of labor actively engaged in home building in connection with affordable housing.

(4) One (1) citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(5) One (1) citizen who is actively engaged as a for-profit provider of affordable housing.

(6) One (1) citizen who is actively engaged as a not-for profit provider of affordable housing.

(7) One (1) citizen who is actively engaged as a real estate professional in connection with affordable housing.

104 (8) One (1) citizen who actively serves on the  
local planning agency pursuant to F.S. § 163.3174.

106 (9) One (1) citizen who resides within the  
jurisdiction of the local governing body making the appointments.

108 (10) One (1) citizen who represents employees  
within the jurisdiction.

110 (11) One (1) citizen who represents essential  
services personnel, as defined in the local housing assistance plan.

112 ~~If the board of county commissioners is unable to appoint a citizen~~  
114 ~~actively engaged in these activities in connection with affordable~~  
~~housing, a citizen engaged in the activity without regard to~~  
~~affordable housing may be appointed.~~

116 (d) Except for the initial term, each member shall serve  
two-year terms. Each term commences July 1 and expires on June  
118 30. Members may be reappointed, except that no member may  
serve more than two (2) consecutive full terms. The board of  
120 county commissioners may fill vacancies by appointment for any  
unexpired term.

122 (e) Pursuant to section 2-208, Orange County Code, the  
members of the affordable housing advisory board shall elect a  
124 chairman and may elect a vice-chairman.

126 (f) Meetings of the advisory board shall be conducted  
upon the call of the chairman of the affordable housing advisory  
board; however, the advisory board shall meet at least six (6) times  
128 during each fiscal year.

130 **Section 2. Effective Date.** This Ordinance shall become effective pursuant to  
general law.

132 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

134 **ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings  
County Mayor

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**ATTEST:** Phil Diamond, CPA, Orange County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk