

BCC Mtg. Date: January 26, 2021

Effective Date: January 27, 2021

**ORDINANCE NO. 2021-05**

**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 while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations or plan 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.

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

(1) The processing of approvals of development orders or permits, as defined in F.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 allowance of affordable accessory residential units in residential zoning districts.

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

(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 and major employment centers and mixed-use developments.

(c) The affordable housing advisory board shall consist of ~~eleven (11)~~ 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.

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

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

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

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

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

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

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

(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 during each fiscal year.

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

APPROVED THIS 26<sup>TH</sup> DAY OF JANUARY, 2021.

**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *Jerry L. Demings*  
for Jerry L. Demings  
County Mayor

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

By: *Katie Smith*  
Deputy Clerk

