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Interoffice Memorandum

December 23, 2020

TO: Katie Smith, Deputy Clerk
Clerk of the Board of County Commissioners

THROUGH: Cheryl Gillespie, Supervisor
Agenda Development Office, BCC

FROM: Mitchell Glasser, Manager 
Housing and Community Development Division
407-836-5190 or Mitchell.Glasser@ocfl.net

SUBJECT: Request for Public Hearing on January 26, 2021 to Consider an Ordinance relating to Affordable Housing Advisory Board, Amending Section 2-181 of the Orange County Code

Title: **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.**

Applicant: Orange County

Location: All Districts

Hearing Controversial: No

Estimated Time Required: Two (2) minutes

Advertising requirements: Publish once in a newspaper of general circulation in Orange County at least ten (10) days prior to public hearing.

LEGISLATIVE FILE # 21-012

*January 26 2021
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Advertisement timeframes: At least ten (10) days prior to the BCC public hearing date for adoption of the ordinance, publish an advertisement in the legal notices section of The Orlando Sentinel describing the particular request, and the date, time, and place when the BCC public hearing will be held.

Hearing required by
F.S. number or code: Section 125.66(2)(a), Florida Statutes (regular enactment procedure)

Spanish Contact Person: Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la Oficina de los Abogados del Condado, Roberta Alfonso, al 407-836-7320.

Materials being submitted as back up for public hearing request:

1. Memo to Mayor and Board of County Commissioners
2. Ordinance

Special Instructions To Clerk (If Any)

Please schedule this hearing for January 26, 2021 at 2:00 p.m.

Return one executed copy of the Ordinance to Lila McHenry and Mitchell Glasser via e-mail attachment: Lila.McHenry@ocfl.net, Mitchell.Glasser@ocfl.net

JVW:MG

Attachments

C: Jon Weiss, P.E., Director, PEDS Department
Jeffrey J. Newton, County Attorney, County Attorney's Office
Lila McHenry, Senior Assistant County Attorney, County Attorney' Office

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 incentives
50 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 (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 ____ DAY OF _____, 2021.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings
County Mayor

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

By: _____
Deputy Clerk