

RESOLUTION NO. 2017-\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, URGING THE UNITED STATES CONGRESS TO PASS AND PRESIDENT DONALD TRUMP TO SIGN THE LOCAL ZONING DECISIONS PROTECTION ACT OF 2017; AND DIRECTING CERTIFIED COPIES OF THIS RESOLUTION TO BE PROVIDED TO VARIOUS OFFICIALS.**

**WHEREAS**, the Indian River County Board of County Commissioners (Board) supports the Fair Housing Act and its goals of prohibiting discrimination in housing; and

**WHEREAS**, locally Indian River County participates in a number of programs, such as the Housing Choice Voucher program, the Veterans Affairs Supportive Housing program, and the State Housing Initiative Partnership Program that are utilized to assist very low, low and moderate income families; and

**WHEREAS**, the Department of Housing and Urban Development (HUD) issued a Final Rule entitled "Affirmatively Furthering Fair Housing", published in the Federal Register on July 16, 2015 (the "AFFH Rule"); and

**WHEREAS**, AFFH Rule applies to those jurisdictions that are required to submit consolidated plans for the Community Development Block Grant (CDBG) program, the Emergency Solutions Grants (ESG) program, the HOME Investment Partnerships (HOME) program, and the Housing Opportunities for Persons With AIDS (HOPWA) program; and

**WHEREAS**, the AFFH Rule requires the use of an Assessment Tool which provides for an analysis of local land use and zoning laws; and

**WHEREAS**, the Board, as well as some of the commenters to the AFFH Rule, has concerns that HUD, through the AFFH Rule and Assessment Tool, will impede local control on zoning and land use decisions; and

**WHEREAS**, because of these concerns and potential federal government overreach, the Board wishes to express its support for the Local Zoning Decisions Protection Act of 2017, which 1) nullifies both the AFFH Rule and the Assessment Tool, and 2) prohibits Federal funds for being used to design, build, maintain, utilize, or provide access to a Federal database of geospatial information on community racial disparities or disparities in access to affordable housing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:**

1. The above "WHEREAS" clauses are true and correct, and are hereby adopted as findings of the Board of County Commissioners of Indian River County.
2. The Board of County Commissioners of Indian River County urges the United State Congress to pass and President Donald Trump to sign the Local Zoning Decisions Protection Act of 2017.
3. A certified copy of this resolution shall be provided to Congressman Bill Posey, Senator Bill Nelson, Senator Marco Rubio and President Donald Trump.

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The foregoing Resolution was offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, and, upon being put to a vote, the vote was as follows:

|                                |       |
|--------------------------------|-------|
| Chairman Joseph E. Flescher    | _____ |
| Vice Chairman Peter D. O'Bryan | _____ |
| Commissioner Susan Adams       | _____ |
| Commissioner Tim Zorc          | _____ |
| Commissioner Bob Solari        | _____ |

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_ day of April, 2017.

Attest: Jeffrey R. Smith, Clerk of Court and Comptroller

INDIAN RIVER COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

By \_\_\_\_\_  
Joseph E. Flescher, Chairman

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Dylan Reingold  
County Attorney