




Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
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MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney 
DATE: April 5, 2017
SUBJECT: Resolution Supporting Local Zoning Decisions Protection Act of 2017

BACKGROUND.

On April 4, 2017, the Board of County Commissioners of Indian River County ("Board") directed the County Attorney's Office to draft a resolution in support of the Local Zoning Decisions Protection Act of 2017. Per the Board's direction, the County Attorney's Office has drafted the attached proposed resolution. The resolution notes that the Board supports the Fair Housing Act and its goals of prohibiting discrimination in housing and that the Board participates in a number of initiatives 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. In the resolution, the Board expresses its concern with the Department of Housing and Urban Development Final Rule entitled "Affirmatively Furthering Fair Housing", published in the Federal Register on July 16, 2015 (the "AFFH Rule"), which requires the use of an Assessment Tool that provides for an analysis of local land use and zoning laws. The Board thus expresses its support of 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. The resolution calls for a certified copy of the resolution to be provided to Congressman Bill Posey, Senator Bill Nelson, Senator Marco Rubio and President Donald Trump.

FUNDING.

There is no funding associated with this agenda item.

RECOMMENDATION.

The County Attorney's Office recommends that the Chair allow for public comment on this matter and then have the Board vote whether to accept the resolution as drafted or amend the resolution.

ATTACHMENT(S).

Proposed resolution.