



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#21-0958

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: October 5, 2021

TITLE: Second Reading – Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR); Section 47-24, Development Permit and Procedures, Providing for Approval Process for Development Utilizing Flexibility Rules; and Amending Section 47-28, Density and Flexibility Rules, Establishing Intent and Purpose, Amending Definitions, and Amending Applicability – Case No. UDP-T21003 – (**Commission Districts 1, 2, 3 and 4**)

Recommendation

Staff recommends the City Commission consider an ordinance amending the Unified Land Development Regulations (ULDR) regarding flexibility rules, specifically amending Section 47-24, Development Permit and Procedures, providing for development approval process utilizing flexibility rules and amending Section 47-28, Density and Flexibility Rules, establishing intent and purpose, amending definitions, and amending applicability.

Background

The City's flexibility rules were established in the Broward County Land Use Plan (BCLUP), and in the City's Comprehensive Plan in 1998, to allow municipalities the ability to adjust a predetermined number of residential units and nonresidential land use acreage within designated flexibility zones, commonly referred to as flex zones. The Broward County Land Use Plan map assigns land use designations, including maximum densities, throughout the County. Municipalities adopt their own land use plan maps and may opt to adopt a designation of the same or lesser density and intensity than provided on the Broward County Land Use Plan map. The extra units permitted by the County plan, but not used by the municipality, are placed in a pool of units called flex units and may be used by the municipality in accordance with flexibility rules. The total number of flex and reserve units (reserve units are 2% of the total number of dwelling units permitted by the City's land use plan map) in each zone was established at the time the City's Comprehensive Plan was adopted in 1998.

The BCLUP permits municipalities to propose new flex zones or unify flex zones under a new flex policy. The City took advantage of this option, and the City Commission approved a Unified Flex Policy on March 6, 2018, through Resolution 18-45. Subsequently, the

Broward County Planning Council (BCPC) approved the unification of the City's flexibility zones on July 10, 2018.

As part of the unified flex approval, staff identified future steps necessary for implementation, which included text amendments to ULDR Section 47-24, Development Permits and Procedures, and ULDR Section 47-28, Density and Flexibility Rules to provide consistency with the adopted policy and address any limitations or requirements for the allocation of flex.

In general, the proposed text amendment to ULDR Section 47-24, Development Permits and Procedures includes clarification language regarding the approval process, which aligns with the proposed changes in ULDR Section 47-28, Density and Flexibility Rules. The proposed amendments to Section 47-28 include the establishment of intent and purpose, revisions to the definitions, and applicability of flexibility rules based on land use designations.

The amendments were presented to the Planning and Zoning Board (PZB) on July 21, 2021, and were recommended for approval (7-0) to the City Commission. The July 21, 2021, PZB Staff Report is attached as Exhibit 1. The July 21, 2021, PZB Meeting Minutes are attached as Exhibit 2.

After the first City Commission reading on September 21, 2021, staff made additional revisions to the ordinance language correcting a reference to a subsection, including more descriptive wording, and clarifying application of amended Section 47-28.3.F, Allocation of Affordable Housing Units and Bonus Flexibility units. The ordinance is attached as Exhibit 3.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *2021 Commission Priority*, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- The Neighborhood Enhancement Focus Area
- Goal 4: Build a thriving and inclusive community of neighborhoods.
- Objective: Ensure a range of affordable housing options

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Community*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan*, specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element

- Goal 1: Uses and densities permitted in the future land use categories established in the City's Land Use Plan and must be in compliance with the permitted uses shown on the City's Land Use Map.
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatible uses.

Attachments

Exhibit 1 – July 21, 2021, PZB Staff Report

Exhibit 2 – July 21, 2021, PZB Meeting Minutes

Exhibit 3 – Ordinance

Prepared by: Jim Hetzel, Principal Urban Planner, Sustainable Development

Department Director: Anthony Greg Fajardo, Sustainable Development