




**REQUEST:** Amend the City of Fort Lauderdale Unified Flex Policy

<b>CASE NUMBER</b>	UDP-T25010		
<b>APPLICANT</b>	City of Fort Lauderdale		
<b>REQUEST</b>	Amendment to Unified Flex Policy Reallocating Unused Affordable Flex Units to Unified Flex Units		
<b>ACTION REQUIRED</b>	Recommend approval, revisions or denial to City Commission		
<b>PROJECT PLANNER</b>	Jim Hetzel, AICP, Principal Urban Planner		8

**BACKGROUND:**

On March 6, 2018, the City Commission adopted Resolution 18-45, approving the City's Unified Flex Policy, which was subsequently approved by the Broward County Planning Council (BCPC) on July 10, 2018.

Flexibility rules were established in the Broward County Land Use Plan (BCLUP), and in the City's Comprehensive Plan, to allow municipalities the ability to adjust a predetermined amount of residential units and nonresidential commercial flex acreage within designated flexibility zones, commonly referred to as flex zones. The total number of flex units and commercial flex acreage in each zone was established at the time the City's Comprehensive Plan was adopted in 1989. Cities may propose new flex zones or unified flex zone under the BCLUP and must adopt a new flex policy.

The Unified Flex Policy was adopted to guide future growth, with the following objectives:

1. Focus development in the City's activity centers.
2. Identify major transit corridors for future development.
3. Protect and preserve residential neighborhoods.
4. Maintain availability of nonresidential commercial flexibility throughout the City.
5. Provide for city-wide availability of affordable housing flex units and special residential facilities.

The adopted policy collapsed eighteen flex zones into one, unified receiving area containing the City's activity centers and major transit corridors, with the exception of the Central Beach Regional Activity Center. In addition, the City collapsed the nonresidential commercial flex acreage into a single, citywide zone with separate line items for affordable housing flex units and the ability to assigned flex units for special residential facilities citywide. City Resolution 18-45 adopting the Unified Flex Policy is attached as Exhibit 1.

Since the adoption of the Unified Flex Policy, there have been numerous State, County, and City affordable housing policies approved which have impacted the request for the affordable housing flex units under the Unified Flex Policy. There have been no requests for these units since the adoption of the policy as property owners are utilizing State, County, and City other affordable housing regulatory options and therefore, the affordable housing flex units are stagnant and not being used. The result is a pool of unused units.

**PROPOSED AMENDMENT:**

The proposed amendment to the policy is to remove the separate affordable housing flex units and reallocate the remaining to the unified flex pool. The reallocated units would be permitted in the adopted unified flex zone and applications would need to comply with Unified Land Development Regulations (ULDR), Section 47-28, Density and Flexibility Rules.

In addition, the reallocation of units may be used for Transfer of Development Rights (TDR). This would apply in cases where there are no development entitlements to transfer units to protect

and preserve historic buildings. Furthermore, reallocating affordable flex units to the unified flex pool, provides for another option to implement as well as encourage the use of the TDR policy in the City.

The total number of affordable housing flex units at the time the policy was adopted was 1,901 units. This number was fixed upon adoption of the policy in 2018. A total of 165 affordable housing flex units have been assigned to projects, resulting in a balance of 1,736 units. The total number of unified flex units in 2018 was 12,062 units, all of which have been assigned to development projects. The available 1,736 affordable flex units will be added to the unified flex unit availability resulting in a total 13,798 unified flex units. Table 1 provides a comparison of current flex totals to the proposed amendment. The amended Unified Flex Policy, in strike through underline format, is attached as Exhibit 2. The current Unified Flex Table is attached as Exhibit 3.

**Table 1: Flex Unit Comparison**

2025 UNIFIED FLEX UNIT TOTALS			PROPOSED UNIFIED FLEX UNIT TOTALS		
	UNIFIED UNITS	AFFORDABLE UNITS		UNIFIED UNITS	AFFORDABLE UNITS
PERMITTED UNITS	11,718	1,901	PERMITTED UNITS	13,454	0
EXPIRED PROJECTS	344	0	EXPIRED PROJECTS	344	0
TOTAL	12,062	1,901	TOTAL	13,798	0
TOTAL ALLOCATED	12,062	165	TOTAL ALLOCATED	12,062	165
AVAILABLE	0	1,736	AVAILABLE	1,736	0

Source: Urban Design and Planning Division, Development Monitoring, Unified Flex Table

#### **COMPREHENSIVE PLAN CONSISTENCY:**

The proposed amendment is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective FLU 1.2, Utilization of Flexibility Rules, which states that the City shall follow Flexibility Rules established in the Broward County Land Use Plan in order to facilitate the arrangement of residential densities and nonresidential intensities to respond to changing economic conditions; and Policy FLU 1.21, which states the City's Unified Flex Strategy shall focus on a long-term vision that promotes a sustainable built environment by focusing development in the City's Regional Activity Centers and shall consider major transit corridors for future mixed-use development, with supporting multimodal transportation options.

#### **PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendment is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval, approval with conditions, or denial of the proposed amendment to the City Commission.

#### **EXHIBIT:**

1. City Resolution 18-45
2. Amended Unified Flex Policy Document
3. Current Unified Flex Table