



**REQUEST:** Amend the City of Fort Lauderdale Unified Land Development Regulations (ULDR) to Comply with Broward County Affordable Housing Policy Updates

<b>Case Number</b>	UDP-T22011	
<b>Applicant</b>	City of Fort Lauderdale	
<b>Project Name</b>	Workforce Housing Policy Amendments	
<b>General Location</b>	City-wide	
<b>Applicable ULDR Sections</b>	Sec. 47-13.20, Downtown RAC Review Process and Special Regulations Sec. 47-18.21, Mixed Use Development Sec. 47-23.16, Affordable Housing Regulations	
<b>Notification Requirements</b>	Newspaper ad 10 days prior to meeting	
<b>Project Planner</b>	Adam Schnell, Urban Planner III	CP

### **BACKGROUND**

On September 20, 2022, the City Commission adopted a citywide affordable / workforce housing ordinance, creating incentive-based zoning regulations that support affordable / workforce housing development. Since that time, the Broward County Commission adopted amendments to the Broward County Land Use Plan (BCLUP) Policy 2.16.4, which permits the distribution of residential units in exchange for setting aside units as affordable. The proposed Unified Land Development Regulations (ULDR) amendments, incorporate the BCLUP policy language and ensure that the ULDR complies with the BCLUP. The proposed ULDR amendments are attached as Exhibit 1.

### **ULDR AMENDMENTS**

The following ULDR Sections are being amended to ensure compliance with changes to BCLUP Policy 2.16.4. to allow the distribution or residential units in exchange for setting aside units as affordable. The adoption of the regulations will permit access to residential units along commercial corridors, helping to support adaptive reuse of commercial buildings, infill development, and mixed-income housing.

#### **Section 47-13.20, Downtown RAC Review Process and Special Regulations**

Intent: Amend section on density within the Downtown Regional Activity Center zoning districts to comply with BCLUP Policy 2.16.4.

Description: Previously, access to residential units within the Downtown Regional Activity Center zoning districts was limited to the number of units provided by the City's Comprehensive Plan or allocation of residential flex units, per ULDR Section 47-28, Flexibility Rules. The adoption of Section 47-23.16, Affordable Housing Regulations, on September 20, 2022, expanded access to residential units to include developments that adhere to the affordability requirements of Broward County Land Use Plan (BCLUP) Policy 2.16.4. The proposed amendment to Section 47-13.20 clarifies that additional density is permitted in the Downtown Regional Activity Center zoning districts in compliance with BCLUP Policy 2.16.4 and consistent with ULDR Section 47-23.16, Affordable Housing Regulations.

#### **Section 47-18.21, Mixed Use Development**

Intent: Define locations where additional affordable units are permitted, address commercial square footage requirements, and provide clarification on single use multifamily development requirements.

Description: The current Mixed Use Development regulations permit the development of residential units on commercial land use through the allocation of residential flex units in mixed use

development projects, per ULDR Section 47-28, Flexibility. Proposed ULDR text amendments include minimum requirements for a first-floor commercial floor area, prohibit residential uses along first floor frontages when facing a qualified road (State Road or County Arterial) and limit uses to office and commercial, including shops, restaurants, and other services to line these main corridors and give residents the opportunity to live, work, and shop in proximity to services and amenities. Reducing the distance between homes, shops, and offices also reduces the cost of public infrastructure and makes public transit projects more feasible, encouraging people to walk more, reducing travel costs, and promoting a more sustainable long-term development pattern.

Lastly, since mixed use development requires a combination of commercial and residential uses, the language clarifies that single-use multifamily residential buildings are permitted as part of a mixed-use development project on development sites in conjunction with the onsite construction of commercial or mixed-use structures, excluding the placement of single-use multifamily residential buildings from fronting state roads and county arterials, for reasons stated in the paragraph above.

### **Section 47-23.16., Affordable Housing Regulations**

Intent: Modify average affordable housing unit size, require incorporation of office and commercial uses when facing a qualified road, establish annual update of payment in-lieu-of fees and clarify contribution of in-lieu-of fees when county affordable housing requirements must be satisfied.

Description: The new language requires affordable housing units to be no less than ten percent (10%) of the average square footage of the corresponding market rate unit type, rather than no less than ten percent (10%) of the average square footage of all market rate units within a development as is currently written. The updated language ensures affordable housing unit square footage requirements are based on unit type, rather than the total average market rate unit square footage. The existing language requires larger than average affordable housing units. The updated language rectifies this issue.

The language further establishes that properties along state roads and country arterials are required to provide commercial or office uses for at least fifty percent (50%) of first floor's frontage, that can be vertically and horizontally integrated. The inclusion of floor area percentage requirements ensures active, mixed-use commercial corridors, while providing flexibility for market demand.

Lastly, Broward County has eliminated the use of a formula that calculates the payment in-lieu of fee and created a flat \$10,000 fee that is applied to all units within a development that increases 3% annually, to be paid at the time of permit issuance. The proposed ULDR amendment reflect this new requirement.

### **COMPREHENSIVE PLAN CONSISTENCY**

The proposed amendments align with the following sections of the City's Comprehensive Plan:

#### *Future Land Use Element*

Goal 2: Sustainable Development: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

1. Objective FLU 2.5: Equitable Neighborhoods: The City shall continue to support environmental justice and social equity as an approach for meeting the needs of underserved and vulnerable Fort Lauderdale neighbors through policies and programs that reduce disparities while fostering healthy and vibrant neighborhoods.
  - Policy FLU 2.5.2a: The City shall consider potential outcomes of redevelopment including the needs of underserved populations and under-resourced markets including housing affordability, displacement, capacity building of impacted populations, preserving cultural assets, and potential for expanding minority business ownership.

## *Housing Element*

Goal 1: The Comprehensive Plan shall support the provision of adequate sites for future housing, including affordable workforce housing, housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.

### 1. Objective HS 1.1: Aspirational Goals

The City shall aspire to meet the increasing need for affordable housing for existing and future Fort Lauderdale residents.

- Policy HS 1.1.1c: The City shall, as part of its setting of affordable and attainable housing goals, include considerations and evaluations of workforce housing needs and goals.
- POLICY HS 1.1.3: The City of Fort Lauderdale shall strive to achieve a reduction of housing and transportation costs such that, by 2035, the Housing and Transportation Index represents 45% of household income.

### 2. Objective HS 1.3: Incentivize Construction and Development of Affordable Housing.

- Policy 1.3.2: The City shall expedite the processing of building permits for affordable, attainable and workforce housing units.
- Policy HS 1.3.4: Continue to allow reduced parking requirements for affordable housing.
- Policy HS 1.3.5: Continue to review the ULDR for amendments to incentivize creation of affordable housing.

## **PLANNING AND ZONING BOARD ACTION**

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

## **EXHIBITS**

### 1. Proposed ULDR Amendments