



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-0161

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: March 6, 2018

TITLE: Quasi-Judicial – Resolution Adopting and Approving a Unified Flex Policy and Strategy; Authorizing the City Manager to Transmit a Copy of the Unified Flex Policy and Strategy to the Broward County Planning Council– City of Fort Lauderdale – Case T17011

Recommendation

It is recommended that the City Commission approve a resolution authorizing staff to transmit to the Broward County Planning Council a Citywide Unified Flex Policy and Strategy; establishing a Unified Flex Zone for Residential Flex Unit Allocation, and a Citywide Flex Zone for Nonresidential Flex Allocation, that if approved by the City Commission, the Unified Flex Policy and Strategy shall take effect upon the passage of an ordinance amending Section 47-28 of the Uniform Land Development Regulations.

Background

At the January 23, 2018 City Commission meeting the item was deferred to the March 6, 2018 meeting to allow time for staff to present to the Council of Fort Lauderdale Civic Associations (CFLCA) for feedback and support. City staff completed the presentation on February 13, 2018 and the CFLCA approved a motion to support the Unified Flex Policy and Strategy Document but noted concerns for receiving areas along the major transit corridor where new flex density would exacerbate traffic concerns. In addition, the CFCLA expressed the need to have the form based zoning in place in order to utilize flex along the transit corridor. To review the minutes from the February 13, 2018 CFCLA meeting please see Exhibit 1.

In 2015, the City Commission conducted a series of workshops to discuss development patterns throughout the City. The objective of the workshops was to discuss development trends, review existing regulations that guide development, gather input from the public, and to set direction for future growth within the City. Over the course of four workshops, the Commission discussed numerous topics that affect development trends including but not limited to market trends, city-wide zoning patterns, and the City's flexibility units policy. The discussions also focused on the City's Regional Activity Centers (RACs) and their intent to promote more compact and sustainable growth with supporting services and

access to multi-modal transportation options, while protecting established residential neighborhoods, as well as limiting additional growth on the Barrier Island.

Concurrent to the City Commission workshops, Broward County Planning Council (BCPC) staff began the process of updating the Broward County Land Use Plan, commonly known as BrowardNext. As part of the update, BCPC staff focused on policies that enable sustainable and effective planning for the future while addressing climate change, multi-modal transportation, affordable housing, redevelopment, protecting natural resources, and intergovernmental coordination. Included in the update is the continuation of flexibility rules.

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 or nonresidential land use acreage within designated flexibility zones, commonly referred to as flex zones. The total number of flex and reserve units in each zone was established at the time the City's Comprehensive Plan was adopted in 1989. Cities may propose new flex zones or unify flex zones under the BCLUP and must adopt a new flex policy as part of the process.

On November 7, 2017, staff presented to the City Commission an overview of a unified flex strategy and was directed to proceed forward with the strategy document to the BCPC for review and approval. In general, the proposed Unified Flex Policy and Strategy is intended 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 flexibility throughout the City; and,
- (5) Provide for citywide availability of affordable housing units and special residential facilities.

The intent is to collapse the existing 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. Although the City Commission directed staff to remove densities from the barrier island, staff has done an analysis to include the area located northwest and southwest of the Oakland Park Boulevard and A1A intersection, and the area located northeast and southeast of SE 17th Street and the intercoastal, which are both designated as commercial land use. These areas are limited to 25 dwelling units per acre and inclusion of these areas will allow allocation of flex units in areas that are permitted to request flex units today while still protecting the Central Beach Regional Activity Center, Galt Ocean Mile area, and other parts of the barrier island that are excluded. Areas not included in the receiving area will no longer be eligible for residential flex units. In addition, the City will collapse the nonresidential commercial flex acreage into a single citywide zone. Affordable housing units and special residential facilities will also be applied citywide.

The concerns raised by CFCLA are addressed by the fact that current flex unit availability will remain under the current flex rules and flex zone boundaries until such time and further steps are taken to adopt appropriate language addressed the policy and strategy document.

This unified flex policy and strategy document is the first step in amending how the City applies flex units to areas that are deemed appropriate for allocation. Should this resolution be approved by the City Commission it will then be transmitted to the Broward County Planning Council for consideration. Should the Council approve the document staff will then draft an ordinance to the ULDR that will amend Section 47-28 of the ULDR to address any limitations or requirements for the allocation of flex units along with any ULDR amendments needed to establish design standards associated with the newly proposed Mixed Use- Transit (MUT) Zoning Districts and any other requirements to permit flex allocation pursuant to the approved policy and strategy.

Please see Exhibit 2 to review the proposed Unified Flex Policy and Strategy Document.

Comprehensive Plan Consistency

The proposed strategy policy is consistent the City's Comprehensive Plan, Goal 1, Objective 1.36:

Utilize the flexibility rules and irregular densities established by the Broward County Land Use Plan in order to facilitate the arrangement of residential densities and commercial acreage to allow the City to respond to changing conditions.

The City has allocated over 7,000 flex and reserve units since 1989 and currently has 16,458 flex and reserve units available. In addition, the City has nonresidential flex acreage available to allocate for commercial projects and 2,320 affordable housing units. The table below provides a summary of the available flex as of October 2017 and proposed totals for unification.

Table 1 – Flex Data Summary

FLEX AVAILABILITY AS OF OCTOBER 2017				
	TOTAL	ASSIGNED TO DATE	PENDING	AVAILABLE FOR UNIFICATION
RESIDENTIAL FLEX UNITS (Base -10% AFU deduction)	21,749	6,904	48.0	14,797
RESIDENTIAL RESERVE UNITS (Base -10% AFU deduction)	2,120	369	0.0	1,751
AFFORDABLE HOUSING UNITS (10% of Flex Units)	2,320	105	0.0	2,215
CITYWIDE ALLOCATION OF SLEEPING ROOMS	100	0.0	0.0	100

PROPOSED UNIFIED FLEX UNITS				
	TOTAL	ASSIGNED TO DATE	PENDING	AVAILABLE
RESIDENTIAL FLEX UNITS (AVAILABLE FLEX AND RESERVE)	16,548	0.0	0.0	16,548
PROPOSED CITYWIDE ALLOCATION				
	TOTAL	ASSIGNED TO DATE	PENDING	AVAILABLE
AFFORDABLE HOUSING UNITS (10% of Flex Units)	2,215	0.0	0.0	2,215
CITYWIDE ALLOCATION OF SLEEPING ROOMS	100	0.0	0.0	100
5% RESIDENTIAL TO OFFICE/COMMERCIAL/RETAIL (acres)	594.2	51.3	3.5	539.4
20% INDUSTRIAL TO COMMERCIAL/RETAIL (acres)	178.5	53.6	0.6	124.3
20% EMPLOYMENT CENTER TO COMMERCIAL(acres)	309.2	36.0	2.6	270.6

In addition, the proposed strategy policy is consistent with several Goals and Policies that guide future growth while protecting and preserving existing residential neighborhoods including Goal 1, Objective 1.20, which promotes protecting residential neighborhoods from impacts created by adjacent non-residential uses; and Goal 1, Objective 1.21, which encourages mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities. By providing a new unified flex strategy that promotes mixed-use development along corridors, the City will begin to provide the necessary planning tools to advance these policies.

The City's Evaluation and Appraisal Report (EAR), completed in 2016, also identified the need to evolve the City's land use plan to reflect a more sustainable growth pattern and to identify planning tools that balance uses, housing, multimodal transportation, and preservation of the existing neighborhood fabric. Currently, City staff, in conjunction with the City's consultant, the Corradino Group, is preparing an update to the Comprehensive Plan based on the EAR. The unified flex policy will be included as part of that update reflecting the direction established in BrowardNext, the City's EAR, and this strategy document.

The Planning and Zoning Board (PZB), acting as the Local Planning Agency, approved this item by a 5-0 vote at its December 20, 2017 meeting, recommending the City Commission adopt the Unified Flex Policy and Strategy Document. City Staff provided a

presentation at the PZB meeting, which is attached as Exhibit 3, Unified Flex Strategy PowerPoint Presentation. To review the meeting minutes of the PZB from December 20, 2017 please see Exhibit 4 beginning on page 4.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 6: Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.

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

Attachments

Exhibit 1 –February 13, 2018 Draft CFCLA Minutes

Exhibit 2 – Unified Flex Policy and Strategy Document

Exhibit 3 – Unified Flex Strategy PowerPoint Presentation

Exhibit 4 – December 20, 2017 PZB Meeting Minutes

Prepared by: Jim Hetzel, Principal Planner, Sustainable Development

Department Director: Anthony Gregory Fajardo, Sustainable Development