

## Housing Issues Highlighted

### Framework for Policy 2.1.3

#### Seven (7) Year Review of [BrowardNext – Broward County Land Use Plan](#)

##### Highlighted Regional Issues

- Review and Update

##### Policies Section

- Clean-up/Housekeeping

Review statutory dates and references, as well as reports; modify to “as amended” to eliminate necessity to update Policies as Florida Statutes or reports are updated.

Make references to agencies such as the Environmental Planning and Growth Management Department (now Resilient Environment Department) generic throughout Plan.

- Reconsideration of Timeframes/References

**POLICY 2.2.6** By 2020, Broward County and the Planning Council shall examine Broward County Land Use Plan text “Residential” density classifications and make a recommendation regarding streamlining the densities and ranges.

**POLICY 2.12.4** Broward County shall, by December 31, 2017, work with municipalities and affected parties to identify and designate a “Coastal Storm Area” on the County’s Natural Resource Map Series which shall depict the Coastal High Hazard Area, as defined by state statutes, all properties directly connected to the mainland by bridges and all low-lying properties that have restricted evacuation and emergency access.

**POLICY 2.18.2** By 2018, Broward County and the Broward County Planning Council shall study and recommend integrated levels of service standards for bicycle, transit, and pedestrian facilities and services within, at a minimum, designated or proposed and eligible “Activity Centers,” or municipal and county approved community redevelopment areas. If a proposed development fails to meet levels of service standards for automobile roadway capacity in such areas, the proposed development may be recommended for approval if levels of service for bicycle, transit, and pedestrian facilities and services are acceptable after considering effects from the proposed development.

**POLICY 2.21.7** In order to ensure coordination, consistency and maximum effectiveness of improvements necessary to mitigate high tide flooding associated with realized and additional sea level rise through the year 2070, tidally-influenced municipalities shall adopt within 24-months of the effective date of this Policy (February 13, 2020), regionally consistent top elevations for seawalls, banks and berms, and other appurtenant infrastructure (e.g., boat ramps) consistent with the findings and recommendations of the United States Army Corps of

Engineers/Broward County Flood Risk Management Study for Tidally Influenced Coastal Areas. These standards shall be consistent with Chapter 39, Article XXV – Resiliency Standards for Flood Protection - of the Broward County Code of Ordinances, which shall serve as the model ordinance, and shall not be applicable to oceanfront beaches or shorelines seaward of the Coastal Construction Control Line.

**POLICY 2.23.4** By 2019, Broward County shall work with Broward’s municipalities and interested stakeholders to study and recommend incentives to preserve designated environmentally sensitive lands that are privately controlled.

**POLICY 2.36.2** The Broward County Planning Council and Broward County shall, by 2019, work with Broward County municipalities, partner agencies, stakeholders, and interested parties who make and are affected by land use policy and public infrastructure and services decisions, and issue model guidelines, methods, and tools to advance environmental justice.

- **Policy Updates, Modifications or Additions**

**POLICY 2.2.5** A studio housing unit or efficiency housing unit, no greater than 500 square feet in size may be counted by the local government as 0.5 dwelling units for residential density calculations. – **Consider expansion of Policy or additional Policy or definition to memorialize Single Occupancy Residential density calculations such as sleeping rooms that share common living facilities such as kitchens and gathering areas, consistent with the Broward Affordable Housing Master Plan recommendations.**

**POLICY 2.3.4** Local certified land use plans may decrease by 20 percent the lands designated “Commerce” on the Broward County Land Use Plan Map for residential use in accordance with the rules established with the “Administrative Rules Document: Broward County Land Use Plan” and the Chapter 163, Florida Statutes plan adoption and amendment process. – **Clarify Policy as follows:**

~~Local certified land use plans~~ governments may decrease by 20 percent the lands designated “Commerce” or similar designation ~~on the Broward County Land Use Plan Map~~ its local certified land use plan map for residential use in accordance with the rules established ~~with~~ in Article 3.5(A)(1) of the “Administrative Rules Document: Broward Next. ~~County Land Use Plan” and the Chapter 163, Florida Statutes plan adoption and amendment process.~~

**POLICY 2.5.5** Amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address the following:

...

d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 environmental assessment. A Phase 2 environmental assessment may be required based upon the findings of the Phase 1

assessment. - **Modernize to reflect “...or equivalent assessment, as deemed acceptable by the appropriate Broward County staff...”**

**Add Policy to Activity Centers Section** to address swapping out permitted dwelling unit types for those dwelling unit types that generate fewer students as a universal Policy, consistent with the Planning Council’s formal interpretation of April 25, 2024.

**POLICY 2.10.1**...Allocations of “Flexibility Units” and “Redevelopment Units” shall be subject to the following restriction: Within areas east of the Intracoastal Waterway, in no instance shall allocations of “Flexibility Units” or “Redevelopment Units” result in a residential density greater than twenty-five (25) dwelling units per gross acre for the residentially designated parcel or portion of a nonresidentially designated parcel to be developed with residential use, or exceed one hundred percent (100%) of the maximum number of dwelling units indicated for the parcel by the local land use plan map, whichever resulting residential density is less. – **Remove reference to “Redevelopment Units” as it is in conflict with the 2017 adoption of Redevelopment Units Policy, as well as with the current Administrative Rules Document: BrowardNext, Appendix 3, which prohibits the allocation of Redevelopment Units east of the Intracoastal Waterway.**

**POLICY 2.10.3** In order to prevent future incompatible land uses, the established character of predominately developed areas shall be a primary consideration when amendments to the Broward County Land Use Plan are proposed. - **Modernize to reflect and refocus protection of single-family neighborhoods.**

**Examine Disaster Planning and Post-Disaster Redevelopment Section** to update and modify Policies in a manner that is reflective of definable data and processes.

**Update, Modify or Additional Policy(ies) to Affordable Housing Section** to reflect additional incentives and/or densification opportunities, **consistent with the Broward Affordable Housing Master Plan recommendations**, such as:

- **POLICY 2.16.2 (Land Use Plan Amendment Requirements):** Reconsider amendment applicability and corresponding Administrative Rules Document, Article 5 in-lieu of references for set asides and voluntary payments. Reconsider payment amount to be consistent with Policy 2.16.4.
- **POLICY 2.16.3 (Bonus Density):** Examine additional densification opportunities for bonus density.
- **POLICY 2.16.4 (Residential by Right - Commerce and Activity Centers):** Examine the inclusion of additional land use designations (such as medium to high residential densities) within one-half mile of passenger rail stations.
- **POLICY 2.16.5 (Residential by Right on Government Owned Parcels):** Examine expansion of ownership to other quasi-governmental agencies.

**Update, Modify or Additional Policy(ies) to Climate Resiliency, Adaptation Action Areas and Priority Planning Areas Section** to address new vulnerability study outcomes, updated groundwater mapping, etc.

**Update, Modify or Additional Policy(ies) to Environmentally Sensitive Lands Section** to address conflicts with Broward County Code of Ordinances and processes, as appropriate.

**Update, Modify or Additional Policy(ies) to Transportation Multi-Modal Levels of Service, Complete Streets and/or Greenways and Trails Sections** to reflect updated policies or programs such as the 30-Year Transportation Surtax Plan.

### **Definitions Section**

Holistically Updated Definitions Section in 2021 – Review for continued consistency and consideration of additional definitions for Plan clarification.

### **Permitted Uses Section**

Clean up of **Activity Centers** permitted uses to implement the Broward County Planning Council formal interpretation dated April 25, 2024, to address swapping out permitted dwelling unit types for those dwelling unit types that generate fewer students for the cities of Hallandale Beach, Hollywood, Lauderdale Lakes and Tamarac and/or address as a universal Policy as noted earlier in the document.

Consider the addition of affordable housing opportunities on lands designated **Recreation and Open Space** (mimic Community Facilities permitted use and criteria up to 5 acres) or other Permitted Uses as appropriate.

- Examination of residential by right in additional land use designations.

Clean-up: **Community** Permitted Uses – modify Special Residential Facilities (SRF) use back to end of Permitted Uses Section instead of Implementation Section, as well as amending the definitions of SRF 1, 2 and 3 to be consistent with Florida Statutes Chapters 419 and 429.

Redirect the Residential "dashed-line area" designation to a more powerful and flexible tool to accommodate smaller areas of redevelopment that currently utilize the Activity Center designation. There is potential to promote densification, **consistent with the Broward Affordable Housing Master Plan recommendations.**

### **Implementation Section (In Process)**

PCT 24-1 Parks Section and Implementation Regulation Section

- Expanding Parks and Open Space allowable acreage to the benefit of local governments.
- Streamline, reorder and update Implementation Regulation Section.

Consider accessibility of public beaches in criteria.

### **Recommended Practices**

**POLICY 3.3.3** As of the effective date of this Policy (March 21, 2013), water body and/or waterway acreage added to a community or regional parks inventory may count no more than ten (10) percent of such additional inventory, unless it is actively managed by a government agency for recreation or environmental purposes and greater than 0.5 acres, in which case the entire water body can be counted. – **Eliminate as in conflict with PCT 24-1.**

**POLICY 3.3.11** Broward County and its local governments should continue to implement the recommendations of the 1986 Study of Water Supply and Selection of Future Wellfield Sites in Broward County, as amended by the Board of County Commissioners. – **Review Study reference.**

Consider recommended practices and local government consideration of intensity incentives for non-residential uses when preserving tree canopy, LEED building, green roofs, cool pavements, etc. that will likely reduce heat islands. Consider for Policy Section.

### **Natural Resource Map Series**

- Refine the Wellfield map to accurately reflect Zones 1, 2 and 3.
- Examine Environmentally Sensitive Lands map to identify and remove properties that were permitted and developed.
- Update Floodplains map to add “Coastal Storm Area” per Policy 2.12.4 and check map for updated Federal Emergency Management Agency data and maps.

### **Administrative Rules Document: BrowardNext**

There was a previous provision in the County’s Chapter 1 of the Code of Ordinances that prohibited the same or substantially the same matter from being brought before the Board within 12 months of when it was denied. This was applicable to Broward County Land Use Plan amendment applications.

Section 1-21 of the Broward County Code of Ordinances, entitled “Time limitation on bringing matters before the board of county commissioners” was repealed in its entirety on August 25, 2022, and effective October 13, 2022. The elimination of this prohibition sets the unintended consequence in motion that an application could be refiled the same day as a denial by the County Commission. Planning Council staff recommends that this be memorialized in Article 1.3 regarding County Commission Adoption of Amendments. Suggestion: 6 months before the application can be refiled with the Planning Council.

**ARTICLE 3.5(A)(3)** – Consideration of expansion of mixed residential to include both horizontal and vertical integration of retail and office uses on higher density Residential (over 25 dwelling units per acre).

**Article 5** - Reconsideration of voluntary buyout amount for affordable housing to mimic Policy 2.16.4.