



Memorandum

Memorandum No: 23-052

Date: May 4, 2023

To: Honorable Mayor, Vice Mayor, and Commissioners

From: Greg Chavarria, City Manager 
Greg Chavarria (May 8, 2023 18:05 EDT)

Re: Update on Allocation of Residential Flexibility (Flex) Units and Regional Activity Center (RAC) Residential Units

The following background provides history on Regional Activity Center (RAC) and Residential Flexibility (Flex) units, how units are monitored and reported, and the current state of both RAC and Flex unit pools.

BACKGROUND

RAC zoning districts and major commercial corridors do not include residential dwelling units by right so to incorporate residential units into a project, a developer must be granted dwelling units through either a pool of RAC dwelling units, which are applied per specific RAC or Residential Flex Units, which may be applied in RACs and along major commercial corridors. Along commercial corridors, residential units are only permitted as part of a mixed-use development which allows a combination of commercial and residential uses within the same development.

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. The focus was on the City's RACs and use of Flex units to promote a more compact and sustainable growth pattern with supporting services and access to multi-modal transportation options, while protecting established residential neighborhoods and limiting additional growth on the Barrier Island.

Since 2015, several planning initiatives have been implemented to support the City Commission's smart growth directive. These initiatives include the unification of flex units from 18 different geographic zones throughout the City into a single city-wide zone for the purpose of allocating units to areas that can accommodate future growth, such as specified regional activity centers and applicable corridors, the adoption of the Uptown Urban Village Master Plan, the adoption of a city-wide Affordable Housing Policy with incentives, and associated amendments to the City's RACs. A map illustrating the areas that fall under these initiatives is provided as an attachment.

Regulatory Development Monitoring

The City is required to comply with the Broward County Land Use Plan, which mandates that cities certify their respective land use plans, transmit amendments for County review, monitor land use limitations, and submit reports on an annual or biannual basis to the Broward County Planning Council (BCPC). Pursuant to this requirement, the City monitors development within the RACs and Unified Flex Zone. Each RAC contains a specified number of dwelling units, whereas the Unified Flex Zone includes a fixed number of dwelling units based on the City’s Comprehensive Plan.

The current development monitoring tables indicate that the allocation of residential dwelling units in the RACs and Flex Zone are diminishing based on the number of projects and total development applications submitted to date. Table 1 provides a summary of the permitted, allocated, and remaining residential dwelling units in the RACs, Flex Zone, and Uptown Area. Allocation of flex residential dwelling units includes the Downtown RAC. Numbers fluctuate to some extent, based on amendments to project development programs and expired projects.

Table 1: Residential Unit Allocation Summary

	DOWNTOWN RAC		NORTHWEST RAC	SOUTH RAC	CENTRAL BEACH RAC		UPTOWN AREA	FLEX UNITS	
	Units	AFH	Units	Units	Units	Trips	Units	Units	AFH
PERMITTED	16,060	1,200	10,900	936	5,500	3,220	N/A	12,068	1,901
ALLOCATED	16,060*	894	7,821	674	5,154	3,210	799**	11,968	121
AVAILABLE	0	306	3,079	262	380	110	N/A	100	1,780

* Does not include flex units assigned for downtown.

** Counted as part of flex units.

In specified RACs and along major commercial corridors, applicants that can demonstrate compliance with the City’s Unified Land Development Regulations (ULDR), Section 47-23.16, Affordable Housing Regulations, may apply for residential dwelling units under which is commonly referred to as the Geller Amendment. The policy allows developers to obtain residential dwelling units outside of the RAC and Flex unit pools if they provide a mix of affordable housing or make a payment in-lieu of providing the affordable dwelling units. Furthermore, property owners can seek land use plan amendments to obtain additional entitlements. The land use plan amendment process involves an application to the City as well as approval from Broward County and the City Commission.

The content of this memo was intended to be conveyed to the City Commission during the April 18, 2023, Conference meeting. If after reviewing the information, a presentation is still requested, the topic will be added to a future agenda.

Attachment:

RAC, Flex Zone, and Planning Initiative Map

c: Anthony G. Fajardo, Assistant City Manager
Susan Grant, Assistant City Manager
D'Wayne M. Spence, Interim City Attorney
David R. Soloman, City Clerk
Patrick Reilly, City Auditor
Department Directors
CMO Managers