

RESOLUTION NO. 2022- 185

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE POLICY TO LIMIT THE ALLOCATION OF FLEX UNITS FOR PROPERTIES ELIGIBLE FOR BROWARD COUNTY AFFORDABLE HOUSING DENSITY BONUSES FOR THE CITY OF POMPANO BEACH AND DIRECTING IMPLEMENTATION OF SAID POLICY; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City of Pompano Beach adopts the Flex/Redevelopment Unit Limitation Policy for those properties eligible to use Broward County Affordable Housing Density Bonus Policies 2.16.3 and/or 2.16.4, attached hereto and incorporated by reference as set forth in full and excepting the Dixie Highway corridor.

SECTION 2. That City officials and city staff are hereby directed to implement said policy.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this "34th" day of "January", 2022.

DocuSigned by:
Rex Hardin
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REX HARDIN, MAYOR

ATTEST:
DocuSigned by:
Asceleta Hammond
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ASCELETA HAMMOND, CITY CLERK



Flex/Redevelopment Unit Allocation Policy

June, 2022

The purpose of flex/redevelopment units is to encourage economic development by avoiding Land Use Plan amendments for residential or mixed use projects that may not have the entitlements by right based on their land use designation. In general, these units can be used to provide residential entitlements in commercial land use categories and to provide additional residential density above what is allowed in the underlying residential land use category on a particular site.

The County has recently adopted two policies, 2.16.3 for multifamily residential projects and 2.16.4 for mixed use projects on major arterial roadways. Municipalities can use these policies to generate residential entitlements much in the same way flex/redevelopment units are used except they require a modest percentage of the units to be deed restricted to remain affordable (income restricted) for 30-years.

The City is nearly out of flex units and recently received the first allocation of 500 redevelopment units from Broward County. Redevelopment units are used in the same manner as flex units and can be requested from the County in 500 unit increments until they run out (the County currently has 32,310 redevelopment units left to allocate to municipalities upon request). To successfully be allocated our next increment of 500 redevelopment units, the County will require documentation regarding how the City has implemented the County's affordable housing policies which include policies 2.16.3 and 2.16.4.

To use our redevelopment unit pool wisely while ensuring the use of the County's affordable housing policies 2.16.3 and 2.16.4, the City adopts the following policy which applies throughout the City except for the Dixie Highway corridor (where flex/redevelopment units can be issued regardless of project size):

POLICY

Except for the Dixie Highway Corridor, any property eligible to generate entitlements via policy 2.16.3 or 2.16.4 can be allocated no more than 50 flex/redevelopment units without using policy 2.16.3 or 2.16.4. This policy can be waived at the City Commission's discretion at a duly noticed public hearing.¹ Any project choosing to use policy 2.16.3 will request flex units through the site plan approval process with approval by the Planning and Zoning Board.

¹Note: Per Broward County policy, properties with a commercial land use over 10-acres must use Policy 2.16.4 or a comprehensive plan amendment to generate the residential entitlements for their project. Commercial properties over 10-acres are not eligible for flex/redevelopment units.

Advantages of this policy:

- (1) Increases the number of projects supported by and lengthens the life of the current pool of flex/redevelopment units;
- (2) Supports relatively small projects by allowing them to use 100% flex/redevelopment units which have manageable affordable housing options that vary based on the project's location;
- (3) Increases the supply of both market rate and affordable housing while remaining consistent with the mixed-income housing policy designed to deconcentrate poverty;
- (4) Provides an incentive for otherwise 100% market rate projects to provide a mixed income project by shortening the approval process for the "base" flex units to P&Z review only.
- (5) The use of County policies 2.16.3 and 2.16.4 supports future requests for another 500 redevelopment units;
- (6) The waiver provision gives the City Commission flexibility to use 100% flex/redevelopment units for any project if there are compelling reasons to do so.