BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

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AFFORDABLE HOUSING

POLICY 2.16.4 Within parcels located west of and including US 1* that are designated "Commerce" on the Broward County Land Use Plan and are either, (1) fronting with direct access to a roadway classified as a State road, County arterial, per the Broward Highway Functional Classification map, or other road or portion thereof, as approved by the Board of County Commissioners ("Board"), herein after referred to as a "Qualified Road," or (2) are located no more than one-half (1/2) mile from a passenger rail station, defined as a station for the transportation of passengers by rail on board trains, locomotives, rail cars, or rail equipment pursuant to a passenger rail service provided by a governmental or non-governmental entity ("Qualified Rail Station"); or are within a parcel designated "Activity Center," multi-family residential use is permitted in addition to that permitted otherwise in those designations by this Plan, subject to the following:

(1) One or more of the affordable housing categories, as defined by this Plan, must be a component of the residential development based on the following "bonus" units to "affordable" unit formula(s) described below:
   (a) Moderate income: six (6) bonus units for every (1) one moderate income unit.
   (b) Low income: nine (9) bonus units for every (1) one low income unit.
   (c) Very-low income: nineteen (19) bonus units for every (1) one very-low income unit.

(2) (a) Each required affordable housing unit must be no smaller than ten percent (10%) less than the average gross floor area of each bonus unit corresponding type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.) in the development project; or
   (b) The number of bedrooms/bathrooms provided in the affordable units must be proportional to the number provided in the bonus units type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.).

(3) Single-family dwelling units are not permitted. Residential units shall not be permitted on the ground floor portion of any building that fronts a Qualified Road. As per Policy 2.2.5 of the Broward County Land Use Plan, studio or efficiency housing units, no greater than 500 square feet in size, may be counted by the local government as 0.5 dwelling units for residential density purposes.

(4) These additional permitted residential density provisions are conditioned on the developer or purchaser providing, in a manner acceptable to the affected unit of local government, guarantees, at a minimum through the use of restrictive covenants, that the affordable unit(s) will be maintained as affordable to the applicable designated income group(s) for a minimum period of thirty (30) years.

(5) Within a development containing residential units, the following shall apply:
   (a) Office and commercial use may either be vertically or horizontally integrated providing the following:

      1. At least fifty percent (50%) of the ground floor of any portion of a building or development, excluding ingress and egress, facing a Qualified Road shall provide office and/or commercial uses;
      2. Portions of a development not facing a Qualified Road within an Activity Center is not required, but encouraged, to provide for office and/or commercial uses.

   (b) On parcels greater than five (5) acres, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for office and/or commercial uses not ancillary to the residential units.

(6) "Affordable unit" requirements may be satisfied via an in-lieu payment to the Broward County Affordable Housing Trust Fund** equal to $10,000 per unit (Note: Effective January 1, 2023) for the total number of units within the development which sum shall increase by 3% annually (Note: Beginning January 1, 2024).

(7) Units of local government may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map.

(8) Local government utilization of the additional permitted residential density provisions described in this Policy is subject to the following, as enforced by the applicable local government:
   (a) One hundred percent (100%) of the "affordable" units shall be available for occupancy before the final twenty- five percent (25%) of bonus units are available for occupancy.

(9) In addition to the provisions of this Policy, parcels designated "Commerce" and meeting the location, frontage, and access requirements of this Policy or within an Activity Center, where the residential development will be located within ¼ mile of a State road, County arterial, or other road or portion thereof, as approved by Board of County Commissioners ("Board"), or within one-half (1/2) mile from a Qualified Rail Station, the Board shall consider the following in the review of funding applications submitted by local governments for future public infrastructure and economic development projects:
   (a) Local government adoption of this Policy into the municipal Comprehensive Plan;
   (b) Local government adoption of specific regulations, in the municipal zoning and/or land development code, to allow allocation of additional residential density units as a permitted use, by right, within specific zoning district(s);
   (c) Local government adoption of specific regulations to implement the provisions and criteria of this Policy, including:
      1. Establishment of a minimum net residential density of twenty-five (25) dwelling units per acre;

2. Where a building is located within 100 feet of any parcel which prohibits, through the applicable zoning regulations, residential development of ten (10) dwelling units per gross acre or more, the local government may establish a maximum building height limit of not less than five (5) stories; and
3. The zoning regulations that establish reduced on-site parking to accommodate the mixed uses.

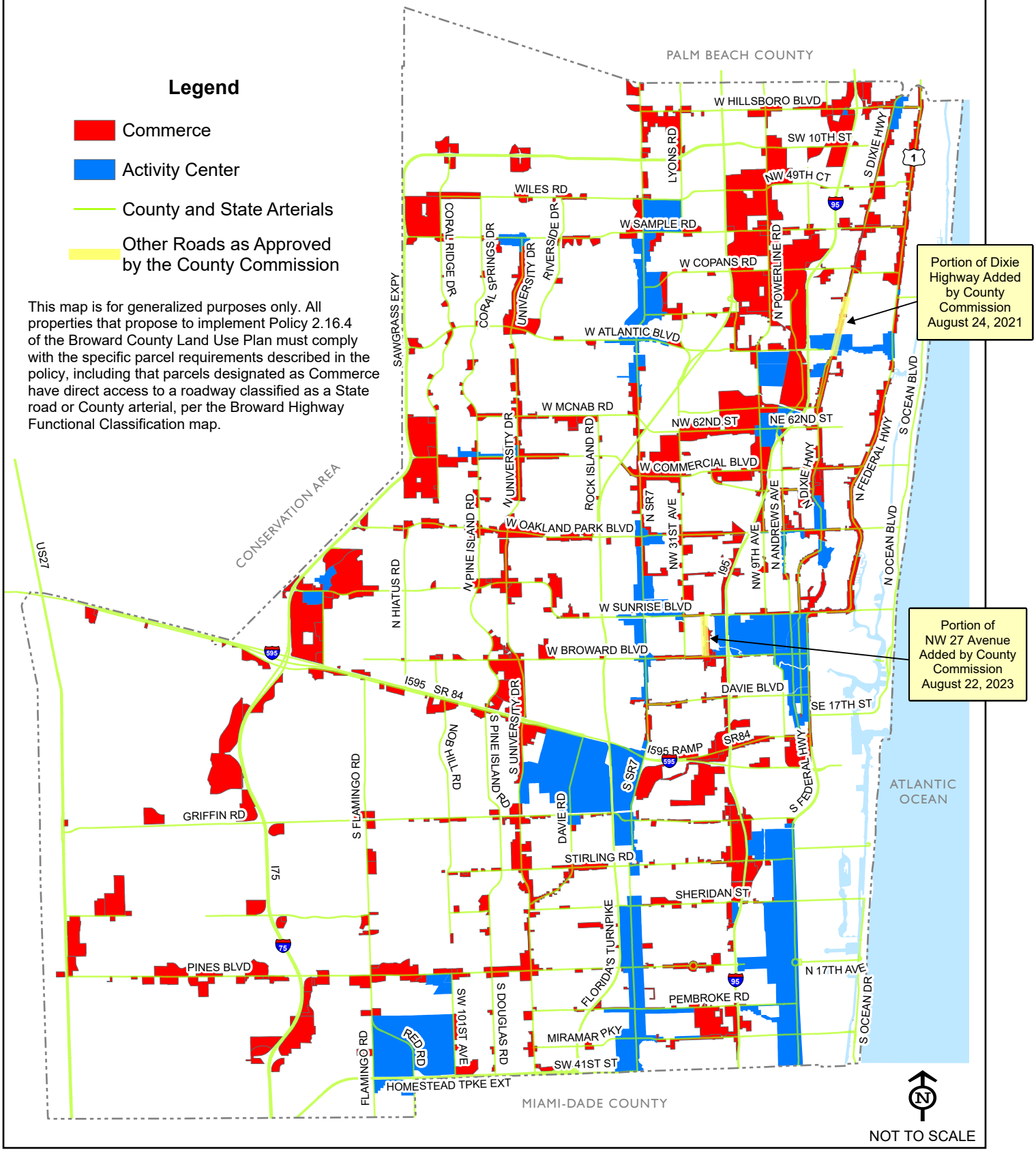
(d) The Urban Planning Division, in consultation with the Office of the County Attorney, must certify that all the foregoing requirements of this Section (9) have been satisfied.

(10) Units of local government may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

* includes all parcels that front and have direct access to US 1 and, at the option of the applicable municipality as a permitted or special exception use, on parcels east of US 1 and west of the Intracoastal Waterway, provided the municipality makes a finding that the additional dwelling units on said parcels will not negatively impact hurricane evacuation clearance times and/or emergency shelter capacities. A local government is not required to apply this Policy to properties east of US 1 in order to be eligible for funding consideration by the Board of County Commissioners pursuant to Section (9) herein.

** Fifty percent (50%) of in lieu fees may be paid into an Affordable Housing Trust Fund of the applicable municipality, provided the municipality requires said monies to be used for the construction of new affordable units or home repair. All in-lieu payments shall be made at the time of issuance of building permit.

Commerce and Activity Center Land Use by County and State Arterial Roads and Other Roads as Approved by the County Commission



May 22, 2025