

ARTICLE 3

FLEXIBILITY, REDEVELOPMENT UNITS AND SPECIAL RESIDENTIAL FACILITIES

3.1 UNIFIED FLEXIBILITY ZONES

The Broward County Land Use Plan map shall be divided by municipal boundaries, known as “unified flexibility zones,” for the purpose of determining the amount of flexibility available for use within the unified area, such as “flexibility units,” “reserve units,” “redevelopment units,” and acreage within land use plan categories.

A local government’s certified land use plan may permit the rearrangement of, within limits specified by the Broward County Land Use Plan, land uses and residential densities within its municipal unified flexibility zone.

Rearrangement of land uses and residential densities within a flexibility zone by a local government consistent with the limits specified by the Broward County Land Use Plan and this document may require (re)certification by the Planning Council, but does not require an amendment to the Broward County Land Use Plan.

3.2 FLEXIBILITY UNITS

- (A) Flexibility units, as defined in Section 2, “Definitions” of the Broward County Land Use Plan, shall equal the difference between the number of dwelling units permitted within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted within the local government’s certified future land use plan map, plus additional remaining permitted dwelling units, fixed at the adoption date of the 2017 Broward County Land Use Plan and formerly defined as “Reserve Units” which were equal to two percent (2%) of the total number of dwelling units permitted by the local government’s certified future land use plan map.
- (B) Assignment of flexibility units by a local government is subject to all of the following rules and regulations:
 - (1) Assignment of flexibility units shall be subject to meeting the provisions of Policy 2.10.1 of the Broward County Land Use Plan concerning compatibility with adjacent land uses and impacts on public schools;
 - (2) Flexibility units must be assigned by the municipality, at a minimum, through (re)zoning or other official action. An amendment to the local land use plan may be required by the applicable municipality.

- (3) Upon assignment of flexibility units, the local government shall notify the Planning Council in writing and submit revised charts, as contained within the certified local land use plan, which reflect the current total.
- (4) Flexibility units shall not be assigned from areas circumscribed by dashed lines on the Broward County Land Use Plan, nor be reflected within the "flexibility unit chart" of the certified local land use plan.
- (5) The Planning Council, upon determination that a local government has failed to report assignment of flexibility units in a timely or sufficient manner or has assigned flexibility units improperly, shall take such actions as may be necessary and proper, including decertification of the local land use plan, to enforce the requirements of the Broward County Land Use Plan and this document.

3.3 REDEVELOPMENT UNITS

- (A) Redevelopment units, as defined in Section 2, "Definitions," of the Broward County Land Use Plan, means additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2017 BrowardNext Broward County Land Use Plan.
- (B) Municipalities that have fewer than 250 combined "flexibility units" or "redevelopment units" may apply to the Broward County Planning Council for the allocation of "redevelopment units" in allocations of 500 dwelling units, or 10% of the number of dwelling units permitted by the certified municipal land use plan, whichever is less.
- (C) The number of units per application may be increased to 750, or 15% of the number of dwelling units permitted by the certified municipal land use plan, whichever is less, if the municipality demonstrates a commitment for at least 10% very-low or low affordable housing, with a legally enforceable mechanism recorded in the public records of Broward County, Florida, to the satisfaction of Broward County, for a minimum period of 30 years.
- (D) Assignment of redevelopment units by a local government shall be subject to meeting the provisions and criteria of Appendix 3 of this Document.
- (E) Upon assignment of redevelopment units, the local government shall notify the Planning Council in writing and submit revised charts, in the format certified by the Planning Council, which reflect the current total.