

## EXHIBIT 2

### RESOLUTION NO. 2020-

1 A RESOLUTION OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
3 TRANSMITTING A PROPOSED AMENDMENT TO THE  
4 BROWARD COUNTY LAND USE PLAN TEXT OF THE  
5 BROWARD COUNTY COMPREHENSIVE PLAN TO ADD  
6 POLICY 2.16.5 REGARDING INCLUSIONARY HOUSING;  
7 AND PROVIDING FOR AN EFFECTIVE DATE.

8 WHEREAS, Broward County adopted the Broward County Comprehensive Plan  
9 on April 25, 2017 (the Plan);

10 WHEREAS, the Department of Economic Opportunity has found the Plan in  
11 compliance with the Community Planning Act;

12 WHEREAS, Broward County now wishes to propose an amendment to the  
13 Broward County Land Use Plan text;

14 WHEREAS, the Planning Council, as the local planning agency for the Broward  
15 County Land Use Plan, held its hearing on February 27, 2020, with due public notice;  
16 and

17 WHEREAS, the Board of County Commissioners held its transmittal  
18 public hearing on May 19, 2020, at 10:00 a.m., having complied with the notice  
19 requirements specified in Section 163.3184(11), Florida Statutes, NOW, THEREFORE,

20 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
21 BROWARD COUNTY:

22 Section 1. The Board of County Commissioners hereby transmits to the  
23 Department of Economic Opportunity, South Florida Regional Planning Council, South  
24 Florida Water Management District, Department of Environmental Protection,  
Department of State, Department of Transportation, Fish and Wildlife Conservation  
Commission, Department of Agriculture and Consumer Services, and Department of

1 Education, as applicable, for review and comment pursuant to Section 163.3184,  
2 Florida Statutes, Amendment PCT 20-6, which is an amendment to the Broward County  
3 Land Use Plan text to add Policy 2.16.5 regarding Inclusionary Housing.

4 Section 2. The proposed amendment to the Broward County Comprehensive  
5 Plan is attached as Exhibit "A" to this Resolution.

6 Section 3. EFFECTIVE DATE.

7 This Resolution is effective upon adoption.

8

9 ADOPTED this day of , 2020.

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12 Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

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14 By /s/ Maite Azcoitia 04/01/2020  
15 Maite Azcoitia (date)  
16 Deputy County Attorney

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MA/gmb  
04/01/2020  
PCT 20-6 add Policy 2.16.5 re Inclusionary Housing.TransReso.doc  
24 #80041

# EXHIBIT A

**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN TEXT**  
**PROPOSED AMENDMENT PCT 20-6**

***“Inclusionary Zoning”***

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation*

*February 18, 2020*

Planning Council staff recommends approval of alternative language, which creates an incentive for local governments that adopt and enforce an inclusionary zoning or land development code ordinance to be exempt from Policy 2.16.2 during the BrowardNext-Broward County Land Use Plan amendment process. See Attachment 2.

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or
- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

Due to the alternative recommendation, Planning Council staff does recommend a second Planning Council public hearing.

This item will be presented to the Land Use/Trafficways Committee immediately preceding the Planning Council meeting. The Committee’s recommendation will be presented at the Planning Council meeting.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

**II. Planning Council Land Use/Trafficways Committee Recommendation**      **February 27, 2020**

- 1) The Committee recommended denial of the proposed inclusionary housing ordinance as presented. (Vote of the Committee; Unanimous: 8-0: Blattner, Brunson, Castillo, DiGiorgio, Gomez, Good, Williams and Stermer); and
- 2) The Committee also recommended denial of Planning Council staff's alternative proposal, which would create an incentive for local governments that adopt and enforce an inclusionary zoning or land development code ordinance to be exempt from Policy 2.16.2 during the BrowardNext- Broward County Land Use Plan amendment process. (Vote of the Committee; Unanimous: 8-0: Blattner, Brunson, Castillo, DiGiorgio, Gomez, Good, Williams and Stermer)

**III. Planning Council Transmittal Recommendation**      **February 27, 2020**

A motion was made and seconded to approve the proposed amendment per Attachment 1. The motion failed. (Vote of the board; 2-16; Yes: Maxey and Rich. No: Blattner, Breslau, Brunson, Castillo, DiGiorgio, Fernandez, Gomez, Good, Graham, Hardin, Parness, Railey, Rosenof, Ryan, Williams and Stermer) The recommendation of the Planning Council moves forward as a denial.

**ATTACHMENT 1**  
**Broward County Land Use Plan**  
**Proposed Text Amendment PCT 20-6**

**AFFORDABLE HOUSING INCLUSIONARY POLICY**

**Policy 2.16.5** In order to increase the supply of affordable housing, municipalities shall adopt an inclusionary housing ordinance within the municipal zoning code or municipal land development code no later than 24 months after the effective date of this Policy (*place holder for effective date*). The inclusionary housing ordinance shall require net new residential development of 10 dwelling units or more to include a minimum of 15% of the units restricted to “moderate income” households, or 10% of the units restricted to “low income” households, or 5% of the units restricted to “very-low income” households. Affordable units must be restricted to applicable income households for at least 30 years. Application of the percentage requirements to a development shall be rounded down (e.g. 15% of 10 units equals 1 unit).

The inclusionary housing ordinance shall provide for a full offset of the developer’s affordable housing contribution, via sufficient density bonuses and/or other incentives, consistent with the requirements of 2019 Florida House Bill 7103. The inclusionary housing ordinance may include an in-lieu fee option, subject to recovery of the full offset of the developer’s affordable housing contribution.

The municipal ordinance shall provide that census tracts, recalculated each year based on assessed values, which have a median assessed value for residential properties (“residential properties” as defined by the Broward County Property Appraiser) at or below 80% of the Broward County median value shall be exempt from the requirements of the inclusionary housing ordinance.

**Definition**

*Inclusionary Housing* means municipal and county ordinances that require a proportion of new residential construction shall be units affordable to very-low, low and moderate income households.

NOTE: proposed additions are underlined, proposed deletions are ~~struck through~~

## ATTACHMENT 2

Broward County Land Use Plan  
Proposed Text Amendment PCT 20-6  
Alternative Text

Policy 2.16.5 In order to increase the supply of affordable housing, municipalities should adopt an inclusionary housing ordinance within the municipal zoning code or municipal land development code. The inclusionary housing ordinance shall require net new residential development of 10 dwelling units or more to include a minimum of 15% of the units restricted to “moderate income” households, or 10% of the units restricted to “low income” households, or 5% of the units restricted to “very-low income” households. Affordable units must be restricted to applicable income households for at least 30 years. Application of the percentage requirements to a development shall be rounded down (e.g. 15% of 10 units equals 1 unit).

The inclusionary housing ordinance shall provide for a full offset of the developer’s affordable housing contribution, via sufficient density bonuses and/or other incentives, consistent with the requirements of 2019 Florida House Bill 7103.

The municipal ordinance may provide that census tracts, recalculated each year based on assessed values, which have a median assessed value for residential properties (“residential properties” as defined by the Broward County Property Appraiser) at or below 80% of the Broward County median value shall be exempt from the requirements of the inclusionary housing ordinance.

Municipalities that adopt and enforce an inclusionary ordinance are exempt from Policy 2.16.2 for the review of Broward County Land Use Plan amendments.

### Definition

Inclusionary Housing means municipal and county ordinances that require a proportion of new residential construction shall be units affordable to “very-low,” “low” and “moderate” income households.

NOTE: Proposed additions are underlined.