

SUNRISE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, AMENDING CHAPTER 16 “LAND DEVELOPMENT CODE” BY AMENDING ARTICLE V “DISTRICT REGULATIONS,” SECTION 16-101 “PLANNED UNIT DEVELOPMENT (PUD) DISTRICT” TO AUTHORIZE REQUESTS FOR REDUCED MINIMUM FLOOR AREA FOR CERTAIN AFFORDABLE HOUSING PROJECTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida law provides that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City of Sunrise is located within Broward County, one of the most cost-burdened counties in the United States for housing; and

WHEREAS, the City Commission wishes to provide for the housing needs of the City’s residents, including the promotion of fair housing for everyone; and

WHEREAS, the City codified Affordable Housing Waivers within the Planned Unit Development (PUD) district, Section 16-101 of the Code of the City of Sunrise, Florida; and

WHEREAS, City staff have identified minimum floor area requirements as a potential limiter to affordable housing projects within the Planned Unit Development (PUD) district; and

WHEREAS, the City recognizes certain allowances are necessary to promote the provision of affordable housing; and

WHEREAS, the City’s Local Planning Agency has reviewed this Ordinance and recommended its approval to the City Commission; and

WHEREAS, the City Commission held a public hearing, at which all members of the public so desiring had an opportunity to be heard; and

WHEREAS, the City Commission finds that adopting this Ordinance as set forth herein is consistent with and furthers the City's Comprehensive Plan and other applicable law relating to land use planning and development and growth management and is necessary for the preservation of the public health, safety and welfare of the City's residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. Incorporation of Recitals. The foregoing recitals are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That section 16-101 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-101. – Planned unit development (PUD) district.

* * *

- (d) Development Standards. All development in the PUD shall comply with the development standards contained in this subsection. However, an applicant requesting a rezoning to PUD may propose alternative development standards to those contained in this subsection as part of the PUD design guidelines of the uniform control document submitted with the rezoning application. An applicant may propose alternative development standards for other sections of the Code that are applicable to the development in the PUD. Alternative development standards are subject to City Commission approval and shall supersede the development standards contained in this subsection and the Code. Any development standard in the Code not specifically listed below or modified by the approved PUD alternative development standards shall be applied in accordance with the Code.

* * *

- (8) *Minimum floor area requirements.* The minimum floor area per dwelling unit shall be as follows:

Single-family unit 1,650 square feet for a three bedroom unit

Efficiency unit 700 square feet

One bedroom multifamily, two-family, townhouse, villa 700 square feet

Two bedroom multifamily, two-family, townhouse, villa 1,000 square feet

Each additional bedroom (multifamily, two-family, townhouse, villa) 175 square feet

* * *

- (15) *Affordable Housing Waivers.* In order to facilitate the production of affordable housing for very low income households and/or low income households, the department may waive any and all requirements established by the following sections; sections 16-101(e)(8), 16-142(b)(1), 16-169, and 16-192(d)(4). The applicant may propose parking that does not meet minimum Code requirements as a waiver, in which case the applicant shall submit a parking study, prepared by a registered traffic engineer. At a minimum, the parking study shall include the number of proposed parking spaces, public transit ridership statistics, and justification for any deviations from the requirements of Article VII of this Code for off-street parking and loading. The study shall be reviewed and approved by the director of community development or his/her designee. The applicant may request up to a fifteen (15) percent reduction in the minimum floor area requirements identified in section 16-101(d)(8). All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which the property is located within one-third ($\frac{1}{3}$) of a mile from an existing Broward County Transit bus stop and include rental or sales restrictions and monitoring provisions to that ensure that all of the units will be reserved for very low income and/or low income households for at least thirty (30) years. Such restrictions must be reviewed and approved by the Department prior to waiver approval. For the purpose of this subsection, the terms "very low income" and "low income" shall have the meaning defined as: very low income is thirty-one (31) to fifty (50) percent area median income and low income is fifty-one (51) to eighty (80) percent of area median income.

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Section 3. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 5. Inclusion in the Code. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Sunrise, Florida.

Section 6. Effective Date. This Ordinance shall be effective immediately upon its passage.

PASSED AND ADOPTED upon this first reading this _____ DAY
OF _____, 2025.

PASSED AND ADOPTED upon this second reading this _____ DAY
OF _____, 2025.

Mayor Michael J. Ryan

Authentication:

Felicia M. Bravo
City Clerk

FIRST READING

MOTION: _____
SECOND: _____

CLARKE: _____
GUZMAN: _____
KERCH: _____
SCUOTTO: _____
RYAN: _____

Approved by the City Attorney
as to Form and Legal Sufficiency

SECOND READING

MOTION: _____
SECOND: _____

CLARKE: _____
GUZMAN: _____
KERCH: _____
SCUOTTO: _____
RYAN: _____

Thomas P. Moss