

Planning and Development Board

Tuesday, May 13, 2025

6:00 PM

City of Hollywood



Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Room 219

Thank you for demonstrating an interest in the City of Hollywood Planning and Development Board Meeting. The public may view the meeting either in person, virtually <http://hollywoodfl.org/calendar> or on channel 78 for Comcast, channel 99 for AT&T U-Verse.

Any member of the public wishing to speak on an agenda item, which calls for public comment, may do so either in person or virtually:

In-person:

On the day of the meeting a comment card shall be completely filled out. Comment cards will be available at the start of the meeting and must be received by the Board's Clerk prior to the close of public comment for each item. If commenting on multiple items, a comment card shall be completed for each individual item.

Virtually:

Virtual comment is offered as a courtesy. The City is not responsible for technical difficulties that may periodically arise. Pre-registration shall be REQUIRED.

To register use the Board Meeting Registration and Public Comment Form. If commenting on multiple items, the form shall be completed for each individual item. Should an item require consideration by multiple Boards, individual forms shall be submitted for each Board. The form may be found at the following link and shall be submitted by 6:00 PM the day before the meeting:

<https://www.hollywoodfl.org/1248/Public-CommentRegistration-and-Submittal>

Due to the quasi-judicial nature of items, written comments CANNOT be read into the record. Public comment shall be limited to three minutes speaking time maximum. All comments received during the submission period will become part of the public record. Comments left on voicemail machines, emailed, posted to the City's social media accounts or submitted for virtual comment after 6:00 PM on the day prior to the meeting shall not be accepted.

Persons with disabilities who require reasonable accommodations to participate in City programs and/or services may call Clarissa Ip, ADA Coordinator/City Engineer, five business days in advance at 954-921-3915 (voice) or email: cip@hollywoodfl.org. For the hearing and speech impaired at 800-955-8771 (V-TDD).

For additional information or for assistance, please contact Planning and Urban Design Division, at 954-921-3471 option 3 or via email at planningdivision@hollywoodfl.org.

Persons attending meetings shall remain seated at all times unless called upon to speak, will not callout comments during the meeting or make inappropriate hand or facial gestures.

Please silence all cell phones prior to entering the meeting.

A. Administration

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Previous Meeting Minutes

Attachments: [2025_0408_Minutes_Draft_PDB.pdf](#)

4. Additions, Deletions, Withdrawals, and Continuances
5. City Attorney Announcements

Attachments: [Quasi-Judicial Hearing Procedures](#)
[Witness List P-25-01](#)

B. Applications**ITEMS # 1 AND 2 BELOW ARE CONSIDERED QUASI-JUDICIAL****1. 2025_0513**

FILE NO.: 24-F-80a
APPLICANT: Harwin-Tobin 1101 LLC
LOCATION: 1101 Hillcrest Drive
REQUEST: Request for 6 Flex Units, companion to a Planned Unit Development (PUD) Amendment request, to permit 120 affordable units located in the PUD-R Zoning District through the bonus provisions of BrowardNext Policy 2.16.3 (Hillcrest).

Attachments: [P-25-03.pdf](#)

2. 2025_0513

FILE NO.: 24-JDP-80
APPLICANT: Harwin-Tobin 1101 LLC
LOCATION: 1101 Hillcrest Drive
REQUEST: Design, Site Plan, and a request to amend a Planned Unit Development (PUD) to permit an 8-story multifamily development of 120 affordable units, companion to a request for Flex units in the PUD-R zoning District (Hillcrest).

Attachments: [P-25-04.pdf](#)

3. 2025_0513

FILE NO.: 25-T-40
APPLICANT: City of Hollywood
LOCATION: City-wide
REQUEST: Text Amendment to Articles 2 and 4 of the Zoning and Land Development Regulations, Section 4.23 Entitled "Supplemental Setback Regulations for Allowable Encroachments in Front, Side and Rear Yards," to Amend the Definitions and Regulations for Carports.

Attachments: [Staff Report - Carport Standards 0513_2025_PDB.v2.pdf](#)
[Carports Text Amendment_041425 DRAFT V6.pdf](#)
[Attachment B - Jurisdictional Scan Broward Municipalities – Carports.pdf](#)

[4. 2025 0513](#)

FILE NO.: 25-T-26
APPLICANT: City of Hollywood
LOCATION: City-wide
REQUEST: Amendment to Article 4 of the Zoning and Land Development Regulations, creating Section 4.24 entitled "Live Local Act - Mixed-Use Affordable Housing Development" to establish procedures and regulations for mixed-use affordable housing developments submitted under Florida Statute 166.04151 (*Live Local Act*, 2023)

Attachments: [2526 T Live Local PDB Report.pdf](#)
[Attachment A Draft Text Amendment.pdf](#)

C. Old Business**D. New Business**

1. Review of projects before the Technical Advisory Committee
2. Summary of the City Commission Actions

E. Adjournment

Legal descriptions for each of the above petitions is on file in the Department of Development Services.

Any person wishing to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

Two or more members of the same city board, commission, or committee, who are not of this Commission, may attend this meeting and may, at that time, discuss matters on which foreseeable action may later be taken by their board, commission or committee.

Persons with disabilities who require reasonable accommodations to participate in City programs and/or services may call Clarissa Ip, ADA Coordinator/City Engineer, five business days in advance at 954-921-3915 (voice) or email: cip@hollywoodfl.org. If an individual is hearing or speech impaired, please call 1-800-955-8771 (V-TDD).



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Agenda Date: 5/13/2025

To: Planning and Development Board

Title:

SUMMARY OF THE MINUTES PLANNING AND DEVELOPMENT BOARD

CITY OF HOLLYWOOD
2600 HOLLYWOOD BOULEVARD
HOLLYWOOD, FLORIDA 33020

A. ADMINISTRATIONS

1. Pledge of Allegiance
2. Roll Call

The meeting of the Planning and Development Board was called to order by Diana Pittarelli on Tuesday, **April 8, 2025, at 6:00 PM** in Room 219, 2600 Hollywood Blvd., Hollywood, Florida, with the following members present:

Kenneth Crawford
Joseph Stadlen
Bob Glickman
Richard Blattner

Tara Jafarmadar
Diana Pittarelli
Mena Morgan

The following members were absent from the meeting:

Steven Morales

Robert Vargas

Development Services, Division of Planning and Urban Design Staff present:

Andria Wingett
Anand Balram
Cameron Palmer
Carmen Diaz
Stephania Rivera
Laura Gomez
Rachel Marshall

Director of Development Services
Planning Manager
Principal Planner
Planner III
Development Review Coordinator
Planner II
Planner I

Also Present:

Deena Kapp

Assistant City Attorney

3. Approval of the Meeting Minutes.
March 11, 2025 - approved.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD TO APPROVE THE MARCH 11, 2025 MINUTES WITH CORRECTION ON ITEM 3 – CORRECTION OF NAME FOR MR. VARGAS. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

4. Additions, Deletions, Withdrawals, and Continuances.

MEMORIAL REGIONAL HOSPITAL CONTINUANCE ON MAY 20, 2025, SPECIAL MEETING. MOTIONED BY KENNETH CRAWFORD AND SECONDED BY TARA JAFARMADAR.

5. City Attorney Announcements
Deena Kapp read the City attorney's proceedings.

B. APPLICATIONS

ITEMS # 1-3 BELOW MAY BE CONSIDERED QUASI-JUDICIAL AND MAY BE SUBJECT TO THE CRR REGULATION

1. **FILE NO.:** 22-DP-60a
APPLICANT: Viva Hollywood LLC.
LOCATION: 1935-1951 Lincoln Street & Folio Nos. 5142-15-01-2720 and 5142-15-01-2750
REQUEST: Extension request for a previously approved site plan and design application (City File 22-DP-60) for a 5 story 48-unit multi-family development within the ND-2 Zoning District in the Regional Activity Center (RAC) and Community Redevelopment Agency (CRA).

Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Umar Javed, Planner II, presented the item and answered questions from the board.

Joseph Kaller, the Architect representing the applicant, was present and answered questions from the board.

Diana Pittarelli opened the meeting to public comments. Public Comment was made by Denis Sobiewski. Diana Pittarelli closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY MENA MORGAN AND SECONDED BY JOSEPH STADLEN TO APPROVE THE SITE PLAN EXTENSION. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

2. **FILE NO.:** 19-DP-72
APPLICANT: 2125 Lincoln LLC.
LOCATION: 2135 Lincoln Street
REQUEST: Design and Site Plan for a 16-unit residential development in the DH3 zoning district within the Regional Activity Center (RAC) and the Community Redevelopment Agency (CRA) Diana Pittarelli read the Application.

Diana Pittarelli asked Staff, the Applicant, and members of the public if they wished to waive Quasi-Judicial Proceedings. Quasi-Judicial Proceedings were waived.

Carmen Diaz, Planner III, presented the item and answered questions from the board.

Diana Pittarelli opened the meeting to public comments. No Public Comments were made. Kenneth Crawford closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD TO APPROVE THE SITE PLAN WITH TWO (2) STAFF CONDITIONS: PRIOR TO APPLYING FOR BUILDING PERMITS, THE APPLICANT SHALL SUBMIT A COMPLETE SET OF REVISED PLANS AND A COVENANT RUNNING WITH THE LAND THAT HOLDS THE CITY HARMLESS AGAINST ANY CLAIMS ARISING FROM ACCIDENTS. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

MOTION WAS MADE BY JOSEPH STADLEN AND SECONDED BY KENNETH CRAWFORD TO APPROVE THE DESIGN. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

3: FILE NO.: 24-T-70
APPLICANT: City of Hollywood
LOCATION: City-wide
REQUEST: Amendment to Article 3 of the Zoning and Land Development Regulations, Section 3.22 Titled "Standards for The Painting and Color of Exterior Surfaces of Buildings and Structures" to Amend the Regulations for Art in Public Places read the Application.

Lauren Pruss, Principal Planner, presented the item and answered questions from the Board.

Diana Pittarelli opened the meeting to public comments. No public comments were made. Diana Pittarelli closed the public comment portion.

Board discussion ensued.

MOTION WAS MADE BY TARA JAFARMADAR AND SECONDED BY JOSEPH STADLEN PRIOR TO FIRST READING STAFF CONSIDER CHANGING THRESHOLD FOR AVERAGE MEDIAN INCOME (AMI) FROM 60% TO 80%.

C. OLD BUSINESS

None

D. NEW BUSINESS

Anand Balram reminded the Board that Board Appointments will take place on May 28, 2025, at 6 pm.

Development Planning Action for future Planning and Development Board – analyze projects from years 2021-2024 so we know when they are in permitting.

E. ADJOURNMENT

The meeting was adjourned at 7:22 P.M.

DRAFT



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Agenda Date: 5/13/2025

To: Planning and Development Board

Title:

**QUASI-JUDICIAL HEARING PROCEDURES
AND RULES FOR EX-PARTE COMMUNICATIONS**

I. Scope and Applicability. These procedures shall apply to all quasi-judicial hearings held by the City Commission or by any Board or Committee (hereinafter referred to as "Boards") which holds quasi-judicial hearings. The City Attorney shall determine which matters are quasi-judicial in nature and shall direct the City Clerk or Board liaison to designate specially such matters on the agenda.

II. Proceedings. Mayor, Vice Mayor or other presiding officer (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney or legal advisor shall represent the City Commission or Board, rule on all evidentiary and procedural issues and objections, and advise the City Commission or Board as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

III. Unauthorized Communications. In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. In accordance with Section 286.0115(1), Florida Statutes, ex parte communications with City Commissioners or Board members in quasi-judicial matters is permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners or Board members:

1. The substance of any ex parte communication with a City Commissioner or Board member which relates to a quasi-judicial action pending before the Commission or Board is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

2. A City Commissioner or Board member may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission or Board shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. City Commissioners or Board members may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1, 2 and 3 must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

IV. Witnesses and Supporting Materials. At least eight City business days before a quasi-judicial hearing.

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant, appellant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant and the Appellant, if applicable, shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The eight City business day deadline is necessary to ensure the Commission or Board members are given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the ~~eight-day~~ City business day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission or Board to the next available agenda.

V. Party Intervenors.

The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least ~~eight~~ three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of their interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

VI. Conduct of Hearing.

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer, City Attorney or legal advisor shall inquire whether all parties, members of the public and Commission or Board members agree to waiving the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney, legal advisor or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk or staff liaison shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff (or outside counsel) shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 30 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

2. The Appellant, if applicable, (or his/her representative or counsel) shall present evidence and testimony in support of the application. Appellant shall have a maximum of 30 minutes to make its full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

3. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board Member.

4. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

5. Any other persons present who wish to submit relevant information to the City Commission or Board shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission or a Board member). Members of the public will be permitted to present their non-expert opinions, but the Commission or board will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

6. The Appellant will be permitted to make final comments, if any (maximum of five minutes).

7. The Applicant will be permitted to make final comments, if any (maximum of five minutes).

8. The Party Intervenor will be permitted to make final comments, if any (maximum of five minutes).

9. The City's staff will make final comments, if any (maximum of five minutes).

10. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations (maximum of three minutes).

G. The City Attorney or legal advisor will advise the City Commission or Board as to the applicable law and the factual findings that must be made to approve or deny the application.

H. The City Commission or Board will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

VII. Examination by Commissioners and City Attorney or Legal Advisor.

Commissioners, Board members and the City Attorney or Legal Advisor may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

VIII. Cross-Examination of Witnesses. After each witness testifies, the City staff representative, the Applicant's representative, Appellant's representative, and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

IX. Rules of Evidence.

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

X. Statements of Counsel. Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

XI. Continuances and Deferrals. The City Commission or Board shall consider requests for continuances made by City staff, the Applicant, the Appellant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission or Board, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue presented, then the City Commission or Board may continue the matter to a time certain to allow for such research or review.

XII. Transcription of hearing.

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant, Appellant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant, Appellant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant, Appellant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

XIII. Maintenance of Evidence and Other Documents. The Office of the City Clerk or staff liaison shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Community Planning and Development Department.

XIV. False Testimony. Any willful false swearing on the part of any witness or person giving evidence before the Commission or Board as to any material fact in the proceedings shall be deemed to be perjury and shall be punished in the manner prescribed by law for such offense.

XV. Failure of Applicant to Appear. If the Applicant, the Appellant or Party Intervenor or their representative fails to appear at the time fixed for the hearing, and such absence is not excused by the Commission or Board, the Commission or Board may proceed to hear the evidence and render a decision thereon *in absentia*.

XVI. Subpoena Power. The Applicant, the Appellant or Party Intervenor or City's staff shall be entitled to compel the attendance of witnesses through the use of subpoenas. All such subpoenas shall be issued by the City Clerk at the request of the Applicant, Appellant or City's staff.

**CITY OF HOLLYWOOD
MEMORANDUM
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: February 24, 2025

MEMO NO.: P-25-01

TO: City Clerk

FROM: Andria Wingett, Director of Development Services

SUBJECT: Witness List for Quasi-Judicial Items

EXPLANATION:

Following is a list of Technical Advisory Committee members which may serve as witnesses for all **Planning and Development Board, Historic Preservation Board, and City Commission Quasi-Judicial items**. Resumes and credentials on file with the Office of Human Resources. The City may add additional witness for specific items as necessary in conformance with Quasi-Judicial procedures.

Raelin Storey	Assistant City Manager
Donna Biederman	Community Development Coordinator
Liliana Beltran	Housing Inspector
Andria Wingett	Director of Development Services
Clarissa Ip	City Engineer
Joan Shen	Assistant City Engineer
Alexander Barr	Development Review Engineering Manager
Rick Mitinger	Transportation Engineer
Lisa Bernstein	External Traffic Consultant
Ralph Aronberg	External Traffic Expert, Aronberg and Associates Consultants Engineers Inc.
Carina Harvey	District Access Management Manager, FDOT Consultant
Adam Licht	Engineering Specialist II
Favio Perez	Landscape Plans Examiner
Russell Long	Chief Building Official
Daniel Quintana	Assistant Building Official
James McGuinness	Assistant Building Official
Norman Bruhn	Assistant Building Official
Timothy Jones	Chief Structural Inspector
Jovan Douglas	Division Director of Parking and Code Compliance
Angela Kelsheimer	Operations Administrator, Parking and Code Compliance
Natnael Jowhar	Parking Operations Superintendent
Elaine Franklin	Environmental Sustainability Coordinator
Vincent Morello	Director of Public Utilities
Feng Jiang	Assistant Director of Public Utilities
Alicia Vereas-Feria	Utilities Permit Review Manager

Chris Clinton	Fire Marshal / Division Chief
Marcy Hofle	Deputy Fire Marshal / Battalion Chief
Maribel Medina	Fire Prevention Officer III
Meghan Grimsley	Fire Prevention Officer III
Chris O'Brien	Director of Public Safety
Ryan Ostrowsky	Police Lieutenant
Chantel Magrino	Crime Prevention Specialist
Joseph Kroll	Director of Public Works
Rosendo Prieto	Assistant Director of Public Works
Ricky Engle	Director of Parks, Recreation, and Cultural Arts
David Vazquez	Assistant Director of Parks, Recreation, and Cultural Arts
Anand Balram	Planning Manager
Cameron Palmer	Principal Planner / Supervisor of Development Planning
Lauren Pruss	Principal Planner / Supervisor of Long-Range Planning
Robert Gooljar	Principal Planner / Supervisor - GIS
Carmen Diaz	Planner III
Reginald White	Planner III
Laura Gomez	Planner II
Umar Javed	Planner II
Adrian Montoya	Planner II
Jorge Camejo	Executive Director, Community Redevelopment Agency
Susan Goldberg	Deputy Director, Community Redevelopment Agency
Francisco Diaz-Mendez	Project Manager, Community Redevelopment Agency
Christopher Crocitto	Project Manager, Community Redevelopment Agency
Herbert Conde-Parlato	Economic Development Manager



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
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File Number: 1._2025_0513

Agenda Date: 5/13/2025

To: Planning and Development Board

Title: FILE NO.: 24-F-80a
APPLICANT: Harwin-Tobin 1101 LLC
LOCATION: 1101 Hillcrest Drive
REQUEST: Request for 6 Flex Units, companion to a Planned Unit Development (PUD) Amendment request, to permit 120 affordable units located in the PUD-R Zoning District through the bonus provisions of BrowardNext Policy 2.16.3 (Hillcrest).

**CITY OF HOLLYWOOD
MEMORANDUM
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 13, 2025 **MEMO NO.:** P-25-03

TO: Planning and Development Board

VIA: Anand Balram, Planning Manager

FROM: Reginald White, Planner III

SUBJECT: Request for 6 Flex Units, companion to a Planned Unit Development (PUD) Amendment request, to permit 120 affordable units, companion to a request for Flex units in the PUD-R zoning District (Hillcrest).

EXPLANATION:

Harwin-Tobin 1101 LLC (the applicant) is requesting the six Flex-Units in support of a proposed eight-story mixed-use building within the Hillrest PUD containing a total of 120 residential units with amenities.

The item was noticed via mailouts to properties within 500 feet of the subject site on April 25, 2025 for the May Planning & Development Board meeting agenda. The Applicant has since requested to defer the aforementioned request to the May 20th meeting. This deferral is to permit the Applicant to revise the proposal's design and site configuration to meet Technical Compliance.



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

File Number: 2._2025_0513

Agenda Date: 5/13/2025

Agenda Number:

To: Planning and Development Board

Title: FILE NO.: 24-JDP-80
APPLICANT: Harwin-Tobin 1101 LLC
LOCATION: 1101 Hillcrest Drive
REQUEST: Design, Site Plan, and a request to amend a Planned Unit Development (PUD) to permit an 8-story multifamily development of 120 affordable units, companion to a request for Flex units in the PUD-R zoning District (Hillcrest).

**CITY OF HOLLYWOOD
MEMORANDUM
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 13, 2025 **MEMO NO.:** P-25-04

TO: Planning and Development Board

VIA: Anand Balram, Planning Manager

FROM: Reginald White, Planner III

SUBJECT: Design, Site Plan, and a request to amend a Planned Unit Development (PUD) to permit an 8-story multifamily development of 120 affordable units, companion to a request for Flex units in the PUD-R zoning District (Hillcrest).

EXPLANATION:

Harwin-Tobin 1101 LLC (the applicant) is requesting the Design Review, Site Plan Review and review of the amendment to a Planned Unit Development within the Hillcrest District to facilitate an eight-story mixed-use building. The proposed building has an approximate gross floor area of 103,396 square feet, containing 120 affordable units, a pool area, fitness center, 1500 SF of office space, community clubhouse, cyber café, playground area, and space for amazon parcel lockers.

The item was noticed via mailouts to properties within 500 feet of the subject site on April 25, 2025 for the May Planning & Development Board meeting agenda. The Applicant has since requested to defer the aforementioned request to the May 20th meeting. This deferral is to permit the Applicant to revise the proposal's design and site configuration to meet Technical Compliance.



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

File Number: 3._2025_0513

Agenda Date: 5/13/2025

Agenda Number:

To: Planning and Development Board

Title: FILE NO.: 25-T-40
APPLICANT: City of Hollywood
LOCATION: City-wide
REQUEST: Text Amendment to Articles 2 and 4 of the Zoning and Land Development Regulations, Section 4.23 Entitled "Supplemental Setback Regulations for Allowable Encroachments in Front, Side and Rear Yards," to Amend the Definitions and Regulations for Carports.

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 13, 2025

FILE: 25-T-40

TO: Planning and Development Board

VIA: Anand Balram, Planning Manager

FROM: Lauren Pruss, Principal Planner/Supervisor, Long Range-Planning

SUBJECT: Text Amendment to Articles 2 and 4 of the Zoning and Land Development Regulations, Section 4.23 Entitled "Supplemental Setback Regulations for Allowable Encroachments in Front, Side and Rear Yards," to Amend the Definitions and Regulations for Carports.

REQUEST:

The City of Hollywood requests a Text Amendment to Articles 2 and 4 of the Zoning and Land Development Regulations, Section 4.23 Entitled "Supplemental Setback Regulations for Allowable Encroachments in Front, Side and Rear Yards," to Amend the Definitions and Regulations for Carports.

RECOMMENDATION:

The Planning and Development Board ***recommend*** Approval of the Text Amendment to the City Commission.

BACKGROUND

The current zoning regulations for carports in the City of Hollywood are limited in scope and do not adequately address important aspects such as setbacks, location flexibility, and design standards. The lack of comprehensive regulation has led to challenges in administration and consistency with modern development practices, creating the impression that regulations are applied arbitrarily. Additionally, the existing code permits the use of cloth, canvas, or other lightweight materials for carports in front yards. However, these materials deteriorate rapidly in the harsh South Florida climate, leading to durability issues and diminished neighborhood aesthetics over time.

CURRENT REQUEST

The request before the Board is to amend the existing carport regulations to clarify, improve, and codify current practice. The proposed text amendment aims to:

- Establish transparent and more comprehensive regulations for carport placement, size, and design.
- Reflect current construction and placement practices.

- Introduce architectural and material standards to ensure compatibility with existing structures.
- Provide flexibility through an administrative variance or administrative site plan process.

Key changes to the carport regulations are proposed as part of this amendment to better align with current development practices and improve administrative clarity. To start, the amendment clarifies the definition of a carport as a permanently constructed structure that is not fully enclosed, providing greater certainty for property owners and applicants. In addition, the definition of a private garage is refined to emphasize that it must be fully enclosed and used specifically for the parking of vehicles and storage of personal belongings. These clarifications are intended to improve consistency in the application of regulations and reduce ambiguity.

Building on these definitional updates, the proposed amendments establish clear and transparent setback and location standards. In addition to reflecting existing practices, the new standards introduce flexibility by allowing carports that are open on three sides to encroach into the required front yard setback. Minimum setback requirements are now specified based on structure type and design configuration, including distinctions between attached or detached, and enclosed or open structures. To preserve neighborhood character, the regulations also limit carports to a maximum of one in the front or side yard facing the street, with an allowance for one additional carport in the rear yard.

Further supporting the codification of current practice, the proposed changes update the dimensional and height requirements for carports. Maximum dimensions are calibrated to vary depending on configuration, such as side-by-side or tandem parking designs, based on standard vehicle sizes while providing flexibility for different lot sizes and layouts. The maximum allowable height for a carport is set at 15 feet or the height of the principal structure's roofline, whichever is lower, helping to ensure that carports remain subordinate to the primary structure. Additionally, the amendments introduce administrative flexibility that allows staff to approve minor variations in permitted size, facilitating more efficient review while still maintaining the intent of the regulation.

Complementing the dimensional standards, the amendments propose new design requirements to ensure architectural compatibility. Carports must be designed in a manner that is consistent with the scale, materials, and roof pitch of the principal structure, thereby supporting neighborhood aesthetics and cohesion. To further protect the visual character of residential streetscapes, the regulations mandate the use of durable construction materials and prohibit cloth, canvas, and similar temporary coverings in locations visible from the front yard.

In order to address potential misuse of the added flexibility for open-sided carports, the amendments include provisions governing conversions. Carports that benefit from reduced setbacks due to their open-sided design will be prohibited from being enclosed or converted to habitable space unless they meet all applicable building codes and off-street parking requirements. These measures safeguard against unintended impacts on neighborhood character and parking availability.

To provide additional administrative efficiency and responsiveness to unique site conditions, the amendments introduce a new administrative variance provision. This new process will allow staff to approve deviations related to setbacks or size without requiring review by the Planning and Development Board, provided that the proposed structures remain compatible with surrounding development. By enabling limited staff-level flexibility within established parameters, the City can more effectively balance regulatory consistency with the practical realities of redevelopment and home improvement projects.

Taken together, these proposed amendments represent a significant step forward in strengthening the

regulatory framework for carports in Hollywood. They promote consistency with modern development trends, provide clear guidance to the public, and ensure aesthetic and functional compatibility with the City's residential neighborhoods, while offering streamlined administrative pathways where appropriate.

SITE INFORMATION

Owner/Applicant: City of Hollywood
Address/Location: City-wide

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is consistent with the Comprehensive Plan per the following policies:

Policy 4.9: *Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas. (CWMP Policy CW.15 & CW.19)*

Policy 2.46: *Preserve stable neighborhoods and encourage rehabilitation initiatives that will revitalize and promote stability of neighborhoods.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The proposed text amendment is consistent with the City-Wide Master Plan per the following policies:

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Policy CW.15 & CW.19: *Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas.*

Policy CW.44: *Foster economic development through creative land use, zoning and development regulations, City services and City policies.*

Policy CW.81: *Develop and implement city-wide and neighborhood design guidelines which must be consistent with the City's Design Review Guidelines Manual.*

APPLICABLE CRITERIA

Analysis of Criteria and Findings for Text Amendments as stated in the City of Hollywood Zoning and Land Development Regulations Article 9 and the Landscape Manual.

CRITERIA 1: The proposed change is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan as amended from time to time.

ANALYSIS: The proposed amendment is consistent with multiple policies of the City's Comprehensive Plan as outlined previously in the Consistency section of this Report. Furthermore, the proposed text amendment creates regulations that would continue to promote Hollywood's unique character.

FINDING: Consistent

CRITERIA: That conditions have substantially changed from the date the present zoning regulations were established.

ANALYSIS: Conditions have substantially changed from the date the present zoning regulations were established. The current regulations lack guidance on proper location and design of carports. The design and use of carports has changed over time, and staff finds the need for additional regulation to ensure proper installation and design.

FINDING: Consistent.

ATTACHMENTS:

Attachment A: Draft regulations

Attachment B: Jurisdictional Scan

PROPOSED TEXT AMENDMENT TO THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS – CARPORTS

Deleted text is shown in ~~striketrough~~ and new text is shown in underline format.

ARTICLE 2: DEFINITIONS

§ 2.2. Terms Defined.

...

CARPORT. A permanently constructed private garage, designed or used for parking of personal passenger vehicles by the occupants of the main building, either freestanding or attached to the principal building and not completely enclosed by walls and doors, consisting of a fixed roof and supporting members such as columns or beams.

....

GARAGE, PRIVATE. ~~An A~~ A fully enclosed accessory structure designed or used for inside parking of self-propelled private passenger vehicles and personal storage by the occupants of the main building. When attached to main structure, a private garage is part of the principal structure, but is considered an accessory use. When detached from the principal structure, a private garage is considered an accessory building and an accessory use.

...

§ 4.23. Supplemental Setback Regulations for Allowable Encroachments in Front, Side and Rear Yards.

...

B. Allowable encroachments in front, side and rear yards:

1. Accessory buildings (all districts).

~~All Accessory Buildings which are not a part of the main building may be constructed in a rear yard, except if the accessory building is listed below, those provisions will apply, provided such accessory building:~~

As defined in Article 2, accessory buildings that are not attached to the principal structure may be constructed within the rear yard, unless otherwise specified below. For accessory buildings specifically identified in this section, the standards applicable to those uses shall apply. For all other accessory buildings, the following standards shall govern:

...

4. Carports. Carports may encroach in the front, side, and rear yard, provided they comply with the following regulations:

- a. ~~Location. No more than one carport is permitted on any single yard for single family homes.~~

Attachment A

- ~~b. Maximum Dimensions. Carports shall be used for shading and weather protection of not more than two automobiles, shall not exceed the roof line of the existing structure, and shall be pursuant to the following the maximum dimensions:~~
 - ~~1. Side by side: 21 ft. wide by 19 ft. long.~~
 - ~~2. Tandem: 10.5 ft. wide by 40 ft. long.~~
 - ~~3. Carports may exceed the maximum dimensions as set forth above, provided the placement and design of the carport integrates aesthetically and proportionately with the architecture of the existing structure as determined by the City Manager or his or her designee.~~
- ~~c. Design. The design of the carport shall be compatible in scale and character with the existing structure.~~
- ~~d. Construction. Carports may be supported by no more than eight metal poles not exceeding four inches in diameter.~~
- ~~e. Material. When located in the front yard, the covering of a carport shall only be constructed of cloth, canvas, or similar lightweight material as approved by the Fire Department. When facing an alley or interior side yard or rear yard that is visible from the street, any construction material that is compatible with the construction of the principal building is permitted.~~
- a. Location: A maximum of one (1) carport is permitted in either the front yard or the side yard adjacent to a street lot line. One (1) additional carport may be permitted in the rear yard.
- b. Minimum Setbacks:
 - i. Front (Single Family Districts):
 - 1. 20 feet when attached to the main structure and fully open on at least three (3) sides; or,
 - 2. 25 feet when detached from the main structure and / or not fully open on three (3) sides.
 - ii. Front (Multiple Family Districts):
 - 1. 15 feet when attached to the main structure and fully open on at least three (3) sides; or,
 - 2. 20 feet when detached from the main structure and / or not fully open on three (3) sides.
 - iii. Side/Interior – All Districts:
 - 1. Same as the main structure when located between the front lot line and the main structure, or,
 - 2. 3 feet when a fully open structure on all sides and located in the side or rear yard.
 - iv. Side/Street – All Districts: Same as the main structure.

Attachment A

- v. Rear - -- All Districts: 3 feet.
- c. Maximum Height: 15 feet, or not to exceed the roofline of the main structure, whichever is less.
- d. Maximum Size:
 - i. Single Carport: 10.5 ft. wide by 22 ft. long.
 - ii. Double Carport (side-by-side): 21.0 ft. wide by 22 ft. long.
 - iii. Tandem carports may be up to 10.5 ft. wide by 40 ft. long, when located in the side or rear yard.
 - iv. Carports may exceed the maximum dimensions as set forth above, provided the placement and design of the carport integrates aesthetically and proportionately with the architecture of the existing structure as determined by the Director of Development Services or their designee. Such carports shall be reviewed as part of an Administrative Site Plan.
- e. Design and Materials:
 - i. Carports shall be compatible with the main structure, with architectural features incorporated into the design.
 - ii. Roof pitch shall compliment the main structure.
 - iii. The height of carport fascia shall align with the height of the fascia on the main structure, in the absence of discernable fascia on the main structure the carport fascia shall be no less than 4 inches tall.
 - iv. Materials, finishes and colors shall complement the architecture of the main structure.
 - v. Cloth, canvas and other similar materials are not permitted between the main building and the front lot line, unless approved through the administrative variance procedure. When used, cloth or canvas shall be of durable quality sufficient to avoid excessive wear and degradation, and shall be maintained in good condition, free from tears, holes, fading or peeling.
 - vi. Carports shall be constructed to meet all Florida Building Code standards.
 - vii. Posts or columns shall be a minimum of four (4) inches square or in diameter.
- f. Conversion to Habitable Space or Private Garage:
 - i. Carports that encroach within the required front yard building setback for the main structure shall not be enclosed or converted to habitable space or private garage.
 - ii. Carports shall only be converted to habitable space or private garage in conformance with Florida Building Code requirements.
 - iii. Carports shall only be converted to habitable space if sufficient off street parking is provided for the property.

Attachment A

- g. An Administrative variance may only be granted for setback deviations, no closer than 18 inches to the front property line, subject to the procedures in Section 5.4, in addition to (1) a finding that the strict application of these regulations are unreasonable due to unusual property characteristics such as size, shape, situation, or existing setbacks and (2) that the proposed carport will not create an unfavorable design condition.

Broward Municipalities – Carport Regulations

Municipality	Regulations
Coconut Creek	<ol style="list-style-type: none"> 1. Defined as an accessory structure or portion of a principal structure consisting of a roof and supporting members such as columns or beams, with one (1) or more sides open, designed and restricted for the storage of motor-driven vehicles. 2. Regulates for nonresidential zoning districts too. 3. Setbacks to match principal building. 4. Freestanding permitted in rear yard only. 5. Requires some screening on 3 sides.
Coral Springs	<ol style="list-style-type: none"> 1. Defined as a permanent roofed structure providing space for the parking of a car, truck, recreational vehicle or motorcycle and enclosed on two (2) sides that is properly screened. 2. Generally must satisfy principal setbacks. 3. Requires materials and design to be compatible with the main building. 4. Max height 80% or principal building, not to exceed 14-ft. 5. In the two-family dwelling district - 20' front setback permitted (principal setback is 25') where dwellings are attached/semi-attached or on a corner where there is side entry. 6. Must be screened on 3 sides by a min. 4-ft hedge, wall, fence.
Fort Lauderdale	<ol style="list-style-type: none"> 1. Defined as: A roofed structure providing space for the parking of vehicles and enclosed on not more than three (3) sides. 2. In RD, RC and RM zoning districts, carports can encroach into front yard subject to the following: <ol style="list-style-type: none"> a. when they are accessory to a standard single family dwelling, and shall have a minimum front yard setback of fifteen (15) feet from the front property line, a maximum height of ten (10) feet, a maximum of two hundred (200) square feet of roof area within the required front yard; b. Any portion of a carport encroaching into a required front yard shall be open on all sides, except where attached to the principal building. 3. Otherwise, in residential districts: <ol style="list-style-type: none"> a. Maximum height cannot exceed the principal building and in no instance can it exceed 24-feet in height. 4. In all other districts, carports are accessory structures and subject to the principal building setbacks.
Hallandale Beach	<ol style="list-style-type: none"> 1. Not defined. 2. Permitted as an accessory structure in residential districts: <ol style="list-style-type: none"> a. Shall not exceed 40 percent of the size of the main structure or building and shall not exceed 500 square feet in area. b. Shall not exceed one story or 15 feet in height

	<ul style="list-style-type: none"> c. Shall be constructed of the same material as the principal use it serves (carports are exempt from this requirement). d. Shall be used solely by the occupants of the principal building served. e. Shall not be used in any way as living quarters for animals or humans. <p>3. Roof overhangs, cornices, eaves or gutters may project not over four feet into a required yard; provided that where the yard is less than five feet in width, such projection shall not exceed half the width of the yard.</p> <p>4. Shall comply with the site development standards in the applicable zoning district.</p>
Miramar	<ul style="list-style-type: none"> 1. Defined as a structure intended for vehicle storage not completely enclosed by walls. 2. Considered an accessory use. 3. Must meet principal building setbacks. 4. PVC pipe is prohibited.
Oakland Park	<ul style="list-style-type: none"> 1. Defined as: An accessory structure (or portion of a principal structure) consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two (2) sides, designed or used for storage by the occupants of the principal building. 2. Accessory structure (if freestanding) or portion of a principal structure (if attached). 3. Definition permits storage other than vehicles. 4. Permitted in residential, residential-office and B-1/B-2 districts. 5. <u>In R-1/R-2 Districts</u> <ul style="list-style-type: none"> a. Max 35% site coverage in the rear or side yard in a residential district. b. Not permitted in the required front yard setback. c. 5' side and rear setback. d. <i>Allowed</i> in the rear or side yard setback, but only if located to the rear of the rear wall of the principal dwelling building. e. 15' side street and waterway setback f. If not compliant with district setbacks: <ul style="list-style-type: none"> i. Maximum one (1) freestanding carport. ii. Maximum 400 sq. ft and designed for vehicular storage only iii. Maximum height 12-feet. g. Canopy structures, tents, and tarps are not permitted in any required yard setbacks. 6. All other districts <ul style="list-style-type: none"> a. Maximum height – 15 feet b. Not permitted in any required yard.
Pompano Beach	<ul style="list-style-type: none"> 1. Definition - A garage or carport is a structure used or designed to provide shelter for the parking and storage of motor vehicles or boats. A garage is an enclosed building whereas a carport is a roofed structure open on one or more sides. Garages and carports are commonly attached to and considered

	<p>part of a dwelling or other principal building, but may exist as a detached accessory structure.</p> <ol style="list-style-type: none"> 2. Generally considered as attached to principal building , but may exist as a detached accessory structure. 3. May be located in front of principal building, but must meet setback. 4. Attached/unattached – 20-ft side street setback. 5. Treated as accessory structure and must meet principal building setbacks. 6. Permitted in all zoning districts.
Sunrise	<ol style="list-style-type: none"> 1. Definition - A covered parking facility not completely enclosed by walls and doors. 2. Considered an accessory structure. 3. Must comply with all principal building development standards, including lot coverage, setbacks etc. 4. No accessory structures shall exceed two (2) stories or twenty-four (24) feet in height, and no accessory building shall be erected previous to the erection of the principal building.



City of Hollywood

Staff Summary

Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

File Number: 4._2025_0513

Agenda Date: 5/13/2025

To: Planning and Development Board

Title: FILE NO.: 25-T-26
APPLICANT: City of Hollywood
LOCATION: City-wide
REQUEST: Amendment to Article 4 of the Zoning and Land Development Regulations, creating Section 4.24 entitled "Live Local Act - Mixed-Use Affordable Housing Development" to establish procedures and regulations for mixed-use affordable housing developments submitted under Florida Statute 166.04151(Live Local Act, 2023)

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 13, 2025 **FILE:** 25-T-26

TO: Planning and Development Board

FROM: Anand Balram, Planning Manager

SUBJECT: Amendment to Article 4 of the Zoning and Land Development Regulations, creating Section 4.24 entitled "Live Local Act – Mixed-Use Affordable Housing Development" to establish procedures and regulations for mixed-use affordable housing developments submitted under Florida Statute 166.04151(*Live Local Act*, 2023)

REQUEST:

A Text Amendment to Article 4 of the Zoning and Land Development Regulations, creating Section 4.24 entitled "*Live Local Act – Mixed-Use Affordable Housing Development*" to establish procedures and regulations for mixed-use affordable housing developments submitted under *Florida Statute 166.04151(Live Local Act, 2023)*

RECOMMENDATION:

The Planning and Development Board, acting as the Local Planning Agency, forward ***a recommendation of approval*** to the City Commission.

BACKGROUND

In March 2023, the Florida Legislature adopted Senate Bill 102, signed into law as Chapter 2023-17, Laws of Florida, commonly referred to as the "*Live Local Act*." Codified in part as Florida Statutes Section 166.04151(7), the Act is a comprehensive effort by the State to increase the availability of affordable housing through broad preemptions of local zoning and land use controls. Under the Act, municipalities must allow multifamily residential developments by right in commercial, industrial, and mixed-use zoning districts if at least 40 percent of the units are affordable for a period of no less than 30 years and if at least 65 percent of the total floor area is residential.

The legislation significantly impacts local authority by removing requirements for rezoning, land use amendments, or special exceptions for qualifying projects. Height, density, and floor area ratio for such developments must be permitted up to the highest allowed within the municipality or within a one-mile radius of the subject site. Where less than 20 percent of a jurisdiction's land area is designated for commercial or industrial use, the Act requires that qualifying developments be mixed-use in nature.

While the Act's stated purpose—to promote affordable housing—is commendable, the preemptive nature of the law restricts local planning efforts and excludes municipalities and their residents from shaping development in their own communities. It represents a substantial shift in land use authority and does not reflect best practices in comprehensive or community-based planning. However, because the Act is binding State law, the City of Hollywood is required to comply.

This proposed amendment to the Zoning and Land Development Regulations ensures the City's compliance while incorporating mechanisms to mitigate the unintended consequences of the Act, particularly those related to unanticipated increases in height and density in areas where such intensification was not envisioned by the Comprehensive Plan or zoning regulations.

REQUEST

The proposed zoning text amendment establishes Section 4.24, titled "*Live Local Act – Mixed-Use Affordable Housing Development*," within the City's Zoning and Land Development Regulations. This section creates the regulatory framework for qualifying developments that meet the standards of Florida Statutes Section 166.04151(7), also known as the *Live Local Act*. Developments must be submitted prior to October 1, 2033, and will only be permitted on sites zoned for commercial, industrial, or mixed-use purposes.

In accordance with the Act, qualifying projects must allocate at least sixty-five percent of total floor area to residential uses, with at least forty percent of residential units designated as affordable for a minimum of thirty years. The remaining thirty-five percent of floor area must be devoted to non-residential uses, as defined by the applicable zoning district. These requirements apply in all cases within the City of Hollywood, as Section 166.04151(7)(g), Florida Statutes, stipulates that municipalities designating less than 20 percent of their land area for commercial or industrial use must authorize qualifying developments only if they are mixed-use residential. Table IX of the City's Comprehensive Plan indicates that only 9.06% of land within the City is designated for commercial and industrial uses, thus mandating a mixed-use requirement for all *Live Local Act* developments in Hollywood.

TABLE IX

FUTURE LAND USE DESIGNATIONS

Land Use	Acres	% of Total Area
LOW RESIDENTIAL	4,744.24	24.85%
LOW MEDIUM RESIDENTIAL	907.6	4.83%
MEDIUM RESIDENTIAL	988.61	5.18%
MEDIUM HIGH RESIDENTIAL	354.80	1.86%
HIGH RESIDENTIAL	150.19	0.79%
COMMUNITY FACILITY	546.11	2.86%
INDUSTRIAL	567.62	3.06%
GENERAL BUSINESS	1,065.92	5.58%
RIGHTS OF WAY	3,227.80	16.90%
OFFICE	80.49	0.42%
TRANSPORTATION	1,504.63	7.88%
UTILITIES	71.18	0.37%
REGIONAL ACTIVITY CENTER (RAC)	1,125.07	5.89%
PARKS AND OPEN SPACE	2,395.86	12.55%
TRANSIT ORIENTED DEVELOPMENT	32.6	0.01%
CONSERVATION AREA	1,332.42	6.98%
TOTAL	19,095.15	100.00%

Source: City of Hollywood, Calvin, Giordano and Associates

The amendment incorporates the State’s preemptions related to use, density, height, and floor area ratio. A qualifying development may be constructed to the highest allowed height for a commercial or residential building within one mile of the site or three stories, whichever is greater. The permitted density and floor area ratio will match the highest levels allowed by right within the City, excluding bonuses, variances, or bonused site-specific entitlements associated with Governmental Use and Planned Development sites. In the case of the City of Hollywood, the highest allowed density without bonusing is To preserve a pedestrian-oriented urban form, the ordinance requires vertical integration of residential units above active non-residential ground floor uses in most zoning contexts.

To ensure quality and equity in affordable housing delivery, the amendment includes provisions for proportional unit distribution, architectural consistency between market-rate and affordable units, and shared access to common areas and amenities. Developers must construct affordable units concurrently with or prior to market-rate units and record a 30-year covenant guaranteeing affordability. Annual compliance certification is also required.

Qualifying developments must undergo an enhanced administrative site plan review process. This includes a mandatory pre-application conference, review by the Technical Advisory Committee, public posting and notification, and at least one public outreach meeting. Developers are required to submit a comprehensive package including architectural renderings, a planning justification report, an urban design brief, a transportation demand management plan, and, where applicable, environmental compatibility studies for industrial sites.

Parking requirements may be reduced or waived in designated transit-oriented areas or near major transportation hubs, subject to planning justification and design strategies that support walkability. Surface parking is discouraged, and parking garages must be located and designed to minimize impacts on the streetscape.

Finally, the ordinance includes provisions for compliance monitoring and penalties. Violations of affordability commitments may result in daily monetary fines and a loss of qualifying status, which would subject the development to the City’s standard zoning and land use requirements. Procedures for administrative modifications, extensions, and appeals are also provided.

SITE INFORMATION:

Owner/Applicant: City of Hollywood
Address/Location: City-wide

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed text amendment is consistent with the Comprehensive Plan, based upon the following goals and objectives:

Future Land Use Element:

Goal: *Promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property.*

Objective 6 *Encourage multi-use areas and mixed uses concentrations of density near existing or planned major employment centers and major transportation routes in order to promote energy conservation and mass transit, preserve air quality, reduce the cost of services, encourage affordable housing, and promote economic development.*

Housing Element:

Goal: *To provide an adequate supply of decent, safe, and sanitary housing that is affordable to present and future residents of Hollywood.*

Objective 1: *To ensure the provision of sufficient housing, the City, through revision its regulations, shall offer incentives to residential development for all income levels. The City shall also provide technical and financial assistance to those agencies working toward the provision of new housing and rehabilitation housing units to meet the housing needs of the City's existing and projected population.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The City-Wide Master Plan is a compilation of policy priorities and recommendations designed to improve the appearance, appeal, and economic tax base of the City. It establishes a format for future direction and vision for the City. The proposed text amendment is consistent with the City-Wide Master Plan based upon the following Guiding Principles and City-Wide Policies:

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Guiding Principle: *Preserve stable single-family neighborhoods while providing alternative housing options that will meet the needs of all residents in the City of Hollywood.*

Policy CW.75 (Housing): *Amend the Zoning and Land Development Regulations to improve affordable housing in mixed districts.*

APPLICABLE CRITERIA:

Analysis of Criteria and Findings for Text Amendments as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

CRITERIA 1: The proposed change is consistent with the Goals, Objectives and Policies of the adopted Comprehensive Plan as amended from time to time.

ANALYSIS: The provision of affordable housing to a range of income levels is a key policy objective in both the Future Land Use and Housing elements of the Comprehensive Plan. The proposed text amendment incentivizes the development of affordable housing within the City by way of providing bonus residential density in appropriate locations, consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

FINDING: Consistent

CRITERIA 2: That conditions have substantially changed from the date the present zoning regulations were established.

ANALYSIS: Since the adoption of the City's current zoning regulations, there have been significant changes in both state legislative frameworks and regional housing conditions. Chief among these is the passage of the *Live Local Act* in 2023, which introduces broad preemptions of local zoning authority related to use, density, and height for qualifying affordable housing developments. This legislation overrides traditional processes for land use change, variance, and public input, representing a fundamental shift in the way development approvals are administered across Florida.

In addition to these legal changes, the City and surrounding region are experiencing increasing pressures related to housing affordability, displacement, and development demand, particularly in areas served by transit and designated for commercial or mixed-use redevelopment. The City of Hollywood's Comprehensive Plan (Table IX) indicates that only 9.06% of land is designated for commercial and industrial uses, triggering the Act's requirement that all qualifying developments be mixed-use residential. This statutory requirement did not exist when the original zoning districts and development standards were created.

FINDING: Consistent

ATTACHMENTS

ATTACHMENT A: Draft Text Amendment

Section 4.24. Live Local Act – Mixed-Use Affordable Housing Development.

A. Qualifying development pursuant to F.S. § 166.04151(7), under the Live Local Act.

1. Intent and purpose. The purpose of this section is to establish procedures and regulations for the development of mixed-use affordable housing developments pursuant to the provisions of Florida Statutes ("F.S.") § 166.04151(7), as created by Chapter 2023-17, Laws of Florida, the "Live Local Act" (the "Act"), which development involves a combination of residential and non-residential components, and a combination of dwelling units, at least forty (40) percent of which must qualify as affordable housing units, as defined in F.S. § 420.0004, to accomplish the following purposes:
 - a. Protect and promote the public health, safety, and general welfare of the residents of the City;
 - b. Facilitate the orderly and efficient development of affordable multi-family housing in the City pursuant to the Act;
 - c. Confirm that qualifying developments proposed pursuant to the Act are mixed-use residential developments, as required by the Act, given that less than twenty (20) percent of the City's land area is designated for commercial or industrial use;
 - d. Confirm the land development regulations applicable to proposed qualifying developments under the Act, including acknowledgment of the statutory mandates regarding Use, Height, Floor Area Ratio, and Density;
 - e. Provide the minimum non-residential floor area for qualifying developments proposed under the Act in order to ensure a meaningful mixed-use development to support community sustainability and to reduce vehicle trips and vehicle miles traveled; and
 - f. Establish an administrative approval process for qualifying developments under the Act.
2. Applicability. Applications for a qualifying development pursuant to this section must be deemed complete prior to October 1, 2033. No applications for qualifying developments shall be accepted after October 1, 2033 unless the legislature extends or reenacts F.S. § 166.04151(7), and the City commission extends these deadlines accordingly.
3. Definitions.

Major transportation hub shall mean any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

Qualifying development shall mean a multiple-family mixed-use development proposed pursuant to F.S. § 166.04151(7), with at least sixty-five (65) percent of the total square footage used for residential purposes, at least forty (40) percent of which are affordable, as defined in F.S. § 420.0004, for a period of at least thirty (30) years, with the remaining thirty (30) percent of the total square footage dedicated to non-residential uses, as provided in the applicable zoning district.

Unified control means all land included for purpose of qualifying development shall be under the control of the applicant (an individual, partnership, or corporation, or group of individuals, partnerships, or corporations). The applicant shall present satisfactory legal documents to constitute evidence of the unified control of the entire area, which shall be approved by the City Attorney. Upon application under this section, the applicant shall agree as follows:

- a. To proceed with the qualifying development according to the provisions of this division and the affordability requirements as established by state law and covenant;
- b. To provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the City for completion of the development according to the plans approved at the time of site plan approval and for continuing operations and maintenance of such areas, functions, and facilities, which are not proposed to be provided, operated, or maintained at public expense; and
- c. To bind their successors in title to any commitments made under the above. All agreements and evidence of unified control shall be reviewed by the City attorney and no site plan for a qualifying development shall be approved without verification by the City attorney that such agreements and evidence of unified control meet the requirements of this section.

Transit stop shall mean a passenger rail, interCity bus stop/station or a transit hub where two (2) or more transit routes converge.

4. Zoning districts permitting qualifying developments. Qualifying developments shall be permitted only on properties in zoning districts set forth in the Live Local Act.
5. Applicable development regulations.
 - a. Unified lot. All land included for purposes of a qualifying development, including all residential and non-residential components shall be under unified control.
 - b. Required residential use.
 - i. At least sixty-five (65) percent of the total square footage of a qualifying development shall be used for residential purposes.
 - c. Equivalency of affordable dwelling units.
 - i. Affordable and market-rate dwelling units within a qualifying development shall be vertically integrated within the same structure and distributed throughout to promote mixed-income vertical communities. Affordable units shall not be clustered or separated from market-rate units. A qualifying development structure shall contain both affordable and market rate units in equal proportions; in no event shall a qualifying development structure consist entirely of market rate units.
 - ii. All common areas and amenities within a qualifying development shall be accessible and available to all residents (both affordable and market rate units).

- iii. Access to the required affordable dwelling units in a qualifying development shall be provided through the same principal entrance(s) utilized by all other dwelling units in the development, provided that for townhouse-style affordable dwelling units or similar housing typology, each unit shall have its own entrance.
 - iv. The size and bedroom mix of affordable dwelling units shall be proportional to that of market-rate units within the qualifying development. For example, if 25 percent of the market-rate units are two-bedroom units, then 25 percent of the affordable units shall also be two-bedroom units. This proportional distribution shall be maintained across all unit types and reflected within each structure of the development.
 - v. Affordable dwelling units shall be developed simultaneously with, or prior to, the development of the market rate units.
 - vi. If the development is phased, the phasing plan shall provide for the construction of affordable units proportionately and concurrently with the market rate units.
 - vii. The exterior appearance of affordable units shall be the same as the market rate units and shall provide exterior building materials and finishings of the same type and quality.
 - viii. The interior building materials and finishes of the affordable units shall be the same type and quality as the market rate units, including but not limited to all electrical and plumbing fixtures, flooring, cabinetry, counter tops, and decorative finishes, not including resident elected upgrades.
- d. *Affordability commitment.*
- i. Pursuant to F.S. § 166.04151(7), at least forty (40) percent of the multi-family residential units shall remain affordable, as defined in F.S. § 420.0004, for a period of at least thirty (30) years. Prior to the issuance of any building permit, the property owner shall execute and deliver to the City for recordation in the public records, on a form approved by the City Attorney, a covenant, declaration of restriction, or other deed restriction in favor of the City ensuring compliance with this affordability requirement.
 - ii. The property owner shall provide to the City, each year on January 15, an annual certification form certifying all affordable housing units meet the affordability criteria set forth in F.S. § 420.0004.
- e. *Required non-residential use.*
- i. More than 25 percent of the total square footage of the qualifying development shall be devoted to principal non-residential uses that are not dedicated to, or exclusively accessible by, the on-site residential uses. Residential community amenities, or non-residential uses open only to residents of the qualifying development are not considered non-residential uses.
 - ii. Non-residential uses shall be limited to those uses permitted in the zoning district applicable to the land on which the qualified project is located.
- f. *Allocation of shared space square footage.*
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- i. Lobby, service areas, and amenity areas exclusively serving the residential uses of a qualifying development shall be considered residential square footage.
 - ii. Common ground floor lobby, service areas, and amenity areas within a structure housing both residential and non-residential uses shall be proportionately allocated to the residential and non-residential square footage requirements.
- g. Site design.
 - i. Qualifying developments must locate all non-residential uses on the same (or unified) plot.
 - ii. Non-residential uses shall be vertically integrated below residential units, and residential units shall not be permitted on the ground floor of any building. This integration is intended to maintain active street frontages, support walkable urban environments, and promote mixed-use urban form.
 - iii. Qualifying developments are required to be vertically integrated, at least fifty percent (50%) of the ground floor street frontage of a building shall be occupied by active non-residential uses (not including parking or utilities). Uses that activate the street, such as cafes, restaurants, shops, and offices, to the extent they are permitted in the zoning district applicable to the land on which the qualified project is located, are encouraged to promote pedestrian activity and enhance the public realm.
- h. Development standards.
 - i. The following standards are applicable to all qualifying developments regardless of the zoning district they are located in:
 - 1. Maximum density, floor area ratio and height.
 - a. Density. With respect to the residential component of a qualifying development, the maximum density shall be the highest allowed density on any land in the City where residential development is allowed by right. This does not include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, other special exception, which includes entitlement through context specific zoning districts afforded bonused height and/or density, such as Planned Developments, or Governmental Uses, for density provided in the Zoning and Land Development Regulations as an incentive for development.
 - b. Floor area ratio. The maximum floor area ratio of a qualifying development shall be one hundred fifty (150) percent of the highest allowed floor area ratio on any land in the City where development is allowed by right. This does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception, which includes entitlement through context specific zoning districts afforded bonused height and/or density, such as Planned

Developments, or Governmental Uses, for floor area ratio provided in the Zoning and Land Development Regulations as an incentive for development.

- c. Height. The maximum height shall be the highest currently allowed for a commercial or residential building within the City and within one (1) mile of the proposed development, or three (3) stories, whichever is higher. This does not include the height of any mixed-use building, any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, other special exception, which includes entitlement through context specific zoning districts afforded bonused height and/or density, such as Planned Developments, or Governmental Uses, for height provided in the Zoning and Land Development Regulations as an incentive for development.
 - d. Height adjacent to single-family residential. If the proposed development is adjacent to, on two (2) or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least twenty-five (25) contiguous single-family homes, the City may restrict the height of the proposed development to one hundred fifty (150) percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the Zoning and Land Development Regulations, or three (3) stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line but does not include properties separated by a public road.
- 2. All other applicable standards of the Zoning and Land Development Regulations unless specifically regulated in this section.
- ii. Dwelling unit size.
 - i. In the Regional Activity Center and State Road 7 Transit Oriented Corridor zoning districts, the required minimum and average dwelling unit sizes shall be as established by the City for the district the qualifying development is located within.
 - ii. In all other zoning districts, the required minimum dwelling unit size is 500 square feet, and average required unit size is 750 square feet, per dwelling unit.
- iii. Development regulations and setbacks.
 - 1. In the commercial and industrial zoning districts, qualifying development shall adhere to the setback requirements for development in the RM-25 "High Density Multiple Family" zoning district.
 - 2. In the PD "Planned Development" and GU "Government Use" zoning districts, the development regulations and setbacks established for existing residential or mixed-use development on the property which the qualifying development is to be

- located, or the RM-25 “High Density Multiple Family” zoning district development regulations and setbacks, whichever are more restrictive, apply.
3. In all other zoning districts, the development regulations and setback requirements shall be as established for the City for the zoning district the qualifying development is located within.
- iv. *Architectural requirements and building treatment.*
1. Architectural requirements of the qualifying development shall conform to Section 5.3.1.4 “Design Criteria” and adhere to any Design Guidelines, including Historic Preservation Guidelines, established by the City for the district the qualifying development is located within, where applicable.
 2. All qualifying developments proposed under this section shall be cohesive and architecturally compatible with guidelines as determined by staff.
- v. Transitional Massing and Stepback Requirements
1. To ensure compatibility with adjacent development and reinforce a context-sensitive urban form, building massing shall incorporate stepbacks where appropriate to create a gradual transition between varying building heights and intensities. Stepbacks in building height may be required above a specified number of stories, or where the surrounding built context is characterized by a pedestrian-oriented, low- to mid-scale environment, determined through the Urban Design Brief.
 2. The location, depth, and elevation at which stepbacks occur shall be based on the prevailing height and scale of adjacent buildings, and the width of adjoining rights-of-way. Stepbacks shall be designed to reduce the visual bulk of upper stories, mitigate shadow and wind impacts on the public realm, preserve key view corridors, and maintain a comfortable human scale at the street level.
 3. The architectural design of each building shall integrate stepbacks as a compositional element of the façade and massing strategy. Where required, stepbacks may apply to one or more frontages of a structure and shall not appear as an afterthought or arbitrary truncation of building volume. The City may waive or modify stepback requirements through the site plan review process if the applicant demonstrates that alternative massing, articulation, or transitional design strategies achieve equivalent or superior compatibility with adjacent development and public spaces.
- vi. *Parking.* Parking for qualifying development shall be provided as required by the Zoning and Land Development Regulations, unless a reduction or elimination of parking requirements is permitted by the following sub-section.
- i. The parking requirements shall be eliminated for a qualifying development located on land with a Future Land Use (FLU) designation under the City’s Comprehensive plan of Transit Oriented Corridor (TOC), Transit Oriented Development (TOD) or

Regional Activity Center (RAC). Qualifying projects will rationalize their parking through a Planning Justification Report, and a Transportation Demand Management Plan and parking plan.

- ii. A qualifying development that is not located on land with a FLU designation of TOC, TOD, or RAC under the City's Comprehensive Plan, but that is located within one-fourth (¼) mile of a transit stop, as determined by the City, may request up to a ten (10) percent reduction in the total parking requirements, and such request shall be evaluated based on site conditions and the following criteria:
 1. There is a continuous public sidewalk or multi-use path from the proposed qualifying development to the transit stop (or the proposed qualifying development will provide such continuous path); and,
 2. The proposed qualifying development provides onsite and offsite enhancements to pathways and sidewalks to support pedestrian comfort and other improvements/techniques to achieve the same goal, including but not limited to: incorporating canopy trees; distinctive pavement; identity, wayfinding, and directional signage; transit infrastructure; and shaded rest areas furnished with appropriate street furniture.
- iii. The City will consider reductions for parking requirements by at least twenty (20) percent for a proposed qualifying development if the qualifying development:
 1. Is located within one-half (½) mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features.
 2. Has available parking within six hundred (600) feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages authorized for use by residents of the proposed development. However, the City may not require that the available parking compensate for the reduction in parking requirements.
- iv. Parking garages, if proposed, must be screened and shall not be located along roadway frontages.
- v. Surface parking shall be limited to the greatest extent possible.
- vi. Parking areas designated to a use shall be used to calculate the total square footage of the particular use. For example, parking areas designated for residential use would constitute residential square footage as required in Section 4.24(a)(5)(b).

6. Regulatory compliance.

- a. In addition to the provisions set forth herein, qualifying developments shall comply with all other multifamily developments in multifamily residential zoning districts or with all other land development regulations applicable to mixed use developments, as applicable.
- b. All aspects of the qualifying development shall be consistent with the City's comprehensive plan, with the exception of provisions establishing allowable use, height, floor area ratio and density.

- c. Compliance with applicable laws and regulations. In addition to the provisions set forth herein, qualifying developments shall comply with all other applicable state and local laws and regulations.
- 7. Expiration or loss of qualifying development status.
 - a. Penalties. Any violation of the affordability requirement shall result in a monetary penalty to be deposited into the City of Hollywood's Affordable Housing Trust Fund. Such monetary penalty shall be assessed as a daily fine of two hundred fifty dollars (\$250.00) per day per unit per violation until proof of compliance has been provided to the City. The monetary penalty shall not be subject to mitigation or otherwise modified by any body or board, including, but not limited to the code enforcement special magistrate.
 - b. Loss for failure to meet affordability requirements.
 - i. An approved qualifying development project which fails to maintain the required number of affordable dwelling units and does not comply with the affordable housing requirements of this section after notice and ninety (90) days to cure, shall be considered non-conforming as to all portions of the development that do not comply with use and development regulations applicable based on the assigned zoning designation.
 - c. Expiration of covenant. A qualifying development, for which a covenant guaranteeing affordable housing has expired, shall be considered:
 - i. A lawful conforming use, so long as the development maintains the same levels and standards of affordable housing.
 - ii. Subject to Section 3.12 "Nonconforming Structures and Uses".
- B. Site plan review procedures for applications pursuant to F.S. § 166.04151(7).
 - 1. Preapplication Conference. A preapplication conference with the Department of Development Services staff shall be required prior to the preparation and submission of an application pursuant to this Section. The purpose of this conference shall be for the staff and applicant to discuss overall community goals, objectives, policies and codes as related to the proposed project and to discuss the technical review procedures of the site plan and development review process. The conference shall also review general compliance of the proposed project with the requirements of Section 4.24.A "Qualifying development pursuant to F.S. § 166.04151(7), under the Live Local Act", the land use designation, zoning and application provisions of the Zoning and Land Development Regulations and F.S. § 166.04151(7), as amended from time to time.
 - 2. Application. The applicant shall submit the proposed site plan to the Department of Development Services in accordance with the procedures established in Section 6.22 "Site Plan Review". The application shall include:
 - a. All information and in the form as provided in Section 6.22 "Site Plan Review".

- b. An affidavit of commitment. The applicant must file an affidavit of commitment, in a form provided by the City, to record a covenant detailing the affordable housing restrictions and the amount of non-residential square footage. The covenant will detail income mix and required affordability, with a release provision ensuring that the covenant is in place for thirty (30) years from temporary certificate of occupancy (TCO) or certificate of occupancy (CO) and may only be released earlier by bringing the project into full compliance with all zoning and land use provisions applicable to the site at the time of the release. The covenant will also include provisions to adhere to the monitoring and compliance requirements of the City. The City will provide the form covenant and monitoring and compliance forms upon submittal of the application.
- c. Legal documents demonstrating unified control of the proposed development site and providing for maintenance and cross-access as applicable.
- d. A specific purpose survey demonstrating the one (1) mile distance for the proposed height determination (unless the comparator site is so obviously close to render this unnecessary).
- e. Analysis of the comparator site for the proposed height determination, including the zoning district and highest allowed height. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use, the analysis shall also identify the number of contiguous single-family homes, for the purpose of determining the maximum allowed height.
- f. Easily visible notes on the site plan sheet, indicating the project is a Live Local Act, F.S. § 166.04151(7), project.
- g. Details on the site plan sheet identifying:
 - i. Dwelling unit breakdown, including number of bedrooms and unit sizes.
 - ii. Affordable Housing Summary, describing and showing the location, type, and number of affordable units by income category.
 - iii. A table, or tables, indicating the ratio of residential and non-residential square footage.
- h. Color renderings of all building elevations.
- i. If the development is to be phased, a phasing plan demonstrating the timing of each phase, including the development of affordable units proportionately and concurrently with the market rate units in each phase.
- j. A Planning Justification Report addressing, at a minimum, compliance with F.S. § 166.04151(7), Section 4.23 "Review Standards", Section 5.3.1.4 "Design Criteria", all other applicable Zoning and Land Development Regulations, and consistency with the Comprehensive Plan (with the exception of establishing allowable densities, floor area ratios, height, and land use). The analysis shall also address potential impacts on adjacent properties, including but not limited to traffic, noise, and visual impacts.
- k. An Urban Design Brief demonstrating how the project achieves high-quality urban design, architectural standards and well-designed open spaces. The brief shall address building massing, articulation, block structure, open spaces, active street frontages, pedestrian connectivity, and integration with surrounding urban fabric.
- l. If required by the Director of Development Services, qualifying developments located in the IM "Industrial and Manufacturing Districts" shall submit a study by an environmental

- consultant which performs a comprehensive site assessment of the existing property and proposed development demonstrating existing and proposed uses, including on surrounding and nearby properties, do not present potential hazard or detriment to the proposed mixed-use residential building(s) from noise, glare, odors, smoke, vibration, or environmental contamination and that the project does not compromise the existing economic function of the industrial area.
- m. A Traffic Impact Study.
 - n. A Transportation Demand Management Plan detailing strategies to reduce single-occupancy vehicle trips and promote alternative modes of transportation, including public transit, walking, cycling, ridesharing, and carpooling.
 - o. A parking study if the qualifying development is proposing any reduction in the total parking requirements.
3. Fees. The fee for administrative review of a qualifying development submitted under this section shall be established by the City commission.
4. Administrative Review and Decision.
- a. The Technical Advisory Committee shall review an application for qualifying development in accordance with the requirements of Article II “Technical Review Process for Site Plans”, Section 6.22 “Site Plan Review”.
 - b. An application for qualifying development that complies with F.S. § 166.04151(7), Florida Statutes and the applicable City code provisions shall be subject to administrative decision after review and sign-off by the City’s Technical Advisory Committee.
 - c. If the property is located within a designated Historic Site, Historic District, or Historic Multiple Property Resource Listing District, all requirements of Section 5.5 “Historic Preservation Board and Historic District Regulations”, shall be satisfied prior to the Director of Development Services issuing a decision for the qualifying development under this Section.
 - d. The Director of Development Services shall review the Technical Advisory Committee comments and recommendation, applicant responses, and final proposed site plan application, and based on compliance with the City's Zoning and Land Development Regulations, Comprehensive Plan, and applicable state laws, shall approve, approve with conditions, or deny the application and issue a written development order, including findings supporting the decision.
5. Notification and public outreach.
- a. Notification - The public notification procedures for applications requiring review by the Technical Advisory Committee shall be followed for all applications submitted pursuant to this section, in addition, the following posted notice precures shall apply to the property.
 - i. A sign giving notice that an application for a proposed a mixed use affordable housing development under the Live Local Act has been submitted to the City shall be erected

- adjacent to each public-right-of-way of the subject property no later than 10 days after an application under this section has been submitted to the City.
- ii. A signed and notarized affidavit, including pictures, of proof of the posted sign shall be filed with the Department of Development Services within 24 hours of installation of the required posted notice.
 - iii. If the property does not front on to a public right-of-way, the posted notice shall be placed on the subject property in such a manner as to give maximum exposure to the public.
 - iv. The sign shall be maintained by the applicant at the property until a decision on the application is issued and shall be removed within seven (7) days of that decision.
- b. *Public outreach.* A public participation outreach meeting shall be required for site plan applications submitted under this section. Applicants shall conduct at least one public participation outreach meeting and provide mailed notice to all property owners within 500 feet of the proposed project, the Mayor and Commission, and registered civic and neighborhood associations. Fifteen (15) days prior to the meeting, the applicant shall mail such notice and post a sign on the property, including the date, time, and place of the public participation outreach meeting. Such meeting shall occur prior to the Technical Advisory Committee's sign-off on its review of the application. Prior to sign-off by the Technical Advisory Committee, the applicant shall include in its application packet a letter certifying the date(s), time(s), location(s) of the meeting(s), a copy of the sign-in sheet, presentation material and a general summary of the discussion, including comments expressed during the meeting(s).
- c. *Modifications to approved site plan.* Modifications to a site plan approved under this section may be permitted by the administrative approval of the Director of Development Services, pursuant to the requirements set forth in Section 6.26 "Modification to Approved Site Plans" of the Zoning and Land Development Regulations.
6. *Expiration or extension of site plan approval.*
- a. Upon approval of a site plan pursuant to this section, the applicant shall have up to 24 months to apply for a valid construction permit from the Department of Development Services.
 - b. One (1) extension of up to 12 months may be granted by the Director of Development Services, if all applicable planning, building, zoning, and engineering regulations in effect at the time of the original site plan approval remain unchanged. Any application for such extension must be filed prior to the expiration of the 24 month period.
 - c. An extension shall only be granted when an applicant has applied for an extension during the original effective period of the site plan and a determination that the project development is proceeding with due diligence has been made by the Director of Development Services.
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- d. If the applicant fails to submit a valid application for a construction permit within said period, all previous staff approvals shall be null and void, and the property shall be governed by the regulations allowed under the property's zoning and land use designations, without the benefit of the preemptive provisions of F.S. § 166.04151(7).
- 7. *Appeals.* Notwithstanding any other provision of this Code, any appeal of an Administrative Decision under this section shall be to the City commission and shall be processed in accordance with the appeal procedures in Section 5.7.A.
- 8. *Denial.* Denial of an application under this section shall preclude the applicant from refiling the same application for twelve (12) months from the date of denial.
- 9. *Violation of Approved Site Plans.* The violation of any provision of a site plan, or condition placed upon a site plan, issued/approved by the City shall constitute a violation of the City Zoning and Land Development Regulations.