

Section 4.25 –Affordable Housing Bonus Density Overlay (AHBDO)

A. Purpose.

1. The purpose of the Affordable Housing Bonus Density Overlay (AHBDO) is to provide an optional zoning procedure to increase the supply of affordable housing in the City by permitting additional residential density in suitable locations and providing for a greater amount of flexibility by removing some of the detailed restrictions of conventional zoning. It also promotes high-quality urban design and transit-oriented development that effectively frames streets, enhances neighborhood character, and supports a walkable, mixed-use environment while responding to market conditions and supporting the consolidation of small lots.

B. Definitions. For the purposes of this section:

PRIVATELY OWNED PUBLIC SPACE (POPS) shall mean any open space that is owned and maintained by a private entity but is legally required to be publicly accessible. POPS may include but are limited to plazas, courtyards, terraces, arcades, pedestrian passages, or pocket parks that are designed to function as an extension of the public realm. These spaces must be at-grade or readily accessible from a public sidewalk or street, clearly identifiable as open to the public, and incorporate amenities such as seating, shade, lighting, landscaping, or public art. Signage indicating public access is required. Maintenance and operational responsibilities remain with the property owner or developer.

TERTIARY PLAN shall mean a conceptual block-level development plan prepared by a project applicant to illustrate the potential future buildout of the entire block in which a development is proposed. The plan is used to evaluate whether the proposed project would impede, or support coordinated development of adjacent parcels and ensure no unbuildable or isolated lots are created. A Tertiary Plan typically includes conceptual building envelopes, heights, access points, shared infrastructure, phasing scenarios, and urban design elements, but is non-binding and intended solely for evaluation of development compatibility and block context.

C. Adoption of Broward County Land Use Plan Policies for Affordable Housing.

1. Policies 2.16.3 and 2.16.4 of the Broward County Land Use Plan are hereby adopted, subject to the additional limitations as established in this section.
2. The calculation of bonus dwelling units shall be conducted in accordance with the bonus formulas established in Policies 2.16.3 and 2.16.4 of the Broward County Land Use Plan.

D. Application requirements and procedures.

1. All projects seeking to utilize the affordable housing bonus density provisions under this section shall submit for Site Plan Review, requesting to utilize the provisions of Affordable Housing Bonus Density Overlay. All applications shall comply with the additional requirements in this section, including but not limited to:
 - a. A Master Plan Document shall be submitted, which will establish all required property development regulations for the property, identify any variances to the Zoning and Land Development Regulations, and include, at a minimum describe and rationalize site layout, open spaces, building heights, and setbacks. The Master Plan shall serve as a regulatory plan for the property within the AHBDO. The Master Plan shall not constitute a rezoning.

- b. Affordable Housing Summary, describing and showing the location, type, and number of affordable units by income category (Moderate, Low, and Very Low Income), bonus density calculations, and building placement.
- c. Planning Justification Report demonstrating the project's compatibility with existing and future land uses and the surrounding community. The analysis shall address potential impacts on adjacent properties, including but not limited to traffic, noise, and visual impacts.
- d. 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. The plan shall also address parking reductions as permitted under this section.
- e. 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.
- f. Project Phasing.
- g. Traffic Study.
- h. For properties east of US Highway 1 (Federal Highway) in the RAC "Regional Activity Center" zoning district, a hurricane evacuation analysis demonstrating to the satisfaction of the City that the bonus dwelling units will not negatively impact hurricane evacuation times and emergency shelter capacities. This requirement also applies to properties that have direct access to or front the east side of US Highway 1 (Federal Highway).
- i. Any other technical studies or information requested by the City to determine the appropriateness of the request.

E. Conflicts.

- 1. In the event of a conflict between this section and other sections of the Zoning and Land Development Regulations, this section prevails to the extent of the conflict.

F. Locational requirements.

- 1. In order to be eligible for the Affordable Housing Density Bonus provisions, at the time of submittal of an application under this section properties shall satisfy the following locational requirements:
 - a. Be located west of US Highway 1 (Federal Highway);
 - b. For the purposes of Policy 2.16.3 of the Broward County Land Use Plan shall have a Residential, Commerce, or Activity Center land use designation on the Broward County Land Use Map;
 - c. For the purposes of Policy 2.16.4 of the Broward County Land Use Plan shall have a Commerce or Activity Center future land use designation on the Broward County Land Use Map; and,
 - i. Shall either:
 - 1. Front a Qualified Road, defined as a State Road, County arterial, or other road designated by the Board of County Commissioners pursuant to Broward County Land use Plan Policy 2.16.4 such as Griffin Road, Stirling Road, Sheridan Street, Hollywood Boulevard, Pembroke Road, or State Road 7; or,
 - 2. Be located within one-half (1/2) mile of a passenger rail station, defined as a station for the transportation of passengers by rail on board trains, locomotives, rail cars, or rail equipment provided by a governmental or non-governmental entity; and,

d. All eligible properties with a Regional Activity Center (RAC) Zoning designation are eligible provided they front at least one of the following Qualified Roads, and:

- i. US Highway 1 / Federal Highway;
- ii. Dixie Highway / 21st Avenue;
- iii. Sheridan Street;
- iv. Hollywood Boulevard, including Hollywood Circle, and Young Circle; or,
- v. Pembroke Road.

G. Land use and design regulations for affordable housing bonus density.

1. All applications shall demonstrate the project's compatibility with existing and future land uses, and compliance with the Broward County Land Use Plan Policies 2.16.3 and 2.16.4.
2. All applications shall demonstrate that adequate public facilities and services are in place or will be in place to accommodate all bonuses and affordable units.
3. There is no minimum lot size requirement for developments seeking affordable housing bonus density under this section. However, proposals that would result in the creation of unbuildable or remnant parcels, or isolate adjacent properties within the block, in a manner that limits the ability for other parcels to achieve comparable development potential, shall not be supported.
4. The maximum permitted total density, including affordable and bonus units, on lands designated as Residential shall not exceed fifty (50) dwelling units per acre, consistent with Broward County Land use Plan Policy 2.16.3.
5. In accordance with Broward County Land use Plan Policy 2.16.3, there shall be no maximum density for parcels designated as Commerce or within Activity Centers within the Broward County Land use Plan. Density may exceed fifty (50) dwelling units per acre if the development is demonstrated to be compatible with surrounding uses, adequate public facilities and services are in place or will be in place with the completion of the project, and the design quality and urban form are consistent with the City's Urban Design Guidelines.
6. The minimum net residential density shall be twenty-five (25) dwelling units per acre for properties utilizing Policy 2.16.4 of the Broward County Land use Plan.
7. All unit types, regardless of size, are considered one (1) dwelling unit for residential density purposes.
8. The non-bonus (base) density shall be deducted from the total available density within the Regional Activity Center or the State Road 7 Transit-Oriented Activity Center, as established in the City of Hollywood Comprehensive Plan, as amended from time to time. Bonus density approved pursuant to this section shall not be deducted from the available density within these centers.

H. Height Regulations for Affordable Housing Bonus Density.

1. Buildings adjacent to corridors specified in Section F shall have a minimum building height equal to the width of the ultimate Right-of-Way (ROW) of the adjacent corridor, unless otherwise determined through the urban design brief. This minimum height requirement is established to frame the street in accordance with good urban design principles, promote walkability, and create active street frontages.
 2. There shall be no maximum height for properties within the Commerce or Activity Center designations of the Broward County Land use Plan. Height shall be determined based on compatibility with surrounding context, urban design quality, and contribution to the desired urban form. Additionally, public facilities and infrastructure capacity must support the proposed height.
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3. In areas adjacent to stable neighborhoods or lower-density residential areas, developments shall transition building heights to provide a harmonious relationship with surrounding structures. These transitions shall include step-backs or setbacks on upper floors to reduce visual impact, graduated height increases from lower to higher intensity areas, and context-sensitive design that considers the existing urban fabric and neighborhood character.
4. Where a building is located within 100 feet of any parcel that prohibits residential development of ten (10) dwelling units per acre or more, the minimum building height shall be five (5) stories, consistent with Policy 2.16.4(9)(c)(2).

I. Non-Residential Requirements.

1. Residential units shall not be permitted on the ground floor of any building that fronts a Qualified Road. This requirement is intended to promote active street frontages, enhance pedestrian experiences, and support vibrant mixed-use corridors.
2. At least fifty percent (50%) of the ground floor frontage along Qualified Roads shall be occupied by commercial, office, or retail uses. Uses that activate the street, such as cafes, restaurants, shops, and offices, are encouraged to promote pedestrian activity and enhance the public realm.
3. The development shall, at a minimum, replace the square footage of non-residential uses being redeveloped, on site, unless otherwise demonstrated through a Market Feasibility Study. This requirement ensures that existing commercial, office, or retail space is retained or expanded to support the economic vitality of the area and preserve commercial viability.
4. Commercial, office, and retail uses shall be vertically integrated below residential units. This integration is intended to maintain active street frontages, support walkable urban environments, and promote mixed-use vibrancy.
5. On parcels or assemblies greater than five (5) acres, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for office and/or commercial uses not ancillary to the residential units.

J. Redevelopment of Former Large Commercial Sites.

1. All redevelopment of former large commercial sites, including but not limited to regional shopping centers, big box retail sites, and standalone commercial plazas, shall establish a compatible grid network to support urban mobility, enhance walkability, and create connected, mixed-use neighborhoods.
 2. The grid network shall provide internal circulation that accommodates multiple modes of transportation, including pedestrians, cyclists, public transit, and vehicles. The grid network shall also connect to adjacent developments and existing public streets to support future growth and urban integration.
 3. Complete streets principles shall be incorporated into the grid network, including sidewalks, bike lanes, street trees, and public spaces to promote safe, active, and vibrant public realms.
 4. Walkable block sizes shall be established within the grid network, generally not exceeding 800 feet in length, to enhance pedestrian connectivity and encourage walking. Mid-block pedestrian passages may be required to improve walkability and urban permeability.
 5. The grid network shall be designed to anticipate future connectivity by including connections to adjacent developments, stub streets, and future road extensions to support a cohesive and integrated urban fabric. Public access easements may also be required to ensure continuity of the urban grid across multiple properties and developments.
 6. Redevelopment projects shall incorporate urban design elements that enhance place-making, including public plazas, open spaces, and pedestrian-oriented streetscapes. Building frontages
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along new streets shall be designed to activate the public realm with ground-floor commercial uses, transparent facades, and pedestrian-scale design features.

K. Block Context and Future Buildout Compatibility.

- 1. To ensure cohesive and context-sensitive development, and to prevent fragmented land use patterns or the creation of unbuildable parcels, all projects utilizing the Affordable Housing Bonus Density Overlay (AHBDO) shall be required to demonstrate that their development will not preclude the logical or feasible buildout of the remaining block.**
- 2. Projects shall not result in the creation of unbuildable or isolated parcels within the remaining block area. Development proposals must be designed in a manner that supports orderly and coordinated development of adjacent properties and reinforces the intended urban form.**
- 3. At the City's discretion, applicants may be required to submit a Conceptual Tertiary Plan illustrating how the remainder of the block could be developed in a coordinated and buildable manner. The Tertiary Plan shall include, at a minimum:**
 - a. Conceptual building footprints and heights;**
 - b. Access points and shared circulation;**
 - c. Potential development parcels or phasing areas;**
 - d. Pedestrian and vehicular connectivity; and**
 - e. Integration with public realm improvements such as streets, plazas, and open spaces.**

L. Parking Reductions and Transit Station Areas.

- 1. Parking requirements for developments utilizing the AHBDO may be reduced by up to fifty percent (50%) for properties located within one-half (1/2) mile of a passenger rail station or a high-frequency public transit route, including Bus Rapid Transit (BRT) and fixed-guideway systems. This reduction is intended to encourage transit-oriented development and reduce reliance on private vehicles.**
- 2. For properties within one-quarter (1/4) mile of a passenger rail station or major transit hub, further parking reductions may be approved on a case-by-case basis, subject to a transportation demand management plan that demonstrates the ability to accommodate mobility needs through alternative means such as ride-sharing, bike-sharing, and enhanced pedestrian connectivity.**

M. Urban Open Space Requirement – Plazas and Privately Owned Public Spaces (POPS).

- 3. To ensure high-quality placemaking, promote social interaction, and enhance the public realm, all developments utilizing the Affordable Housing Bonus Density Overlay shall provide publicly accessible open space in the form of a plaza or Privately Owned Public Space (POPS), subject to the following requirements:**
 - a. A minimum of 5% of the total site area shall be dedicated to a publicly accessible open space, or a minimum area of 2,000 square feet, whichever is greater.**
 - b. Urban open spaces shall be located at-grade and provide direct, visible, and unobstructed pedestrian access from a public sidewalk or street.**
 - c. At least one side of the space shall front a public street, pedestrian promenade, or designated pedestrian access corridor.**
 - d. Where internal plazas or POPS are provided, a clear visual connection and wayfinding signage shall be included to ensure public awareness and accessibility.**
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e. A minimum of 50% of the designated open space shall be designed for active uses, including seating areas, shaded areas, gathering spaces, and opportunities for programmed activities such as pop-up events or performances.

f. The open space shall incorporate public realm elements, including but not limited to:

- Pedestrian seating (benches, movable chairs, café-style seating)
- Shade features (trees, pergolas, or architectural canopies)
- Decorative landscaping and/or water features
- Pedestrian-scale lighting
- Public art or cultural elements that contribute to placemaking
- Bicycle parking or micro-mobility infrastructure where appropriate

4. Maintenance and Public Access.

a. If the open space is a Privately Owned Public Space (POPS), the applicant shall record a public access easement ensuring perpetual access for the general public, on a form acceptable to the City Attorney. The easement shall be recorded prior to Certificate of Occupancy.

b. The property owner or designated management entity shall be responsible for ongoing maintenance, cleanliness, and safety of the open space.

5. Integration with Urban Design Guidelines.

a. All urban open spaces shall be designed in accordance with the City's adopted Urban Design Guidelines and shall support the overall intent of creating vibrant, inclusive, and accessible public realms that reinforce walkability and neighborhood character.

N. Development Agreement.

1. A Development Agreement shall be required for all projects utilizing the AHBDO and submitted in form approved by the City Attorney. The Development Agreement shall include the following provisions:

a. The formula and allocation of affordable housing units and bonus units shall be based on income levels, consistent with Broward County Land Use Plan Policies 2.16.3 and 2.16.4. The allocation shall specify the number of units designated for Moderate, Low, and Very Low Income households, as well as the corresponding bonus units.

b. The Development Agreement shall include commitments for maintaining the affordability period for a minimum of thirty (30) years for rental units and thirty (30) years for owner-occupied units, consistent with Broward County Land Use Plan requirements. Affordability shall be guaranteed through restrictive covenants or other mechanisms acceptable to the City Attorney.

c. The Development Agreement shall specify whether affordable units will be provided on-site or through a payment in-lieu option. Payment in-lieu is only authorized for projects enabled through 2.16.4. 50% of the payment shall be made to the City of Hollywood's Affordable Housing Trust Fund, and 50% of the payment shall be made to the County Affordable Housing Trust Fund. The amount shall be calculated in accordance with Broward County Land use Plan.

O. Construction and Occupancy Requirements.

1. The Development Agreement shall include construction and occupancy requirements, ensuring that:

- a. For Policy 2.16.3 projects: one hundred percent (100%) of affordable units must receive a certificate of occupancy before the final fifty percent (50%) of bonus units.
- b. For Policy 2.16.4 projects: one hundred percent (100%) of affordable units must be available for occupancy before the final twenty-five percent (25%) of bonus units.
- c. Affordable units must be constructed before or concurrently with bonus units.

P. Annual Reporting and Compliance Monitoring.

- 1. The Development Agreement shall require the annual reporting of affordable units and bonus units, including occupancy status and income level verification, to ensure compliance with the requirements of Broward County Land Use Plan Policies 2.16.3 and 2.16.4. The reporting shall be submitted to the City and Broward County.
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