

**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