

ATTACHMENT A
Draft Text for Section 4.26
Part I - Hollywood Beach Overlay
District

Section 4.26 – Hollywood Beach Overlay District
Part I – Overlay Zoning Regulations

A. Purpose and Intent

A.1. Purpose. The purpose of the Hollywood Beach Overlay District is to establish a voluntary and optional zoning framework intended to facilitate context-sensitive reinvestment and redevelopment that reinforces the distinct architectural identity, pedestrian-oriented character, resort and hospitality function, tourism economy, environmental resiliency, and public realm experience of Hollywood Beach, in a sustainable manner.

A.2. Coordinated Planning and Design Framework. This section establishes a coordinated coastal urban design and incentive framework intended to promote high-quality architecture, active public frontages, enhanced pedestrian connectivity, resilient infrastructure, public realm improvements, vertically integrated parking, publicly accessible parking where required, and varied but complementary development patterns responsive to the intended function of each Beach Precinct.

A.3. Voluntary Incentive Framework. This section establishes a voluntary, incentive-based framework for applicants seeking one or more optional bonus entitlements above or in addition to those otherwise available under the underlying zoning district, to the extent permitted by the City Comprehensive Plan, Broward County Land Use Plan, and applicable law. An applicant that does not seek an optional bonus entitlement may proceed solely under the applicable underlying zoning district and generally applicable regulations.

A.4. Preservation of As-of-Right Entitlements. Nothing in this section shall prohibit, reduce, impair, or condition the ability of a property owner to develop property in accordance with the as-of-right entitlements, permitted uses, development standards, density, intensity, height, parking, and other rights available under the applicable underlying zoning district and other applicable law.

A.5. Desired Development Pattern. This section is intended to discourage redevelopment patterns that are visually repetitive, poorly integrated, automobile-oriented, fragmented, or inconsistent with the intended scale, form, character, and public realm objectives of Hollywood Beach. Instead, this section is intended to encourage coordinated, architecturally distinctive, context-sensitive redevelopment that contributes positively to the identity, character, resiliency, mobility, economic vitality, resort function, and pedestrian-oriented public realm experience of Hollywood Beach.

A.6. Evaluation of Optional Bonus Entitlements. Redevelopment seeking optional bonus entitlements shall not be evaluated solely by height, density, intensity, or use, but by whether the proposed development voluntarily satisfies the Required Bonus Entitlement Conditions applicable to the requested optional bonus entitlement and advances the intended resort character, public realm experience, architectural quality, resiliency, infrastructure capacity, mobility, and long-term economic function of the applicable Beach Precinct.

A.7. Project-Specific Effect and Expiration of Bonus Entitlements. Bonus entitlements granted under this section, including bonus height, hotel room allocations, transferred development rights applied to a receiving site, and Flexibility Unit allocations, are specific to the development approval to which they attach. Bonus entitlements do not run with the land independent of the approved project, shall expire upon expiration or abandonment of the underlying development approval or demolition of the improvements to which they attach, and shall not be reestablished except through a new approval under the regulations then in effect. Nothing in this subsection impairs density, intensity, or height otherwise permitted as of right.

B. Definitions

B.1. Applicability of Definitions.

The definitions in Article 2, Terms Defined, apply to this section unless a term is specifically defined herein. A definition in this section controls only for administration of the Hollywood Beach Overlay District and supplements, but does not otherwise amend or supersede, Article 2 unless expressly stated.

B.2. Defined Terms.

A1A-ORIENTED DEVELOPMENT AREA shall mean the portion of a block located closest to State Road A1A that is eligible for the greatest optional bonus entitlement intensity where authorized by this section and the Official Hollywood Beach Regulating Plan Map. For A1A-fronting blocks located between A1A and Surf Road, the A1A-Oriented Development Area shall include at least the first one-third of total block depth measured perpendicular from A1A toward Surf Road to the closest property line of the proposed development site.

AS-OF-RIGHT ENTITLEMENT shall mean the uses, height, density, intensity, floor area, lot coverage, parking, development standards, and other development permissions available to a property under the applicable underlying zoning district, Comprehensive Plan, Broward County Land Use Plan, and other applicable law without reliance on any optional bonus entitlement authorized by this section.

BASE DEVELOPMENT shall mean development that proceeds pursuant to the as-of-right entitlements of the underlying zoning district and other applicable regulations without requesting an optional bonus entitlement pursuant to this section.

BASE HOTEL ROOM DENSITY shall mean the maximum hotel room density available to a development site under the underlying zoning district, Comprehensive Plan, Broward County Land Use Plan, or other applicable regulation before allocation of rooms from the Hollywood Beach TIDE established by this section.

BEACH PRECINCT shall mean a mapped area within the Hollywood Beach Overlay District established by the Official Hollywood Beach Overlay Regulating Plan Map and governed by the standards of this section.

BONUS ENTITLEMENT or OPTIONAL BONUS ENTITLEMENT shall mean a voluntary zoning incentive authorized by this section that allows development to exceed or vary from one or more otherwise applicable standards, where expressly permitted, only if the applicant elects to comply with the applicable requirements, Required Bonus Entitlement Conditions, findings, agreements, and conditions associated with such incentive.

BONUS FLOOR AREA shall mean the additional gross floor area, measured in square feet, made available through an Optional Bonus Entitlement above the as-of-right development capacity otherwise available under the applicable underlying zoning district.

CHARACTER AREA shall mean a mapped or otherwise identified sub-area within one or more Beach Precincts for which Part II of Section 4.26 establishes location-specific architectural, built-form, frontage, landscape, public-realm, and other design standards. Character Area design standards supplement the Regulating Plan Map and Part I; maximum height and entitlement eligibility are governed exclusively by Part I and the Regulating Plan Map.

CIVIC TERMINUS PARK shall mean an existing public park, plaza, public open space, beach access terminus, street-end public space, or civic arrival point located at or near the terminus of a public street, pedestrian corridor, or public access route within Hollywood Beach and identified on the Regulating Plan Map as a location where enhanced public realm design, gateway treatment, pedestrian comfort, landscape, shade, public access, visual orientation, and civic identity are prioritized.

CONDO-HOTEL. For purposes of the Hollywood Beach Overlay District only, the following provisions supplement the definition of Condo-Hotel set forth in Article 2 and apply only to development approved pursuant to this section where the applicant voluntarily seeks one or more optional bonus entitlements. In the event of a conflict or inconsistency with Article 2, this definition controls only to the extent necessary to resolve the conflict or inconsistency. All provisions of Article 2, not expressly modified by, or inconsistent with this definition, remain applicable.

Condo-Hotel or Mixed-Ownership Transient Lodging shall mean a hotel, resort, condominium-hotel, apartment-hotel, branded residence lodging component, mixed-ownership lodging model, or similar hospitality use in which guest rooms, suites, efficiencies, or lodging units may be separately owned, conveyed, leased, rented, or managed, provided the use is approved, licensed, operated, and maintained as transient lodging and not as residential dwelling units.

A Condo-Hotel or Mixed-Ownership Transient Lodging use approved pursuant to this section shall be subject to a unified lodging management structure and an approved Operational Management Plan demonstrating that the use will operate as a bona fide transient lodging or hospitality use. The Operational Management Plan shall address, at a minimum, guest registration or check-in procedures, 24-hour guest or management contact, guest access control, housekeeping or maintenance services, licensing, tax collection, owner-use controls, and procedures to prevent permanent residential occupancy.

No lodging unit approved under this section shall be used as a permanent residence, homestead residence, independent residential dwelling unit, or basis for calculating residential density. The presence of kitchens, kitchenettes, multiple-room suites, lock-off configurations, owner-use rights, condominium ownership, branded residence components, or separately conveyable interests shall not, by itself, cause the use to be deemed residential, provided the use remains operated in accordance with the approved Operational Management Plan and all applicable state, county, and local lodging requirements.

EAST-WEST CROSS-STREET DEVELOPMENT CELL shall mean a development cell located within the Remaining Block Area and oriented toward an east-west cross street, pedestrian corridor, public frontage, or logical cross-block connection. East-West Cross-Street Development Cells are intended to provide mid-block activation, pedestrian connectivity, architectural variation, visual relief, and transition between the Surf Road-oriented portion of the block and the A1A-Oriented Development Area.

FORECASTED BONUS FLOOR AREA shall mean the estimated additional floor area that may be generated within the Overlay District through Optional Bonus Entitlements above the as-of-right development capacity otherwise available under the applicable underlying zoning districts.

GATEWAY FRONTAGE shall mean a frontage classified on the Regulating Plan Map as an A Street — Primary Gateway, Enhanced B Street — Secondary Gateway, or B Street — Tertiary Gateway and regulated by subsection H. Gateway classification describes the arrival, identity, public-realm, and built-form function of a frontage and does not, by itself, create eligibility for additional height.

HISTORIC RESOURCE ASSESSMENT shall mean a professional inventory and evaluation establishing the history, significance, integrity, condition, character-defining features, alterations, and salvageability of the historic property and identifying the resources subject to a Historic Rehabilitation Plan and Historic Rehabilitation Incentive.

HOLLYWOOD BEACH OVERLAY URBAN DESIGN GUIDELINES or **URBAN DESIGN**

GUIDELINES shall mean the adopted urban design standards, principles, criteria, and illustrative guidance contained in Part II of Section 4.26 governing the design of buildings, sites, streetscapes, open spaces, and the public realm. The Urban Design Guidelines supplement and implement Part I and establish expectations for built form, architectural character, massing, scale, frontage, access, landscape, mobility, public art, sustainability, climate resilience, and the relationship between development and its surrounding context. Development seeking an optional bonus entitlement shall demonstrate substantial consistency with the applicable Urban Design Guidelines as required by Sections 4.26.F.2 and 4.26.O.5. The Urban Design Guidelines shall not independently establish eligibility for, or increase, an optional bonus entitlement.

LANDMARK DEVELOPMENT shall mean development located on a full-block development site within Precinct 2, Precinct 3, or Precinct 5 where the applicant controls the entire block and proposes a unified development that provides exceptional architectural quality, iconic design, enhanced public realm improvements, vertically integrated parking, coordinated access and servicing, and compliance with all applicable Required Bonus Entitlement Conditions.

PRIVATELY OWNED PUBLICLY ACCESSIBLE OPEN SPACE (POPS) shall mean an outdoor space located on private property that is permanently accessible to the public and designed to function as an extension of the public realm. POPS shall provide meaningful pedestrian amenities, opportunities for gathering, seating, landscaping, shade, lighting, public art, and other features that contribute to the social, recreational, and environmental quality of the surrounding neighborhood.

PUBLIC BENEFIT CONTRIBUTION shall mean a voluntary monetary contribution, physical improvement, publicly accessible facility, public access commitment, resiliency improvement, mobility improvement, public parking commitment, or other public benefit described by this section provided by an applicant in exchange for an Optional Bonus Entitlement and secured through development agreement, covenant, easement, or other instrument acceptable to the City Attorney.

PUBLICLY ACCESSIBLE PARKING shall mean parking spaces made available to the general public on a non-discriminatory basis, clearly signed, accessible from a public street or approved access point, and operated pursuant to a public access, management, pricing, maintenance, and enforcement agreement approved by the City's Parking Division.

PUBLIC REALM PRIORITY FRONTAGE OR CORRIDOR shall mean a street, frontage, pedestrian corridor, paseo, plaza edge, beach access connection, or other area identified on the Regulating Plan Map where enhanced public realm design is prioritized to advance pedestrian comfort, shade, landscape quality, stormwater management, resiliency, beach access, public gathering, and connectivity objectives. Public Realm Priority Frontages or Corridors may include east-west pedestrian connections, Surf Road frontages, Broadwalk connections, plaza edges, Civic Terminus Parks, beach access corridors, and other mapped public realm conditions. Where identified on the Regulating Plan Map, such areas may allow enhanced setbacks, canopy trees, landscaping, seating, pedestrian lighting, stormwater features, publicly accessible open space, pedestrian amenities, or similar improvements to satisfy, supplement, or modify frontage requirements otherwise applicable under the underlying zoning district, as provided in this section.

REMAINING BLOCK AREA shall mean the portion of a block located between the A1A-Oriented Development Area and Surf Road. The Remaining Block Area may be organized as one coordinated development area or, preferably, as three finer-grain development cells consisting of one Surf Road-Oriented Development Cell and two East-West Cross-Street Development Cells.

REQUIRED BONUS ENTITLEMENT CONDITIONS shall mean the public benefit or other conditions required by this section as a condition of receiving a specific Optional Bonus Entitlement. Required Bonus Entitlement Conditions shall apply only where an applicant voluntarily seeks an Optional Bonus Entitlement and shall not apply to development proceeding solely pursuant to as-of-right entitlements under the underlying zoning district.

RESILIENCE TRUST FUND shall mean the Hollywood Beach Public Benefit and Resilience Trust Fund established pursuant to this section.

RESILIENCE TRUST FUND CONTRIBUTION shall mean a voluntary monetary contribution to the Hollywood Beach Public Benefit and Resilience Trust Fund provided by an applicant in exchange for an Optional Bonus Entitlement and calculated pursuant to this section, a City-adopted methodology, contribution schedule, development agreement, or project-specific proportionality determination.

SURF ROAD-ORIENTED DEVELOPMENT CELL shall mean a development cell within the Remaining Block Area that is oriented toward Surf Road and intended to frame and reinforce the character, rhythm, frontage, pedestrian image, and human-scale public realm condition of Surf Road.

SURFACE PARKING LOT shall mean an at-grade parking area that is not located within, beneath, above, or vertically integrated into a principal building or structured parking facility. Temporary construction staging areas, emergency access areas, loading areas, porte-cocheres, passenger drop-off areas, and drive aisles shall not constitute surface parking lots, provided they are not used for permanent parking storage.

TERTIARY PLAN shall mean a conceptual block-level development plan prepared by a project applicant to illustrate the proposed development site, the surrounding block structure, and the potential future buildout of remaining parcels within the block. The Tertiary Plan is used to evaluate whether the proposed project would impede or support coordinated development of adjacent parcels and whether the proposed development would create, intensify, or leave behind unbuildable, residual, remnant, isolated, undersized, irregular, or functionally constrained parcels.

TRANSFER OF DEVELOPMENT RIGHTS or TDR shall mean the voluntary transfer of unused residential density from a mapped sending area to a mapped receiving area in accordance with this section and the City Comprehensive Plan, and subject to the limitations of the Broward County Land Use Plan. Residential density is the only development right that may be transferred through the TDR program. For purposes of this section, 'unused residential density' means residential development capacity recognized under the City Comprehensive Plan and applicable zoning as of the date of transfer that has not been constructed, allocated, or otherwise utilized on the sending site, and shall not include any greater capacity permitted by the Broward County Land Use Plan but not recognized by the City Comprehensive Plan.

VERTICALLY INTEGRATED PARKING shall mean parking located within a principal building, beneath a building, above active ground-floor uses, within a structured parking facility screened or lined by active uses or architectural treatment, or otherwise integrated into the vertical building composition in a manner that preserves active frontage, pedestrian orientation, architectural quality, and public realm objectives.

VISITOR-SERVING COMMERCIAL USE shall mean a commercial use that demonstrates a direct and substantial relationship to the needs or experience of visitors. A use shall not qualify solely because it is located within a tourist area or receives incidental business from tourists.

Visitor-Serving Commercial Uses may include: Souvenir, gift, resort apparel, beachwear, and other retail establishments that contribute to the visitor experience; Tour, excursion, attraction, ticketing, visitor information, and recreational equipment rental services; Art galleries, cultural attractions, entertainment venues, and experiential retail uses; Restaurants, cafés, bakeries, fast-food establishments, and other food-and-beverage uses only when compliant with the Hollywood Beach Overlay Urban Design Guidelines; Spa, wellness, personal care, and concierge services associated with hotels, resorts, visitor accommodations, or the surrounding resort area.

A use shall not qualify as Visitor-Serving Commercial where its design and operating concept are predominantly based on a standardized or formulaic prototype that provides little or no site-specific relationship to the beach, resort area, public realm, or visitor experience. Such characteristics may include substantially standardized architecture, storefront design, signage, interior layout, merchandise or menu presentation, service model, or site configuration replicated across multiple locations.

The following shall not be considered Visitor-Serving Commercial Uses for the purposes of this section:

1. Smoke shops,
2. Automobile-oriented uses, including gas stations, vehicle sales, repair facilities, and drive-through establishments;

C. Applicability

C.1. Geographic Applicability and Historic Sites. This section applies to all properties located within the boundaries shown on the Official Hollywood Beach Overlay Regulating Plan Map. An individually designated Historic Site is not eligible to receive an Optional Bonus Entitlement under this section. A property located within a Historic District is not excluded solely by the district designation and may participate, subject to all otherwise applicable historic-preservation review requirements, including Joint Board review where required.

C.2. Optional Overlay. This section establishes an optional incentive overlay. Except as expressly provided, it shall not eliminate, reduce, prohibit, or condition any as-of-right entitlement available under the underlying zoning district, City Comprehensive Plan, Broward County Land Use Plan, or applicable law.

C.3. Relationship to Underlying Regulations. The underlying zoning district and generally applicable regulations shall continue to govern permitted uses, density, hotel room density, height, setbacks, parking, active frontage, design, and all other development standards not expressly modified, superseded, or supplemented by this section.

C.4. Entitlement-Specific Compliance. An applicant voluntarily seeking one or more Optional Bonus Entitlements shall comply only with the requirements applicable to each entitlement requested. The availability or approval of one Optional Bonus Entitlement shall not require or authorize any other Optional Bonus Entitlement unless expressly provided by this section.

C.5. Conflicts. Where this section conflicts with another provision of the Zoning and Land Development Regulations, this section shall prevail only to the extent necessary to administer a requested Optional Bonus Entitlement and only for a development site voluntarily participating in the Optional Bonus Entitlement program.

C.6. Compliance with Other Law. Nothing in this section shall authorize development inconsistent with the City Comprehensive Plan, Broward County Land Use Plan, Florida Building Code, floodplain regulations, life safety regulations, coastal construction requirements, state or federal law, or any applicable vested rights.

C.7. Pedestrian Bridges and Elevated Connections. Notwithstanding any contrary provision of the underlying Beach Community Redevelopment District regulations, a pedestrian bridge, elevated crossing, or aerial pedestrian connection may be approved only for development voluntarily seeking an Optional Bonus Entitlement, only by the City Commission through the applicable review process under subsection O, and only over Surf Road or a designated east-west street. Such connections are prohibited over State Road A1A, the Boardwalk, and the public beach. Approval shall require compliance with the following standards:

- (a) Maintain all vertical and horizontal clearance required for emergency response, fire apparatus, transportation operations, utilities, maintenance, and other public functions, as determined by Fire Rescue, Engineering, Transportation, utility providers, and other applicable reviewing agencies;
- (b) Preserve public view corridors, beach-access relationships, and visual permeability and minimize structural bulk, enclosure, and visual obstruction within the public right-of-way;
- (c) Be architecturally integrated with the connected buildings and designed with transparent, open, or visually permeable elements to the greatest extent practicable;
- (d) Not obstruct or materially interfere with utilities, drainage, stormwater facilities, traffic-control devices, streetscape improvements, public lighting, landscape, public safety systems, or planned future public improvements;
- (e) Maintain a continuous, accessible at-grade pedestrian route and not substitute for required active frontage, public access, sidewalk, paseo, or other ground-level pedestrian connections;
- (f) Where public access is required or offered as part of the approval, secure such access, operation, maintenance, permitted closures, security, and enforcement through an instrument acceptable to the City Attorney; and
- (g) Comply with all applicable structural, accessibility, fire, life-safety, coastal, floodplain, building-code, engineering, and right-of-way requirements.

C.8. Prohibition on Stacking. Underlying zoning district bonuses, Comprehensive Plan bonuses, or other public benefit incentive programs shall not be combined, stacked, or applied in conjunction with the Optional Bonus Entitlements authorized by the Hollywood Beach Overlay District.

C.9. Cumulative Limitation and Independent Height Approval. The combined effect of all Optional Bonus Entitlements approved for a development site, including bonus height, TIDE allocation, Flexibility Unit allocation, Transfer of Development Rights receiving capacity, and Landmark additional height, whether approved concurrently or sequentially, shall not cause the development

site to exceed the maximum density, intensity, hotel room density, or height permitted for that site under the City Comprehensive Plan, Broward County Land Use Plan, this section, and other applicable law. TIDE allocations, Flexibility Units, and TDR receiving capacity authorize hotel room or residential density capacity, as applicable, and do not independently authorize height above the applicable as-of-right maximum. Any additional height shall be separately requested and approved under the applicable height provisions of this section. The City shall evaluate the cumulative effect of all requested and previously approved Optional Bonus Entitlements at the time of each approval and may reduce or condition any requested Optional Bonus Entitlement as necessary to maintain compliance with this limitation.

D. Official Hollywood Beach Overlay Regulating Plan Map and Beach Precinct Framework

D.1. Official Regulating Plan Map. The City shall maintain an Official Hollywood Beach Overlay Regulating Plan Map ("Regulating Plan Map") for the purpose of administering this section.

D.2. Map Contents. The Official Hollywood Beach Overlay Regulating Plan Map may identify, as applicable, Overlay District boundaries, Beach Precincts, maximum height areas, bonus height areas, TIDE allocation areas, Flexibility Unit-eligible areas, TDR sending areas, TDR receiving areas, Gateway Streets, Character Areas, and the Hollywood Beach Resort Unified Master Plan.

D.3. Effect on As-of-Right Entitlements. The Regulating Plan Map shall be used to determine where Optional Bonus Entitlements may be available and shall not be used to reduce, prohibit, or impair As-Of-Right Entitlements available under the underlying zoning district.

D.4. Mapped Eligibility. No Optional Bonus Entitlement shall be approved unless the proposed Optional Bonus Entitlement is authorized by this section and located within an area identified as eligible for that Optional Bonus Entitlement on the Regulating Plan Map, except where this section establishes a separate eligibility pathway.

D.5. Absence of a Mapped Designation. The absence of a mapped designation for a specific Optional Bonus Entitlement means that the optional bonus entitlement is not available for that property but shall not affect the property owner's ability to pursue as-of-right development under the underlying zoning district.

D.6. Allocation of Regulatory Functions. The Regulating Plan Map shall control the geography of Optional Bonus Entitlement eligibility. The standards of this section shall control the findings, procedures, public benefit requirements, parking requirements, design standards, development agreement requirements, and other conditions applicable to the requested Optional Bonus Entitlement.

D.7. Precincts and Character Areas. The Hollywood Beach Overlay District shall be organized into Beach Precincts and Character Areas, as identified on the Regulating Plan Map.

D.8. Flexibility Units. Flexibility Units may be allocated only within Precinct 3, where the underlying land use designation authorizes their use, the property is identified as Flexibility Unit-eligible on the Regulating Plan Map, and the resulting residential density does not exceed the maximum density permitted under the Broward County Land Use Plan. All other requirements of this section shall also be satisfied.

D.9. TIDE Allocations. Tourism Incentive Density Entitlement (TIDE) program hotel room allocation shall be available only where hotel, condo-hotel, lodging, hospitality, resort, or other transient lodging uses are permitted by the applicable land use designation and zoning district, where the property is mapped as eligible on the Regulating Plan Map, and where all other applicable requirements of this section are satisfied.

D.10. Transfer of Development Rights. Transfer of Development Rights shall apply only to residential density and only where the sending site and receiving site are located within mapped TDR sending or receiving areas, as applicable, and satisfy all other applicable requirements of this section.

D.11. Independent Height Entitlement. TIDE allocations, Flexibility Units, and TDR receiving capacity authorize hotel room or residential density capacity, as applicable, and do not independently

authorize additional height. Any height above the applicable as-of-right maximum shall be separately requested and approved under subsection M.2, subsection E.4, or subsection K, as applicable.

D.12. Parking Reductions and Eliminations. Parking reduction or elimination under this section shall apply only to eligible hotel, condo-hotel, resort, restaurant, entertainment, visitor-serving commercial, or other qualifying nonresidential uses that satisfy the Districtwide Overlay Design and Public Realm Standards and shall not apply to residential uses.

D.13. Gateway Frontages. Gateway Frontages are mapped arrival and public-realm conditions governed by subsection H and the applicable provisions of the Regulating Plan Map. A Gateway Frontage classification does not, by itself, create eligibility for additional height.

D.14. Landmark Development. Landmark Development may be considered within Precinct 2, Precinct 3, or Precinct 5 where the applicant controls the full block and proposes a unified development satisfying the Landmark Development standards of this section.

D.15. Map Amendments and Administrative Corrections. The City may update the Regulating Plan Map by ordinance or other process required by law. Administrative clarifications to map boundaries, labels, street names, parcel references, or scrivener's errors may be made in accordance with City procedures where such clarification does not expand or reduce the availability of an Optional Bonus Entitlement.

E. Beach Precinct Standards

General Administration. The precinct standards below supplement the districtwide standards of this section. Except where a precinct-specific provision expressly modifies or limits an entitlement, eligibility and administration of optional bonus entitlements are governed by subsections D and M; parking and frontage incentives by subsection L; block structure and Tertiary Plan requirements by subsection J; and review and approval by subsection O. Development seeking optional bonus entitlements in Precincts 2, 3, and 5 shall comply with subsection J.

E.1. Precinct 1 - North Beach Village

a. Purpose and Character. Precinct 1 shall preserve the human-scale coastal character, conservation values, passive recreation function, neighborhood compatibility, and ecological and recreational function of North Hollywood Beach Park and surrounding coastal areas. Development shall not undermine conservation, human-scale, ecological, public realm, recreational, or coastal character objectives.

b. Block Structure. The Central Beach block structure requirements of subsection J shall not apply within Precinct 1.

c. TDR Sending and Receiving Areas. North Beach may function as both a TDR sending area and a TDR receiving area where identified on the Regulating Plan Map.

d. South of Balboa Street. North Beach south of Balboa Street shall be designated as a TDR sending area only and shall not be eligible to receive transferred development rights. This designation is intended to maintain the human-scale character of the area and manage potential impacts to the ecological function, public realm, and recreational character of North Hollywood Beach Park and surrounding coastal areas.

e. Balboa Street to Cambridge Street. North Beach north of Balboa Street and south of Cambridge Street shall be designated as a TDR receiving area where identified on the Regulating Plan Map.

E.2. Precinct 2 - North-Central Beach Residential

a. Purpose and Character. Precinct 2 is intended to accommodate residential redevelopment consistent with the density, height, uses, and development standards permitted by the City Comprehensive Plan, Broward County Land Use Plan, underlying zoning district, and other applicable law, while maintaining a compact, walkable, and pedestrian-oriented beach environment through enhanced landscaping, active edges where required, public realm improvements, and strengthened east-west connectivity.

- b. TDR Sending and Receiving Areas. North-Central Beach may function as both a TDR sending area and a TDR receiving area where designated on the Regulating Plan Map.
- c. Bonus Height and TIDE Eligibility. Bonus height may be considered under subsection M.2 and TIDE allocations under subsection M.3 within portions of Precinct 2 having an underlying General Business land use designation, where authorized by the Regulating Plan Map and all applicable entitlement criteria are satisfied.
- d. Active Frontages. Ground-floor residential units, residential amenity spaces, leasing offices, or residential lobbies shall not occupy required active frontage areas, except for lobby access necessary to serve upper-floor residential uses.
- e. Public Realm and Connectivity. Development seeking optional bonus entitlements shall protect and enhance east-west pedestrian connections, Public Realm Priority Frontages or Corridors, beach access connections, and other mapped public realm improvements.

E.3. Precinct 3 - Central Beach Commercial

- a. Purpose and Character. Precinct 3 is intended to function as the primary resort, hospitality, restaurant, entertainment, tourism, mixed-use, and visitor-serving center of Hollywood Beach.
- b. Bonus Height and TIDE Eligibility. Bonus height may be considered under subsection M.2 and TIDE allocations under subsection M.3 where authorized by the Regulating Plan Map and all applicable entitlement criteria are satisfied.
- c. Residential Uses Through Flexibility Units or TDRs. Residential uses within Precinct 3 may be authorized through Flexibility Unit allocation or Transfer of Development Rights. Flexibility Units may be considered only where consistent with the City Comprehensive Plan and applicable land use and density designations, where the property is mapped as eligible on the Regulating Plan Map, and where all applicable requirements of this section are satisfied.
- d. Mixed-Use Flexibility Units North of Garfield Street. Within the portion of Precinct 3 generally north of Garfield Street, Flexibility Unit allocation may be used to support mixed-use development where mapped as eligible on the Regulating Plan Map. Such development shall include a nonresidential, visitor-serving, commercial, hospitality, restaurant, entertainment, cultural, or similar use component, or shall meet the requirements of Public Realm Priority Frontages or Corridors or Commercial Priority Streets, if applicable.
- e. Standalone Residential Development West of A1A. Within the portion of Precinct 3 generally north of Garfield Street and west of A1A, standalone residential development using Flexibility Units may be considered only where mapped as eligible on the Regulating Plan Map and where the City determines that the proposed development is compatible with the surrounding context and satisfies all applicable residential parking, public realm, resiliency, and design requirements.
- f. TDR Sending and Receiving Areas. Central Beach may function as both a TDR sending area and a TDR receiving area where designated on the Regulating Plan Map.
- g. Height and Massing Distribution. The greatest height, hotel density, intensity, and massing within eligible blocks shall be located toward A1A, with appropriate transition toward Surf Road, the Boardwalk, the public beach, and lower-scale character areas.
- h. Shoreline Permeability. Development shall avoid continuous wall conditions parallel to the shoreline and shall preserve visual permeability, public realm quality, and pedestrian access.

E.4. Precinct 4 - Hollywood Beach Resort

a. Purpose, Intent, and Redevelopment Framework.

1. Precinct 4 is intended to function as Hollywood Beach's signature mixed-use hospitality precinct and landmark resort destination.
2. Redevelopment seeking an optional bonus entitlement within Precinct 4 shall advance the coordinated redevelopment of the property as a cohesive resort destination that supports exceptional architecture, high-quality public spaces, pedestrian and mobility connections, public

access to the Boardwalk and beach, coordinated infrastructure, coastal resilience, continued hospitality-oriented use, and a signature skyline presence appropriate to Hollywood Beach.

3. This subsection establishes two defined pathways for redevelopment seeking Optional Bonus Entitlements:
 - a. Hollywood Beach Resort and Controlling Properties Redevelopment Plan. This pathway allows limited redevelopment within the controlling properties of the existing Hollywood Beach Resort without requiring unified control of the entire Hollywood Beach Resort Unified Master Plan. Development through this pathway may receive only the height specifically authorized by this subsection and shall not be eligible for the additional Optional Bonus Entitlements reserved for the Hollywood Beach Resort Unified Master Plan.
 - b. Hollywood Beach Resort Unified Master Plan. This pathway requires the entire Hollywood Beach Resort Unified Master Plan to be planned comprehensively and placed under unified control. Development through this pathway may be eligible to request all Optional Bonus Entitlements expressly authorized for Precinct 4, including additional height through the Historic Rehabilitation Incentive.
 4. The two redevelopment pathways are intended to:
 - a. preserve the ability to pursue limited redevelopment of the existing Hollywood Beach Resort building without requiring the participation of every property owner within the precinct;
 - b. reserve the greatest development capacity and range of Optional Bonus Entitlements for redevelopment that comprehensively coordinates the entire historic resort property;
 - c. promote a unified mixed-use resort composition and prevent fragmented, isolated, or incompatible redevelopment;
 - d. coordinate building and tower placement, public spaces, public access, circulation, parking, loading, infrastructure, stormwater management, coastal resilience, phasing, operation, and long-term maintenance;
 - e. improve north-south and east-west pedestrian and mobility connections, including connections between the terminated portions of Surf Road and access between the landward side of the property, the Boardwalk, and the public beach;
 - f. preserve meaningful public views, visual permeability, and the civic prominence of the Hollywood Beach Resort property; and
 - g. reinforce the long-term hospitality, resort, tourism, cultural, and visitor-serving function of the property.
 5. An approval under this subsection shall constitute an approval under the Hollywood Beach Overlay District and shall not constitute rezoning to or approval of a Planned Development District under Section 4.15, unless otherwise requested.
- b. Uses and Relationship to Other Overlay Standards.*
1. In addition to uses otherwise permitted by the underlying zoning district, cultural, civic, hospitality, and visitor-serving uses may be permitted within Precinct 4 where consistent with the City Comprehensive Plan. Such uses may include art galleries, museums, cultural exhibition spaces, interpretive history exhibits, publicly accessible studios, performance or event spaces, hospitality amenities, visitor information facilities, and similar uses supporting tourism, hospitality, and the resort identity of the precinct.
 2. Cultural, civic, hospitality, and visitor-serving uses may satisfy an applicable active frontage or public realm activation requirement where the use is publicly accessible, pedestrian-oriented, and designed to contribute to an adjoining street, the Boardwalk, a plaza, courtyard, paseo, or other publicly accessible open space.
 3. Condo-Hotel or Mixed-Ownership Transient Lodging uses may be permitted in accordance with subsection B.2, including the applicable Operational Management Plan requirements.
 4. Development seeking an Optional Bonus Entitlement within Precinct 4 shall comply with all applicable provisions of this section, including:

- a. the Official Hollywood Beach Overlay Regulating Plan Map and Beach Precinct Framework of subsection D;
- b. all Overlay-wide standards and other applicable provisions of this section, except as expressly modified by this subsection; provided, however, that requirements applicable to a specific optional bonus entitlement shall apply only where that entitlement is requested or utilized;
- c. the precinct-specific coordination and master-planning requirements of this subsection, in lieu of the Central Beach block structure and Tertiary Plan requirements of subsection J, except as expressly provided in subsection E.4.d.; and
- d. the Precinct 4 height provisions of this subsection. The Landmark Development provisions of subsection K shall not apply.

c. Minimum Requirements Applicable to Both Redevelopment Pathways.

1. Any Hollywood Beach Resort and Controlling Properties Redevelopment Plan and Hollywood Beach Resort Unified Master Plan shall provide publicly accessible parking in accordance with subsection L.1, regardless of bonus pursued.
2. Publicly accessible parking shall equal not less than 10 percent of the total parking otherwise required for the development, calculated before application of an authorized parking reduction.
3. The alternative public-benefit substitution authorized by subsection L.1 shall not apply to the Precinct 4 publicly accessible parking requirement.
4. Hollywood Beach Resort and Controlling Properties Redevelopment Plan and Hollywood Beach Resort Unified Master Plan shall provide Privately Owned Publicly Accessible Open Space, or POPS, equal to not less than 10 percent of the gross development site area.
5. The 10 percent POPS requirement shall apply to any Optional Bonus Entitlement requested.
6. POPS shall comply with the applicable location, visibility, public accessibility, amenity, maintenance, operation, and enforcement standards of subsection M.3.b., as applicable.
7. Required POPS shall be physically provided within Precinct 4 and shall not be replaced by a Trust Fund contribution or other in-lieu public benefit.
8. Within a Hollywood Beach Resort Unified Master Plan, POPS may be distributed or consolidated throughout the property, provided that:
 - a. the completed Unified Master Plan provides not less than 10 percent POPS overall;
 - b. each phase provides the POPS necessary to serve that phase or complies with an approved POPS phasing plan;
 - c. the POPS is strategically located and designed as an interconnected public realm network;
 - d. the POPS reinforces the property's historic resort character through a contemporary interpretation of its landscape organization, including the ceremonial arrival, landscaped forecourts, courtyards, shaded gathering spaces, and connections to the Broadwalk and beach;
 - e. the location and arrangement of POPS support direct and legible east-west and north-south pedestrian permeability throughout the property;
 - f. a pedestrian path, sidewalk, passage, or required access route shall not, by itself, constitute POPS unless it is designed as a usable public space and satisfies the applicable POPS standards for dimensions, accessibility, landscaping, shade, seating, amenities, and public use;
 - g. the POPS is visible and directly accessible from a public street, sidewalk, paseo, public-access route, the Broadwalk, or another publicly accessible pedestrian area;
 - h. public access, ownership, operation, maintenance, security, and enforcement are secured through recorded instruments acceptable to the City Attorney.
9. Compliance with required public parking, POPS, active frontage, public realm, parking integration, sustainability, resilience, mobility, infrastructure, view-corridor, and other minimum standards shall not, by itself, constitute an exceptional public benefit supporting additional height.

10. ___Parking structures, vehicular ramps, loading facilities, service areas, refuse facilities, vehicle queuing areas, and similar automobile-oriented or service components shall not front or be visible from the Broadwalk.
11. ___A required public pedestrian route shall not only depend upon passage through a private hotel lobby, residential lobby, parking facility, loading area, service area, or controlled-access space.
12. ___Development shall preserve meaningful public views toward the Atlantic Ocean from Hollywood Boulevard and other east-west public rights-of-way to the greatest extent practicable.
13. ___Development shall avoid continuous wall conditions parallel to the shoreline and shall provide building separation, tower spacing, courtyards, passages, changes in building plane, open spaces, or comparable measures necessary to preserve meaningful views, light, air, and visual permeability.

d. Hollywood Beach Resort and Controlling Properties Redevelopment Plan.

1. For purposes of this subsection, the Hollywood Beach Resort and Controlling Properties shall mean the land occupied by the existing Hollywood Beach Resort building and adjoining property under common ownership or control as of the effective date of this section, and mapped on the Hollywood Beach Regulating Map.
2. All building area receiving optional height through a Hollywood Beach Resort and Controlling Properties Redevelopment Plan shall be located within the Hollywood Beach Resort and Controlling Properties.
3. Required access, emergency access, utilities, parking access, landscaping, POPS, and public realm improvements may extend onto adjoining property under the applicant's ownership or control where necessary to serve the development. Such adjoining property shall not increase the optional bonus building envelope or development capacity available through this pathway.
4. ___Development through this pathway may receive optional height not exceeding 340 feet. This is the maximum height available through the Hollywood Beach Resort and Controlling Properties Redevelopment Plan.
5. A Hollywood Beach Resort and Controlling Properties Redevelopment Plan shall include a Tertiary Plan for the entire Precinct prepared in accordance with the applicable Tertiary Plan requirements of subsection J. Notwithstanding any provision of this section excluding Precinct 4 from subsection J, the Tertiary Plan requirements shall apply to this redevelopment pathway for purposes of evaluating coordinated future development.
7. In addition to the requirements of subsection J, the Tertiary Plan shall identify, at a conceptual level:
 - a. the relationship of the proposed development to the potential future redevelopment of the Hollywood Beach Resort Unified Master Plan;
 - b. potential north-south connections between the terminated portions of Surf Road;
 - c. potential east-west pedestrian and visual connections between the landward side of the property, the Broadwalk, and the public beach;
 - d. potential shared access, public parking, loading, servicing, utilities, drainage, stormwater management, and other infrastructure serving the Precinct;
 - e. potential view corridors, building breaks, and open spaces necessary to maintain visual permeability and the prominence of the resort property;
 - f. potential POPS and public realm improvements supporting site permeability, a coordinated arrival sequence, and a contemporary interpretation of the property's historic landscape organization; and
 - g. the manner in which the proposed development preserves the ability to implement a future Hollywood Beach Resort Unified Master Plan.
8. ___Portions of the Tertiary Plan depicting property not owned or controlled by the applicant shall be conceptual and shall not constitute approval of development on such property.
9. The applicant shall not be required to construct improvements on property it does not own or control.

10.____Development on the applicant's property shall not materially preclude the future implementation of the circulation, public access, infrastructure, public realm, view-corridor, or redevelopment concepts identified in the Tertiary Plan.

e. Hollywood Beach Resort Unified Master Plan Eligibility and Unified Control.

1. A Hollywood Beach Resort Unified Master Plan shall include the entire Hollywood Beach Resort Unified Master Plan identified on the Regulating Plan Map.
2. The minimum development site shall be 8.3 acres. No variance from the minimum development site or entire-site requirement shall be granted unless expressly authorized by this section.
3. All property included within the Unified Master Plan shall be under unified control for purposes of application, approval, development, phasing, infrastructure, public access, operation, and maintenance.
4. Unified control may be demonstrated through:
 - a. common ownership;
 - b. a joint application executed by all property owners;
 - c. a development agreement;
 - d. another legally enforceable instrument acceptable to the City Attorney.
5. An approved Hollywood Beach Resort Unified Master Plan may be eligible to request any Optional Bonus Entitlement expressly authorized for Precinct 4 by this section and the Regulating Plan Map, including, where separately authorized:
 - a. TIDE hotel room allocations;
 - b. parking reductions pursuant to subsection L.2;
 - c. Historic Rehabilitation Incentive height; and
 - d. any other mapped or expressly authorized Precinct 4 incentive.
- 6.____Approval of a Hollywood Beach Resort Unified Master Plan shall not automatically grant any Optional Bonus Entitlement. Each requested Optional Bonus Entitlement shall independently satisfy the applicable eligibility criteria, availability limitations, Required Bonus Entitlement Conditions, Trust Fund requirements, findings, and approval procedures.

f. Hollywood Beach Resort Unified Master Plan Objectives.

1. The Hollywood Beach Resort Unified Master Plan shall establish a single, coordinated urban design, development, mobility, public realm, infrastructure, phasing, and implementation framework for the ultimate buildout of the entire Hollywood Beach Resort Unified Master Plan Area.
2. The Unified Master Plan shall not consist solely of separate development plans for individual ownership areas or phases. The plan shall demonstrate that the entire property has been planned as a cohesive mixed-use resort destination that may be developed as a whole or through an approved, programmed series of coordinated phases.
3. A Unified Master Plan that does not seek Historic Rehabilitation Incentive height shall nevertheless acknowledge the historic architectural, civic, and resort significance of the property through a contemporary architectural and urban design response. The response shall not require literal replication or imitation historic architecture, but shall interpret the historic resort's defining organizational principles, including its landmark composition, ceremonial arrival, relationship to the Boardwalk and beach, arcaded and shaded transitional spaces, courtyards and outdoor gathering areas, and integration of architecture and landscape.
4. The Unified Master Plan shall achieve the following objectives:
 - a. establish a unified mixed-use resort composition in which buildings, towers, podiums, public spaces, landscape, circulation, and infrastructure function as an integrated development rather than as unrelated projects;
 - b. reinforce the property as a prominent civic, hospitality, and beachfront destination;
 - c. establish clearly defined principal entrances and arrival areas that are integrated with the pedestrian network and public realm;

- d. provide active and pedestrian-oriented relationships among the development, Broadwalk, public beach, public streets, and principal public spaces;
 - e. establish meaningful north-south pedestrian, bicycle, micromobility, and, where appropriate, vehicular connectivity through or around the property;
 - f. address the discontinuity created by the termination of Surf Road on the north and south sides of the property;
 - g. provide direct, visible, convenient, and permanently secured east-west pedestrian connections between the landward side of the property, the Broadwalk, and the public beach;
 - h. provide an interconnected system of POPS, courtyards, plazas, paseos, shaded pedestrian areas, landscape areas, and gathering spaces;
 - i. ensure that publicly accessible spaces and routes remain available irrespective of private ownership, lodging status, residential status, or access-control systems;
 - j. preserve meaningful public views toward the Atlantic Ocean and maintain the visual prominence of the resort property from the Broadwalk, public beach, Surf Road, A1A, and principal public approaches;
 - k. avoid continuous building or podium wall conditions parallel to the shoreline and maintain visual permeability through building breaks, tower separation, courtyards, passages, open spaces, and changes in building plane;
 - l. coordinate building and tower location, orientation, height, scale, separation, floorplate, and massing to establish a coherent skyline and minimize adverse view, shadow, and public realm impacts;
 - m. integrate parking into the overall building and site composition and screen parking, ramps, loading, mechanical systems, and service functions from principal public frontages and spaces;
 - n. consolidate and coordinate vehicular access, parking entrances, passenger drop-off, loading, servicing, refuse collection, utilities, and emergency access to minimize duplication, curb cuts, pedestrian conflicts, and visual impacts;
 - o. establish a coordinated system of utilities, drainage, stormwater management, flood protection, coastal resilience, emergency access, and other infrastructure serving the ultimate buildout of the property;
 - p. reduce unnecessary duplication of accessways, parking entrances, loading areas, utility systems, and other facilities through shared infrastructure and reciprocal access;
 - q. reinforce the long-term hospitality, tourism, cultural, entertainment, and visitor-serving role of the property;
 - r. establish a coordinated phasing framework under which each phase functions safely and effectively and preserves the ability to complete the ultimate Unified Master Plan;
 - s. ensure that temporary or interim conditions do not result in incomplete public access, isolated development areas, exposed parking or service functions, unsafe circulation, or unavailable public benefits;
 - t. establish long-term ownership, operation, maintenance, repair, replacement, security, and management responsibilities for shared infrastructure, public-access routes, public parking, POPS, landscape, and common facilities; and
 - u. demonstrate that the completed development supports the broader mobility, public realm, tourism, resilience, skyline, beach-access, and coastal-planning objectives of Hollywood Beach and does not function as an isolated private enclave.
5. Where an applicant elects to seek Historic Rehabilitation Incentive height, the Unified Master Plan shall also:
- a. retain and rehabilitate the amount and type of historic fabric required by the applicable incentive tier;
 - b. restore or accurately reconstruct the documented architectural, ornamental, landscape, spatial, and public realm features required by the applicable tier;
 - c. preserve or restore the historic visual and spatial relationships among the resort, Broadwalk, public beach, courtyards, entrances, landscape, and public gathering spaces;
 - d. integrate contemporary towers and additions so that the rehabilitated or reconstructed resort remains visually legible and functionally meaningful; and

- e. provide the maintenance, stewardship, and enforcement commitments required by the applicable tier.
- 6. The objectives in paragraph 5 shall apply only where an applicant requests Historic Rehabilitation Incentive height.

g. Hollywood Beach Resort Unified Master Plan Submission Requirements.

- 1. The Hollywood Beach Resort Unified Master Plan shall be prepared by qualified planning, architectural, landscape architectural, engineering, transportation, historic-preservation, and other professionals, as applicable to the proposed development.
- 2. The Unified Master Plan submission shall include, at a minimum:
 - a. an existing conditions and ownership plan identifying property boundaries, ownership areas, existing structures, access, utilities, public rights-of-way, public spaces, historic resources, flood conditions, and other relevant site features;
 - b. an illustrative master plan depicting the intended ultimate development of the entire property;
 - c. a regulating plan identifying the elements of the Unified Master Plan that will govern subsequent development approvals, including development areas, maximum building envelopes, tower zones, height areas, required public spaces, public-access routes, view corridors, access points, infrastructure corridors, and phasing boundaries;
 - d. a development program identifying proposed and maximum uses, hotel rooms, residential units where authorized, commercial and visitor-serving floor area, cultural or civic space, parking, POPS, and other development capacity for the entire property and each phase;
 - e. a height and massing plan identifying podiums, towers, floorplates, tower separation, building envelopes, height distribution, stepbacks, transitions, and the relationship of proposed development to the surrounding Beach context;
 - f. a public realm and open space plan identifying POPS, plazas, courtyards, paseos, landscape areas, active frontages, pedestrian amenities, shade, and connections to the Boardwalk and public beach;
 - g. a Master Landscape Plan and Strategy establishing a coordinated landscape framework for the entire property, including landscape character areas, planting and tree-canopy strategy, streetscape and open-space landscaping, shade, pedestrian amenities, landscape buffers and transitions, integration with POPS and public-access routes, and landscape treatments appropriate to coastal, flood, wind, salt, and other site conditions;
 - h. a transportation, mobility, parking, loading, valet, service, and access plan addressing pedestrian, bicycle, micromobility, vehicular, emergency, loading, service, passenger drop-off, public parking, and private parking systems;
 - i. a public-access plan identifying all public pedestrian routes, public beach-access connections, public-access easements, hours of access, wayfinding, and relationships to adjoining streets and public spaces;
 - j. a View Corridor, Visual Permeability, Skyline, Shadow, and Massing Analysis addressing the requirements of subsection I and this subsection;
 - k. an architectural and urban design brief demonstrating how the development responds to the applicable Hollywood Beach Overlay Urban Design Guidelines and the objectives of subsection E.4.f.;
 - l. where Historic Rehabilitation Incentive height is requested, a Historic Resource Assessment and Historic Rehabilitation Plan meeting the Historic Rehabilitation Incentive requirements of subsection E.4.j;
 - m. an infrastructure and coastal resilience plan addressing utilities, drainage, stormwater, flood protection, emergency systems, shared facilities, infrastructure capacity, and required improvements;
 - n. a phasing, staging, sequencing, and interim-conditions plan demonstrating how each phase will function and how the ultimate Unified Master Plan will be completed;
 - o. an ownership, operation, maintenance, and implementation plan identifying responsibility for shared facilities, public-access routes, public parking, POPS, infrastructure, landscape, and common areas; and

- p. any additional study, plan, analysis, agreement, or instrument required under subsection O or reasonably necessary to evaluate and implement the proposed Unified Master Plan.
- 3. The illustrative master plan shall communicate the intended overall urban design, development, and public realm outcome for the entire property through a coordinated report containing narrative, plans, diagrams, and other supporting materials necessary to demonstrate the Unified Master Plan. A site plan, standing alone, shall not satisfy this requirement.
- 4. The regulating plan, development program, public-access requirements, phasing requirements, and other elements identified by the City as mandatory shall become binding components of the approval and Development Agreement.
- 5. Subsequent Design and Site Plan applications may refine building architecture and site details but shall remain consistent with the approved regulating plan, development program, public realm network, public-access system, infrastructure plan, and phasing requirements.

h. Development Agreement and Recorded Implementation Instruments.

- 1. Approval of a Hollywood Beach Resort Unified Master Plan shall be conditioned upon execution of a Development Agreement by the City and all legal and equitable owners of property included within the Unified Master Plan.
- 2. The Development Agreement shall be recorded in the Public Records of Broward County, Florida, against all property included within the Hollywood Beach Resort Unified Master Plan before issuance of a development permit relying upon an optional bonus entitlement authorized through the Unified Master Plan.
- 3. The Development Agreement shall incorporate the approved Unified Master Plan and regulating plan and shall establish, at a minimum:
 - a. the approved development program and optional bonus entitlements;
 - b. the allocation of development capacity among ownership areas and development phases;
 - c. the approved phasing and ultimate-buildout framework;
 - d. the public parking, POPS, public access, mobility, public realm, infrastructure, resilience, and, where applicable, historic-resource obligations of the development;
 - e. the improvements and public benefits required for each phase;
 - f. the party responsible for designing, permitting, constructing, operating, maintaining, repairing, and replacing each required public improvement or shared facility;
 - g. the timing for completion or security of required public improvements and public benefits;
 - h. reciprocal access, utility, construction, maintenance, public-access, and other required easements;
 - i. the operation and maintenance of public parking, POPS, public-access routes, shared infrastructure, landscape, and common facilities;
 - j. performance security and other assurances required by the City;
 - k. procedures governing amendments, transfers, changes in ownership, and reallocations of development capacity;
 - l. default, notice, cure, enforcement, and remedy provisions applicable to obligations enforceable by the City;
 - m. provisions ensuring that development proceeds in accordance with the approved Unified Master Plan and phasing requirements; and
 - n. provisions binding successors and assigns.
- 4. All affected property owners shall separately execute a Private Infrastructure and Cost-Sharing Agreement establishing, at a minimum:
 - a. the methodology for allocating infrastructure and shared-facility costs among participating owners, development areas, or phases;
 - b. the timing of financial contributions and private construction obligations;
 - c. reimbursement rights and obligations, where applicable;
 - d. responsibility for operating, maintaining, repairing, and replacing shared facilities;
 - e. procedures addressing default, dispute resolution, changes in ownership, and successors and assigns; and

- f. other private financial or operational arrangements necessary to implement the approved Unified Master Plan.
5. The executed Private Infrastructure and Cost-Sharing Agreement, or a memorandum thereof acceptable to the City Attorney, shall be recorded in the Public Records of Broward County, Florida, against all affected property before issuance of the first development permit relying upon the Hollywood Beach Resort Unified Master Plan.
6. The recorded Private Infrastructure and Cost-Sharing Agreement or memorandum shall:
 - a. identify the affected property;
 - b. identify the parties subject to the agreement;
 - c. establish that the agreement is binding upon successors and assigns; and
 - d. provide sufficient notice of the obligations affecting development, access, shared facilities, infrastructure, operation, or maintenance of the affected property.
7. The City shall not be a party to the Private Infrastructure and Cost-Sharing Agreement and shall not approve or administer its private financial terms, allocate costs, collect contributions, enforce reimbursement obligations, or resolve disputes among participating property owners.
8. The City may require evidence that the Private Infrastructure and Cost-Sharing Agreement remains in effect and that the infrastructure and shared facilities necessary to serve a development phase have been funded, constructed, or otherwise secured before issuance of the applicable development permit or certificate of occupancy.
9. The Development Agreement shall be supplemented by such master declarations, reciprocal easement agreements, public-access easements, POPS agreements, parking agreements, maintenance agreements, association documents, covenants, or other instruments recorded in the Public Records of Broward County, Florida, as the City determines necessary to implement the approved Unified Master Plan.
10. Private agreements and recorded instruments shall not limit the City's authority to enforce this section, the approved Unified Master Plan, the applicable development order, or the Development Agreement.
11. No development phase shall receive a certificate of occupancy unless the infrastructure, access, public parking, POPS, public realm improvements, and other facilities necessary to serve that phase have been completed, secured, or otherwise provided in accordance with the approved Unified Master Plan and Development Agreement.

i. Precinct 4 Maximum Height Determination.

1. The maximum height within a Hollywood Beach Resort Unified Master Plan shall be 340 feet, except where a greater maximum height is approved by the City Commission pursuant to this paragraph.
2. Height above 340 feet shall constitute a discretionary optional entitlement and shall require approval of a Precinct 4 Maximum Height Determination by the City Commission.
3. An application for a Precinct 4 Maximum Height Determination may be submitted:
 - a. before submission of a Hollywood Beach Resort Unified Master Plan; or
 - b. concurrently with an application for approval of a Hollywood Beach Resort Unified Master Plan.
4. A Precinct 4 Maximum Height Determination approved before submission of a Hollywood Beach Resort Unified Master Plan shall:
 - a. establish the maximum height that may be considered through the subsequent Unified Master Plan review;
 - b. inform the preparation of the development program, regulating plan, building and tower placement, public realm, infrastructure, phasing, and other components of the Unified Master Plan; and
 - c. not constitute approval of a Unified Master Plan, development program, site plan, building envelope, tower location, density, intensity, use, bonus entitlement, or development permit.

5. Approval of a Precinct 4 Maximum Height Determination shall not create a presumption that the maximum approved height will be appropriate at every location within the property. The distribution and location of height shall be determined through the Hollywood Beach Resort Unified Master Plan based upon the applicable urban design, massing, transition, shadow, view, public realm, mobility, and infrastructure requirements.
6. An applicant requesting height above 340 feet shall submit a Redevelopment Feasibility and Height Analysis, including a detailed development pro forma, prepared by a qualified real estate, financial, planning, or development-feasibility professional.
7. Where the height determination is requested before submission of a Hollywood Beach Resort Unified Master Plan, the application shall also include a conceptual development framework sufficient to evaluate the requested height, including:
 - a. the proposed development program and use mix;
 - b. conceptual building and tower locations, heights, floorplates, separation, orientation, and massing;
 - c. conceptual public spaces, pedestrian connections, public beach access, and view corridors;
 - d. conceptual vehicular, service, loading, parking, emergency-access, and mobility systems;
 - e. anticipated infrastructure, utility, stormwater-management, and coastal-resilience requirements;
 - f. a comparative shadow analysis; and
 - g. such other information reasonably necessary to evaluate the requested height.
8. Where the height determination is requested concurrently with a Hollywood Beach Resort Unified Master Plan, the applicable Unified Master Plan submission materials may satisfy the requirements of paragraph 7.
9. The Redevelopment Feasibility and Height Analysis shall:
 - a. evaluate whether a financially feasible, physically implementable, and coordinated redevelopment program can reasonably be achieved at 340 feet;
 - b. evaluate whether height above 340 feet would materially contribute to the feasible and coordinated redevelopment of the property;
 - c. identify the range of height, if any, economically supported by the analysis;
 - d. compare the requested height with development at 340 feet and reasonable lower-height alternatives;
 - e. evaluate reasonable alternative development programs, use mixes, building configurations, tower locations, and phasing arrangements; and
 - f. identify any material assumptions, uncertainties, or limitations affecting the analysis.
10. The Redevelopment Feasibility and Height Analysis shall evaluate, at a minimum:
 - a. the proposed development program and use mix;
 - b. land and acquisition costs;
 - c. demolition, site preparation, remediation, stabilization, and construction-staging costs;
 - d. construction and financing costs;
 - e. infrastructure, utilities, coastal resilience, mobility, public parking, POPS, public realm, and other costs attributable to coordinated redevelopment;
 - f. phasing and carrying costs;
 - g. projected revenues, market demand, and absorption;
 - h. capitalization, discount, financing, escalation, and market assumptions;
 - i. reasonable developer and investor return assumptions;
 - j. the financial effect of the applicable Overlay requirements;
 - k. a development scenario based upon a maximum height of 250 feet;
 - l. the development scenario based upon the requested height;
 - m. reasonable alternative height, use, development, and phasing scenarios; and
 - n. the range of height, if any, economically supported before application of additional height through the Historic Rehabilitation Incentive.

11. The application shall include a comparative shadow analysis prepared in accordance with the applicable standards of subsection I. The analysis shall:
 - a. identify the incremental shadow attributable to height above 340 feet;
 - b. evaluate shadow impacts upon the Broadwalk, public beach, required POPS, public pedestrian connections, plazas, courtyards, public rights-of-way, and other principal public spaces;
 - c. compare the requested height with development at 340 feet and reasonable lower-height alternatives; and
 - d. evaluate whether shadow impacts may be reduced through alternative tower placement, orientation, separation, floorplate, stepbacks, massing, height distribution, or building configuration.
12. The Redevelopment Feasibility and Height Analysis, development pro forma, and supporting assumptions shall be independently reviewed by a qualified third-party real estate, financial, or development-feasibility professional selected or approved by the City and funded by the applicant.
13. The independent reviewer shall provide a written recommendation addressing:
 - a. whether the applicant's assumptions, costs, revenues, financing terms, market projections, and return assumptions are reasonable and adequately supported;
 - b. whether a financially feasible and physically implementable redevelopment program can reasonably be achieved at 340 feet;
 - c. whether height above 340 feet is economically supported;
 - d. the reasonable range of height supported by the analysis;
 - e. whether the requested height is proportionate to the identified redevelopment and feasibility conditions;
 - f. whether a lower height or alternative development program, use mix, building configuration, tower location, or phasing arrangement could reasonably support feasible redevelopment;
 - g. the sensitivity of the analysis to material changes in costs, revenues, financing, phasing, use mix, and market conditions; and
 - h. any material uncertainty or limitation affecting the recommendation.
14. Following review and recommendation pursuant to subsection O, the City Commission may approve, approve with conditions, approve a lesser maximum height, or deny the Precinct 4 Maximum Height Determination.
15. Height above 340 feet may be approved only where the City Commission finds, based upon competent substantial evidence, that:
 - a. the Redevelopment Feasibility and Height Analysis and independent third-party review demonstrate that additional height is economically supported and would materially contribute to feasible and coordinated redevelopment;
 - b. the maximum height approved does not exceed the reasonable height range supported by the independent third-party review;
 - c. the requested height can be accommodated through a coordinated development composition consistent with the objectives of this subsection;
 - d. the conceptual or proposed building and tower placement, orientation, scale, floorplate, separation, and massing can accommodate the requested height without creating an incompatible skyline or development form;
 - e. meaningful public views, visual permeability, pedestrian connectivity, public beach access, and the relationship of the property to the Broadwalk and surrounding public realm can be maintained;
 - f. the requested height can be designed to avoid or minimize material shadow impacts upon the Broadwalk, public beach, required POPS, public pedestrian connections, plazas, courtyards, and other principal public spaces;

- g. remaining shadow attributable to height above 340 feet will not materially diminish the usability, comfort, access, recreational function, or public character of affected public spaces;
 - h. transportation, mobility, emergency access, parking, loading, servicing, utilities, infrastructure, stormwater management, and coastal-resilience facilities can accommodate the additional development or can reasonably be provided or secured;
 - i. the requested height is capable of supporting a coordinated public realm, pedestrian network, public-access system, and development phasing framework; and
 - j. identified planning, urban design, shadow, view, mobility, infrastructure, and public-realm impacts can be avoided or adequately mitigated through the subsequent Unified Master Plan.
16. The City Commission may deny height above 340 feet where it finds that:
- a. one or more findings required by paragraph 15 have not been satisfied;
 - b. the Redevelopment Feasibility and Height Analysis or independent third-party review does not adequately support additional height;
 - c. the requested height exceeds the economically supported height range;
 - d. the requested height is disproportionate to the redevelopment or feasibility conditions identified by the analysis;
 - e. a reasonable lower-height alternative would provide substantially equivalent redevelopment feasibility with materially fewer adverse impacts;
 - f. the requested height would materially impair public views, visual permeability, pedestrian connectivity, public beach access, the Broadwalk, required POPS, or another principal public space;
 - g. the requested height would create material additional shadow that cannot reasonably be avoided or mitigated through changes to tower location, orientation, floorplate, separation, massing, or height distribution;
 - h. the proposed height would result in planning, urban design, infrastructure, mobility, view, shadow, or public-realm impacts that cannot be adequately addressed through the Unified Master Plan; or
 - i. the infrastructure, public improvements, public benefits, or implementation measures necessary to support the requested height cannot reasonably be provided, phased, maintained, or secured.
17. Economic support for height above 340 feet shall not create a presumption of approval or require the City Commission to approve the height requested by the applicant or recommended by the independent reviewer.
18. The independent reviewer's recommendation shall be advisory. Final authority to establish the maximum height shall rest with the City Commission.
19. The City Commission's decision shall identify the maximum approved height and the findings supporting the approval, conditional approval, reduction, or denial.
20. A Precinct 4 Maximum Height Determination shall be incorporated into a subsequently approved or concurrently approved Hollywood Beach Resort Unified Master Plan, regulating plan, development order, and Development Agreement.
21. A subsequent Unified Master Plan shall not exceed the maximum height approved through the Precinct 4 Maximum Height Determination but may establish a lesser height or distribute height differently based upon the applicable planning, urban design, shadow, view, public realm, infrastructure, and phasing standards.
22. Where a subsequent or amended Unified Master Plan materially differs from the development program, use mix, financial assumptions, tower configuration, infrastructure assumptions, or other material information relied upon in approving the Precinct 4 Maximum Height Determination, the City may require a new or amended height determination.
23. The maximum height approved pursuant to this paragraph shall apply before any additional height authorized through the Historic Rehabilitation Incentive.

24. The City shall not guarantee or protect a particular acquisition price, land value, profit, investment return, internal rate of return, return on cost, financing structure, or other financial outcome.
25. A historic rehabilitation, reconstruction, preservation, or stabilization cost credited in the Redevelopment Feasibility and Height Analysis shall not also be credited toward additional height through the Historic Rehabilitation Incentive.

j. Historic Rehabilitation Incentive.

1. A Hollywood Beach Resort Unified Master Plan may receive up to 150 feet of additional height above the 340-foot maximum or any greater maximum height approved through a Precinct 4 Maximum Height Determination, subject to the cumulative Historic Rehabilitation Incentive tiers of this paragraph.
2. The Historic Rehabilitation Incentive shall be weighted toward comprehensive rehabilitation or historically accurate reconstruction. Partial rehabilitation shall receive limited additional height, and the majority of the available height shall be reserved for Tier 4.
3. The maximum cumulative additional height available through each tier shall be:
 - a. Tier 1: up to 20 feet of additional height;
 - b. Tier 2: up to 40 feet of additional height;
 - c. Tier 3: up to 70 feet of additional height; and
 - d. Tier 4: up to 150 feet of additional height.
4. An applicant shall satisfy all requirements of the requested tier and each preceding tier.
5. The additional height identified for each tier represents the maximum height available through that tier and shall not constitute an entitlement to the full amount of height.
6. Height shall not be awarded solely on the basis of a percentage calculation. The applicant shall also satisfy the architectural, landscape, spatial, public realm, view-preservation, functional-use, implementation, and stewardship requirements applicable to the requested tier.
7. Tier 1 - Principal Historic Character. Tier 1 shall require:
 - a. completion and approval of the Historic Resource Assessment and Historic Rehabilitation Plan;
 - b. retention and rehabilitation of all character-defining fabric determined to be reasonably salvageable within the approved treatment area;
 - c. restoration or accurate reconstruction of the principal architectural character, entrances, and defining features included in the approved treatment area;
 - d. preservation or restoration of the principal public view of the historic resort composition from the Boardwalk and public beach; and
 - e. integration of the retained, rehabilitated, or reconstructed features into an active and functional building and public realm composition.
9. Tier 2 - Architectural and Spatial Rehabilitation. Tier 2 shall require all Tier 1 requirements and:
 - a. retention and rehabilitation or accurate reconstruction of not less than 25 percent of the defined historic resource;
 - b. retention of a meaningful portion of the original structural frame, building volume, or spatial organization;
 - c. rehabilitation or accurate reconstruction of the principal Boardwalk-facing façade or arcade;
 - d. rehabilitation or accurate reconstruction of at least one principal historic courtyard, entrance, terrace, or public gathering space;
 - e. active and functional use of the principal rehabilitated or reconstructed areas; and
 - f. preservation or restoration of the historic visual relationship among the Boardwalk, principal frontage, public spaces, and resort entrance.
10. Tier 3 - Substantial Resort Rehabilitation. Tier 3 shall require all Tier 1 and Tier 2 requirements and:

- a. retention and rehabilitation or accurate reconstruction of not less than 50 percent of the defined historic resource;
 - b. retention or accurate reconstruction of substantial portions of the original structural frame, building volume, principal façades, and spatial organization;
 - c. rehabilitation or accurate reconstruction of the principal historic public or hospitality spaces;
 - d. restoration or accurate reconstruction of the principal landscape, courtyard, terrace, entrance, pedestrian, and arrival elements;
 - e. preservation or restoration of the historic relationship among the resort building, Broadwalk, landscape, public spaces, and public beach;
 - f. placement and orientation of towers and additions so that the historic resort composition remains architecturally legible; and
 - g. preservation of substantial east-west and north-south visual permeability through the property.
11. Tier 4 - Comprehensive Resort Rehabilitation or Reconstruction. Tier 4 shall require all preceding tier requirements and:
- a. retention and rehabilitation or accurate reconstruction of all reasonably salvageable original character-defining fabric;
 - b. rehabilitation, restoration, or accurate reconstruction of 100 percent of the documented character-defining architectural, landscape, spatial, and public realm features identified in the approved Historic Resource Assessment and Historic Rehabilitation Plan;
 - c. restoration or accurate reconstruction of the documented principal façades, arcades, arches, entrances, courtyards, terraces, ornamentation, landscape, public spaces, and arrival features;
 - d. restoration of the documented historic relationship among the resort, Broadwalk, public beach, public spaces, entrances, and landscape;
 - e. preservation or restoration of the principal historic view corridors, visual relationships, and site composition associated with the property;
 - f. placement of contemporary towers and additions so that the rehabilitated or reconstructed resort remains an identifiable architectural and civic component of the development;
 - g. continued functional use of the rehabilitated or reconstructed resort as an integrated component of the development;
 - h. permanent protection through a recorded preservation covenant, Development Agreement, or comparable instrument acceptable to the City Attorney; and
 - i. an approved long-term maintenance, inspection, repair, and stewardship program.
12. The Tier 4 comprehensive-treatment standard shall apply to all documented character-defining resources identified in the approved inventory and shall not require retention of every wall, floor area, later addition, or noncontributing component.
13. Alteration or removal of original fabric may be approved where demonstrated to be necessary for structural integrity, flood compliance, accessibility, life safety, modern building systems, viable operation, or integration of a compatible contemporary addition.
14. Comprehensive reconstruction following substantial demolition may qualify for Tier 4 only where:
- a. a Historic Resource Assessment concludes that the affected original structure or fabric is not reasonably salvageable;
 - b. the determination is supported by substantial structural, engineering, material-condition, and historic-preservation evidence;
 - c. an independent peer reviewer concurs with the determination;
 - d. the City accepts the determination; and
 - e. the replacement satisfies the Tier 4 comprehensive-treatment standard.
15. A finding that the existing structure is unsafe or not reasonably salvageable shall not, by itself, qualify replacement development for Tier 4.

17. Additional height authorized through the Historic Rehabilitation Incentive shall be incorporated into the approved Hollywood Beach Resort Unified Master Plan, regulating plan, development order, Development Agreement, and applicable recorded preservation instruments.

k. Contemporary Towers, View Preservation, and Massing.

1. Contemporary towers, additions, and operational improvements may be incorporated into an approved Hollywood Beach Resort Unified Master Plan.
2. Contemporary development shall:
 - a. be coordinated with the overall resort composition, public realm network, principal entrances, and pedestrian and visual connections;
 - b. provide a contemporary architectural response to the historic architectural, landscape, civic, and resort-planning significance of the property without requiring literal replication or imitation historic architecture;
 - c. interpret the historic resort's defining organizational principles, including its landmark composition, ceremonial arrival, relationship to the Broadwalk and beach, landscaped forecourts, courtyards, shaded transitional spaces, outdoor gathering areas, and integration of architecture and landscape;
 - d. where historic components are retained, rehabilitated, restored, or reconstructed, remain architecturally compatible with and appropriately distinguishable from those components;
 - e. preserve the visual and spatial legibility of retained, rehabilitated, restored, or reconstructed historic components;
 - f. avoid overwhelming, concealing, or trivializing retained, rehabilitated, restored, or reconstructed historic features;
 - g. preserve required public views and visual permeability;
 - h. support the functional and economic operation of the property; and
 - i. comply with all applicable tower, floorplate, separation, massing, shadow, transition, public realm, and Broadwalk standards.
3. Every Hollywood Beach Resort and Controlling Properties Redevelopment Plan and Hollywood Beach Resort Unified Master Plan shall include a View Corridor, Visual Permeability, Skyline, Shadow, and Massing Analysis.
4. The analysis shall address:
 - a. a. public views toward the Atlantic Ocean from Hollywood Boulevard and other east-west public rights-of-way;
 - b. b. views toward the resort property from the Broadwalk, public beach, Surf Road, A1A, adjoining streets, public spaces, and principal public approaches;
 - c. c. east-west visual permeability through the property;
 - d. d. north-south visual and spatial continuity between the terminated portions of Surf Road;
 - e. e. the relationship of proposed towers and additions to the overall resort composition;
 - f. f. the relationship among proposed buildings, principal entrances, public spaces, landscaped arrival areas, the Broadwalk, and the public beach;
 - g. g. potential continuous building or podium wall conditions parallel to the shoreline;
 - h. h. the location and dimensions of building breaks, courtyards, plazas, paseos, arcades, and pedestrian passages;
 - i. i. shadow impacts upon the Broadwalk, public beach, POPS, public pedestrian routes, courtyards, plazas, and other principal public spaces; and
 - j. j. the cumulative effect of all development phases.
5. Where a Precinct 4 Maximum Height Determination is requested before submission of a Hollywood Beach Resort Unified Master Plan, the applicant shall submit the conceptual view, massing, skyline, and shadow information required by subsection E.4.i. sufficient to evaluate the requested maximum height.
6. Approval of a Precinct 4 Maximum Height Determination shall not approve the location or distribution of height within the property. The complete View Corridor, Visual Permeability,

Skyline, Shadow, and Massing Analysis shall be submitted and reviewed as part of the subsequent or concurrent Hollywood Beach Resort Unified Master Plan.

7. Where Historic Rehabilitation Incentive height is requested, no incentive tier shall be approved where contemporary development would conceal, overwhelm, or materially diminish the architectural or spatial legibility of the rehabilitated, restored, or reconstructed resort composition.

I. Demolition, Documentation, Salvage, and Memorialization.

1. Where a Hollywood Beach Resort and Controlling Properties Redevelopment Plan or Hollywood Beach Resort Unified Master Plan proposes substantial demolition or removal of the existing Hollywood Beach Resort building, the applicant shall complete the requirements of this paragraph before issuance of a demolition permit.
2. Compliance with this paragraph is a minimum condition of demolition and shall not, by itself, qualify as historic rehabilitation or reconstruction or constitute an additional public benefit supporting bonus height.
3. The applicant shall submit a Historic Resource Assessment prepared by a qualified historic preservation architect or other qualified historic preservation professional acceptable to the City.
4. The Historic Resource Assessment shall:
 - a. document the history, significance, evolution, existing condition, and character-defining features of the building and property;
 - b. identify original, contributing, altered, noncontributing, deteriorated, missing, and reasonably salvageable components;
 - c. evaluate reasonable alternatives to complete demolition, including stabilization, adaptive reuse, partial retention, structural incorporation, and reconstruction;
 - d. explain why each significant feature proposed for demolition cannot reasonably be retained, rehabilitated, restored, or incorporated into the redevelopment;
 - e. evaluate the effect of demolition upon the historic identity, public views, Broadwalk frontage, landscape organization, arrival sequence, and civic significance of the property; and
 - f. recommend appropriate documentation, salvage, interpretation, reconstruction, and memorialization measures.
5. Before demolition, the applicant shall obtain and review the existing Florida Master Site File record for the property.
6. Materially new or corrected information produced through the Historic Resource Assessment shall be submitted to the Florida Master Site File in the form required by the Florida Division of Historical Resources.
7. Following demolition, the applicant shall provide notice and documentation sufficient for the Florida Master Site File to update the recorded status of the resource.
8. A complete updated Historical Structure Form shall be required only where the existing record is materially incomplete or inaccurate or where requested by the Florida Division of Historical Resources.
9. Before demolition, the applicant shall prepare permanent archival documentation of the building and property, including:
 - a. a written historical and architectural narrative;
 - b. measured site plans, floor plans, principal elevations, and representative building sections;
 - c. professional exterior, interior, aerial, and contextual photography;
 - d. detailed documentation of significant architectural, landscape, arrival, and public-space features;
 - e. a three-dimensional digital record prepared through laser scanning, photogrammetry, or a comparable accurate method; and
 - f. an indexed collection of available plans, permits, photographs, postcards, advertisements, reports, and other archival materials.
10. Copies of the archival documentation shall be deposited with the City, the Hollywood Historical Society, and an appropriate public archive, library, museum, or historical repository identified by the City.

11. The applicant shall submit a Salvage and Deconstruction Plan prepared by the qualified historic preservation professional in consultation with the project architect, structural engineer, demolition contractor, City staff, and Hollywood Historical Society.
12. The City shall approve a Priority Salvage List identifying features suitable for:
 - a. incorporation into the redevelopment;
 - b. public display or interpretation;
 - c. transfer to a qualified repository; or
 - d. storage for future interpretation or reconstruction.
13. The Hollywood Historical Society and other approved repositories shall be provided a reasonable opportunity to inspect identified materials and indicate which approved items they are willing and able to accept.
14. No recipient shall be required to accept an item or assume removal, transportation, storage, insurance, conservation, or maintenance obligations without a written agreement.
15. Where substantial demolition occurs, replacement development shall include a permanent, publicly accessible historic interpretation program integrated into the architecture, POPS, Broadwalk frontage, public space, or another publicly accessible area.
16. The interpretation program shall include appropriate historic narratives, images, plans, salvaged materials, physical markers, digital interpretation, or comparable measures documenting the Hollywood Beach Resort and its contribution to Hollywood Beach.
17. The location, design, content, installation, operation, and long-term maintenance of the historic interpretation program shall be secured through the applicable development order, Development Agreement, covenant, or other recorded instrument.

m. Phasing, Hospitality Operations, and Continuing Obligations.

1. Development shall proceed in accordance with the approved phasing plan and, where applicable, Development Agreement so that required infrastructure, public parking, POPS, public access, public realm improvements, mobility improvements, and other applicable conditions of an optional bonus entitlement are completed or adequately secured before or concurrently with the development phase receiving the associated entitlement.
2. Each development phase shall:
 - a. function safely and independently;
 - b. provide the access, parking, servicing, utilities, stormwater management, emergency access, public realm, and other facilities necessary to serve that phase;
 - c. provide the public benefits and improvements assigned to that phase;
 - d. preserve the ability to complete subsequent phases and the ultimate Unified Master Plan; and
 - e. avoid interim conditions inconsistent with the approved Unified Master Plan.
3. Where additional height is awarded through a Historic Rehabilitation Incentive tier, the City shall establish milestones linking construction and occupancy of the additional height to completion or adequate security of the historic rehabilitation or reconstruction work supporting the applicable tier.
4. No building permit authorizing height attributable to Tier 4 shall be issued until the City determines that the rehabilitation or reconstruction obligations supporting Tier 4:
 - a. have been completed; or
 - b. are adequately secured through an approved construction schedule, performance security, recorded preservation covenant, Development Agreement, or other instrument acceptable to the City Attorney.
5. No certificate of occupancy for development receiving Tier 4 height shall be issued until the required Tier 4 work applicable to that development phase has been completed.

6. Condo-Hotel or Mixed-Ownership Transient Lodging units may be permitted where the development functions as a unified hospitality operation and the property is operated as an active hotel, resort, or hospitality-oriented use.
7. The City may require centralized management, an Operational Management Plan, recorded covenants, Development Agreement provisions, or other instruments acceptable to the City Attorney to ensure continued hospitality-oriented operation of the property.
8. No public benefit, historic commitment, improvement, or obligation supporting an optional bonus entitlement may be eliminated or materially reduced through a subsequent amendment without:
 - a. a corresponding reduction or elimination of the entitlement awarded for that benefit or obligation;
 - b. provision of an equivalent or superior benefit expressly authorized by this subsection; or
 - c. another remedy approved through the applicable amendment procedure and secured through an instrument acceptable to the City Attorney.

n. Review, Approval, Amendments, and Enforcement.

1. A Hollywood Beach Resort and Controlling Properties Redevelopment Plan, Hollywood Beach Resort Unified Master Plan, Precinct 4 Maximum Height Determination, and Historic Rehabilitation Incentive shall be reviewed pursuant to subsection O and the review and approval procedures expressly applicable to each request under this subsection.
2. A Precinct 4 Maximum Height Determination shall be reviewed by the Planning and Development Board, or Joint Planning and Development Board and Historic Preservation Board where applicable, with final approval by the City Commission.
3. Where Historic Preservation Board review is otherwise required, the application shall be reviewed through the applicable Joint Planning and Development Board and Historic Preservation Board process.
4. In addition to the findings required by subsection O, the applicable reviewing bodies shall determine whether:
 - a. the requested entitlement is authorized for the selected Precinct 4 redevelopment pathway;
 - b. the application complies with the publicly accessible parking and 10 percent POPS requirements;
 - c. a Hollywood Beach Resort Unified Master Plan provides a coordinated and implementable framework for the ultimate buildout of the entire property;
 - d. where a Precinct 4 Maximum Height Determination is requested, the requested height satisfies the economic feasibility, shadow, view, massing, mobility, infrastructure, public realm, and other findings of subsection E.4.i.;
 - e. where a Unified Master Plan follows a previously approved Precinct 4 Maximum Height Determination, the Unified Master Plan:
 - i. does not exceed the approved maximum height;
 - ii. appropriately distributes height based upon the applicable planning, urban design, shadow, view, transition, public realm, mobility, and infrastructure standards; and
 - iii. remains materially consistent with the development program and assumptions upon which the maximum height was approved;
 - f. the development preserves meaningful public views, visual permeability, Broadwalk character, public beach access, and the civic prominence of the resort property;
 - g. the development provides safe and functional pedestrian, bicycle, micromobility, vehicular, loading, service, emergency-access, and public realm conditions;
 - h. a Hollywood Beach Resort and Controlling Properties Redevelopment Plan does not materially preclude reasonable future coordinated redevelopment of the remaining precinct;
 - i. a Hollywood Beach Resort Unified Master Plan includes enforceable unified-control, Development Agreement, public-access, phasing, maintenance, and successor obligations;

- j. the affected property owners have executed and recorded the required Private Infrastructure and Cost-Sharing Agreement or memorandum thereof;
 - k. contemporary towers and additions are appropriately located, scaled, massed, and designed in relation to the overall resort composition, Broadwalk, public beach, public realm, and surrounding development;
 - l. where Historic Rehabilitation Incentive height is requested, the application satisfies the requirements of the applicable incentive tier; and
 - m. all applicable conditions, improvements, public benefits, historic commitments, and implementation obligations are secured through enforceable development orders, agreements, covenants, easements, performance security, or other recorded instruments.
5. The additional height identified for each Historic Rehabilitation Incentive tier represents the maximum height available through that tier and shall not constitute an entitlement to the full amount of height.
 6. A modification affecting an approved development pathway, development program, tower placement, circulation, public access, phasing, historic rehabilitation, public parking, POPS, infrastructure, view corridors, public benefits, or allocation of obligations among participating owners shall be reviewed through the procedure applicable to the original approval unless determined to be a minor modification pursuant to Article 5, Article 6, or subsection O.
 7. A modification materially affecting the development program, use mix, financial assumptions, tower configuration, height distribution, infrastructure assumptions, phasing, or other information relied upon in approving a Precinct 4 Maximum Height Determination may require a new or amended height determination pursuant to subsection E.4.i.
 8. Approval of a Precinct 4 Maximum Height Determination shall not constitute approval of a Unified Master Plan, development program, site plan, tower location, building envelope, density, intensity, use, Historic Rehabilitation Incentive, or development permit.
 9. Failure to complete, operate, maintain, preserve, or provide an improvement, historic commitment, or public benefit required as a condition of an optional bonus entitlement shall constitute a violation of the approved development order, Development Agreement, and this section.
 10. Demolition, removal, concealment, or material alteration of a historic feature used to qualify for Historic Rehabilitation Incentive height shall require approval through the applicable amendment procedure and:
 - a. a corresponding reduction or elimination of the incentive awarded for that feature;
 - b. an equivalent or superior treatment expressly authorized by this subsection; or
 - c. another remedy approved pursuant to subsection O and secured through an instrument acceptable to the City Attorney.

E.5. Precinct 5 - South-Central Beach Residential

- a. Purpose and Character. Precinct 5 shall support year-round destination and living, and prioritize quality of life, pedestrian comfort, shade, landscape, community-serving uses, and connections to the Broadwalk, beach, parks, and local-serving public realm.
- b. Bonus Height Eligibility. Bonus height may be considered where authorized by this section and the Regulating Plan Map.
- c. TIDE Eligibility. TIDE allocations may be considered under subsection M.3 only where the proposed hotel, condo-hotel, lodging, hospitality, or visitor-serving use is permitted by the underlying zoning district and the property is mapped as eligible on the Regulating Plan Map.
- d. TDR Sending and Receiving Areas. South-Central Beach may function as both a TDR sending area and a TDR receiving area where designated on the Regulating Plan Map.

- e. **Parking Reductions.** Parking reduction or elimination for eligible hospitality, lodging, restaurant, entertainment, visitor-serving commercial, or other qualifying nonresidential uses shall be governed by subsection L.2.
- f. **Publicly Accessible Parking.** Residential development seeking optional bonus entitlements shall provide publicly accessible parking where required by this section.
- g. **Neighborhood-Serving Uses.** Local-serving retail, neighborhood services, community amenities, recreation, childcare, and other compatible mixed-use nodes are encouraged where permitted by the underlying zoning district and Regulating Plan Map.

E.6. Precinct 6 - South Beach Residential

- a. **Purpose and Character.** Precinct 6 is intended to accommodate a predominantly residential urban coastal development pattern in areas that can support additional height and intensity while improving the provision of neighborhood commercial uses. Emphasis will be placed on public realm quality, visual permeability, and access to the ocean, Intracoastal, parks, and public spaces.
- b. **Block Structure.** The Central Beach block structure requirements of subsection J shall not apply within Precinct 6 unless a specific minimum development site requirement is identified on the Regulating Plan Map or elsewhere in this section.
- c. **TDR Sending and Receiving Areas.** South Beach may function as both a TDR sending area and a TDR receiving area where designated on the Regulating Plan Map, to protect the historic scale of development at the sending site.
- d. **Optional Bonus Entitlements.** Bonus height, TIDE allocations, parking reduction or elimination, commercial frontage reductions, public parking priority benefits, and other optional bonus entitlements may be considered only where mapped, where the proposed use is eligible, and where all applicable requirements of this section are satisfied.
- e. **Active Ground-Floor Uses.** Development seeking optional bonus entitlements within Precinct 6 shall include active ground-floor uses. Such uses may include grocery stores, convenience stores, cafes, small-format retail, personal services, fitness or wellness uses, neighborhood-serving commercial uses, resident amenities, or similar uses that support daily needs and contribute to an active pedestrian environment. Notwithstanding Article 4, Section 4.2 no Special Exception will be required for eating and drinking uses. All other neighborhood commercial uses are permitted. Use prohibitions of the underlying zoning district shall apply.
- f. **Active Use Design.** Ground-floor active uses shall be designed to reinforce the residential character of the precinct while improving walkability, pedestrian comfort, frontage quality, and access to neighborhood-serving destinations.
- g. **Shoreline Permeability.** Development shall avoid continuous wall conditions parallel to the shoreline and preserve visual permeability to the ocean, Intracoastal, parks, and public spaces.
- h. **Pedestrian and Bicycle Connectivity.** Development shall enhance pedestrian and cycling connections, including connections to the Broadwalk, beach, Intracoastal, public open spaces, and neighborhood-serving destinations.

F. Districtwide Overlay Design and Public Realm Standards

F.1. Applicability and Relationship to the Urban Design Guidelines. The standards of this subsection apply only to development voluntarily seeking an optional bonus entitlement pursuant to this section and shall be administered in conjunction with the Hollywood Beach Overlay Urban Design Guidelines.

F.2. General Design Standard. Development seeking optional bonus entitlements shall demonstrate substantial consistency with the applicable Hollywood Beach Overlay Urban Design Guidelines and the intended architectural, public realm, frontage, parking, resiliency, and pedestrian-oriented character of the applicable Beach Precinct. Development shall avoid generic, formulaic, franchise-style, or visually repetitive design that does not respond to the applicable Beach Precinct, frontage condition, or public realm context.

F.3. Precinct 4 and Special Rehabilitation Areas. Development within the Hollywood Beach Resort Precinct or any mapped Hollywood Beach Resort Unified Master Plan shall demonstrate exceptional architectural quality and shall comply with the more specific standards applicable to that precinct and the applicable Hollywood Beach Overlay Urban Design Guidelines.

F.5. Coordinated Architectural and Public Realm Strategy. Development seeking optional bonus entitlements in all Beach Precincts shall incorporate a coordinated architectural and public realm strategy consistent with the applicable Precinct and Character Area Design Guidelines that includes, as applicable, exterior spaces, ground-floor activation, durable materials, shade, lighting, facade articulation, rooftop mechanical screening, and landscape integration.

F.6. Materials. Primary facade materials shall be durable, appropriate to the coastal environment, and consistent with the Hollywood Beach Overlay Urban Design Guidelines, or shall consist of comparable materials approved through the applicable design review process.

F.7. Prohibited Materials and Treatments. Highly reflective mirrored glass as the predominant facade treatment, vinyl siding, unfinished concrete block, exposed EIFS as the predominant ground-floor material, exposed structured parking along public frontages, repetitive unarticulated curtainwall facades, franchise-style architectural treatments, and internally illuminated box signage along the Broadwalk shall be prohibited.

F.8. Podium and Tower Composition. Buildings exceeding the height of the underlying zoning district shall incorporate a clearly defined podium and tower composition, or another massing strategy consistent with the Hollywood Beach Overlay Urban Design Guidelines that provides an appropriate transition between the building and the public realm. The podium or lower building levels shall visually anchor the building to the public realm through active uses, durable materials, facade articulation, pedestrian-scaled lighting, seating, landscape, and shade elements.

F.9. Structured Parking Integration. Structured parking shall be vertically integrated into the principal building or development site and shall not be designed as a stand-alone, exposed, automobile-oriented structure.

F.10. Surface Parking. Surface parking lots shall be prohibited for development seeking optional bonus entitlements, except for temporary construction staging approved by the City as part of a construction management plan. Temporary construction surface parking shall not continue after issuance of a certificate of occupancy or completion of the approved phase of construction.

F.11. Parking Visibility and Broadwalk Protection. Parking shall not front a public street, public park, the Broadwalk, the beach, A1A, Surf Road, or Commercial Priority Street unless fully screened by active uses, architectural treatment integrated into the building composition, public art, landscape screening, or another design treatment approved by the City and consistent with the Hollywood Beach Overlay Urban Design Guidelines to reduce the visibility of parking from the public realm. Automotive uses and automobile-oriented components shall not front or abut the Broadwalk.

F.12. Upper-Level Active Liner Relief. Relief from upper-level active liner requirements shall be available for participating properties pursuant to subsection L.4.

F.13. Parking Architecture. Vertically integrated parking shall preserve pedestrian-oriented frontage conditions and shall be designed in a manner consistent with the Hollywood Beach Overlay Urban Design Guidelines to minimize the visibility of parking levels, ramps, vehicle storage, mechanical ventilation, and blank garage walls from public streets, the Broadwalk, the beach, parks, plazas, and public spaces.

F.14. Access, Loading, and Drop-Off. Drive aisles, porte-cocheres, loading areas, valet areas, and passenger drop-off areas shall be designed to minimize conflicts with pedestrians, cyclists, transit, micromobility, emergency access, public access corridors, public realm priority streets, and active commercial frontages.

F.15. Flood-Responsive Frontages. Buildings subject to elevated finished floor requirements shall incorporate terraced and landscape-integrated frontage design using stepped seating areas, planters, terraces, ramps, architectural landscaping, outdoor dining, paseo space, or comparable design treatments consistent with the Hollywood Beach Overlay Urban Design Guidelines. Such areas may

be credited toward applicable POPS requirements only where they satisfy the POPS standards of this section.

F.16. Retaining Walls. Blank retaining walls exceeding 3 feet along public frontages shall be prohibited unless integrated with seating, landscaping, public art, or architectural treatment consistent with the Hollywood Beach Overlay Urban Design Guidelines.

F.17. Minimum Standards Not Public Benefits. Compliance with mandatory architecture, frontage, parking integration, resiliency, active frontage, tower design, and public realm standards shall not qualify as satisfaction of Required Bonus Entitlement Conditions unless the applicant provides improvements that exceed the minimum requirements of this section and the City Commission determines that such excess improvements provide a distinct public benefit.

G. Mandatory Sustainability and Coastal Resilience Standards

G.1. Purpose and Applicability. Development seeking an optional bonus entitlement under this section shall meet the minimum sustainability and coastal resilience standards established herein, in addition to all mandatory requirements of Chapter 151 and other applicable law. These standards establish minimum performance levels and shall not limit an applicant from achieving a higher level of sustainability or resilience.

G.2. Election of Incentive Program. A development may utilize either the incentives available under Section 151.158(C) or the Optional Bonus Entitlements available under the Hollywood Beach Overlay District, but not both. Mandatory compliance with Chapter 151 shall remain applicable. An applicant seeking an Overlay bonus shall submit a written election confirming that no incentive under Section 151.158(C) is being sought or utilized.

G.3. Minimum Sustainability Tiers

- a. Silver Tier. Development seeking any optional bonus entitlement shall achieve, at minimum, LEED Silver certification.
- b. Gold Tier. Landmark Development seeking additional height shall achieve, at minimum, LEED Gold certification or a substantially equivalent certification.

G.4. Certification and Continuing Compliance. The applicant shall submit a certification plan identifying the applicable tier, certification program, preliminary scorecard, proposed sustainability measures, referenced standards, responsible professional, and anticipated certification schedule. Required certification and measures shall be achieved, documented, maintained, and secured through the applicable development approval, financial security, agreement, covenant, or other instrument acceptable to the City Attorney.

H. Gateway Frontage Framework

H.1. Purpose, Applicability, and Relationship to Other Standards.

1. Purpose. The Gateway Frontage Framework establishes a hierarchy of streets and frontages within the Hollywood Beach Overlay District based upon their function as arrival corridors, pedestrian connections, public-realm edges, and transitions between development and the beach.
2. Applicability. Development voluntarily seeking one or more optional bonus entitlements pursuant to this section shall respond to the Gateway classification applicable to each development frontage as identified on the Official Hollywood Beach Overlay Regulating Plan Map.
3. Relationship to Underlying Zoning. The Gateway classifications established by this subsection do not, by themselves, modify an underlying commercial frontage, active frontage, parking, setback, or other development requirement.
4. Code Optimization Standards. Where this section authorizes a reduction or alternative to an underlying zoning requirement based upon a Gateway classification:

- a. the applicable Gateway classification shall establish the intended frontage character and design response pursuant to this subsection; and
 - b. the specific reduction, alternative standard, eligibility requirement, required compensating improvement, and application requirement shall be governed by subsection L.
5. Commercial Frontage Reductions. Commercial frontage reductions associated with A Streets, Enhanced B Streets, and B Streets, including the corresponding park-like setback and landscape requirements, shall be governed by subsection L.3.
 6. Other Overlay Standards. Development shall also comply with all other applicable public-realm, active-frontage, parking, access, building-form, landscape, and design standards of this section.

H.2. Gateway Classifications.

1. The Official Hollywood Beach Overlay Regulating Plan Map shall classify Gateway frontages as follows:
 - a. A Streets — Primary Gateways;
 - b. Enhanced B Streets — Secondary Gateways; and
 - c. B Streets — Tertiary Gateways.
2. All three classifications function as Gateway frontages but are intended to accommodate different relationships among building activation, landscape, public realm, pedestrian movement, access, and service functions.
3. Where a frontage is subject to more than one classification, the higher classification shall govern in the following order:
 - a. A Streets — Primary Gateways;
 - b. Enhanced B Streets — Secondary Gateways; and
 - c. B Streets — Tertiary Gateways.
4. A Commercial Priority Street or Public Realm Priority Frontage or Corridor shall retain the Gateway classification identified on the Official Hollywood Beach Overlay Regulating Plan Map. Additional standards applicable to that designation shall remain applicable unless expressly modified elsewhere in this section.

H.3. General Gateway Design Intent.

1. Development shall reinforce the applicable Gateway classification through coordinated consideration of:
 - a. building placement and orientation;
 - b. ground-floor use and activation;
 - c. principal pedestrian entrances;
 - d. architecture and façade composition;
 - e. landscaping and shade;
 - f. pedestrian circulation and public-realm improvements;
 - g. plazas, paseos, POPs, and other publicly accessible spaces, where provided;
 - h. parking, loading, service, and utility placement; and
 - i. relationships to adjoining streets, public spaces, beach-access routes, the Boardwalk, and the public beach.
2. Gateway frontages shall be pedestrian-oriented and shall avoid development conditions in which parking, loading, servicing, refuse facilities, utilities, blank walls, or other inactive functions dominate the public realm.

3. The intensity and character of landscape treatment shall increase as commercial frontage is reduced pursuant to subsection L.3.
4. Park-like setbacks shall form a recurring public-realm element throughout the Gateway hierarchy, but their function and landscape intensity shall vary by classification as described in subsections H.4 through H.6 and implemented through subsection L.3.

H.4. A Streets — Primary Gateways.

1. A Streets shall function as the principal identity-defining arrival and public-realm frontages within Hollywood Beach.
2. Primary Gateways shall include:
 - a. State Road A1A;
 - b. the Broadwalk;
 - c. cross streets adjoining a Landmark Development; and
 - d. any other frontage identified as an A Street or Primary Gateway on the Official Hollywood Beach Overlay Regulating Plan Map.
3. Development along an A Street should provide the strongest relationship between the building and the public realm through:
 - a. continuous commercial or pedestrian-oriented active frontage where required by the underlying zoning district;
 - b. principal building entrances;
 - c. high levels of transparency and architectural articulation;
 - d. outdoor dining, arcades, colonnades, plazas, and other active public-realm elements, where appropriate; and
 - e. a landscaped and shaded park-like setback integrated with the active building frontage.
4. The park-like setback along an A Street is intended to supplement rather than substitute for required commercial or active frontage.
5. A1A shall function as Hollywood Beach's principal vehicular arrival Gateway.
6. The Broadwalk shall function as Hollywood Beach's principal pedestrian and beachfront Gateway.
7. The Broadwalk's classification as an A Street shall not authorize vehicular access, parking entrances, passenger drop-off, loading, servicing, refuse collection, or other automobile-oriented functions.
8. Commercial frontage relief and the minimum park-like setback requirements applicable to A Streets shall be governed by subsection L.3.

H.5. Enhanced B Streets — Secondary Gateways.

1. Enhanced B Streets shall function as important arrival corridors and pedestrian connections linking development with A Streets, the Broadwalk, public beach, Civic Terminus Parks, beach-access routes, and other significant public spaces.
2. Secondary Gateways shall include:
 - a. Surf Road;
 - b. mapped cross streets terminating at or providing a principal connection to the Broadwalk, public beach, or Civic Terminus Park;
 - c. streets connecting a significant public park or public open space to the Broadwalk or public beach; and
 - d. any other frontage identified as an Enhanced B Street or Secondary Gateway on the Official Hollywood Beach Overlay Regulating Plan Map.

3. Development along an Enhanced B Street should create a hybrid active and landscaped frontage, with commercial or active uses concentrated at locations of greatest pedestrian activity and intervening areas designed as a substantial park-like public realm.
4. Commercial and active uses should be concentrated at:
 - a. intersections with A Streets;
 - b. building corners;
 - c. principal pedestrian entrances;
 - d. Civic Terminus Parks;
 - e. beach-access routes;
 - f. plazas and paseos; and
 - g. other areas of concentrated pedestrian activity.
5. Areas without commercial frontage should form a continuous extension of the public realm through enhanced landscape, shade, seating, pedestrian circulation, and gathering opportunities rather than residual setback space.
6. Commercial frontage reductions and the enhanced park-like setback requirements applicable to Enhanced B Streets shall be governed by subsection L.3.

H.6. B Streets — Tertiary Gateways.

1. B Streets shall function as landscape-dominant Gateway frontages that accommodate secondary building frontages, residential entrances, access, servicing, and transitions to adjoining development.
2. B Streets shall include frontages identified as B Streets or Tertiary Gateways on the Official Hollywood Beach Overlay Regulating Plan Map and other frontages classified as such pursuant to this section.
3. Development along a B Street should establish a lush, layered, garden-like public realm in which landscape is a principal frontage and placemaking element.
4. The landscape should incorporate a composition of:
 - a. canopy trees;
 - b. understory trees or palms;
 - c. shrubs;
 - d. groundcovers and lower-level planting;
 - e. shaded pedestrian routes;
 - f. seating and gathering areas;
 - g. high-quality pedestrian paving;
 - h. public art or landscape-integrated artistic elements; and
 - i. other pedestrian and public-realm amenities.
5. Landscape design should provide visual depth and interest through variation in canopy, understory, planting height, texture, form, and spatial organization and should avoid reliance upon turf grass, narrow planting strips, or repetitive foundation planting as the principal landscape treatment.
6. Where commercial or active uses are provided, they should be concentrated at intersections, building corners, principal entrances, plazas, paseos, and other areas of pedestrian activity.
7. Parking, loading, servicing, refuse collection, and utilities may be more appropriately accommodated along B Streets than along A Streets or Enhanced B Streets, but such functions shall remain subordinate to the landscape and pedestrian character of the frontage.
8. Commercial frontage reductions and the landscape-dominant park-like setback requirements applicable to B Streets shall be governed by subsection L.3.

I. Stepback, Height Transition, Shadow, Massing, and View Corridor Standards

I.1. Purpose. The purpose of this subsection is to ensure that buildings receiving additional height above the underlying district height maintain a pedestrian-scaled street wall, reduce perceived building mass, preserve sunlight and sky view, maintain public view corridors, minimize adverse shadow impacts, and provide a clear transition in height and intensity from Surf Road, the Broadwalk, and the public beach toward State Road A1A.

I.2. Relationship to Subsection L.5. The numerical podium, mid-rise, high-rise or tower, stepback, high-rise length, and high-rise separation standards of subsection L.5 shall control. This subsection governs height transition, shadow, massing, and view-corridor performance and shall not be construed to establish a conflicting numerical building-form standard.

I.3. Height and Massing Transition. The greatest building height and intensity shall be located toward State Road A1A. Building height, massing, and scale shall transition downward toward Surf Road, the Broadwalk, and the public beach, subject to the numerical building-form standards of subsection L.5. Transition may be achieved through stepbacks, reduced building mass, changes in building plane, terraced building forms, courtyards, open spaces, roofline variation, building breaks, facade modulation, material variation, or other massing techniques acceptable to the City.

I.4. Shadow Mitigation. Buildings receiving additional height shall be designed to minimize adverse shadow impacts on the Broadwalk and public beach. The City may require massing reductions, greater building separation, building reorientation, alternative building placement, or other building-form adjustments consistent with subsection L.5 where necessary to reduce adverse shadow impacts, preserve sky view, maintain visual permeability, or reinforce the pedestrian-scaled beach environment.

I.5. Shadow Analysis. Any application proposing building height above the podium or base building shall submit a shadow analysis prepared by a qualified professional. The analysis shall evaluate existing conditions and the proposed development and identify potential impacts on the Broadwalk, public beach, public beach access points, street-end view corridors to the beach, and any other shadow-sensitive area identified by the City.

I.6. Alternative Massing Comparison. Where an alternative transition or massing configuration is proposed, the shadow analysis shall compare the proposed design against a configuration complying with the numerical standards of subsection L.5.

I.7. Upper-Building Form. Buildings shall avoid continuous slab-style forms, excessive horizontal building length, and uninterrupted upper-story wall planes facing or running parallel to the shoreline. Development shall conform with subsection L.5 and the Hollywood Beach Overlay Urban Design Guidelines as applicable to the Character Area and Precinct.

I.8. Visual Permeability. Any application proposing additional height shall demonstrate how the proposed building preserves visual permeability toward the ocean, public beach, Broadwalk, and street-end vistas. Larger or assembled sites shall incorporate massing breaks, courtyards, pedestrian passages, changes in plane, or other design techniques to avoid a continuous wall condition and maintain views, light, and air through the site.

I.9. Design Flexibility. Nothing in this subsection shall require a single architectural style, building typology, angular plane, or rigid terraced form. Creative and alternative design solutions may be considered where the applicant demonstrates compliance with subsection L.5 and consistency with the underlying intent of the applicable Character Area and Precinct as expressed in the Hollywood Beach Overlay Urban Design Guidelines.

J. Minimum Development Site Performance and Block Structure

J.1. Purpose. The purpose of this subsection is to ensure that development seeking optional bonus entitlements within Precinct 2, Precinct 3, and Precinct 5 occurs in a coordinated block structure that places the greatest height, density, intensity, and massing toward A1A; provides an appropriate

transition toward Surf Road, the Broadwalk, and the public beach; avoids slab-style, wedding-cake, monolithic, or poorly articulated redevelopment patterns; preserves the ability of remaining parcels to redevelop in a coordinated manner; and protects the public street, alley, right-of-way, pedestrian access, utility, drainage, service access, and emergency access network of Hollywood Beach.

J.2. Applicability. This subsection shall apply only to development voluntarily seeking one or more optional bonus entitlements within Precinct 2, Precinct 3, or Precinct 5, as identified on the Official Hollywood Beach Overlay Regulating Plan Map.

J.3. Excluded Precincts. This subsection shall not apply to Precinct 1, Precinct 4, or Precinct 6 unless a specific minimum development site requirement is identified in this section.

J.4. As-of-Right Development. Nothing in this subsection shall prohibit, reduce, impair, or condition the ability of a property owner to develop property in accordance with As-Of-Right Entitlements under the applicable underlying zoning district and other applicable law.

J.5. Coordinated Block Structure. Within Precincts 2, 3, and 5, development seeking Optional Bonus Entitlements shall occur in a coordinated, tertiary-planned manner and shall not result in fragmented, isolated, residual, remnant, holdout, or functionally constrained parcels that undermine the long-term redevelopment, architectural, public realm, resiliency, mobility, infrastructure, or block structure objectives of the Overlay District.

J.6. A1A-Oriented Development Area. For blocks located between A1A and Surf Road, the A1A-Oriented Development Area shall be the primary area eligible for the greatest Optional Bonus Entitlement intensity, where authorized by the Regulating Plan Map and this section.

J.7. One-Third Minimum Development Site. No development shall be eligible for Optional Bonus Entitlements on the A1A-oriented portion of a block unless the proposed development site includes at least one-third of the total block depth measured perpendicular from the most eastern edge of A1A toward Surf Road to the closest property line of the proposed development site. The measurement shall be based on the total block depth between A1A and Surf Road, or the nearest applicable block boundary where Surf Road does not form the opposite block edge.

J.8. Remaining Block Area. The one-third minimum development site requirement shall apply only to the A1A-Oriented Development Area. The Remaining Block Area shall not be required to be assembled with the A1A-Oriented Development Area in order for the A1A-oriented portion to be eligible for Optional Bonus Entitlements.

J.9. Organization of the Remaining Block Area. The Remaining Block Area may be organized as either:

- (a) one coordinated development area, provided that the development preserves a coherent frontage condition, supports pedestrian-oriented design, and does not compromise future redevelopment or public realm connectivity within the block; or
- (b) three separate development cells, consisting of one Surf Road-Oriented Development Cell and two East-West Cross-Street Development Cells; or
- (c) any combination of the three remaining development cells.

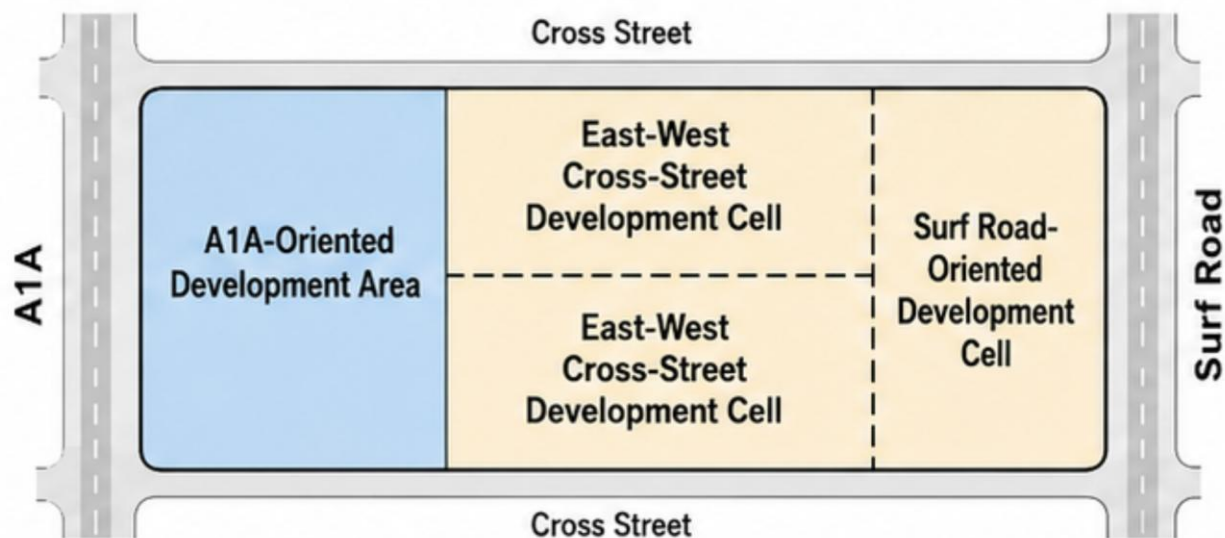


Figure 1. Illustrative Block Organization: A1A-Oriented Development Area and Remaining Block Development Cells

J.10. Protection of Development Cells. The A1A-Oriented Development Area shall not be organized or extended in a manner that eliminates, overwhelms, or materially compromises the Surf Road-Oriented Development Cell, the East-West Cross-Street Development Cells, or the logical redevelopment of the Remaining Block Area.

J.11. Tertiary Plan. A development seeking Optional Bonus Entitlements in Precinct 2, Precinct 3, or Precinct 5 shall submit a Tertiary Plan as a conceptual block-planning exercise. The Tertiary Plan shall demonstrate how the proposed development is organized in relation to the surrounding block, how future development may reasonably evolve in support of the proposed development, and how the proposed development will not preclude or materially impair the logical redevelopment of remaining portions of the block. The Tertiary Plan shall identify, at a conceptual level, critical access, pedestrian connections, public realm improvements, active frontage locations, parking and service access, POPS locations, publicly accessible parking locations, phasing considerations, and other elements necessary to demonstrate coordinated block redevelopment.

J.12. Required Findings. Optional Bonus Entitlements shall not be approved unless the reviewing body finds that the proposed site plan and Tertiary Plan demonstrate compliance with the following:

- (a) The development preserves a logical block structure and does not preclude the future redevelopment of remaining portions of the block;
- (b) The development provides meaningful building breaks, paseos, courtyards, pedestrian connections, forecourts, plazas, or other public realm relief where necessary to avoid a single continuous building or podium condition occupying the majority of the block;
- (c) Structured parking, loading, service areas, and inactive frontages are located and screened in a manner that does not dominate Surf Road, Commercial Priority Streets, Public Realm Priority Frontages or Corridors, or required pedestrian connections;
- (d) Required development cells, pedestrian connections, access points, frontage conditions, POPS areas, publicly accessible parking areas, and public realm improvements identified in the applicable Regulating Plan, Tertiary Plan, or this section are preserved or accommodated; and
- (e) The proposed development does not create residual parcels, access conditions, or site configurations that would prevent remaining portions of the block from reasonably developing in accordance with the intended block structure.

J.13. Regular and Contiguous Development Site. A proposed development site shall consist of a regular, contiguous development area that supports the intended block structure. A development site shall not include or rely upon finger parcels, tail parcels, appendages, irregular projections, remnant

parcels, or artificial assemblages for the purpose of satisfying the A1A-Oriented Development Area, Remaining Block Area, full-block, Landmark Development, minimum frontage, minimum lot area, or other minimum development site requirement for optional bonus entitlements.

J.14. Finger Parcel Definition. A finger parcel shall mean any irregular extension, projection, tail, appendage, remnant, or unusually configured portion of a lot, parcel, tract, or ownership assemblage that extends into another portion of the block in a manner that does not form part of a coherent development site.

J.15. Finger Parcel Indicators. A parcel or parcel portion may be determined to be a finger parcel where the parcel or parcel portion does not form part of a regular, coherent, and contiguous development site and one or more of the following conditions apply:

- (a) It extends into another development area primarily to satisfy eligibility for an optional bonus entitlement that would not otherwise be available to the principal development site;
- (b) It is materially narrower than the principal development site or is connected to the principal development site by a narrow strip of land;
- (c) It creates an irregular, L-shaped, flag-shaped, hooked, appendage-like, or otherwise non-rectangular development area;
- (d) It is not necessary to provide required access, frontage, public realm improvements, drainage, utilities, emergency access, or other functional site-planning needs; or
- (e) It would leave another portion of the block with an irregular, residual, isolated, undersized, or functionally constrained development area.

J.16. Exclusion from Minimum Site Area. A finger parcel shall not be credited toward satisfying any minimum development site requirement for Optional Bonus Entitlements and shall not be included in the bonus development site.

J.17. Minor Irregularities. A minor lot-line irregularity, notch, jog, or similar condition shall not be considered a finger parcel where the City determines that such condition is minor in relation to the overall development site, does not materially increase the Optional Bonus Entitlement sought by the applicant, does not impair future coordinated redevelopment of adjoining or remaining parcels, does not create a residual parcel, and does not undermine the applicable Beach Precinct, Character Area, or block structure objectives of the Overlay District.

J.18. Development Block Structure Determination. In making a Development Block Structure Determination, the City shall consider the size, frontage, depth, access, and configuration of the remaining parcel; the remaining parcel's ability to comply with applicable zoning, frontage, parking, loading, landscape, resiliency, public realm, infrastructure, and access requirements; the remaining block or parcel's ability to redevelop in a manner consistent with the applicable Beach Precinct, Character Area, and Regulating Plan Map, and any other factor necessary to determine whether the remaining parcel can reasonably develop.

J.19. Public Rights-of-Way and Access Corridors. No Optional Bonus Entitlement authorized by this section for any precinct shall be approved based upon, conditioned upon, or dependent upon the vacation, abandonment, closure, relocation, transfer, or privatization of any public alley, street, public right-of-way, public access corridor, or public pedestrian connection.

K. Landmark Development

K.1. Applicability. Landmark Development may be considered only on a full-block development site within Precinct 2, Precinct 3, or Precinct 5 where the site is Landmark-eligible under the Regulating Plan Map and satisfies the definition and standards of this subsection. Gateway Frontage classification under subsection H does not, by itself, establish Landmark eligibility or eligibility for additional height.

K.2. Maximum Additional Height. Landmark Development may be eligible to request up to 50 feet of additional height above the otherwise applicable maximum height identified in Table 1, exclusively through the development agreement mechanism established in this subsection.

K.3. No Automatic Entitlement. Bonus height for Landmark Development shall not be granted solely because a property is located at or associated with a gateway or because an applicant controls a full block. The applicant shall demonstrate that the proposed development provides an iconic architectural expression, a superior public realm condition, meaningful pedestrian connectivity, enhanced landscape and shade, resiliency improvements, and a development form that contributes positively to the identity and skyline of Hollywood Beach.

K.4. Approval Criteria. In determining whether to approve a development agreement for bonus height for Landmark Development, the City Commission shall consider whether the proposed development:

- (a) Creates a distinctive and recognizable architectural composition that reinforces the applicable Beach Precinct and Character Area objectives and advances the resort, hospitality, tourism, residential quality, public realm, resiliency, and economic development objectives of Hollywood Beach;
- (b) Reinforces the intended block structure and avoids generic, repetitive, slab-style, podium-dominated, automobile-oriented, overly continuous, or monolithic development forms;
- (c) Enhances the public realm surrounding any Civic Terminus Park, Gateway Street, Surf Road frontage, beach access corridor, plaza, park, public open space, or other pedestrian priority area;
- (d) Provides meaningful pedestrian permeability through or around the site, which may include paseos, arcades, widened sidewalks, forecourts, plazas, courtyards, mid-block connections, enhanced beach access connections, or other pedestrian-oriented improvements;
- (e) Delivers a superior ground-floor public realm condition, including active frontages, shade, landscaping, seating, lighting, public art, wayfinding, and pedestrian-oriented design treatments beyond the minimum otherwise required;
- (f) Demonstrates superior building massing, tower articulation, material quality, and ground-floor design that reduces the perceived scale of the development, preserves view corridors and visual permeability where practicable, and supports pedestrian access;
- (g) Provides parking, loading, service, and access facilities that are vertically integrated, screened, consolidated, and located to minimize visibility and impacts from public streets, public spaces, gateway streets, Surf Road, beach access corridors, and active frontages;
- (h) Provides any required publicly accessible parking and ensures that such parking is appropriately designed, accessible, and integrated into the development;
- (i) Satisfies all applicable Required Bonus Entitlement Conditions.

K.5. Enhanced Landmark Public Realm and Design Package. In addition to all otherwise applicable Required Bonus Entitlement Conditions, an application for additional height for Landmark Development shall include an Enhanced Landmark Public Realm and Design Package demonstrating that the additional height is justified by a superior site-planning, architectural, and public-realm outcome. The package shall include, at a minimum, the following:

- (a) A coordinated full-block site plan demonstrating how the development reinforces the intended block structure and avoids a monolithic or overly continuous development form; and
- (b) A public realm maintenance, access, or management plan, where applicable, ensuring that publicly accessible areas, pedestrian connections, plazas, paseos, POPS, public parking, and related improvements remain functional, accessible, and maintained over time.

K.6. Approval Mechanism. Bonus height for Landmark Development may be approved exclusively through a development agreement approved by resolution of the City Commission, following review and recommendation through the applicable development review process.

K.7. No Obligation to Contract. The decision whether to negotiate, enter into, or approve a development agreement under this subsection is a legislative decision within the sole discretion of the City Commission, which may decline to negotiate or to approve for any lawful reason. Neither designation on the Regulating Plan Map, submission of an application, negotiation, nor expenditure in pursuit of an agreement creates any right or expectation to additional height.

K.8. Development Agreement Contents. In addition to the contents required by Section 163.3227, Florida Statutes, the development agreement shall:

- (a) Identify an incremental public benefit supporting the additional height approved.
- (b) Incorporate all applicable Required Bonus Entitlement Conditions and the approved Enhanced Landmark Public Realm and Design Package as binding commitments;
- (c) Provide that no certificate of occupancy shall issue for building area attributable to the additional height until the public benefits associated with that height are provided or secured to the City's satisfaction; and
- (d) Provide that additional height terminates upon voluntary demolition of the improvements to which it attaches, consistent with subsection A.7.

K.9. Required Findings. The City Commission shall approve a development agreement under this subsection only upon findings that the proposed development satisfies the criteria of this subsection and that the total public benefit secured by the agreement is commensurate with the total additional height approved.

K.10. No Avoidance of Other Standards. Landmark Development shall not be used to avoid the block structure, Tertiary Plan, public parking, active frontage, vertical parking integration, resiliency, or public benefit standards otherwise applicable to the requested optional bonus entitlement.

L. Code Optimization & Adaptation Standards (COAST)

L.1. Public Parking Requirement

1. Publicly accessible parking shall be required where expressly required by the applicable optional bonus entitlement, including the TIDE program, Transfer of Development Rights receiving capacity, Flexibility Unit allocation, or any other optional bonus entitlement identified by this section.
2. Unless otherwise provided by this section, publicly accessible parking shall be calculated as 10 percent of the total parking otherwise required for the development under Section 4.6(C), Article 7, the underlying zoning district, or any other applicable City parking standard, calculated before any authorized parking reduction or parking elimination is applied.
3. Publicly accessible parking required for residential or residential mixed-use development pursuant to this section shall be provided in addition to parking required to serve residential uses and shall not reduce the amount of private parking required for residential development.
4. Publicly accessible parking shall not be counted against any maximum parking cap applicable to private parking under the underlying zoning district, unless required by state law or other controlling regulation.
5. Parking spaces reserved exclusively for residents, hotel guests, employees, valet storage, private members, private tenants, or building occupants shall not qualify as publicly accessible parking.
6. Publicly accessible parking shall be clearly signed, accessible from a public street or approved access point, and made available to the general public on a non-discriminatory basis pursuant to an approved public parking management plan.
7. Publicly accessible parking shall be secured through a recorded agreement, covenant, easement, development agreement, parking agreement, or other instrument acceptable to the City Attorney, which shall run with the land for the life of the bonus entitlement.
8. The required instrument shall identify the number of publicly accessible parking spaces, location, hours of availability, pricing or pricing methodology, signage, access, operations, maintenance, insurance, reporting and inspection rights, enforcement, duration, and remedies for noncompliance. Any restriction, removal, conversion, or mismanagement of the required parking is a violation of the conditions of the bonus entitlement and grounds for its revocation or suspension, in addition to all other remedies.
9. Alternative public benefit substitution. Within the Broadwalk and Surf Road Character Areas, as mapped on the Regulating Plan Map, the City may determine, based on adopted plans, parking or mobility studies, or other competent substantial evidence, that some or all of the publicly

accessible parking otherwise required by this subsection is not needed or would not provide a meaningful public benefit at the proposed location. In that circumstance, the City may accept, in lieu thereof, an alternative public benefit of equal or greater value, which may include a Resilience Trust Fund contribution calculated pursuant to a City-adopted methodology, enhanced POPS, mobility or beach-access improvements, or another public benefit reasonably related to the requested optional bonus entitlement. Substitution shall be at the City's sole determination, and no applicant shall be entitled to substitution as of right. This provision shall not apply to Precinct 4.

L.2. Parking Reductions

1. Parking reduction, parking elimination, and publicly accessible parking requirements shall apply only where expressly authorized by this section, the applicable Beach Precinct standards, the Regulating Plan Map, or the specific optional bonus entitlement requested.
2. Parking reduction or parking elimination shall not be considered an as-of-right entitlement and shall not be granted solely because a use is permitted within the Overlay District.
3. The following table shall govern the general applicability of parking reduction, parking elimination, and publicly accessible parking requirements:

Optional Bonus Entitlement or Use	Parking Reduction or Elimination Eligibility
Hotel, condo-hotel, resort, lodging, restaurant, entertainment, visitor-serving commercial, or similar hospitality use	May be eligible for a 50 percent reduction in the parking requirements of the underlying zoning district where authorized by this section and the Regulating Plan Map.
Eligible hospitality or visitor-serving use located east of Surf Road	May be eligible for parking elimination where authorized by this section and the Regulating Plan Map.
Flexibility Unit allocation	Does not authorize parking reduction or parking elimination for residential portions of the development. May be eligible for a 50 percent reduction in the parking requirements applicable to associated commercial uses, where authorized by this section and the Regulating Plan Map.
Transfer of Development Rights receiving capacity	Does not authorize parking reduction or parking elimination for residential portions of the development. May be eligible for a 50 percent reduction in the parking requirements applicable to associated commercial uses, where authorized by this section and the Regulating Plan Map.

4. New development containing hotel, condo-hotel, resort, lodging, restaurant, entertainment, visitor-serving commercial, or similar hospitality uses are eligible for a reduction of up to 50 percent from the parking otherwise required by Section 4.6(C), Article 7, the underlying zoning district, or another applicable City parking standard, provided the development satisfies subsections E and F and the applicable provisions of the Hollywood Beach Overlay Urban Design Guidelines.
5. Any parking reduction or elimination authorized by this subsection shall apply only to the eligible nonresidential, hospitality, lodging, restaurant, entertainment, visitor-serving commercial, neighborhood-serving commercial, or similar use receiving the reduction. Residential uses shall

remain subject to the parking requirements of Section 4.6(C), Article 7, or any other effective development agreement.

6. Properties located east of Surf Road may be eligible for parking elimination for hotel, condo-hotel, resort, lodging, restaurant, entertainment, visitor-serving commercial, or similar hospitality uses, where authorized by this section and the Regulating Plan Map and where the applicant demonstrates that parking elimination supports the pedestrian-oriented, tourism, hospitality, beach access, mobility, and public realm objectives of the Overlay District.
7. Parking elimination east of Surf Road shall not apply where the property east of Surf Road functions as part of a larger integrated development site that extends west of Surf Road.
8. Approval of parking reduction, parking elimination, or publicly accessible parking pursuant to this subsection shall not authorize additional height, TIDE allocation, Flexibility Unit allocation, Transfer of Development Rights receiving capacity, Landmark additional height, or any other optional bonus entitlement unless such additional entitlement is separately authorized and approved pursuant to this section.

L.3. Commercial Frontage Reduction Requirements

a. Purpose and Applicability.

1. Purpose. This subsection establishes alternative commercial frontage standards for development voluntarily seeking one or more optional bonus entitlements pursuant to this section. The alternative standards are intended to allow reductions in commercial frontage otherwise required by the underlying zoning district in exchange for progressively enhanced park-like setbacks and public-realm improvements based upon the applicable Gateway classification.
2. Applicability. A commercial frontage reduction shall be available only:
 - a. where commercial frontage is otherwise required by the underlying zoning district;
 - b. where the development frontage is classified as an Enhanced B Street or B Street on the Official Hollywood Beach Overlay Regulating Plan Map; and
 - c. where the development provides the park-like setback and public-realm treatment required by this subsection.
3. Nothing in this subsection shall establish a commercial frontage requirement where none otherwise applies.
4. The Gateway Frontage Framework and intended character of each Gateway classification are established in subsection H.

b. Commercial Frontage Reduction.

1. Commercial frontage otherwise required by the underlying zoning district may be reduced as follows:

Gateway Classification	Maximum Commercial Frontage Reduction
A Street — Primary Gateway	No reduction
Enhanced B Street — Secondary Gateway	Up to 50%
B Street — Tertiary Gateway	Up to 100%, including elimination

2. A commercial frontage reduction shall apply only to the specific frontage for which the corresponding park-like setback required by this subsection is provided.
3. The percentage reduction shall be calculated independently for each frontage based upon the amount of commercial frontage otherwise required along that frontage by the underlying zoning district.
4. A commercial frontage reduction authorized by this subsection shall not require a separate waiver, variance, special exception, or discretionary frontage-reduction approval.
5. Compliance shall be determined through the applicable Design and Site Plan review.

c. Park-Like Setback Requirement.

1. Development subject to this subsection shall provide a park-like setback along each A Street, Enhanced B Street, and B Street frontage.
2. The park-like setback shall function as a landscaped, shaded, pedestrian-oriented extension of the adjoining public realm.
3. The park-like setback shall be designed in accordance with the intended character of the applicable Gateway classification established in subsection H and the quantitative requirements of this subsection.
4. The required park-like setback shall be provided in addition to required commercial or active frontage except where commercial frontage is expressly reduced pursuant to this subsection.
5. Surface parking spaces, parking aisles, loading areas, refuse facilities, mechanical equipment, vehicle-storage areas, and similar automobile-oriented or service functions shall be consolidated as greatly as reasonably possible to reduce impact on the required park-like setback.

d. A Street — Primary Gateway Standards.

1. No reduction in commercial frontage otherwise required by the underlying zoning district shall be permitted along an A Street.
2. Development shall provide the required commercial or active frontage together with a park-like setback.
3. The park-like setback shall include, at a minimum:
 - a. not less than 30 percent planted or pervious area;
 - b. at least one canopy tree per 30 linear feet of frontage;
 - c. pedestrian shade over at least 50 percent of the principal pedestrian route at tree maturity; and
 - d. integrated landscape, building entrances, seating, and pedestrian amenities.
4. Building entrances, storefronts, outdoor dining areas, arcades, colonnades, pedestrian routes, landscape, shade, and other public-realm improvements shall be designed as an integrated frontage condition.
5. The park-like setback shall not substitute for or reduce commercial frontage otherwise required along the A Street.

e. Enhanced B Street — Secondary Gateway Standards.

1. Commercial frontage otherwise required by the underlying zoning district may be reduced by up to 50 percent along an Enhanced B Street.
2. Development shall provide an enhanced park-like setback designed to create a substantial landscape and pedestrian public realm.
3. The enhanced park-like setback shall include, at a minimum:
 - a. not less than 50 percent planted or pervious area;
 - b. at least one canopy tree per 25 linear feet of frontage;
 - c. pedestrian shade over at least 60 percent of the principal pedestrian route at tree maturity;
 - d. at least one seating element per 50 linear feet of frontage; and
 - e. layered landscape incorporating canopy and understory vegetation, shrubs, groundcover, or other planting appropriate to the site.
4. Remaining commercial frontage shall be concentrated, to the greatest extent practicable, at:
 - a. intersections with A Streets;
 - b. building corners;
 - c. principal pedestrian entrances;

- d. Civic Terminus Parks;
 - e. beach-access routes;
 - f. plazas and paseos; and
 - g. other areas of concentrated pedestrian activity.
5. Frontage relieved from the commercial frontage requirement shall be incorporated into the enhanced park-like setback and shall not be treated as residual or inactive setback space.
- f. B Street — Tertiary Gateway Standards.
1. Commercial frontage otherwise required by the underlying zoning district may be reduced by up to 100 percent, including to zero, along a B Street.
 2. Development shall provide a landscape-dominant park-like setback designed as a lush, layered, garden-like public realm.
 3. The landscape-dominant park-like setback shall include, at a minimum:
 - a. not less than 65 percent planted or pervious area;
 - b. at least one canopy tree per 20 linear feet of frontage;
 - c. pedestrian shade over at least 70 percent of the principal pedestrian route at tree maturity;
 - d. at least one seating element per 40 linear feet of frontage; and
 - e. multiple layers of landscape incorporating canopy trees, understory vegetation, shrubs, groundcovers, and other planting of varied height, texture, form, and character.
 4. The landscape design shall:
 - a. function as a principal placemaking element of the frontage;
 - b. create visual depth and interest at the pedestrian and streetscape scale;
 - c. integrate pedestrian routes, entrances, seating, public art, lighting, and other public-realm amenities;
 - d. frame building entrances, plazas, and gathering areas;
 - e. screen parking, loading, service, refuse, utilities, and other inactive functions from public view; and
 - f. avoid reliance upon turf grass, narrow perimeter planting strips, isolated foundation planting, or repetitive single-species planting as the predominant landscape treatment.
 5. Where commercial or active frontage is voluntarily provided, it should be concentrated at intersections with A Streets or Enhanced B Streets, building corners, principal entrances, plazas, paseos, and other areas of concentrated pedestrian activity.
- g. General Standards.
1. A reduction in commercial frontage shall not reduce or waive any separately applicable requirement for:
 - a. active frontage;
 - b. transparency;
 - c. pedestrian entrances or access;
 - d. façade articulation;
 - e. parking screening;
 - f. pedestrian circulation;
 - g. sea turtle lighting;
 - h. public safety; or
 - i. another development standard not expressly modified by this subsection.

2. Blank walls, exposed parking, loading areas, service areas, utility equipment, refuse facilities, or other inactive building conditions shall not dominate frontage relieved from a commercial frontage requirement.
3. A Commercial Priority Street or Public Realm Priority Frontage or Corridor shall retain the Gateway classification shown on the Official Hollywood Beach Overlay Regulating Plan Map. The applicable Gateway classification shall govern the commercial frontage reduction and required park-like setback, while additional standards applicable to the mapped priority frontage shall remain applicable unless expressly modified by this section.
4. The provision of a park-like setback shall not reduce any POPS requirement otherwise applicable to the development.
5. Where a park-like setback is proposed to satisfy or contribute toward a POPS requirement, the credited area shall independently satisfy all applicable POPS requirements.
6. Required sidewalks, pedestrian-access routes, driveways, loading routes, fire-access routes, service crossings, and other circulation areas shall not, by themselves, count toward a required POPS area.

h. Application Requirements.

1. A Design and Site Plan utilizing the commercial frontage alternatives of this subsection shall identify:
 - a. the applicable Gateway classification pursuant to subsection H and the Official Hollywood Beach Overlay Regulating Plan Map;
 - b. the amount and location of commercial frontage otherwise required by the underlying zoning district;
 - c. the amount and location of commercial frontage proposed;
 - d. the amount and percentage of commercial frontage reduced;
 - e. the location and design of the required park-like setback;
 - f. the total park-like setback area and planted or pervious area;
 - g. required and proposed canopy trees;
 - h. required and proposed pedestrian shade;
 - i. required and proposed seating;
 - j. commercial and active uses;
 - k. principal pedestrian entrances;
 - l. plazas, POPS, arcades, colonnades, paseos, and pedestrian connections, where applicable; and
 - m. parking entrances, loading, servicing, refuse collection, utilities, and required screening.
2. The landscape plan shall demonstrate compliance with the park-like setback standards applicable to each Gateway classification.
3. Compliance with this subsection shall be determined as part of the applicable Design and Site Plan review.

L.4. Active Liner Reduction Requirements

1. Notwithstanding any contrary provision of the underlying Beach Community Redevelopment District regulations requiring active liners or active uses at all levels of parking, development voluntarily participating in the optional bonus entitlement program shall not be required to provide active liners or active uses along upper levels of a vertically integrated parking facility, provided that the ground-floor frontage requirements are maintained and the parking facility is architecturally integrated, screened, or otherwise treated in a manner generally consistent with the Hollywood Beach Overlay Urban Design Guidelines and the pedestrian-oriented, hospitality, tourism, public realm, and architectural objectives of the Overlay District.
2. Relief from upper-level active liner requirements shall not waive ground-floor active use requirements, Broadwalk-facing commercial requirements, active frontage transparency

requirements, public realm standards, parking screening requirements, or any other requirement expressly applicable to the ground-floor pedestrian environment.

L.5. Beach Podium, Mid-Rise, and High-Rise Form

a. Applicability and Definitions.

1. Buildings exceeding forty (40) feet in height shall comply with this subsection.
2. For purposes of this subsection:
 - (1) The mid-rise element means the portion of a building located above forty (40) feet and at or below one hundred (100) feet.
 - (2) The high-rise element means the portion of a building located above one hundred (100) feet.
 - (3) The high-rise element shall be considered the tower for purposes of this Code.
1. The elevation ranges established by this section are used solely to regulate building form and shall not establish or modify the maximum building height permitted elsewhere in this Overlay.
2. The stepback, maximum high-rise length, and high-rise separation standards of this subsection supersede: (1) the tower-separation and maximum-tower-length standards in General Development Regulations subsection c.a.(8)(a) and (b); (2) the tower-setback standards in Beach Community Redevelopment District subsections C.2.a.(4)(b) through C.2.g.(4)(b); and (3) subsections C.3.b.(1)(a) and C.3.b.(2). Where a conflict exists, this subsection shall govern.
3. All other applicable standards, including building-base setbacks and tower-floorplate requirements, shall remain in effect.
4. This subsection is supplemented by the Hollywood Beach Overlay Urban Design Guidelines, which provide additional design direction and illustrations for beach podium, mid-rise, and high-rise form. Where the Hollywood Beach Overlay Urban Design Guidelines conflict with a numerical standard of this subsection, this subsection shall govern.

b. Required Building Form.

A building shall be composed of the following elements, as applicable:

1. A beach podium extending from grade to a maximum height of forty (40) feet;
2. A mid-rise element located above forty (40) feet and at or below one hundred (100) feet; and
3. Where permitted, a high-rise element located above one hundred (100) feet.

c. Beach Podium.

1. The beach podium shall extend from grade to a maximum height of forty (40) feet.
2. The forty-foot podium height shall include the full vertical distance required to elevate the building to the applicable base flood elevation or design flood elevation. The required flood elevation shall not be added to the forty-foot podium height.
3. The beach podium shall establish the pedestrian-scaled streetwall and contain the greatest degree of façade articulation within the building composition.
4. On a site fronting an A Street — Primary Gateway, the beach podium shall include at least three complementary facade compositions.
5. The façade compositions shall be distinguished through substantive changes in building plane, architectural rhythm, entrances, windows, or primary materials. Changes in color or finishes alone shall not satisfy this requirement.

d. Mid-Rise Element.

1. The mid-rise element shall consist of the portion of the building located above forty (40) feet and at or below one hundred (100) feet.
2. The mid-rise element shall be stepped back from the corresponding face of the beach podium by at least:
 - (1) Twenty (20) feet along State Road A1A; and

(2) Ten (10) feet along a cross street.

1. The required stepback shall be maintained along the full applicable façade and shall not be averaged.

e. High-Rise Element.

1. Where permitted by the applicable height regulations, the high-rise element shall consist of the portion of the building located above one hundred (100) feet.
2. The high-rise element shall be recessed at least fifteen (15) feet from the corresponding exterior face of the mid-rise element on all sides.
3. The required stepback shall be maintained around the full perimeter of the high-rise element and shall not be averaged.

f. High-Rise Length.

1. The maximum length of a high-rise element shall be one hundred sixty (160) feet.
2. Length shall be measured along the greatest horizontal dimension of the high-rise floorplate between the exterior walls.
3. Unenclosed balconies and minor architectural projections shall not be included in the measurement.
4. Bends, angles, offsets, or changes in orientation shall not be used to exceed the maximum length.

g. High-Rise Separation.

1. High-rise elements shall be separated by at least fifty-five (55) feet.
2. Separation shall be measured horizontally between the closest exterior walls of the high-rise elements.
3. Where high-rise elements are located on separate properties, each high-rise element shall be set back at least twenty-seven and one-half (27.5) feet from the shared property line.
4. The required separation may be distributed differently between adjoining properties where a recorded agreement ensures that the full fifty-five-foot separation will be maintained.
5. The required separation shall remain open to the sky above the mid-rise element.

M. Bonus Framework

M.1. General Bonus Provisions

The Hollywood Beach Overlay allows eligible development to voluntarily request one or more optional entitlements beyond those available under the underlying zoning district, including bonus height, TIDE allocations, Flexibility Units, TDR receiving capacity, and parking reductions.

Optional entitlements are not permitted by right. Each entitlement shall be separately requested, reviewed, and approved in accordance with this section and the Regulating Plan Map. Approval of one entitlement shall not authorize another.

Development may proceed under the underlying zoning district without participating in this framework. Payment of a contribution or provision of a public benefit shall not guarantee approval of an optional entitlement.

Optional entitlements may be combined where authorized, but shall not exceed any maximum height, density, intensity, hotel room density, or other limitation established by the City Comprehensive Plan, Broward County Land Use Plan, this section, the Regulating Plan Map, or applicable law.

Density- and room-enabling entitlements, including TIDE allocations, Flexibility Units, and TDR receiving capacity, do not independently authorize additional height. Any height above the applicable as-of-right maximum shall be separately requested and approved under subsection M.2, subsection E.4, or subsection K, as applicable. Conversely, approval of additional height does not, by itself, authorize additional residential density or hotel rooms.

M.2. Height Bonus

1. Bonus height is an optional bonus entitlement and shall not be permitted by right. It may be requested only for property identified as bonus-height eligible on the Regulating Plan Map and shall require the applicable approval under this section and the public benefit contribution required by subsection N.
 2. The maximum building height applicable to a property shall be determined by the property's Precinct, Character Area, and any applicable Special Policy Area, as identified on the Regulating Plan Map. Table 1 establishes the maximum total building height available through the general Overlay height framework, subject to the separate Precinct 4 height mechanisms in subsection E.4 and the Landmark additional-height mechanism in subsection K.
 3. For purposes of this subsection, bonus height means the difference between the maximum height permitted as of right under the underlying zoning district and the maximum total building height authorized by Table 1. Where no bonus height is authorized, the maximum height permitted by the underlying zoning district shall control. "N/A" means that the identified Character Area or Special Policy Area does not apply within the applicable Precinct.
 4. Approval of bonus height shall require compliance with all applicable Precinct, Character Area, building form, frontage, public realm, resiliency, infrastructure, parking, and urban design requirements; the Required Bonus Entitlement Conditions; and the voluntary public benefit contribution requirements of subsection N. Payment of a contribution shall not, by itself, create an entitlement to bonus height.
 5. The Hollywood Beach Overlay Urban Design Guidelines shall regulate the form, placement, transition, stepbacks, tower configuration, and design of development receiving bonus height but shall not independently authorize a numerical height greater than the maximum established by Table 1.
1. Maximum height shall be determined by the applicable Beach Precinct, Character Area, and Special Policy Area identified on the Regulating Plan Map and Table 1. The Regulating Plan Map controls site classification; Table 1 establishes the applicable general numerical height maximum; subsection E.4 controls additional height within Precinct 4; subsection K controls Landmark additional height; and the Hollywood Beach Overlay Urban Design Guidelines supplement these standards by regulating building form, placement, transitions, stepbacks, massing, and design.

Table 1: Hollywood Beach Overlay District — Maximum Heights Including Bonus

PRECINCT	CHARACTER AREAS						SPECIAL POLICY AREA
	North Beach Village	Historic Broadwalk	Surf Road	Transition Zone (Landmark-eligible)	A1A Corridor (Landmark-eligible)	Intra-coastal	
Precinct 1 – North Beach Village	No Bonus Permitted	N/A	N/A	N/A	N/A	N/A	North of Balboa St: 200 ft
Precinct 2 – North-Central Beach Residential	N/A	N/A	60 ft	100 ft (+50 ft Landmark bonus)		60 ft	N/A
Precinct 3 – Central Beach Commercial				150 ft (+50 ft Landmark bonus)			
Precinct 4 – Hollywood Beach Resort			N/A	N/A	N/A	N/A	All other sites: 40 ft Controlling Properties pathway: 340 ft Unified Master Plan: 340 ft standard maximum; additional height may be

PRECINCT	CHARACTER AREAS						SPECIAL POLICY AREA
	North Beach Village	Historic Broadwalk	Surf Road	Transition Zone (Landmark-eligible)	A1A Corridor (Landmark-eligible)	Intra-coastal	
							approved pursuant to E.4.i.; Historic Rehabilitation Incentive may authorize up to an additional 150 ft pursuant to E.4.j.
Precinct 5 – South-Central Beach Residential				100 ft (+50 ft Landmark bonus)	150 ft (+50 ft Landmark bonus)		
Precinct 6 – South Beach Residential		N/A	60 ft	N/A	200 ft		N/A

1. Landmark Development may request up to 50 feet of additional height above the maximum height shown in Table 1, subject to subsection K. A Gateway Frontage classification under subsection H does not create eligibility for additional height.

M.3. Tourism Incentive Density Entitlement (TIDE) Program

1. Allocation of rooms through the TIDE Program is an optional bonus entitlement and shall not be permitted by right. The TIDE Program shall operate through a finite inventory of hotel rooms available for allocation, and any allocation shall be subject to the availability of rooms within the Tide program at the time of allocation. The TIDE Program and the existing Hollywood Beach Hotel Room Pool are separate bonus frameworks. An applicant utilizing an optional bonus entitlement under this section shall not combine that entitlement with the Hollywood Beach Hotel Room Pool or another bonus provision not contained in Section 4.26. Development proceeding without an optional bonus entitlement under Section 4.26 may continue to utilize the Hollywood Beach Hotel Room Pool where otherwise eligible under applicable regulations.
2. TIDE allocation shall not be available to properties with an underlying residential land use designation.
3. Allocation of rooms from the TIDE program shall be available only where authorized by the Regulating Plan Map and where hotel, condo-hotel, lodging, hospitality, resort, or other transient lodging uses are permitted by the underlying zoning district, and where all other applicable requirements of this section are satisfied.
4. The TIDE Program is intended primarily to support redevelopment of Central Beach and other mapped hospitality-oriented areas as resort, hotel, condo-hotel, tourism, and visitor-serving destinations.
5. For purposes of this subsection, Base Hotel Room Density has the meaning established in subsection B.2. Additional hotel room allocation means the number of hotel rooms per acre requested above Base Hotel Room Density.
6. The maximum total hotel room density permitted through base density and allocation from the TIDE program shall not exceed 350 hotel rooms per acre, unless a lower maximum is established by the Regulating Plan Map. The maximum density established by this paragraph does not guarantee the availability or allocation of sufficient TIDE rooms to achieve that density.
7. For purposes of determining the applicable tier, the City shall evaluate only the additional hotel room allocation requested above base hotel room density.
8. The City Commission may allocate rooms from the TIDE program from the then-available Tide program inventory only where the proposed development satisfies all mandatory urban design, architectural, frontage, public realm, block structure, resiliency, infrastructure, parking, and Beach Precinct standards applicable to the requested TIDE allocation.

a. Allocation Criteria.

1. In considering an allocation from the TIDE Program, the City Commission shall find that the proposed development:
 - a. Supports the City's hospitality, tourism, resort, and visitor-serving economy;
 - b. Supports rather than displaces the planned non-residential and visitor-serving function of the property or surrounding area;
 - c. Facilitates redevelopment, reinvestment, or modernization of aging, obsolete, or underutilized hotel, motel, commercial, or visitor-serving properties;
 - d. Enhances the destination character of Hollywood Beach and supports high-quality design;
 - e. Maintains or enhances hotel, motel, tourist accommodation, commercial, hospitality, restaurant, entertainment, service, or other visitor-serving activity, where appropriate;
 - f. Contributes to walkability, active frontages, pedestrian activity, public realm improvements, beach access, mobility, resiliency, or other adopted planning objectives;
 - g. Preserves or enhances the long-term economic productivity of the site or surrounding district;
 - h. Demonstrates that adequate infrastructure, mobility, parking, evacuation, public facilities, and services are available or will be provided to support the proposed development;
 - i. Provides public benefits where established by the City's Land Development Regulations; and
 - j. Maintains consistency with the City Comprehensive Plan and the City's Land Development Regulations.

b. Required Bonus Entitlement Conditions and POPS.

1. In addition to satisfying all mandatory standards, any applicant seeking allocation of rooms from the TIDE program above base hotel room density shall comply with the Required Bonus Entitlement Conditions applicable to the requested hotel room allocation.
2. Allocation of rooms from the TIDE program shall be subject to the following POPS requirements:

Additional Hotel Room Allocation Requested Above Base Hotel Room Density	Minimum POPS Contribution
Tier 1: Up to 50 additional rooms per acre	5 percent of gross development site area
Tier 2: 51 to 100 additional rooms per acre	7.5 percent of gross development site area
Tier 3: 101 to 150 additional rooms per acre	10 percent of gross development site area
Tier 4: 151 to 200 additional rooms per acre	12.5 percent of gross development site area
Tier 5: More than 200 additional rooms per acre, not to exceed the maximum total hotel room density authorized by this section	15 percent of gross development site area

1. POPS shall be directly visible and accessible from a public sidewalk, street, paseo, Public Realm Priority Frontage or Corridor, Broadwalk frontage, A1A frontage, Surf Road frontage, Civic Terminus Park, or other publicly accessible pedestrian area.
2. POPS shall include, at minimum, seating, shade, landscaping, pedestrian lighting, decorative paving, wayfinding, and at least one additional public realm amenity, such as café seating, interpretive features, water features, stormwater landscape features, or comparable visitor-serving public realm improvements.
3. Required POPS may be located within required setback areas adjacent to a public street, provided that such areas are designed as part of an integrated and publicly accessible open space system, such as a forecourt, widened sidewalk, small plaza, paseo, landscape connector, Civic Terminus Park edge, or similar central congregation space.
4. Residual landscape areas, isolated perimeter setbacks, utility areas, service areas, drive aisles, loading areas, parking areas, and areas not designed for public use shall not count toward the POPS requirement.
5. POPS shall not be designed or operated as private amenity space, gated open space, resident-only space, hotel guest-only space, or any space that discourages public use.

6. Public access to POPS shall be secured through a recorded public access easement, covenant, development agreement, or other instrument acceptable to the City Attorney prior to issuance of a certificate of occupancy.
7. The recorded instrument shall identify the location, size, hours of public access, maintenance obligations, signage, permitted temporary closures, security, liability, and remedies for noncompliance. It shall be approved by the Director of Parks, Recreation and Cultural Arts, the Director of Development Services, and the Director of Public Safety, and approved as to form by the City Attorney.
8. Failure to maintain POPS in accordance with the approved public access, maintenance, and management agreement shall constitute a violation of this section and may result in code enforcement, withholding of permits, withholding of certificates of occupancy, certificates of use for any uses on premises, revocation or modification of TIDE allocation, or any other remedy available by law.

c. TIDE Accounting and Administration.

1. The number of hotel rooms authorized and available for allocation through the TIDE Program shall be established and may be modified from time to time by official action of the City Commission, consistent with the City Comprehensive Plan and applicable law. The aggregate number of rooms allocated or reserved through the TIDE Program shall not exceed the authorized Tide program inventory.
2. Hotel rooms may be added to the authorized Tide program inventory only by official action of the City Commission following a recommendation by the Planning and Development Board and a demonstration that adequate infrastructure and public service capacity exists, or will be provided, to accommodate the increased hotel room density.
3. In considering whether to recommend or approve the addition of hotel rooms to the Tide program, the Planning and Development Board and City Commission shall also consider the current available balance, rooms reasonably anticipated to expire or be returned, pending and anticipated demand, the geographic distribution of allocations, and the extent to which additional capacity would advance the hospitality, tourism, resort, commercial, employment, redevelopment, and visitor-serving objectives of the City Comprehensive Plan.
4. The City shall maintain a TIDE registry identifying each allocation, the development approval to which it attaches, the number of rooms allocated, and the balance remaining available for allocation.
5. Rooms shall be allocated only upon final approval of the associated optional bonus entitlement and shall be reserved to the approved development for the life of that approval. Submission or completeness of an application shall not reserve capacity or create any right to allocation.
6. Allocated rooms shall automatically revert to the TIDE Program upon expiration, abandonment, or revocation of the development approval to which they attach, demolition of the improvements to which they attach, or approval of an amendment reducing the approved room count, consistent with subsection A.7.
7. Applications shall be processed in the order deemed complete; provided, however, that nothing in this subsection shall require the City Commission to allocate rooms to any application, in whole or in part, regardless of remaining capacity.
8. The exhaustion or limited availability of the existing Tide program balance shall not create an entitlement to additional inventory. The decision to add hotel rooms to the Tide program shall remain discretionary and shall be made separately from the decision to reserve or allocate available rooms to an individual development.

M.4. Flexibility Unit Eligibility and Use

1. Flexibility Units may be allocated only within Precinct 3, where the applicable land use designation permits the use of Flexibility Units, the property is identified as Flexibility Unit-eligible on the Regulating Plan Map, and the proposed allocation complies with the City Comprehensive Plan, Broward County Land Use Plan, this section, and other applicable law.

2. Flexibility Units shall apply only to residential dwelling units. Hotel rooms, motel rooms, condo-hotel rooms, lodging units, and other transient accommodations shall not be counted as residential dwelling units and shall not consume Flexibility Units unless required by the City Comprehensive Plan, Broward County Land Use Plan, or applicable law.
3. Flexibility Units are intended to support redevelopment that advances the purposes, public realm objectives, and design standards of the Overlay District. Flexibility Units shall not be used to extend, preserve, intensify, or perpetuate legal nonconforming structures, sites, site conditions, or development patterns.
4. Except as provided in subsection E.3.e., Flexibility Units shall be used only as part of a new vertically or horizontally integrated mixed-use development. No fixed ratio of residential to nonresidential uses shall apply; however, the development shall provide a feasible nonresidential, visitor-serving, commercial, hospitality, restaurant, entertainment, cultural, civic, public realm, or similar component appropriate to the applicable frontage, Beach Precinct, and Regulating Plan Map.
5. Within the portion of Precinct 3 generally north of Garfield Street and west of A1A, Flexibility Units may be used for standalone residential development only where the property is specifically mapped as eligible for standalone residential Flexibility Unit development on the Regulating Plan Map and where the development satisfies all applicable residential parking, public realm, resiliency, frontage, design, and approval requirements of this section.
6. Residential-only development using Flexibility Units shall be prohibited east of A1A.
7. Within Commercial Priority Streets or Gateway Streets, ground-floor residential units, residential amenity spaces, leasing offices, or residential lobbies shall not occupy required active frontage areas, except for limited lobby access necessary to serve upper-floor residential uses.
8. The implementation of Flexibility Units does not authorize parking reduction or parking elimination.
9. As a condition of receiving Flexibility Units, publicly accessible parking equal to 10 percent of the parking otherwise required by Section 4.6(C) and Article 7 shall be provided in accordance with subsection L.1, unless standalone residential development is proposed.

M.5. Transfer of Development Rights

1. Transfer of Development Rights, or TDRs, shall be voluntary and shall not guarantee approval of a development permit, bonus height, Flexibility Unit allocation, TIDE allocation, parking reduction, or any other optional bonus entitlement. TDR receiving capacity authorizes residential density only and does not independently authorize additional height.
2. TDRs shall be approved by City Commission resolution, development agreement, or other approval process authorized by this section.
3. Municipal Notice. Written notice of a proposed transfer shall be provided to any municipality within one thousand (1,000) feet of the sending or receiving site at least thirty (30) days prior to approval.
4. The purpose of the TDR program within the Hollywood Beach Overlay District is to allow the limited transfer of residential density from mapped sending areas to mapped receiving areas in order to further a public benefit, support coordinated redevelopment, preserve lower-scale and conservation-oriented areas, and direct additional residential density to locations identified by the City as appropriate for additional residential intensity.
5. Residential density is the only development right that may be transferred through the TDR program. No other development standards, including height, floor area, floor area ratio, hotel rooms, parking reduction, use permissions, setbacks, lot coverage, open space, flex allocation, or nonresidential intensity, shall be transferable through the TDR program. There shall be no variances to this provision.
6. No TDRs shall be transferred from or received by property within an Activity Center land use designation or Planned Development zoning district. Both the sending and receiving sites shall be located within the mapped sending and receiving areas identified on the Regulating Plan Map.
7. No TDRs shall be transferred to or used on a receiving site unless the site has completed Development Review Committee site plan review and received conditions governing the transfer

of residential density. The receiving site shall participate in the Overlay and satisfy all applicable baseline bonus requirements, including Required Bonus Entitlement Conditions and substantial consistency with the Hollywood Beach Overlay Urban Design Guidelines.

a. Approval Findings.

1. In addition to satisfying the sending- and receiving-area eligibility requirements of this section, the City Commission may approve a transfer only upon finding that:
 - a. The receiving site is appropriate for the additional residential density based on its location, configuration, access, surrounding development pattern, infrastructure capacity, mobility, evacuation, resiliency, public facilities, and services;
 - b. The receiving site can accommodate the transferred residential density in compliance with all applicable density, height, building form, frontage, parking, access, public realm, resiliency, and urban design requirements without requiring a variance;
 - c. Except where all residential density is transferred pursuant to the public parkland provisions of this section, the sending site will retain sufficient development capacity, access, dimensions, and site-planning flexibility to support feasible future development consistent with the applicable development goals of the respective Beach Precinct, Hollywood Beach Overlay Urban Design Guidelines, Comprehensive Plan, and Zoning and Land Development Regulations;
 - d. The transfer will not create an unbuildable, inaccessible, irregularly configured, or functionally obsolete parcel; increase a nonconforming condition; or unreasonably preclude future development of the sending site or adjoining properties;
 - e. The residential density available for transfer, the amount proposed to be transferred, and the development capacity remaining on the sending site have been calculated and verified by the City;
 - f. A tertiary plan has been provided for the sending site in accordance with this section; and
 - g. The required approvals, covenants, development agreements, conveyances, and recorded instruments are sufficient to implement the transfer and prevent the transferred residential density from being used more than once.

b. Sending-Site Tertiary Plan.

2. An application to receive transferred residential density shall include a tertiary plan for the sending site demonstrating how the property may be appropriately used or developed following the transfer. The tertiary plan shall identify, at minimum:
 - a. The existing development conditions and lawful residential density of the sending site;
 - b. The amount of residential density proposed to be transferred;
 - c. The residential density and development capacity remaining following the transfer;
 - d. A feasible conceptual development, access, circulation, parking, public realm, and open space framework for the sending site; and
 - e. The relationship of potential future development to the applicable Beach Precinct, Regulating Plan Map, Hollywood Beach Overlay Urban Design Guidelines, adjoining properties, streets, alleys, public spaces, infrastructure, and access conditions.
3. The tertiary plan shall be used solely to evaluate the effect of the proposed transfer and shall not constitute site plan approval or vest development rights. Future development of the sending site shall remain subject to the Comprehensive Plan, the Zoning and Land Development Regulations, and all approval procedures applicable at the time of development.

c. Sending and Receiving Area Requirements.

4. **Receiving Areas.** Sites eligible to receive transferred development rights shall be designated in advance on the Regulating Plan Map. No site shall receive transferred rights except as so designated.
5. **Beach Limitation.** A receiving site located east of the Intracoastal Waterway may receive transferred development rights only from a sending site located east of the Intracoastal Waterway. Development rights originating from a sending site east of the Intracoastal

Waterway shall not be transferred to a receiving site located west of the Intracoastal Waterway.

6. Sending Sites. Each transfer shall further an identified public purpose, including without limitation resiliency, open space, preservation, or public access. Upon transfer, the development rights transferred shall be extinguished on the sending site by covenant recorded in the public records, running with the land, in a form approved by the City Attorney. The covenant shall identify the quantity and nature of the rights transferred, the retained development potential of the sending site, if any, and the permitted future use and maintenance obligations of the sending site.

d. Transfer of All Density for Public Parkland.

7. The City Commission may approve the transfer and permanent extinguishment of all residential density from a sending site only where:

- a. The Parks, Recreation and Cultural Arts Department determines that there is a demonstrated need for additional public parkland within the applicable area;
- b. The location, size, configuration, access, visibility, environmental condition, and physical characteristics of the sending site satisfy the programmatic objectives and standards of the Parks, Recreation and Cultural Arts Department;
- c. The proposed public park advances an adopted recreation, open space, public access, resiliency, conservation, beach access, public realm, or other public objective;
- d. The City Commission determines that acceptance of the property is in the public interest; and
- e. The property will be cleared, improved for public park use, and gratuitously conveyed to the City in accordance with this section.

8. Where the sending site contains existing development, the property owner shall demolish and remove all buildings, structures, parking areas, foundations, utilities, debris, and other improvements identified by the City. Where the sending site is vacant, or following required demolition, the property owner shall clear, grade, stabilize, remediate, landscape, and improve the property for public park use in accordance with plans approved by the Parks, Recreation and Cultural Arts Department and other applicable City departments.

9. The property shall be gratuitously conveyed to the City in fee simple, through an instrument acceptable to the City Attorney, and free of mortgages, liens, leases, title defects, environmental conditions, restrictions, reversionary interests, or other encumbrances unacceptable to the City. The property owner shall provide all surveys, title evidence, environmental assessments, remediation documentation, and other due diligence materials required by the City.

10. Designation as a sending site, the proposed transfer of all residential density, or an offer to convey property shall not obligate the City to accept the property. The City may decline any property that does not satisfy an identified parkland need, the programmatic objectives of the Parks, Recreation and Cultural Arts Department, or the requirements of this section.

11. The transfer or extinguishment of all residential density shall not amend the property's Future Land Use designation or zoning district, authorize a prohibited use, or exempt the property from the Comprehensive Plan or the Zoning and Land Development Regulations. A property with no remaining residential density shall not be used, developed, maintained, or occupied for any purpose inconsistent with the uses and standards otherwise applicable to the property.

12. Until the property is conveyed to and accepted by the City, the sending site shall be maintained and used only in accordance with the Comprehensive Plan and the Zoning and Land Development Regulations. Unless otherwise established through a development agreement approved by the City Commission, all required demolition, remediation, park improvements, conveyance, and recordation shall be completed before the transferred residential density may be utilized on the receiving site.

e. Aggregation, Accounting, and Administration.

13. Aggregation. A receiving site may receive transferred development rights from more than one sending site, provided each transfer independently satisfies the requirements of this section and a separate instrument is recorded for each sending site. Aggregated transfers shall not cause the receiving site to exceed any maximum density, intensity, or height otherwise applicable.
14. Accounting. The City shall maintain a registry tracing each transferred right to its sending parcel and recorded instrument. The City may require a certificate of eligibility, certificate of transfer, restrictive covenant, title documentation, legal description, survey, calculation of available residential density, letter of intent, development agreement, and recordation of approved instruments in the public records of Broward County.
15. Approval of TDR receiving capacity shall not authorize the vacation, abandonment, closure, relocation, transfer, or privatization of any public alley, street, right-of-way, public access corridor, or public pedestrian connection.
16. Any TDR approval shall identify, at minimum, the sending site, receiving site, number of residential units or amount of residential density transferred, applicable conditions of approval, required public benefits, and any restrictions necessary to ensure that transferred residential density is not used more than once.
17. Upon approval and recordation of the TDR instruments, the transferred residential density shall be deducted from the sending site and may be applied only to the approved receiving site in accordance with the applicable approval.
18. The City's established TDR approval, documentation, and recordkeeping process shall be the sole and exclusive mechanism through which the ownership, assignment, transfer, or use of TDRs may occur. No private agreement, conveyance, assignment, contract, deed, or other instrument purporting to transfer or encumber TDRs shall be valid, recognized, or enforceable by the City unless the transfer has been reviewed, approved, and recorded by the City in accordance with this section and all applicable TDR procedures and requirements.

N. Hollywood Beach Public Benefit and Resilience Trust Fund

N.1. Establishment and Purpose. There is hereby established a Hollywood Beach Public Benefit and Resilience Trust Fund for the purpose of receiving voluntary public benefit contributions associated with optional bonus entitlements within the Overlay District.

N.2. Voluntary Nature. Contributions to the Trust Fund shall be voluntary public benefit contributions made in exchange for optional bonus entitlements and shall not be required for development proceeding solely pursuant to as-of-right entitlements under the underlying zoning district.

N.3. Generally Applicable Charge. The Trust Fund contribution shall not be construed as an impact fee, tax, generally applicable development fee, or mandatory charge applicable to all development within the Overlay District. The contribution shall apply only where an applicant voluntarily elects to seek an optional bonus entitlement above or in addition to the entitlements otherwise available under the underlying zoning district.

N.4. Eligible Uses. Funds deposited into the Trust Fund shall be used for projects on public property benefiting Hollywood Beach, including flood mitigation, stormwater infrastructure, resilience improvements, beach-access improvements, landscape enhancements, mobility infrastructure, underground utilities, environmental restoration, dune stabilization, and other eligible public infrastructure or resilience projects.

N.5. Calculation of Contribution. The Trust Fund contribution shall be calculated based on the amount of bonus floor area requested above the as-of-right development capacity otherwise available under the underlying zoning district. The same square foot of bonus floor area shall not be assessed more than once solely because more than one optional bonus entitlement is required to authorize or accommodate that floor area.

N.6. Contribution Schedule. Unless otherwise established by resolution of the City Commission, development agreement, or project-specific proportionality determination, the minimum Trust Fund contribution shall be calculated based on the type of bonus floor area requested.

N.7. Mixed-Use Projects and No Double Counting. Mixed-use projects containing both residential and nonresidential bonus floor area shall calculate the Trust Fund contribution separately for each bonus floor area type. Where the same bonus floor area depends on more than one optional entitlement, the contribution shall be calculated only once. Residential floor area attributable to a Flexibility Unit allocation remains subject to subsection N.6(b) even where separate bonus height is also required to accommodate that floor area.

N.8. Change in Use. Where the use of bonus floor area changes after approval, the applicant shall pay any difference between the contribution originally paid and the contribution applicable to the converted use, as determined by the City.

N.9. Adjustment by Resolution. The City Commission may, by resolution, establish or amend a tiered Trust Fund contribution schedule based on the scale, location, type, or intensity of the optional bonus entitlement requested and may adjust the Trust Fund contribution based on updated capital improvement costs, stormwater master plan updates, resiliency planning, infrastructure cost estimates, inflation, construction cost escalation, sea level rise adaptation needs, public parking needs, mobility needs, or other adopted City policy documents.

N.10. Methodology Considerations. The City may consider stormwater, drainage, floodplain, tidal/backflow, pump station, force main, seawall, road-raising, water quality, mobility, public parking, public realm, undergrounding, and other resiliency or infrastructure assumptions when determining whether the adopted contribution amount remains reasonable and proportionate to the optional bonus entitlement requested.

N.11. No Entitlement Created. Payment of a Trust Fund contribution shall not, by itself, entitle an applicant to approval of any Optional Bonus Entitlement. The applicant must also satisfy the applicable eligibility, design, public benefit, parking, resiliency, infrastructure, and approval standards of this section.

N.12. Art in Public Places. Public art required under Section 3.22.J., Art in Public Places, shall not be waived, reduced, replaced, or satisfied by payment of a Trust Fund contribution under this section.

N.13. Public Art as a Bonus Condition. Compliance with Section 3.22.J., Art in Public Places, shall not count toward Required Bonus Entitlement Conditions unless the City Commission determines that the public art exceeds the minimum requirement of Section 3.22.J. and provides a distinct public benefit related to the requested Optional Bonus Entitlement.

N.14. No Offset of Generally Applicable Fees and Requirements. Notwithstanding anything in this section to the contrary, any voluntary Trust Fund contribution, public benefit contribution, Required Bonus Entitlement Condition, or other optional contribution provided pursuant to this section shall be in addition to, and shall not waive, reduce, offset, replace, or satisfy, any impact fee, mobility fee, utility fee, permit fee, connection charge, capacity charge, public art requirement, or other generally applicable fee, charge, exaction, or requirement imposed by City Code, County regulation, state law, or other applicable law. All applicable impact fees and generally applicable development fees shall be calculated and assessed based on the total development, including both as-of-right development capacity and any bonus floor area, density, intensity, hotel rooms, or other development capacity approved pursuant to this section, unless otherwise expressly provided by applicable law.

O. Overlay Development Review and Approval Procedures

O.1. Applicability and Review Sequence

1. This subsection applies to applications seeking one or more Optional Bonus Entitlements. Development proceeding solely under as-of-right entitlements shall not be required to obtain an optional bonus entitlement or satisfy requirements applicable solely to optional bonus entitlements.

2. No Optional Bonus Entitlement shall be deemed permitted by right or approved solely through administrative review. Any application seeking an optional bonus entitlement shall be reviewed through the applicable development review process established by Article 5 and Article 6 of the Zoning and Land Development Regulations, including public participation, Development Review Committee review, Design and Site Plan review, Planning and Development Board review and recommendation, and final approval by the City Commission.
3. Where a project is located within a local Historic District, Historic Overlay District, or otherwise requires Historic Preservation Board review, the application shall also be reviewed by the Joint Planning and Development Board/Historic Preservation Board, as applicable, in accordance with Article 5, Section 5.3(l)(2).

O.2. Entitlement Identification and Completeness Review

1. An application shall identify each Optional Bonus Entitlement requested. During completeness review, the City shall identify the standards, Required Bonus Entitlement Conditions, studies, reports, plans, calculations, agreements, instruments, and findings applicable to the requested entitlement or entitlements. Materials unrelated to the requested entitlement shall not be required unless necessary to evaluate impacts caused by the proposed development or otherwise required by this Code or applicable law.

O.3. Application Materials

1. Applications seeking one or more Optional Bonus Entitlements shall submit the application materials, studies, reports, plans, calculations, agreements, and instruments necessary to evaluate the specific Optional Bonus Entitlement requested. Such materials may include, as applicable:
 - a. Master plan document, site plan, or unified master plan;
 - b. Planning Justification Report, including land use consistency and compatibility analysis, zoning analysis, and public benefit statement;
 - c. Urban Design Brief demonstrating how the proposed development complies with the applicable Hollywood Beach Overlay Urban Design Guidelines and supports the required findings of this section. The Urban Design Brief shall include, as applicable, wind, view-corridor, skyline, and massing analyses; any proposed alternative massing or stepback approach; and a written explanation identifying the applicable guideline provisions and how the proposed site plan, building design, frontage design, public realm improvements, parking design, massing, materials, and architectural treatment implement those provisions;
 - d. Shadow Study illustrating the extent and duration of shadows cast by the proposed development during both the winter and summer solstices;
 - e. Resiliency and Stormwater Report;
 - f. Transportation, Mobility, Parking, Loading, Valet, Service, and Access Plan;
 - g. Public parking plan or shared parking management plan;
 - h. Tertiary Plan demonstrating how the proposed development relates to the existing and future buildout of the entire block. The Tertiary Plan shall identify, at a conceptual level, proposed and potential future building massing, development cells, access points, pedestrian connections, vehicular circulation, loading and service areas, parking access, publicly accessible parking locations, POPS locations, public realm improvements, utility and drainage considerations, and any phasing or construction measures necessary to ensure that the proposed development does not preclude or materially impair the logical redevelopment of remaining parcels within the block;
 - i. Phasing, staging, sequencing, or construction management plan;
 - j. Operational Management Plan for condo-hotel, mixed-ownership transient lodging, hospitality, public parking, POPS, or other uses requiring continuing operational controls;
 - k. Public access easement, public parking agreement, POPS agreement, maintenance agreement, development agreement, restrictive covenant, or other instrument acceptable to the City Attorney; and

- I. Any other study, report, plan, calculation, agreement, or instrument reasonably necessary to evaluate the requested optional bonus entitlement, ensure compliance with this section, or secure the Required Bonus Entitlement Conditions associated with the requested entitlement.
1. Where an applicant voluntarily requests multiple Optional Bonus Entitlements, the City may require an integrated review, development agreement, or combined set of Required Bonus Entitlement Conditions to ensure that the conditions imposed are reasonably related to the total Optional Bonus Entitlements requested.

O.4. Land Use and Zoning Conformity

1. No Optional Bonus Entitlement shall authorize development inconsistent with the City Comprehensive Plan, Future Land Use Map, Broward County Land Use Plan, this Code, or other applicable law.
2. Where the Broward County Land Use Plan permits greater density, intensity, hotel room density, use permission, or development capacity than the City Comprehensive Plan or Future Land Use Map, such County-level permission shall not be self-executing. The applicant shall obtain any required Local Land Use Plan Amendment, Comprehensive Plan amendment, Future Land Use Map amendment, zoning amendment, allocation, consistency determination, or other approval necessary to authorize the requested development before final approval of the optional bonus entitlement.
3. Where a property's City Future Land Use designation, County land use designation, zoning district, or existing development rights are not in conformity, the applicant shall obtain all required amendments, consistency determinations, or other approvals necessary to establish conformity before the requested Optional Bonus Entitlement may be approved.
4. The City may process related land use, zoning, site plan, and Optional Bonus Entitlement applications concurrently where authorized by law; however, no Optional Bonus Entitlement shall become effective until all required land use, Comprehensive Plan, Future Land Use Map, zoning, or conformity approvals necessary to support the requested entitlement have been adopted, approved, and are effective.

O.5. Required Findings

1. Except for the legislative decision whether to negotiate, enter into, or approve a Landmark Development Agreement under subsection K, prior to recommending or approving an optional bonus entitlement the applicable reviewing body shall make findings, based on competent substantial evidence, that the requested optional bonus entitlement:
 - a. is authorized by this section and the Regulating Plan Map;
 - b. complies with the City Comprehensive Plan, Future Land Use Map, Broward County Land Use Plan, and other applicable law;
 - c. complies with the applicable underlying zoning district, except to the extent this section expressly supersedes or modifies the underlying zoning district for the requested optional bonus entitlement;
 - d. complies with the applicable Beach Precinct standards and demonstrates substantial consistency with the Hollywood Beach Overlay Urban Design Guidelines, where applicable;
 - e. satisfies the applicable Design and Site Plan review criteria under Article 5 and Article 6;
 - f. is compatible with surrounding land uses, existing and planned development patterns, neighborhood character, public realm conditions, mobility conditions, beach access, and the intended function of the applicable Beach Precinct;
 - g. satisfies the specific eligibility criteria, standards, Required Bonus Entitlement Conditions, public benefit requirements, parking requirements, application requirements, study requirements, agreement requirements, and approval criteria applicable to the requested optional bonus entitlement;

- h. provides the required Trust Fund contribution, publicly accessible parking, development agreement, covenant, easement, TDR instrument, operational agreement, or other required instrument, where applicable;
 - i. satisfies applicable resiliency, stormwater, floodplain, utilities, infrastructure, mobility, loading, access, public safety, and evacuation considerations;
 - j. satisfies applicable block structure, Tertiary Plan, minimum development site, frontage, public realm, and pedestrian connectivity standards;
 - k. does not create an isolated, residual, remnant, undersized, irregular, or functionally constrained parcel that undermines future coordinated redevelopment; and
2. Optional bonus entitlements subject to the findings in this subsection are discretionary and are not permitted by right. The City Commission may deny or reduce a requested entitlement where competent substantial evidence demonstrates that the proposal fails to satisfy one or more required findings or that the public benefits provided are not commensurate with the nature and extent of the optional bonus entitlement requested. The Landmark Development Agreement process remains governed by subsection K and applicable law.

O.6. City Commission Action and Conditions

The City Commission may approve, approve with conditions, reduce, modify, or deny any requested Optional Bonus Entitlement based on the standards and findings applicable to that entitlement. Commission action on a Landmark Development Agreement shall be governed by subsection K and applicable law. Denial, reduction, or conditioning of an optional bonus entitlement shall not trigger the limitations and provisions of Article 5, Section 5.E(b), nor impair the applicant's ability to pursue As-Of-Right development under the underlying zoning district and applicable law.

- 1. Approval of an Optional Bonus Entitlement shall not authorize any other optional bonus entitlement unless such additional entitlement is expressly requested, reviewed, and approved pursuant to this section.
- 2. Approval of an Optional Bonus Entitlement may be secured through a development agreement, restrictive covenant, public access easement, parking agreement, public benefit agreement, maintenance agreement, TDR instrument, operational agreement, or other instrument acceptable to the City Attorney where necessary to ensure compliance with the Required Bonus Entitlement Conditions, voluntary public benefits, public parking commitments, operational requirements, or other conditions associated with the Optional Bonus Entitlement.
- 3. Any public benefit accepted pursuant to this section that is not expressly enumerated in this section shall be supported by a written equivalence determination demonstrating that the benefit is of equal or greater value than the enumerated benefit or contribution it supplements or replaces, based on the methodology adopted pursuant to subsection N or a professional valuation acceptable to the City.

O.7. Overlay Design Waiver

- a. Purpose. Where the Hollywood Beach Overlay Urban Design Guidelines or the design standards of this section apply as regulatory requirements, the City Commission may waive a specific design standard in accordance with this subsection, without a demonstration of hardship.
- b. Eligible standards. A waiver may be granted only from design, architectural, frontage, articulation, materiality, and streetscape standards of this section and the regulatory provisions of the Urban Design Guidelines. No waiver shall be granted from:
 - (i) any eligibility criterion for an optional bonus entitlement;
 - (ii) any Required Bonus Entitlement Condition, including public benefit contributions, publicly accessible parking, and POPS requirements;
 - (iii) any density, intensity, hotel room density, or height limitation; or
 - (iv) any standard derived from the City Comprehensive Plan or the Broward County Land Use Plan.

- c. Criteria. The City Commission may grant a waiver only upon written findings, supported by competent substantial evidence, that:
 - (i) strict application of the standard is impractical or would produce an inferior design outcome due to site conditions, parcel configuration, or surrounding context;
 - (ii) the proposed alternative satisfies the stated intent of the specific standard to be waived;
 - (iii) the resulting building design, public realm, and streetscape condition is equal or superior to that which strict compliance would produce; and
 - (iv) the waiver will not reduce or defer any public benefit required as a condition of an optional bonus entitlement.
- d. Procedure. A waiver request shall be filed and heard concurrently with the associated development application, before the same body and on the same record. The Commission may attach conditions to any waiver.
- e. Not a variance. A waiver under this subsection is not a variance and shall not be subject to the variance criteria or procedures of the Zoning and Land Development Regulations. No variance shall be granted from any standard eligible for a waiver under this subsection.
- f. No precedent. Each waiver applies only to the development approval for which it is granted and shall not establish an entitlement or precedent for any other property or application.

P. Sunset and Expiration

P.1. Sunset of Overlay District.

The Hollywood Beach Overlay District established by this section shall expire five (5) years after the effective date of the ordinance adopting this section, unless extended, amended, or reenacted by ordinance of the City Commission prior to its expiration.

P.2. Effect of Expiration.

Upon expiration of this section:

- a. no new application may be submitted seeking an Optional Bonus Entitlement authorized solely by this section;
- b. no new TIDE allocation, Flexibility Unit allocation, TDR receiving entitlement, bonus height, parking reduction, commercial frontage reduction, or other Optional Bonus Entitlement authorized solely by this section may be approved; and
- c. development shall thereafter be governed by the underlying Zoning and Land Development Regulations, the City Comprehensive Plan, the Broward County Land Use Plan, and other applicable regulations then in effect.

P.3. Existing Approvals.

Expiration of this section shall not, by itself, terminate, invalidate, or modify a final development approval, development agreement, recorded covenant, easement, TIDE allocation, Flexibility Unit allocation, TDR transfer, bonus height approval, or other entitlement lawfully approved pursuant to this section before its expiration. Such approval or entitlement shall remain subject to its terms, applicable expiration and modification provisions, and any continuing obligations imposed as a condition of approval.

P.4. Pending Applications.

An application that has not received final approval before expiration of this section shall not retain eligibility for an Optional Bonus Entitlement under this section unless otherwise authorized by an ordinance extending, amending, or reenacting the Hollywood Beach Overlay District.

P.5. Overlay Urban Design Guidelines.

The Hollywood Beach Overlay Urban Design Guidelines are supplemental to and shall be administered in conjunction with this section. The Guidelines shall expire concurrently with the Hollywood Beach Overlay District and shall have no independent regulatory effect after expiration of this section unless separately adopted or otherwise authorized by ordinance of the City Commission.

P.6. Continuing Obligations.

Expiration of this section shall not release or terminate any public benefit, publicly accessible parking, POPS, public access, infrastructure, resilience, sustainability, maintenance, operational, monitoring, enforcement, or other continuing obligation secured in connection with a development approved pursuant to this section.