

ORDINANCE NO. _____

(26-L-18c)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY'S EXISTING COMPREHENSIVE PLAN TO ESTABLISH A TRANSFER OF DEVELOPMENT RIGHTS PROGRAM WITHIN THE LAND USE ELEMENT, AS MORE SPECIFICALLY SET FORTH IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER REVIEWING AGENCIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hollywood ("City") has determined that amendments to the Land Use Element are necessary to further the City's planning objectives and provide additional implementation tools to support redevelopment, preservation, resiliency, housing opportunities, economic development, and other adopted planning objectives; and

WHEREAS, the proposed amendments establish a Transfer of Development Rights Program to allow eligible development capacity to be transferred from designated sending areas to designated receiving areas in accordance with the City's Comprehensive Plan and Zoning and Land Development Regulations; and

WHEREAS, the proposed amendments are intended to provide a planning and redevelopment tool that may be utilized to advance public benefits, encourage appropriate growth and redevelopment, preserve community assets, and facilitate implementation of adopted planning objectives; and

WHEREAS, the proposed amendments establish a policy framework for the administration of a Transfer of Development Rights Program and are intended to provide implementation flexibility through the City's Zoning and Land Development Regulations; and

WHEREAS, the proposed amendments are intended to align the Comprehensive Plan with the Broward County Land Use Plan and are not intended to reduce development capacity, density, intensity, or development rights otherwise authorized under the Comprehensive Plan or Broward County Land Use Plan; and

WHEREAS, pursuant to state law, the City Planning and Development Board, acting in its capacity as the Local Planning Agency, held a duly noticed public hearing on June 29, 2026, to review the proposed comprehensive plan amendments and has forwarded a recommendation of approval to the City Commission; and

WHEREAS, in accordance with Section 163.3184, Florida Statutes, the City Commission has conducted two duly advertised public hearings on the proposed amendments to the City's Comprehensive Plan, including the review of objections, recommendations and comments of the respective reviewing agencies, if any; and

WHEREAS, the City Commission, after due consideration of all matters, finds that the proposed amendments are consistent with the City of Hollywood Comprehensive Plan, the Broward County Land Use Plan, the Strategic Regional Policy Plan for South Florida, and comply with applicable state law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That the Land Use Element of the City's Comprehensive Plan set forth in the attached Exhibit "A," is hereby amended and incorporated herein by reference.

Section 3: That the City Manager, or designee, is authorized and directed to transmit the amendments set forth in Exhibit "A" to the Florida Department of Commerce, the South Florida Regional Planning Council, Broward County, and all other agencies required by law for review and comment in accordance with Chapter 163, Florida Statutes.

Section 4: That if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of this Ordinance.

Section 5: That the effective date of this Ordinance shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete unless there is a timely challenge to the plan amendment, whereby the amendment does not become effective until the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment is in compliance.

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ADVERTISED _____, 2026.

ADVERTISED _____, 2026.

PASSED on first reading this _____ day of _____, 2026.

PASSED AND ADOPTED on second reading this _____ day of _____, 2026.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
City Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DAMARIS HENLON
CITY ATTORNEY

EXHIBIT "A"¹

THE CITY OF HOLLYWOOD
COMPREHENSIVE PLAN

LAND USE ELEMENT

City of Hollywood
Hollywood, Florida
December 1989
Revised: March 1991
December 1991
November 1995
November 1997
April 1999
February 2004
July 2006
EAR-Based Amendments January 2008
July 2026

Flexibility and Reserve Units

Transfer of Development Rights Program

The City may establish and administer a Transfer of Development Rights Program to allow eligible development capacity to be transferred from designated sending areas to designated receiving areas in support of adopted planning, redevelopment, preservation, resiliency, housing, economic development, and public benefit objectives.

The Transfer of Development Rights Program is an implementation tool and is not an independent land use category. The program shall be administered in accordance with the Broward County Land Use Plan, this Comprehensive Plan, and the City's Zoning and Land Development Regulations:

¹ Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double-strikethrough~~ and double underline.

1. Eligible sending areas, receiving areas, transferable development rights, transfer methods, receiving capacity, public benefits, review procedures, and administrative requirements shall be established in the City's Zoning and Land Development Regulations.
2. No property shall be eligible to send or receive development rights unless authorized by the City through the Zoning and Land Development Regulations, a regulating map, development approval, development agreement, or other official action.
3. Transferable development rights may include residential density, hotel room density, floor area, height, intensity, or other development capacity specifically authorized for transfer by this Comprehensive Plan and implemented through the City's Zoning and Land Development Regulations.
4. Transferred development rights may supplement the development capacity otherwise permitted by the applicable Future Land Use designation or Zoning and Land Development Regulations but shall not authorize development inconsistent with the Broward County Land Use Plan, this Comprehensive Plan, the Future Land Use Map, or the City's Zoning and Land Development Regulations.
5. The City shall maintain records sufficient to track development rights transferred, received, used, reserved, released, recovered, retired, or otherwise administered through the Transfer of Development Rights Program.
6. Approval of a transfer of development rights shall remain discretionary and subject to eligibility, availability, consistency with this Comprehensive Plan, consistency with the City's Zoning and Land Development Regulations, applicable development review procedures, and approval by the City Commission.
