

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

AMENDMENT TO PREVIOUSLY ADOPTED STANDARD OPERATING PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THE LIVE LOCAL ACT

Resolution No. 2026- _____

WHEREAS, on March 29, 2023, Governor Ron DeSantis signed Senate Bill 102, creating Section 125.01055(7), Florida Statutes (2023), known as the Live Local Act (the “Act”), which took effect on July 1, 2023; and

WHEREAS, the Act requires local governments to authorize multi-family and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent (40%) of the residential units in a proposed multi-family rental development are, for a period of at least 30 years, affordable as defined in Section 420.0004, Florida Statutes; and

WHEREAS, a proposed development that satisfies the Act’s criteria may not be required to obtain approval of a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized by the Act and, if the project satisfies the County’s land development regulations for multi-family development and is otherwise consistent with the Comprehensive Plan, the project must be administratively approved without further action by the Board of County Commissioners (the “Board”); and

WHEREAS, on August 8, 2023, the Board adopted Resolution No. 2023-M-32 which adopted standard operating procedures and zoning guidelines to guide staff on how to process projects under the Act; and

WHEREAS, on May 16, 2024, Governor Ron DeSantis signed Senate Bill 328, that, among other things, amended the Live Local Act’s Land Use mandate codified in section. 125.01055(7), Florida Statutes and extending the Act; and

WHEREAS, through the passage of SB 328 the Legislature updated the requirements of the Act, including, but not limited to, prohibiting counties from restricting the floor area ration of certain proposed developments under certain circumstances; requiring a reduction or elimination of parking requirements under certain circumstances; exempting airport-impacted areas from the act; authorizing counties to restrict the height of proposed developments under certain circumstances; requiring counties to maintain certain policy on their websites; and

WHEREAS, on September 10, 2024, the Board adopted Resolution No. 2024-M-33 modifying and adopting new standard operating procedures to guide staff on how to process any projects under the Act; and

WHEREAS, on June 23, 2025, Governor Ron DeSantis signed Senate Bill 1730, that, among other things, amend the Live Local Act's Land Use mandate codified in section. 125.01055(7), Florida Statutes and extending the Act; and

WHEREAS, through the passage of SB 1730 the Legislature further amends the requirements of the Act with definitions to provide guidelines to the Act's application, by defining Commercial Use, Industrial Use, and Mixed Use, and Planned Unit Development; expanding the application of the Act's land use mandate to portions of any flexibly zoned area such as planned unit development permitted for commercial, industrial, or mixed use; exempting the Wekiva Study Area and the Everglades Protection Area from the Act's land use mandate; requiring the administrative approval of certain proposed development without further action by a quasi-judicial, administrative board, or reviewing body under certain circumstances; providing annual reporting requirements;

WHEREAS, on _____ 2026, Governor Ron DeSantis signed House Bill 1389, which, among other things, amends the Live Local Act's Land Use mandate codified in section. 125.01055(7), Florida Statutes; and

WHEREAS, through the passage of House Bill 1389, the Florida Legislature further amends the Act by requiring counties to authorize multifamily and mixed-use residential uses as allowable uses for specified property; not exclude an assemblage of certain parcels; and prohibiting counties from restricting height and enforcing setbacks in certain circumstances; and

WHEREAS, to ensure compliance with Section 125.01055(7)(e)1, the county shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to the Act; and

WHEREAS, pursuant to Section 125.01055(10)(a), beginning November 1, 2026, the County must provide an annual report to the state land planning agency that will include a summary of litigation relating to subsection (7) that was initiated; and a list of all projects proposed or approved under subsection (7) during the previous fiscal year. For each project, the report will include at a minimum, the project's size, density, and intensity and the total number of units proposed, including the number of affordable units and associated targeted household incomes; and

WHEREAS, the Board wishes to modify and adopt new standard operating procedures to guide staff on how to process any projects under the Act.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY:**

Section 1. Authority. This Resolution is adopted pursuant to the provisions of the Constitution of the State of Florida, Chapter 125, Florida Statutes, the Charter of Orange County, and other applicable provisions of law.

Section 2. Live Local Act Standard Operating Procedures. The Board hereby replaces the previously adopted Standard Operating Procedures by adopting the Live Local Act Standard Operating Procedures (the “SOPs”) as set forth on Appendix “A,” attached hereto and incorporated herein by reference, to accomplish the goals of the Act. The SOPs found in Appendix “A” replace those previously adopted by the Board. The Board hereby directs that any project applications submitted pursuant to the Act shall be handled in substantial compliance with the SOPs attached hereto.

Section 3. Termination. This Resolution, and the SOPs, shall likewise expire upon expiration of the Act. In the event the Florida Legislature modifies the expiration date of the Act, this Resolution shall expire on such modified expiration date.

Section 4. Effective Date. This Resolution shall take effect on July 1, 2026.

ADOPTED this ____ day of _____ 2026.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County
Comptroller
As Clerk to the Board of County Commissioners

By: _____
Deputy Clerk

APPENDIX “A”
FORM OF LIVE LOCAL ACT STANDARD OPERATING PROCEDURES
LIVE LOCAL ACT STANDARD OPERATING PROCEDURES

Description

On March 29, 2023, Governor Ron DeSantis signed Senate Bill 102, which created Section 125.01055(7), Florida Statutes, otherwise known as the Live Local Act (the “Act”). The Act took effect on July 1, 2023. The Act was amended in 2024 as Senate Bill 328, which was signed on May 16, 2024, and took effect on May 16, 2024. It was again amended in 2025 as Senate Bill 1730, which was passed by the Legislature on May 1, 2025, and will become effective on July 1, 2025. In 2026 the Act was once again amended as House Bill 1389, which was passed by the legislature on _____, and will become effective on July 1, 2026.

The Act requires local governments to authorize multi-family and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use, if at least 40 percent of the residential units in a proposed multi-family development are rental units that, for a period of at least 30 years, affordable as defined in § 420.0004, Florida Statutes.

In 2025, SB 1730 amended the Act to clarify that multi-family and mixed-use residential are allowable uses in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed-use provided it meets the aforementioned requirements. It also introduces definitions for commercial use, industrial use, mixed use, and planned unit development. These definitions state that recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial uses, industrial use, or mixed use, irrespective of how they are operated. SB 1730 includes amendments to Section 125.01055(7) that prohibit a county from requiring that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.

In 2026, HB 1389 further amends the Act to allow qualifying development on religious lands regardless of the underlying zoning, if such property is larger than 3 acres, has contained a “house of public worship” for at least 10 years, and continues to operate as a house of public worship after the proposed development is constructed. It also expands the Live Local Act to allow proposed developments on property owned by a county, municipality, or school district, if such property is within the geographical jurisdiction of the local government, and the local government is a party to the development application. HB 1389 includes adjustments to areas exempted from Live Local to include areas subject to regulations intended to retain open space character, and also clarifies that farms and farm operations do not constitute commercial uses. The SOPs reflect the amendments to Section 125.01055(7).

A proposed development that satisfies the Act’s criteria may not be required to seek approval from the Board or any quasi-judicial, administrative board, or reviewing body for a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, or comprehensive plan amendment for the building height, zoning, floor area ratio, lot coverage and densities authorized by the Act, and, assuming such projects meet the criteria in the Act, they must be administratively approved. This document outlines the process such projects need to follow to obtain administrative approval pursuant to the Act.

Eligibility Criteria

- **Property Ownership**
 - Any property designated with an eligible zoning district, regardless of ownership.
 - Property owned by a County, Municipality, or School District, regardless of the underlying zoning.
 - The respective county, municipality, or school district must be a party to the application for the proposed development.

- Property owned by a religious institution, as defined in s. 170.201(2), which is more than 3 acres in size and has contained a public house of worship for at least 10 years before the proposed development, regardless of the underlying zoning.
 - The house of public worship must continue to operate on the property after the proposed development is constructed.
- **Project Area**
 - An assemblage of parcels under common ownership or control is permitted as long as they are separated by no more than 15 feet of land and limited to public pedestrian access. This eligibility expires July 1, 2030.
- **Uses**
 - Multi-family and mixed-use residential
 - For mixed use projects, at least 65 percent of the total square footage must be used for residential purposes.
 - No more than 10% of the total square footage of the mixed-use residential project is required to be used for nonresidential purposes.
- **Affordability**
 - At least 40% of the residential units must be affordable, as defined in § 420.0004, F.S. The affordable units must remain affordable for a period of at least 30 years.
 - The affordable units must be rental units.
 - A Declaration of Covenants and Restrictions/Land Use Restriction Agreement (the “LURA”) documenting the project’s affordability, in a form acceptable to the County, must be executed and recorded prior to submitting for vertical permits.
- **Planned Developments**
 - Multi-family and mixed use residential are permitted in portions of any flexibly zoned area of a Planned Development (PD) permitted for commercial, industrial, or mixed use.
 - Only those portions of the PD designated for commercial/industrial/mixed use are eligible under the Act.
 - Portions of a PD designated for “Recreational use”, with uses such as golf courses, tennis courts, swimming pools, and clubhouses are not defined as commercial use, industrial uses, or mixed use, irrespective of how they are operated, and are not eligible for a Live Local Project.
 - An amendment to the PD Land Use Plan is not required.
- **Development Standards**
 - Refer to the Zoning Guidelines section of this document for the applicable multi-family development regulations/performance standards.
 - Except for height, parking (in certain circumstances), floor area ratio, and density, the project must comply with all other applicable development standards. With the exception of allowable floor area ratio, densities, height, and land use, the project must comply with all other applicable Comprehensive Plan and Code provisions. Any project requiring a variance, or otherwise not able to comply with the applicable development standards and Comprehensive Plan and Code provisions, will not qualify under this process and must comply with the applicable conventional development approval processes.
 - Projects within a transit-oriented development (TOD) area must be mixed-use.
- **Parking Reductions**
 - Upon request of the applicant, the county must reduce parking requirements by 15 percent for a proposed development if the development:
 - Is located within one-quarter (¼) mile of a transit stop, as defined in the county’s land development code, and the transit stop is accessible from the development;

- Is located within one-half (½) mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; or
- Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. Available parking to compensate for the reduction in parking requirements may not be required.
- The County must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the County as a transit-oriented development or area.
- “Major transportation hub” means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

The Act does not apply to lands in the following areas:

- Airport-impacted areas as provided in F.S. 333.03.
- Property defined as recreational and commercial working waterfront in F.S. 342.201(2)(b) in any area zoned as industrial.
- The Wekiva Study Area, as described in s. 369.316
- Areas approved for recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses within an area designated for residential use, irrespective of how they are operated.
- A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved.
- Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises.
- Areas subject to land development regulations, as defined in s. 163.3164, which are in existence before July 1, 2026, and are intended to retain the open character of land. This includes but is not limited to properties designated Parks and Recreation / Open Space (PR/OS), Preservation (PRES), and Conservation (CONS) on the County’s Future Land Use Map (FLUM).

Process and Submittal Requirements

1. Technical Review Group (TRG) Pre-application Meeting

- A TRG pre-application meeting is optional prior to submitting a Live Local Development Plan. A pre-application meeting may be requested using the application found on the DRC Webpage.

2. Submit Live Local Plan Set to the Development Review Committee (DRC) Office

- The TRG/DRC application must be emailed to DRC_help@ocfl.net. The submittal process is completed via Orange County FastTrack.
- TRG/DRC applications and submittal procedures can be found on the DRC Webpage.
- Required plan elements can be found in the Development Plan (DP) Sufficiency Checklist.
- Once the application is received, a project manager will be assigned.

3. Sufficiency Review

- Application is reviewed for sufficiency by the DRC office.
- Once marked sufficient, the applicable County Commissioner shall be notified and the plan is added to the current TRG review cycle.
- Once the plan is found to be sufficient, an automated email is sent to the applicant directing coordination with the Housing and Community Development Division to begin the LURA process.

4. TRG Review

- The standard TRG Review cycle is 10 business days, after which an automated email including the staff review comments is sent to the applicant.
- Upon receipt of comments, the applicant may opt to attend the scheduled TRG meeting to discuss, or may directly revise the plan according to the comments. If revisions are required, resubmit the updated plan via FastTrack.
- Once all TRG staff sign off on the plan, the applicant is required to post notice on the property with a poster provided by the County. This posted notice shall include reference to the Live Local Act and shall otherwise substantially comply with the County’s standard property posting procedures.

5. Pending Agreement Stage

- Following TRG staff review, the application moves to “pending agreement” stage in LDMS/Fast Track.
- Once the LURA is approved, executed, and recorded, the Orange County Housing and Community Development Division will notify the project manager of approval.

6. Administrative Approval

- The project manager forwards the application to the Director of the Planning, Environmental, and Development Services Department, or their designee. The information provided to the Director includes a cover memo that confirms the application is sufficient and was reviewed by TRG staff, the application, reviewed plans, confirmation notice is posted on the property, and a copy of the LURA.
- This includes an approval letter for the Director, or their designee, to sign and administratively approve the development confirming the project complies with Live Local Act Requirements. Once the letter is signed, the project manager updates the case status as “Approved”, uploads the signed letter into LDMS.
- Once case status is “Approved”, an automated approval email is sent to the applicant directing the applicant to submit a copy of the approval letter along with the subsequent building permits as part of the Building Permit submittal and review.

7. Building Permit submittal and review

- When submitting for building permits, the applicant will select “permit a result of Live Local Act DRC process” in FastTrack.

Section 125.01055(7) Florida Statutes (Live Local Act) Zoning Guidelines

| Eligibility by Zoning District (Under Current Zoning Code Chapter 38) | | | | | |
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| <p><i>Commercial: C-1, C-2, C-3, P-O</i> <i>Industrial: I-1A, I-1/I-5, I-2/I-3, I-4</i> <i>Mixed Use: NC, NAC</i> <i>Planned Developments: (PD) with areas/portions of the plan approved for, commercial, industrial or mixed-use development*</i></p> | | | | | |
| <p>○ <i>*If an approved Planned Development Land Use Plan allows for areas/portions of the plan where commercial, industrial or mixed-use is permitted, only those areas are eligible for multi-family development under the Live Local Act. Portions of a PD designated for “Recreational use”, with uses such as golf courses, tennis courts, swimming pools, and clubhouses are not defined as commercial use, industrial use, or mixed use, irrespective of how they are operated, and will not be eligible for multi-family or mixed-use development under the Live Local Act.</i></p> | | | | | |
| Applicable Multi-Family Residential (MFR) Development Regulations/Performance Standards | | | | | |
| Zoning district of subject property | C-1, C-2, C-3, P-O I-1A, I-1/I-5, I-2/I-3, I-4 | | NC | NAC | PD (Planned Developments) |
| Applicability | If subject property is located within 100 ft* of a property zoned A-1, A-2, A-R, R-CE-5, R-CE-2, R-CE, R-CE-C, R-1, R-1A, | If subject property is located greater than 100 ft* from a property zoned A-1, A-2, A-R, R-CE-5, RCE-2, R-CE, R-CE-C, R-1, R-1A, | MFR projects that meet LLA criteria in the NC zone district. | MFR projects that meet LLA criteria in the NAC zone district. | MFR projects that meet LLA criteria in Planned Developments with designated area(s) approved for commercial, industrial, or mixed-use entitlements |

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| | R-1AA, R-1AAA, R-1AAAA, R-T, R-T-1, RT-2, a portion of a PD, or a property zoned R-2, R-3, or NR that has been developed with single-family residential or duplex. A maximum of four (4) units shall be contained in any combination of attached dwellings. | R-1AA, R-1AAA, R-1AAAA, R-T, R-T-1, R-T-2, a portion of a PD with single family uses designated on an approved land use plan, or a property zoned R-2, R-3, or NR that has been developed with single-family residential or duplex. | | | |
| Zoning district of subject property | C-1, C-2, C-3, P-O I-1A, I-1/I-5, I-2/I-3, I-4 | | NC | NAC | PD (Planned Developments) |
| Applicable Standards | R-2 MFR Standards | R-3 MFR Standards | NC MFR Standards | NAC MFR Standards | PD Residential Standards (for multi-family) |
| (see standards for 4 or more DU's per Sec. 38-1501) | | | | | Ch. 38, Article VIII, Division 3 |
| Exemptions | <p>Per Section 125.01055(7), F.S: The Live Local Act is not applicable to the following areas:</p> <ul style="list-style-type: none"> • Projects that are located within one-quarter (¼) mile of a military installation identified in 163.3175(2), F.S. may not be administratively approved. • Airport-impacted areas as provided in s. 333.03, F.S. • Property defined as recreational and commercial working waterfront in s. 342.21(2)(b), F.S. in any area zoned industrial. • The Wekiva Study Area, as described in s. 369.316, F.S. • Areas approved for recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses within an area designated for residential use, irrespective of how they are operated. • <u>Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises.</u> • Areas subject to land development regulations, as defined in s. 163.3164, which are in existence before July 1, 2026, and are intended to retain the open character of land. This includes but is not limited to properties designated Parks and Recreation / Open Space (PR/OS), Preservation (PRES), and Conservation (CONS) on the County's Future Land Use Map (FLUM). | | | | |
| Maximum Density | Per Section 125.01055 (7), F.S: Up to 50 du/acre (highest density currently allowed in the 2030 OC Comprehensive Plan) | | | | |
| Min. lot area | 15,000 SF | 15,000 SF | 1,000 SF plus 2,000 SF per DU | 1,000 SF plus 2,000 SF per DU | If a PD land use plan (LUP) has approved MFR standards, then those standards would be applicable to the LLA project. |
| Min. living area | 500 SF per DU | 500 SF per DU | 500 SF per DU | 500 SF per DU | |
| Min. lot width | 85 ft. | 85 ft. | 85 ft. | 85 ft. | |
| Min. front yard | 20 ft. | 20 ft. | 20 ft. | 20 ft. | |
| Min. rear yard | 30 ft. | 30 ft. | 20 ft. | 20 ft. | |
| Min. side yard | 10 ft. (30 ft. where adj. to SFR district) | 10 ft. (30 ft. where adj. to SFR district) | 10 ft. | 10 ft. | Otherwise, per PD Residential Standards (for multi-family) in Ch. 38, Article VIII, Division 3. |
| Min. side street setback | 15 ft. | 15 ft. | 15 ft. | 15 ft. | |
| Normal High Water Elevation setback | 50 ft. from Normal High Water Elevation (NHWE) | | | | |

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| Max. building height | <p>Per Section 125.01055(7), F.S: Max. height currently permitted per code, or allowed on July 1, 2023, for a commercial or residential building within 1 mile of the project site in the jurisdiction of the project site, or 3 stories, whichever is higher*. See Basic Site and Principal Building Requirements Table in Sec. 38-1501 for conventionally zoned properties and the PD Residential standards for multi-family for PD properties.</p> <p>* If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the County may restrict the height of the proposed development to 150% of the tallest building on any property adjacent to the proposed development, the highest currently allowed height, or allowed on July 1, 2023, for the property provided in the County's land development regulations, or</p> |
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| | 3 stories, whichever is higher, not to exceed 10 stories. For the purposes of this paragraph, the term “adjacent to” means those properties sharing more than one point of a property line but does not include properties separated by a public road. | | | | |
| Applicable Standards | R-2 MFR Standards | R-3 MFR Standards | NC MFR Standards | NAC MFR Standards | PD Residential Standards (for multi-family) |
| | (see standards for 4 or more DU’s per Sec. 38-1501) | | | | Ch. 38, Article VIII, Division 3 |
| Open space | 45% (per Sec. 24-29) | 45% (per Sec. 24-29) | 25% of total lot coverage (per Sec. 38-1734(5)a.1.) | 25% of total lot coverage (per Sec. 38-1741(5)a.1.) | 25% per Sec. 38-1234 or as specified in the PD LUP |
| Max. impervious surface ratio (ISR) / Lot coverage | 70% (per Sec. 38-1501, note K) | 70% (per Sec. 38-1501, note K) | 70%, or 80% if mixed-use (per Sec. 38-1501, note K) | 70%, or 80% if mixed-use (per Sec. 38-1501, note K) | 70% (per Sec. 38-1252(b)(1)) or as specified in the PD LUP |
| Max. floor area ratio (FAR) | 4.5 | | | | |
| Buffering and landscaping | Sec. 24-5 (Buffer yards) • Type C – (C-1 – and utilized for R-2 and R-3 MF – from SFRs) 15 ft. wide, May utilize masonry wall, berm or planted and/or existing vegetation or combo for opaque buffer All buffers shall include one (1) shade tree for each 40 lineal feet or fraction thereof | | Per Sec. 38-1734(6): Type B buffer per Sec. 24-5, but minimum 7 ft. wide | Per Sec. 38-1741(6): Type C buffer per Sec. 24-5, but minimum 5 ft. wide | Sec. 38-1234 and applicable Ch. 24 requirements or as specified in the PD LUP |
| Parking | Per Sec. 38-1476: Residential dwelling units, multi-family • 1.5 spaces/unit for efficiencies or 1 bedroom units 2 spaces/unit for units with 2 or more bedrooms | | | | |
| Parking | <p style="text-align: center;">Per Section 125.01055(7), F.S.:</p> <p>Upon request of applicant, the County must reduce parking requirements by 15% for a proposed development if the development:</p> <ul style="list-style-type: none"> • Is located within one-quarter (¼) mile of a transit stop, as defined in the county’s land development code, and the transit stop is accessible from the development; • Is located within one-half (1/2) mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; or • Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. Available parking to compensate for the reduction in parking requirements may not be required. <p>The County must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the County as a transit-oriented development or area.</p> <p>“Major transportation hub” means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.</p> | | | | |
| <u>Eligibility by Ownership (Under Current Zoning Code Chapter 38)</u> | | | | | |
| <p><i>Properties owned by the following entities are eligible for Live Local development:</i></p> <p style="margin-left: 40px;"><u>Counties</u> <u>Municipalities</u> <u>School Districts</u> <u>Religious Organizations*</u></p> <p><i>A proposed development on property owned by a county, municipality, or school district must be within the geographic boundaries of the respective county, municipality, or school district, and the respective county, municipality, or school district must be a party to the application for the proposed development.</i></p> <p><i>*As defined in s. 170.201(2). The property must be more than three (3) acres in size and must have contained a house of public worship for at least 10 years before the proposed development, regardless of the underlying zoning.</i></p> | | | | | |

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| <u>Applicable Multi-Family Residential (MFR) Development Regulations/Performance Standards</u> | | |
| <i>For any zoning district or development standard not addressed in this table, see the Eligibility by Zoning District table above.</i> | | |
| <u>Zoning district of subject property</u> | <u>A-1, A-2, A-R, R-CE-5, R-CE-2, R-CE,R-CE-C, R-1, R-1A, R-1AA, R-1AAA, R-1AAAA, R-T, R-T-1, RT-2, a portion of a PD, or a property zoned R-2, R-3, or NR that has been developed with single-family residential or duplex.</u> | |
| <u>Applicability</u> | <u>R-2</u> <u>MFR Standards</u> | <u>R-3</u> <u>MFR Standards</u> |
| | <p style="text-align: center;">If subject property is located <u>within 100 ft*</u> of a property zoned <u>A-1, A-2, A-R,</u> <u>R-CE-5, R-CE-2,</u> <u>R-CE,R-CE-C,</u> <u>R-1, R-1A,</u> <u>R-1AA, R-1AAA,</u> <u>R-1AAAA, R-T,</u> <u>R-T-1, RT-2,</u> a portion of a PD, <u>or</u> a property zoned <u>R-2, R-3, or NR that has been developed with single-</u> <u>family</u> <u>residential or duplex.</u></p> <p style="text-align: center;">A maximum of four (4) units shall be contained in any combination of attached dwellings.</p> | <p style="text-align: center;">If subject property is located <u>greater than 100 ft*</u> from a property zoned <u>A-1, A-2, A-R,</u> <u>R-CE-5, RCE-2,</u> <u>R-CE, R-CE-C,</u> <u>R-1, R-1A,</u> <u>R-1AA, R-1AAA,</u> <u>R-1AAAA, R-T,</u> <u>R-T-1, R-T-2,</u> a portion of a PD with single family uses designated on an approved land use plan, <u>or</u> a property zoned R-2, R-3, or NR that has been developed with single-family residential or duplex.</p> |

Section 125.01055(7) Florida Statutes (Live Local Act) Zoning Guidelines

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| Eligible Zoning Districts(Under Orange Code Chapter 40) | | | |
| <i>Commercial/Mixed Use: T4.3, T5.1, T5.2, T5.3, T6.1, T6.2, T6.3, SZ-EN</i> | | | |
| <i>Industrial: SZ-LI, SZ-HI</i> | | | |
| <i>Planned Developments: (PD) with areas/portions of the plan approved for, commercial, industrial or mixed-use development*</i> | | | |
| <i>*If an approved land use plan allows for areas/portions of the plan where commercial, industrial or mixed-use is permitted, only those areas are eligible for multi-family development under the Live Local Act. Portions of a PD designated for "Recreational use", with uses such as golf courses, tennis courts, swimming pools, and clubhouses are not defined as commercial use, industrial use, or mixed use, irrespective of how they are operated, and will not be eligible for multi-family or mixed-use development under the Live Local Act.</i> | | | |
| Applicability | | | |
| Zoning district | T4.3, T5.1, T5.2, T5.3, T6.1, T6.2, T6.3 | SZ-EN, SZ-LI, SZ-HI | PD |
| Applicable Projects | MFR projects that meet LLA criteria in the T4.3, T5.1, T5.2, T5.3, T6.1, T6.2, T6.3 districts | MFR projects that meet LLA criteria in the SZ-EN, SZ-LI, and SZ-HI districts. | MFR projects that meet LLA criteria in Planned Developments with designated area(s) approved for commercial, industrial or mixed-use entitlements. |

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| <p>Exemptions</p> | <p align="center">Per Section 125.01055(7), F.S: The Live Local Act is not applicable to the following areas:</p> <ul style="list-style-type: none"> ● Projects that are located within one-quarter (¼) mile of a military installation identified in 163.3175(2), F.S. may not be administratively approved. ● Airport-impacted areas as provided in s. 333.03, F.S. ● Property defined as recreational and commercial working waterfront in s. 342.21(2)(b), F.S. in any area zoned industrial. ● The Wekiva Study Area, as described in s. 369.316, F.S. ● The Everglades Protection Area, as defined in s. 373.4592(2), F.S. ● Areas approved for recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses within an area designated for residential use, irrespective of how they are operated. | | |
| <p>Applicable Multi-Family Development Regulations/Performance Standards</p> | | | |
| <p>Zoning district</p> | <p>T4.3, T5.1, T5.2, T5.3, T6.1, T6.2, T6.3</p> | <p>SZ-EN, SZ-LI, SZ-HI</p> | <p>PD</p> |
| <p>Maximum Density</p> | <p align="center">Per Section 125.01055(7), Up to 70 du/acre (highest density allowed in the 2050 OC Comprehensive Plan)</p> | | |
| <p>Min. lot area</p> | <p>Per transect district standard for T4.3-T6.3</p> | <p align="center">Per transect district standard for T4.3</p> <p>If a PD land use plan (LUP) has approved MFR standards, then those standards would be applicable to the LLA project.</p> <p>Otherwise, per PD Residential Standards (for multi-family) in Ch. 39.</p> <p>If a PD land use plan (LUP) has approved MFR standards, then those standards would be applicable to the LLA project.</p> <p>Otherwise, per PD Residential Standards (for multi-family) in Ch. 39.</p> | |
| <p>Min. living area</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Min. lot width</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Min. front yard</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Min. rear yard</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Min. side yard</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Min. side street setback</p> | <p>Per transect district standard for T4.3-T6.3</p> | | |
| <p>Normal High Water Elevation (NHWE) setback</p> | <p align="center">50 ft. from NHWE</p> | | |
| <p>Max. building height</p> | <p align="center">Per Section 125.01055(7), F.S: Max. height currently permitted per code or allowed on July 1, 2023, for a commercial or residential building, within 1 mile of the project site in the jurisdiction of the project site, or 3 stories, whichever is higher*.</p> <p>* If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the County may restrict the height of the proposed development to 150% of the tallest building on any property adjacent to the proposed development, the highest currently allowed height, or allowed on July 1, 2023, for the property provided in the County’s land development regulations, or 3 stories, whichever is higher, not to exceed 10 stories. For the purposes of this paragraph, the term “adjacent to” means those properties sharing more than one point of a property line but does not include properties separated by a public road.</p> | | |
| <p>Open space</p> | <p>Per transect district standard for T4.3-T6.3 and Sec. 40-205(c)</p> | <p>Per transect district standard for T4.3 and Sec. 40-205(c)</p> | |

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| Max. impervious surface ratio (ISR) | Per transect district standard for T4.3-T6.3 | Per transect district standard for T4.3 | If a PD land use plan (LUP) has approved MFR standards, then those standards would be applicable to the LLA project. Otherwise, per PD Residential Standards (for multi-family) in Ch. 39. |
| Max. floor area ratio (FAR) | 6.0 FAR or highest allowed by the County at the time. | 6.0 FAR or highest allowed by the County at the time. | 6.0 FAR or highest allowed by the County at the time. |
| Buffering and landscaping | Per Sec. 40-71 and applicable Ch. 24 requirements | Per Sec. 40-71 and applicable Ch. 24 requirements | If a PD land use plan (LUP) has approved FAR for MFR standards, then those standards would be applicable to the LLA project. Otherwise, Per Ch. 39 and applicable Ch. 24 requirements |
| Parking | <p>Per Sec. 40-81(c): Residential dwelling units, multi-family:</p> <ul style="list-style-type: none"> ● 1.5 spaces/unit for efficiencies or 1 bedroom units ● 2 spaces/unit for units with 2 or more bedrooms | | |
| Parking | <p>Per Section 125.01055(7), F.S: Upon request of applicant, the County must reduce parking requirements by 15% for a proposed development if the development:</p> <ul style="list-style-type: none"> ● Is located within one-quarter (¼) mile of a transit stop, as defined in the county’s land development code, and the transit stop is accessible from the development; ● Is located within one-half (1/2) mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; or ● Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. Available parking to compensate for the reduction in parking requirements may not be required. <p>The County must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the County as a transit-oriented development or area.</p> <p>“Major transportation hub” means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.</p> | | |