

ORDINANCE NO. 2026-_____

AN ORDINANCE PERTAINING TO LAND USE IN ORANGE COUNTY, FLORIDA; AMENDING CHAPTER 38 (“ZONING”) OF THE ORANGE COUNTY CODE; AMENDING SECTION 38-1 TO CREATE A DEFINITION FOR MOBILE TEMPORARY OVERNIGHT SHELTER (MTOS); AMENDING THE ZONING DISTRICT USE TABLE TO ESTABLISH MOBILE TEMPORARY OVERNIGHT SHELTERS AS A PERMITTED USE IN THE ZONING CODE; CREATING SUBSECTION 38-79(7) TO ESTABLISH OPERATIONAL STANDARDS FOR MOBILE TEMPORARY OVERNIGHT SHELTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 1(g), Florida Constitution; Section 125.01, Florida Statutes; and the Orange County Charter, the Orange County Board of County Commissioners (the “Board”) is authorized to enact ordinances not inconsistent with general law and to establish development and zoning regulations as are necessary for the protection of the public; and

WHEREAS, the Board has identified a continuing need to support programs and services that address homelessness, housing instability, and the provision of emergency and transitional assistance to vulnerable populations; and

WHEREAS, mobile structures utilized by governmental agencies and social service providers may serve an important role in connecting individuals experiencing homelessness with shelter, medical services, case management, and other supportive resources; and

WHEREAS, on May 5, 2025, Commissioner Nicole Wilson requested that the Board of County Commissioners consider the development of a zoning ordinance addressing the parking and operation of mobile structures supporting homeless shelters and transitional service providers, including recommended minimum lot sizes, zoning district eligibility, and operational standards; and

WHEREAS, at the June 2, 2026, Board work session, the Board directed staff to establish a defined use classification in the zoning code for Mobile Temporary Overnight Shelters (MTOS) and adopt reasonable location and operational standards while ensuring compatibility with surrounding land uses; and

WHEREAS, then on _____, 2026, the Orange County Planning and Zoning Commission, acting as the Local Planning Agency, found the ordinance to be consistent with the Orange County Comprehensive Plan, and recommended adoption of the proposed ordinance; and

WHEREAS, the Board of County Commissioners conducted two public hearings on _____, 2026 and _____, 2026, at which all interested persons were given an opportunity to be heard regarding the proposed amendments; and

WHEREAS, the Board determines that adoption of this ordinance is consistent with the Orange County Comprehensive Plan and advances the County's goals of promoting public welfare while facilitating the provision of coordinated social services.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Amendment to Section 38-1. The definition of “mobile temporary overnight shelter (MTOS)” is hereby added to Section 38-1 of the Orange County Code (“Definitions”) to read as follows, with additions being shown by underlines and deletions being shown by strike-throughs:

Mobile temporary overnight shelter (MTOS) shall mean a self-propelled vehicle, including a bus, lawfully registered and operable for use on public roads, that has been retrofitted for temporary overnight sleeping accommodations and sanitary facilities, and that is operated as part of an approved social service program.

In all other respects, Section 38-1 shall remain unchanged.

Section 2. Amendment to Section 38-77. The table in Section 38-77 of the Orange County Code (“Use table”) is hereby amended to include the following, with additions being shown by underlines and deletions being shown by strike-throughs:

Sec. 38-77. - Use table.

* * *

Uses Per Zoning Code	SIC Group	Land Use	A-1	A-2	A-R	RCE-5	RCE-2	RCE	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-2	R-3	RCE Cluster	RT	RT-1	RT-2	P-Q	P-C-1	P-C-2	P-C-3	P-I-1A	P-I-1 L-5	P-I-2, I-3	P-I-4	R-I-D	UR-3	NC	NAC	NR
	83	SOCIAL SERVICES																		P	P	P	P	P	P	P						

114 is in a zoning district that permits the MTOS, and the MTOS is
116 located in an approved parking area during the hours of 7:00 a.m. –
7:00 p.m.

118 f. Electrical service shall be provided by either a lawful
120 electrical connection to the overnight location site, or by a built-in
generator that is internal to the MTOS. Portable or external
122 generators are prohibited.

124 g. The overnight parking location site shall have
frontage on, or direct vehicular access to, an arterial and/or collector
126 roadway.

128 h. Occupancy of the MTOS at the overnight location
shall be limited to the hours of 7:00 p.m. – 7:00 a.m.

130 i. Parking of the MTOS during the hours of 7:00 a.m.
132 – 7:00 p.m. is permitted where the parking of dual rear wheel
vehicles is permitted.

134 j. Must be parked on an improved surface.

136 k. Distance separation of 1,000 ft. to nearest residential
138 use, measured from property line to property line.

140 l. The MTOS and overnight location site shall comply
with all applicable fire, life-safety, health, sanitation, and vehicle-
142 operability requirements.

In all other respects, Section 38-79 shall remain unchanged.

144 ***Section 4. Severability.*** If any section, subsection, sentence, clause, phrase, or
provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable
146 by a court of competent jurisdiction, such holding shall not affect the validity of the remaining
portions of this Ordinance.

148 ***Section 5. Codification.*** It is the intention of the Board that the provisions of this
Ordinance shall become and be made a part of the Orange County Code; and that the sections of
150 this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to
"section," "article," or such other appropriate word or phrase in order to accomplish such

intentions. Consistent with Section 125.66, Florida Statutes, upon the effective date of Ordinance No. 2025-16, the amendments adopted by this Ordinance shall be incorporated into the appropriate sections of Chapter 40, including, as applicable, the use table, definitions, use-specific standards, and any other related provisions necessary to effectuate the intent of this Ordinance.

Section 6. Effective date. This Ordinance shall take effect pursuant to general law.

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 of the Board of County Commissioners

By: _____
Deputy Clerk