



**Hillsborough  
County Florida**

# **LDC TEXT AMENDMENT**

## **24-0340**

- **INTENT STATEMENT**
- **PROPOSED TEXT CHANGE**

**LDC 24-0340**

**Live Local Act (LLA) Administrative Approval & Land Use Restriction Agreement (LURA) Process**

**INTENT STATEMENT**


This proposed amendment to the Land Development Code will implement the Live Local Act (LLA) recently created by Senate Bill 102 that became effective on July 1, 2023 and establish the standards and administrative procedures for new projects developed under the Live Local Act (LLA) and Land Use Restriction Agreement (LURA). The LLA statute allows a development project to preempt established density, height, and allowable uses to increase the availability of affordable housing. The act provides for administrative approval of residential and mixed-use multifamily rental developments in which at least 40 percent of the residential units are, for a period of at least 30 years, affordable as defined in Florida Statutes.

Live Local Act projects must still adhere to all other limitations and requirements contained in Hillsborough County's Comprehensive plan and the proposed Land Development Code regulations for multifamily developments in areas zoned for such use.

This amendment will provide the criteria and requirements for a project to qualify under the Live local Act in Hillsborough County, consistent with the LLA Statute:

1. Land to be developed must be currently zoned for commercial uses (zoning categories BPO, OR, CN, CG, CI), industrial uses (M) or mixed-use. Portions of Planned Developments (PDs) that allow commercial uses, industrial uses or mixed-use qualify.
2. The development types allowed on proposed land are multifamily rental and mixed-use multifamily rental projects with at least 65% of total square footage used for residential purposes.
3. Highest allowed density on any land in unincorporated Hillsborough County where residential development is allowed, which is 35 dwelling units per acre.
4. Highest currently allowed height for a commercial or residential development located in unincorporated Hillsborough County within 1 mile of the proposed development or 3 stories, whichever is higher.
5. Parking must be in accordance with the Land Development Code which includes options for considering alternative parking standards.
6. Must satisfy the Land Development Code regulations for multifamily developments in areas zoned for such use and otherwise be consistent with the Comprehensive Plan, with the exception of provisions establishing allowable densities, height and land use.
7. At least 40 percent of the residential units must be designated as affordable housing, as defined in Florida Statutes, for a period of at least 30 years subject to a Land Use Restriction Agreement (LURA).
8. Projects adjacent to parcels with HI (Heavy Industrial) Future Land Use designation will be required to furnish a 30-foot-wide buffer with Type C screening in accordance with LDC Section 6.06.06.C.5 to mitigate impacts between incompatible land uses.

Additionally, the procedures for new LLA projects in the County will be added in the Land Development Code, and establish the submittal requirements by applicants, as well as the County's internal process by the Development Services Department and the Affordable Housing Services Department (AHS).

<p><b>LDC 24-0340</b></p>	<p>Division Director Sign-off</p>	 <p>Brian Grady in Feb 19 2024 13:13:39</p>
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**LDC 24-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

**PART 6.03.00 - SITE DEVELOPMENT PLAN DESIGN STANDARDS**

**Sec. 6.03.16. Live Local Act (LLA) Requirements and Standards**

- A. Intent. The Live Local Act (LLA) was created by Senate Bill 102 and became effective on July 1, 2023. Subsection (7) was created in Section 125.01055, Florida Statutes, as part of Section 3 of the Live Local Act, which relates to affordable housing. The statute allows a development project to preempt established density, height, and allowable uses to increase the availability of affordable housing. The Act provides for administrative approval of residential and mixed-use multifamily rental developments in which at least 40 percent of the residential units are, for a period of at least 30 years, affordable as defined in Florida Statutes. The purpose of this section is to establish land development regulations for LLA projects consistent with Florida law.
- B. Applicability. The provisions of this section shall be applicable in the unincorporated areas of Hillsborough County. This section shall only be construed to allow LLA projects that meets the criteria set forth in this Section and subject to the execution of a Land Use Restriction Agreement (LURA) with the Affordable Housing Services Department (AHS). Live Local Act projects must adhere to all other limitations and requirements contained in Hillsborough County's Comprehensive plan.
- C. Zoning districts where LLA projects are allowed.
1. Land currently zoned for commercial uses (BPO, OR, CN, CG, or CI zoning districts), industrial uses (M zoning districts) or mixed-use.
  2. Portions of Planned Developments (PDs) that allow commercial uses, industrial uses or mixed-use.
- D. Zoning Requirements.
1. Development types allowed on proposed land shall be multifamily rental and mixed-use multifamily rental projects with at least 65% of total square footage used for residential purposes.
  2. Highest allowed density for the project shall be up to 35 dwelling units per acre.
  3. Maximum height for the project shall be the maximum allowed for a commercial or residential development located within 1 mile of the proposed development or 3 stories, whichever is higher.
  4. Off-street parking requirements shall be pursuant to the Land Development Code Part 6.05.00. Projects may seek approvals for a determination for alternative parking standards in accordance with Part 6.05.00.
  5. Projects shall be subject to the Land Development Code regulations for multifamily developments in areas zoned for such use and otherwise be consistent with the Comprehensive Plan, with the exception of allowable densities, height and land use provided in this Section.
- E. Occupancy.  
At least 40 percent of the residential units shall be designated as affordable housing, as defined in Florida Statutes, for a period of at least 30 years subject to a Land Use Restriction Agreement (LURA) with the County.
- F. Procedure.  
All LLA project applications must follow the submittal and review procedure set forth in LDC Section 10.01.07 of this Code.

**LDC 24-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

**Sec. 6.06.06. Buffering And Screening Requirements**

A. Buffers Between Incompatible Land Uses

The required buffer distance between proposed land uses and the zoning lot line is set forth in the tables below. If the land next to the proposed development is vacant, the buffer requirement shall be determined based on the existing zoning on the adjacent vacant parcel as shown in the tables below. If the adjacent parcel is vacant but is zoned for a more intensive zoning district, no buffer area shall be required of the less intensive use. Notwithstanding, Multi-family developments adjacent to parcels with HI (Heavy Industrial) Future Land Use designation, shall provide a 30-foot-wide buffer with Type C screening in accordance with LDC Section 6.06.06.C.5. and the parcel with the HI designation shall provide buffering and screening when developed in accordance the regulations herein. If the adjacent parcel is developed, the buffer requirement shall be determined based on the existing use of the adjacent property as shown in the tables below, unless that use is nonconforming, in which case the property shall be deemed vacant and buffered accordingly. Notwithstanding, for preliminary site development and/or construction plan applications submitted after October 1, 2007, if the adjacent property is developed solely with a nonconforming residential use, the buffer requirement shall be determined based on the residential use. However, in such cases the buffering requirement may be administratively waived upon written consent of the owner of the property occupied by the nonconforming residential use. For purposes of this regulation, "adjacent parcel" shall include parcels separated from the proposed development by a public or private right-of-way less than 50 feet in width. The relative degree of intensity shall be determined as follows:

Table of Intensity for Buffers and Screening		
Group	Land Use Classification of Proposed and Existing Uses	Zoning of Adjacent Vacant Properties
1	Residential - Single-Family Outdoor and Passive Agricultural	AM, A, AR, AS-0.4, AS-1, ASC-1, AI, RSC-2, RSC-3, RSC-4, RSC-6, RSC-9, RSC-10 (all including MH overlays), RDC-6, RDC-12, RSB Additionally, PD, IPD, CPV, BMS and TND districts permitting uses shown to the left, excluding interim agricultural uses*
2	Residential - Multi-Family less than or equal to 12 u/a	RMC-6, RMC-9, RMC-12, BMS-NS Additionally, PD, IPD, CPV, BMS and TND districts permitting uses shown to the left*
3	Residential - Multi-Family greater than 12 u/a	RMC-16, RMC-20, UCA-MS, UCA-NHO Additionally, PD, IPD, CPV, BMS and TND districts permitting uses shown to the left*
4	Cultural and Institutional	SPI-UC-1, SPI-UC-2, SPI-UC-3 Additionally, PD, IPD, CPV, BMS and TND districts permitting uses shown to the left*
5	Office and Professional Services Neighborhood Business and Commercial General Business and Commercial High Intensity/Highway Commercial Public Service/Emergency Service	OR, R-BPO, BPO, CN, CG, CI, BMS-GW, BMS-TC-1, BMS-TC-2 Additionally, PD, IPD, CPV, BMS and TND districts permitting uses shown to the left*
6	Industry, Manufacturing, Distribution Mining and Extractive Regional Business and Commercial Regional Cultural and Entertainment Solid Waste Facilities Correctional Institutions	M, SPI-AP-1, SPI-AP-2, SPI-AP-3, SPI-AP-4, SPI-AP-5, SPI-AP-V Additionally, PD, IPD, and TND districts permitting uses shown to the left*

**LDC 24-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

\*If multiple uses are permitted on a vacant parcel zoned PD, IPD, CPV, BMS or TND, the Intensity Group shall be determined by the least intensive use

Buffer Screening Matrix						
Proposed Use Intensity Group	Abutting Use Intensity Group					
	1	2	3	4	5	6
1	None	5'/A	20'/B	10'/A	20'/B	30'/C
2	5'/A	None	5'/A	10'/A	20'/B	30'/C
3	20'/B	5'/A	None	10'/A	20'/B	30'/C
4	10'/A	10'/A	10'/A	None	10'/A	20'/B
5	20'/B	20'/B	20'/B	10'/A	None	15'/B
6	30'/C	30'/C	30'/C	20'/B	15'/B	None

**B. Buffering of Certain Mobile Home Parks**

For mobile home parks which received a final development order between December 21, 1966 and July 1, 1985, the following buffering and screening requirements shall apply:

1. Wherever said parks abut residentially zoned single-family development, a five-foot buffer shall be required along side and rear lot lines.
2. Within said buffer areas, screening shall be required as per 6.06.06 C 3.
3. This requirement shall apply wherever said single-family development was in place as of March 9, 1993.

**C. Screening**

1. Screening shall be installed within the buffers required above. Screening shall not be over four feet tall in front yards, except as described in 6.06.00. In meeting the screening standards, it is recommended that staggered hedge row plantings be installed on three-foot centers to achieve the opacity indicated.
2. The required height of screening material is an effective height as measured from the property line.
3. Screening Standard "A".

Required screening shall consist of the following:

- a. Evergreen plants, at the time of planting, shall be six feet in height and provide an overall screening opacity of 75 percent; or
- b. A masonry wall six feet in height and finished on all sides with brick, stone or painted/pigmented stucco; or
- c. A solid wooden or PVC fence six feet in height (finished side out); or
- d. A berm in combination with 1, 2, or 3 above, to achieve a minimum height of six feet and 75 percent opacity at the time of installation; and
- e. Lawn, low growing evergreen plants, evergreen ground cover, or rock mulch covering the balance of the buffer.

4. Screening Standard "B".

Required screening shall consist of the following:

- a. The requirements of Screening Standard "A"; and

**LDC 24-0340**

**Live Local Act (LLA) Administrative Approval  
& Land Use Restriction Agreement (LURA) Process**

- b. A row of evergreen shade trees which are not less than ten feet high at the time of planting, a minimum of two-inch caliper, and are spaced not more than 20 feet apart. The trees are to be planted within ten feet of the property line.
  5. Screening Standard "C".

Required screening shall consist of the following:

    - a. A row of evergreen shade trees which are not less than ten feet high at the time of planting, a minimum of two-inch caliper, and are spaced not more than 20 feet apart. The trees are to be planted within ten feet of the property line; and
    - b. A masonry wall six feet in height and finished on all sides with brick, stone or painted/pigmented stucco; and
    - c. Lawn, low growing evergreen plants, evergreen ground cover, or rock mulch covering the balance of the buffer.
  6. Areas of Excessive Traffic or Noise. If proposed residential development is adjacent to an area of excessive traffic or noise, including a limited access highway, screening shall consist of the landscaping required per Screening Standard "B" above or a berm/planting combination, with the berm an average height of four feet and dense plantings which will, when combined with the berm, achieve a minimum height of eight feet and 75 percent opacity within two years of planting. If demonstrated that screening has been or will be provided by another entity to an equivalent or higher degree, the Administrator may waive any portion or all of these requirements. Furthermore, because of the extensive landscaping provided on the public right-of-way, properties abutting the Veterans Expressway are exempt from the provision of this Section.
  7. Open Storage.
    - a. Open storage which constitutes the principal use of a site shall be considered a Group 6 use and the entire site shall be buffered in accordance with 6.06.06.A and 6.06.06.C of the Land Development Code.
    - b. Open storage areas which are accessory to a principal use shall be screened from view of any street and from residentially zoned land as follows:
      - (1) Where an open storage area is in view from a street, the method of screening shall consist of solid masonry walls, solid PVC fences or solid wooden fences at least six feet in height, or evergreen shrubs which at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge, with access from the street only through solid gates which shall be closed except when in use. Said screening shall extend interior to the site a minimum of 100 feet from the street property line or the entire depth of the open storage area, whichever is less, unless an existing permanent structure shields the storage area from public view.
      - (2) Where an open storage area is in view from a residentially zoned district within 200 feet, the method of screening shall consist of solid PVC fences, solid wooden fences or solid masonry walls at least six feet in height, or evergreen shrubs which at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge. Said screening shall be installed along all boundaries of the storage area including internal boundaries, that are in view from the residential districts.
  8. Solid Waste and Recyclable Materials Storage. All new buildings and uses, except for single-family and two-family dwellings, shall provide facilities for the central storage of solid waste and recyclable materials within the lot in accordance with Section 6.03.15 of the Land Development Code. Where such facilities are provided outside of a building, they shall be screened from public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building. All enclosures shall have a gate with a latching mechanism to allow the enclosure to remain closed except when being used/serviced.
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**LDC 24-0340**

**Live Local Act (LLA) Administrative Approval  
& Land Use Restriction Agreement (LURA) Process**

9. Mechanical Equipment. All non-residential and non-agricultural uses shall screen all mechanical equipment, including rooftop equipment, such as but not limited to air conditioners, or pumps, from view from public places and neighboring properties. Ground level equipment shall be screened through the use of features such as berms, fences, false façades or dense landscaping. Rooftop equipment shall be screened through the use of a parapet wall or false façade that is an integral part of the structure.
10. Screening above-ground utility appurtenances. All newly developed and redeveloped above ground utility appurtenances visible from the public right-of-way, including pedestals, utility meters, transformers, back-flow prevention devices, etc., shall be screened. Materials and earth tone colors for screening shall be compatible with the natural setting and surrounding structures. Chain link fencing alone shall not be considered as a screening mechanism.
  - a. Screening mechanisms shall be reviewed during the following instances.
    - (1) The consideration of such projects in the Capital Improvement Program (CIP) during project design;
    - (2) The review of private development during construction site plan review; and
    - (3) The review of right-of-way use permits.
  - b. Screening plan requirements. The developer, permit applicant, etc., either public agency or private group, shall be required to submit, at the time of review, a screening plan to aesthetically disguise such devices from public view in the right-of-way or on private property visible from the right-of-way. The placement and screening of such devices shall take into account clear zones for vehicle recovery and sight distance.
    - (1) When landscape screening is proposed, the screening plan shall be included in the landscape plan or include the same plan components.
    - (2) When architectural screening is proposed, construction details must be submitted.
  - c. Approval. Approval of a screening plan shall occur within the process of construction site plan approval or issuance of a right-of-way use permit. In case of disapproval of a permit for reasons of an unacceptable screening plan, the applicant may appeal the decision as provided by the review process to which the screening plan is submitted.
11. Storm water ponds. Where fencing of a storm water pond is required by this Code and/or Storm Water Technical Manual and a chain link fence is utilized, the fence shall be clad in green or black vinyl and shall be a minimum of six feet in height. Additionally, the fence shall be landscaped with evergreen vines, such as Confederate Jasmine, Coral Honeysuckle or Beach Elder. The vines shall be planted along the entire length of the fence, excluding gates, no more than six feet apart on centers. The vines shall be in three gallon containers, at a minimum, at the time of planting and shall vegetate the fence to provide a minimum opacity of 75 percent of total fence area within two years of planting. These requirements shall also apply where a chain link fence is provided at the discretion of the developer around any storm water pond, except that fence height shall be regulated by Part 6.07.00 of this Code.
12. Alternative Screening. In lieu of the above screening requirements, an applicant may submit an alternative screening plan that will protect adjacent properties and uses from undesirable views, lighting, noise, or other external impacts through techniques such as additional landscaping, berming, building relocations, modifications to mechanical equipment, changes in the circulation pattern, provision of open space, or modification of operational characteristics. The alternative plan shall afford screening, in terms of height, opacity and separation, equivalent to or exceeding that provided by the above requirements. Additionally, alternative screening proposed for storm water ponds shall provide equal or greater security and maintenance access as required fencing.

**LDC 24-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

**PART 10.01.00 PROCEDURE FOR ISSUANCE OF DEVELOPMENT PERMITS**

**Sec. 10.01.01. Applicability**

A. Generally

The procedures in this Part shall be followed whenever a permit (e.g. building permit) is necessary to implement a specific part of an approved development plan, such as a subdivision plat, site development plan, or planned development.

B. Specifically

The procedures in this Part shall be followed whenever this Code provides as such for review of specific types of proposed development.

**Sec. 10.01.02. General Description of Procedure to be Followed**

Development permits may be issued by the Administrator after a finding by the administrator that the proposed development activity complies with all applicable provisions of this Code and other County regulations.

**Sec. 10.01.03. Application**

A. Submittal

A request for a development permit shall be initiated by filing an application and submittals as prescribed in Section 4.0 of the Development Review [Procedures] Manual.

B. Completeness Review

The application and submittals shall be reviewed for completeness as prescribed in Section 4.0 of the Development Review [Procedures] Manual.

(Ord. No. 01-26, § 2, 9-12-01)

**Sec. 10.01.04. Review and Decision**

Within a designated number working days as described in Section 4.0 of the Development Review [Procedures] Manual of receipt of a complete application, the Administrator shall review the proposal and decide whether to grant or deny the requested development permit. The Administrator's decision shall be based on whether the proposal complies with all applicable provisions of this Code and other County regulations. The Administrator's decision shall be in writing in the form of a letter to the applicant. The decision shall be sent by registered mail to the applicant.

(Ord. No. 01-26, § 2, 9-12-01)



**LDC 23-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

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**Sec. 10.01.05. Subdivision Review Procedures**

A. Pre-Application Procedures

1. Determination of Required Review. Prior to the submittal of any application for subdivision review, a determination shall be made by the Administrator regarding the type of subdivision review required.
2. Presubmittal Conference. The Applicant may request that the Administrator arrange a presubmittal conference to be attended by representatives of reviewing agencies and the Applicant. The purpose of the presubmittal conference is to provide information to a potential Applicant concerning the information needed for submittal and the standards and other requirements to be met. The reviewing agencies may include Planning and Growth Management Department (Natural Resources, Zoning Compliance, Comprehensive Plan Compliance, Traffic Operations, Stormwater Management, Water and Wastewater Utilities, and Adequate Public Facilities Determination), School Board, Fire Department, 911, Environmental Protection Commission, and FDOT, if applicable.

B. Expedited Review Procedures

1. Certified Parcel Subdivision Review

Where a division of land qualifies for Certified Parcel Subdivision review, the Administrator shall certify parcels and the subdivision of such parcels in accordance with the following procedures:

- a. The Applicant shall make application for Parcel Certification, or for certification of the subdivision of a parcel, on forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.4.
- b. All parcels to be certified and the subdivision of such parcels shall be reviewed for compliance with all applicable regulations, including but not limited to wetlands, upland habitat, access, and zoning.
- c. Upon review and approval of a Certified Parcel Subdivision, the Administrator shall attach the following notation to the record: "The lot(s) hereby described: (insert or refer to the legal description(s)) is a subdivision of a certified parcel as certified by the Administrator and may not be further subdivided under the provisions for subdividing a Certified Parcel."
- d. In any instance where a folio number has not previously been assigned to a certified parcel, the Administrator shall ensure that such number is assigned and made part of the permanent record.

2. Platted Subdivision With No Improvements Required

- a. Platting shall be required for subdivisions with no improvements proposed or required, not meeting the Certified Parcel Subdivision requirements. The plat shall meet the survey standards as set forth in Chapter 177, Florida Statutes and the Florida Administrative Code, for platting requirements and shall be prepared, signed and sealed by an individual registered by the State of Florida as a Professional Surveyor and Mapper.
- b. Application shall provide information as set forth in the Development Review Procedures Manual, Section 4.1.4.
- c. All necessary easements required for the plat, shall be submitted and approved by the County Real Estate Department prior to acceptance of the plat. Lots within a previously approved platted residential subdivision with no improvements with easement access may not be further subdivided pursuant to this subsection if the total number of existing lots also served by the easement exceeds three (3). This requirement shall not be varied.

**LDC 23-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

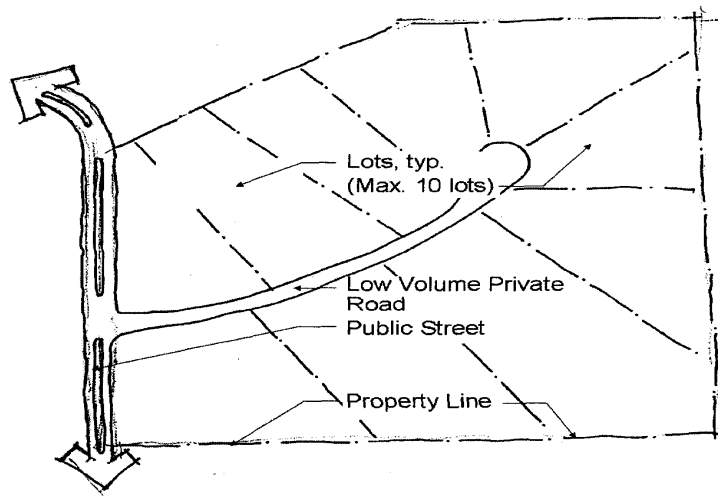
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- d. Upon receipt of certification from the Administrator that the plat meets all state and local technical requirements, the Chairperson of the Board of County Commissioners has the delegated authority to approve and sign the plat. Whenever land comprising all or part of an existing subdivision plat of record is proposed as all or part of a new subdivision, all or part of the existing plat shall be vacated through Board resolution prior to Board approval of the Final Plat. Board approval of vacating any plat, either in whole or in part, shall be contingent upon a showing that the persons making the application for said vacation own the fee simple title to the whole or that part of the tract covered by the plat sought to be vacated. It must be further shown that the vacation by the Board will not affect the ownership or the right of convenient access of persons owning other parts of the subdivision.
  - e. The applicant is responsible for providing a mylar copy, in addition to the original mylar, for recordation, and for providing the recordation fee. The approved plat shall be recorded with the Clerk of the Circuit Court within five working days of the Chairperson's approval. Building Permits shall not be issued until after plat recordation.
3. Minor Subdivisions
- a. A minor subdivision is a residential subdivision in a Rural Service Area with up to ten (10) lots that does not meet the Certified Parcel Subdivision requirements. (See Figures 1 and 2).
  - b. Lots within a previously approved Minor Subdivision or Platted Subdivision with No Improvements may be further subdivided pursuant to this subsection only if the total number of new and existing lots would not exceed ten (10).
  - c. A Minor Subdivision shall have access to a public street which has been accepted for maintenance by Hillsborough County, a municipality or the Florida Department of Transportation. All lots within a Minor Subdivision shall have driveway access either to an easement, Low Volume Private Road or, subject to the Access Management provisions of this Code, to a publicly maintained road.
  - d. Flag Lots: No lot within a Minor Subdivision may have access onto an improved and maintained public road by flag lot.
  - e. Platting is required for Minor Subdivisions. The plat shall meet the survey standards as set forth in Ch. 177, Florida Statutes and the Florida Administrative Code, for platting requirements and shall be prepared, signed and sealed by an individual registered by the State of Florida as a Professional Surveyor and Mapper.
  - f. The plat shall be reviewed administratively and approved by the Board of County Commissioners, and thereafter recorded in the public records of Hillsborough County.
  - g. The applicant is responsible for providing a mylar copy, in addition to the original mylar, for recordation. The approved plat shall be recorded by the Planning and Growth Management Department with the Clerk of the Circuit Court within five (5) working days of being notified that the plat has been signed by the Chairperson of the Board of County Commissioners and upon receipt of the recording fee from the applicant.
  - h. Submittal and review requirements for a Minor Subdivision shall be as set forth in the Development Review Procedures Manual.
  - i. All necessary easements required for the plat shall be submitted and approved by the County Real Estate Department prior to acceptance of the plat.
  - j. Building permits shall not be issued until after plat recordation and the Low Volume Private Road has been constructed and approved.
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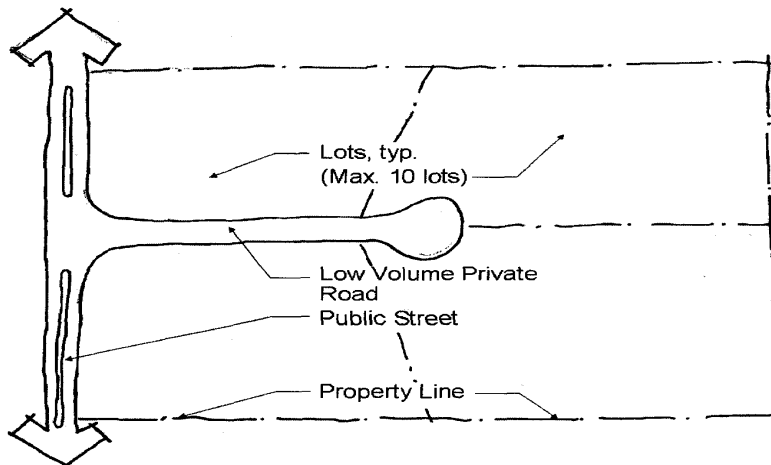
**LDC 23-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

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- k. All other subdivisions requiring platting shall meet the requirements listed below.



**Figure 1**  
**Minor Subdivision: 10-lot Configuration**



**Figure 2**  
**Minor Subdivision: 4-Lot Minimum Configuration (Low Volume Private Road Access)**

- C. Full Review: Platted Subdivision With Improvements
1. Preliminary Plat
    - a. The purpose of the Preliminary Plat is to safeguard the subdivider from unnecessary expense involved in having final engineering drawings and specifications prepared which do not conform to the standards set forth in these regulations. The Preliminary Plat review serves only to show compliance with standards, and does not imply acceptance of final Improvements design drawings (i.e., Construction Plans), or final platting which must conform to these regulations.
    - b. An application for review of a Preliminary Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.
  2. Construction Plans

**LDC 23-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

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- a. Construction plans show the improvement facilities planned for each phase of the preliminary plat, in compliance with subdivision construction standards. Construction plans must correspond to the preliminary plat. Construction plans are submitted after approval of the preliminary plat.
  - b. Construction plans shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.
3. Final Plat
  - a. The purpose of the final plat is to indicate the final, recorded lot and street layout of the subdivision. The final plat is reviewed administratively and approved by the Board of County Commissioners, and thereafter recorded in the public records of Hillsborough County. It cannot be altered without subsequent Board action. Securities are generally posted at the time of a request for final plat recording.
  - b. A Final Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.
4. Building Permit Application
  - a. No building permit applications shall be accepted by the County (other than permits for Model Homes) until such time as (1) all of the public Improvement Facilities are accepted for maintenance, and all of the private Improvement Facilities are completed and inspected, as required herein; or (2) construction plans for all Improvement Facilities have been approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.
  - b. No certificate of occupancy shall be issued, unless: (1) all of the Improvement Facilities are acceptable for maintenance, as required herein or, (2) construction of the Improvement Facilities has been completed with not more than minor construction correction required and provided that 100 percent of the required performance bonds are in proper order.
5. Issuance of Building Permits and Certificates of Occupancy
  - a. Building permits (other than permits for Model Homes) shall not be issued until after Final Plat recording.
  - b. No certificate of occupancy shall be issued, unless: (1) all of the on-site Improvement Facilities are acceptable for maintenance or completed and inspected, as required herein or, (2) construction of the on-site Improvement Facilities has been completed with not more than minor construction correction required and a Financial Guarantee provided as set forth in Section 10.01.05.C.4.a.(2).
6. Compliance Requirements

Construction inspections shall be conducted by the County in accordance with the requirements of the Development Review [Procedures] Manual, and as-built drawings shall be provided as required by the Development Review [Procedures] Manual.
7. Financial Guarantees

The applicant shall provide financial guarantees to the Administrator to insure the construction and warranty of the Improvement Facilities. A Financial Guarantee shall be in the form of a surety bond, letter of credit, escrow agreement, or cashier's check, and shall remain in full force and effect for a period of 25 months from the date said Financial Guarantee is received and approved by the Board. Financial Guarantees shall be administered in accordance with the requirements of the Development Review [Procedures] Manual. The amount of a Financial Guarantee shall be determined based upon

**LDC 23-0340**  
**Live Local Act (LLA) Administrative Approval**  
**& Land Use Restriction Agreement (LURA) Process**

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the approved plans and an engineer's certified estimate of the applicant's probable costs. The Financial Guarantee shall not limit the County from recovering the County's actual costs to construct, replace or repair the Improvement Facilities, as necessary, up to the full amount of the Financial Guarantee.

8. Model Homes

In any one (1) subdivision phase, up to ten (10) percent of the platted lots or a total of five (5) model homes, whichever is more, may be permitted per subdivision, upon approval of the subdivision construction plans and final plat by the Administrator and the issuance of a Single-Family Natural Resources Permit per 4.01.00 for each unit. In addition to the information required in 4.01.00, the application submittal for the Natural Resources Permit shall include the information listed in Section 6.11.00, Model Dwelling Units and Preconstruction Sales Offices. Certificates of Occupancy shall not be released until the Improvement Facilities for public use are completed and accepted by the Board or until Improvement Facilities for private ownership and maintenance are substantially completed as determined by the Administrator.

D. Notification of Street Connectivity

1. An applicant shall provide public notification in accordance with the requirements listed below for any proposed development that, because of cross-connectivity requirements, must provide for either direct or secondary vehicular access on an existing local street that is primarily residential in character.
  - a. By proof of mailing of the proposed development to owners of any residential property, as reflected on the current year's tax roll, that abuts the local street being accessed up to a distance of 500 feet from the exterior boundary of the development. The notice shall be mailed no later than five (5) days after the development has been submitted for processing.
  - b. Simultaneously with the notice referenced above, notice shall be provided by proof of mailing to all duly registered neighborhood organizations located within one (1) mile of the boundary of the proposed development.
  - c. By posting of a sign on the property being developed at the approximate proposed location of the connection with the existing street no later than five (5) days after the development has been submitted for processing. The size and information shown on the sign must be consistent with a template to be provided by the Department of Planning and Growth Management.
2. Developments that meet the above cross-connectivity notification criteria that have already been subject to a zoning or zoning modification public hearing whereby the issue of access either was or could have been addressed, shall not be subject to the above additional notification requirement.

(Ord. No. 97-18, § 2, 12-18-97; Ord. No. 01-26, § 2, 9-12-01; Ord. No. 06-18, § 2, 8-1-06; Ord. No. 09-53, Item U, 6-11-09, eff. 10-1-09; Ord. No. 09-62, Item C, 10-26-09, eff. 2-1-2010; Ord. No. 10-10, § 2, Item K(10-0525), 5-27-10, eff. 6-4-10; Ord. No. 15-15, § 2(Exh. A), Item A.6(15-0499), 6-18-15, eff. 6-25-15)

**Sec. 10.01.06. Site Development Plan Review Procedures**

- A. Overview. There are three basic steps to the Site Development Plan Review process. They are:
  1. Review of Preliminary Site Development Plan (Optional).
  2. Review of Site Development Construction Plans.
  3. Issuance of Site Development Plan and Natural Resources Permit.
- B. Review of Preliminary Site Development Plan. Unless the applicant chooses to waive this phase of the development process, the applicant shall make application for Preliminary Site Development Plan review on

**Live Local Act (LLA) Administrative Approval & Land Use Restriction Agreement (LURA)  
Process**

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forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.5.

1. Any applicant who chooses to waive the preliminary site review and approval process shall be required to provide a statement, with notarized signatures of all property owners, on a form provided by the department, acknowledging they understand effect of bypassing this phase of the development process.
  2. Any applicant who chooses to waive the preliminary plat site and approval process is required to attend a pre-submittal meeting facilitated by Hillsborough County staff.
- C. Minor Site Development Review. The Applicant shall submit a completed application, transmittal letter and applicable fees, in addition to the appropriate number of signed, sealed and folded copies of the Minor Site Development Construction Plan containing the information as set forth in the Development Review Procedures Manual, Section 4.1.5.
- D. Review of Site Development Construction Plans.
1. The Applicant shall make application for review of Site Development Construction Plans on forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.5.
- E. Building Permit Application.
1. No building permits shall be issued by the County until such time as (1) all of the public Improvement Facilities are accepted for maintenance, and all of the private Improvement Facilities are completed and inspected, as required herein; or (2) construction plans for all Improvement Facilities have been approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.
  2. Building permit applications may be submitted to Hillsborough County as set forth in the Development Review Procedures Manual Section 4.1.5.
- F. Financial Guarantees. The applicant shall provide financial guarantees to the Administrator to insure the construction and warranty of the Improvement Facilities. A Financial Guarantee shall be in the form of a surety bond, letter of credit, escrow agreement, or cashier's check, and shall remain in full force and effect for a period of 25 months from the date said guarantee is received and approved by the Board. Financial Guarantees shall be administered in accordance with the requirements of the Development Review [Procedures] Manual. The amount of a Financial Guarantee shall be determined based upon the approved plans and an engineer's certified estimate of the applicant's probable costs. The Financial Guarantee shall not limit the County from recovering the County's actual costs to construct, replace or repair the Improvement Facilities, as necessary, up to the full amount of the Financial Guarantee.

**Sec. 10.01.07. Live Local Act (LLA) and Land Use Restriction Agreement (LURA) Review  
Procedures**

Overview: The Live Local Act created by Senate Bill 102 provides for administrative approval of residential and mixed-use multifamily rental developments in which at least 40 percent of the residential units are, for a period of at least 30 years, affordable as defined in Florida Statutes. The purpose of this section is to establish the land development review procedures for LLA projects consistent with Florida law. All LLA projects shall be in accordance with the requirements and the criteria found in LDC Section 6.03.16 of this Code.


**LDC 24-0340**

**Live Local Act (LLA) Administrative Approval & Land Use Restriction Agreement (LURA)  
Process**

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- A. A Live Local Act Verification application shall be submitted to the Development Services Department (DSD) pursuant to the submittal requirements of this Part. The applicant must provide sufficient information of how the criteria found in LDC Section 6.03.16 of this Code are met. Additionally, the applicant must provide supporting documentation demonstrating the subject site has proper land availability for density calculations if the parcel is within a Planned Development (PD) district.
- B. Upon approval of the LLA Verification, the property owner shall notify the Affordable Housing Services Department (AHS) and execute a Declaration of Covenants and Restrictions Land Use Restriction Agreement (LURA) and Consent and Subordination of Lienholder. An updated legal description of the project shall be provided by the project owner.
- C. A site development application pursuant to Land Development Code Section 10.01.06 of this Part and the Development Review Procedures Manual (DRPM) shall be submitted by the applicant. The application shall indicate the proposed site development plan is for a LLA project.
- D. After the project's Site Development approvals by the Development Services Department and confirmation from the Affordable Housing Services Department, the LURA may be signed and recorded by the County Administration.
- E. Construction of the project shall be permitted to commence when Affordable Housing Services provides the fully executed and recorded LURA and Consent and Subordination of Lienholder checklist items to Development Services required for the release of the Site Development Construction Plans.
- F. When the project is completed and a Certificate of Occupancy has been issued, Affordable Housing Services shall begin monitoring the project for compliance with the Land Use Restriction Agreement (LURA).

Failure to comply with the terms and conditions of the Land Use Restriction Agreement (LURA) constitutes a violation of the site development approval for the Project and such violation may be enforced pursuant to the Enforcement clause of the Declaration of Covenants and Restrictions Land Use Restriction Agreement (LURA).

<p><b>LDC 24-0340</b></p>	<p>Division Director Sign-off</p>	 <small>Ian Grady ab 23 2024 12:58:02</small>
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