

## Live Local Act Amendment

6.25.25

The Governor has signed into law Senate Bill 1730 ("SB 1730"), which amends the Live Local Act (the "Act"). SB 1730 takes effect July 1, 2025.

The bill pertains to the zoning preemption aspects of the Act (other than one section relating to affordable housing preferences for hospital and public sector employees). Below are some key provisions of the bill on zoning preemptions:

- To the extent that demolition is proposed as part of a new project under the Act, the demolition approval cannot be subject to a public hearing. This amendment confirms that neither the construction nor demolition aspects of new LLA projects are subject to public hearings if certain criteria are met.
- If a property is within certain types of historic districts, the maximum height of a project under the Act is the maximum allowed height within a radius of  $\frac{3}{4}$  of a mile of the subject property as opposed to 1 mile.
- In the event of any litigation between a property owner and a municipality or county under the Act, the prevailing party is entitled to payment of its attorney's fees up to \$250,000. Such lawsuits are to be given expedited treatment by the court.
- To prevent downzoning by municipalities or counties in response to the LLA, the bill provides that the Act's maximum height, density and FAR provisions are the higher of the law in effect as of July 2023 or anytime subsequent to that.
- The Act allows LLA projects to be developed in areas zoned commercial, industrial or mixed-use. The bill now provides definitions of those use categories and explicitly provides that the title of a zoning district is not dispositive.
- Since the Act took effect in 2023, municipalities and counties have imposed or considered imposing moratoria to freeze the LLA in their respective jurisdictions (although such moratoria are likely preempted by State law). The bill now explicitly prohibits moratoria regarding the LLA except for one 90-day moratorium every 3 years.
- The zoning preemptions under the Act are not applicable to projects in the Wekiva Study Area, which is an environmentally sensitive area spanning over 200 square miles in Lake, Orange and Seminole Counties.

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