

April 3, 2020

RE: Live/Work Units (LDC2020-10008)

Colleagues:

From time to time we approve “live/work” units in different projects. The goal of these units is to provide both a place to live and a small business in one unit. Generally, these units are on the ground floor of a multifamily project where traffic and general activity is at its greatest. However questions have come up as to uses allowed, maximum area allowed for commercial activity, and parking requirements, to which I will attempt to answer in this Determination.

Land Development Code – The LDC only identifies live/work units when they pertain to bonuses with:

Section 58.1103

11. Live/work units, defined as units that includes a complete dwelling unit with kitchen and bathroom, as well as space suitable for running a business, provided that the business is a permitted or lawfully approved conditional use in the zoning district. To qualify as a live/work unit for the purposes of this part, the live/work unit must be occupied entirely by a single housekeeping unit.

No other references to live/work units exist in the LDC.

201 Florida Building Code – The building code references regulation for live/work units in section 419 (Building, 6th edition).

Determination – In consideration of the above, live/work units have the following restrictions:

- **Zoning** – In addition to the standards of section 58.1103, the live/work use is permitted in all districts that allow both residential uses and nonresidential uses. The nonresidential use must be a permitted use or a lawfully allowed conditional use in the zoning district.
- **Size** – The total unit size is limited to 3,000 sq. ft. in area. A maximum of 50% percent of the unit may be used for nonresidential activity. The residential space must comply with the Minimum Housing Code. (FBC Section 419.1.1)
- **Multi-stories** - If the unit is designed as two stories, the nonresidential activity is limited to the first floor. (FBC Section 419.1.1)

- Intensity/ Density - The two unit components (live and work) are to be counted, independently, as both density (1 du per unit) and intensity (work sq. ft.). The kitchen and bathroom(s) are functions of the residence and are thus to be counted as such. Both the live and work components must be included within the same unit and cannot be located separately.
- Same Occupant – Only the onsite resident may use the commercial space for commercial activities. The commercial space may not be rented out separately. The on-site residential space may be used by one of the employees of the commercial space.
- Parking – The parking ratio is based on the multifamily standard plus 1 additional space. For example, a two bedroom live/work unit would require a total of 2.75 parking spaces. Fractions above 0.5 should be rounded up on a per project basis.
- Use – Only the following uses are permitted, subject to allowance by the zoning district and comprehensive plan:
 - Office
 - Professional/Administrative
 - Retail, Light
 - Specialty shops
 - Personal Service
 - Art & dance studios
 - Barber/Beauty services
 - Repair services
 - Personal trainer
 - Tutoring services

A Zoning Official Determination is required for the review of other uses. Additional parking may be required.

- ADA and Building Codes – All commercial activity must comply with ADA regulations and appropriate building and fire codes (to include restroom regulations).
- Alcohol/Tobacco Sales – The sale of alcoholic beverages for on-premise consumption and/or the package sale of alcoholic beverages shall not be a permitted use. Tobacco sales are also prohibited.
- Floor-to-Ceiling Heights - A minimum of 13 ft. must be provided to ensure flexibility for a diversity of uses and to keep a vibrant commercial environment at the street level for the pedestrian experience. The Zoning Official may allow deviation for special instances.
- Access - Direct pedestrian access from the building exterior is required. Units must be located on the ground floor.
- Employees – Employees, not including unit residents, are limited to a maximum of two.

- Other- Conditions pertaining to hours of operation, signage and other such items will be evaluated at time of master plan review. Signage allocation will be based on compatibility with surrounding uses with preferences for wall and projecting signs.

If you have any questions, please feel free to email me at mark.cechman@Orlando.gov

Signed:



Mark Cechman, AICP, Zoning Official

Concurred:



Elisabeth Dang, Planning Official