LAND DEVELOPMENT CODE TEXT AMENDMENT STAFF REPORT

APPLICATION: LDC 26-0189 **APPLICANT:** Development Services

BOCC PUBLIC HEARING DATES: November 13, 2025 and December 9, 2025

- **Intended Purpose of Proposed Amendment**
  This proposed text amendment to the Land Development Code will provide procedural requirements for reasonable accommodation requests for certified recovery residences, that are necessary in order to implement Chapter 2025-182 (Senate Bill 954). Chapter 2025-182 (Senate Bill 954), which took effect July 1, 2025, requires that local governments adopt ordinances to provide a codified process for review and approval of certified recovery residences. The adoption of this ordinance must occur by January 1, 2026.

- **Summary of Proposed Changes to Current Regulations**
  "Certified recovery residence" is defined in Sec. 397.311, Florida Statutes as "a recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator." A "recovery residence" is defined as "a residential dwelling unit, the community housing component of a licensed day or night treatment facility with community housing, or other form of group housing, which is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides a peer supported, alcohol-free, and drug-free living environment." Sec. 397.311, Florida Statutes.

  This legislation requires the County to adopt an ordinance that establishes procedures for the review and approval of certified recovery residences within its jurisdiction, including a procedure for consideration of requests for reasonable accommodations from land development regulations that would prohibit the establishment of a certified recovery residence. A reasonable accommodation is a waiver to a requirement or policy that allows disabled persons to use a residential dwelling. The reasonable accommodation requirement related to certified recovery residences is based in case law interpreting the Federal Fair Housing Amendments Act (42 U.S.C. ss. 3601, et seq.) and Title II of the Americans with Disabilities Act (42 U.S.C. ss. 12131, et seq.). These federal laws apply to certified recovery residences, which provide housing for individuals in recovery from substance addiction as these individuals are considered to be disabled under the law.

  Part 2.02.02 of the LDC will add Section 2.02.07, Procedures for the Review and Approval of Certified Recovery Residences, to specify the requirements and review procedures. Additionally, the definition for Certified recovery residence is being added to the LDC Article XII as well specifying that this term would not be considered a Community Residential Home as defined in the LDC.

  The implementing procedures will be added in the Development Review Procedures Manual, DRPM, under new Section 9.8.

- **Implications of Proposed Amendment**
  Certified recovery residences are presently considered to be permissible as residential dwelling units under the current Land Development Code, so this amendment will not result in a significant change to the county's regulation of the use.

- **Anticipated Cost to Development**
  The amendment poses no additional costs to development.

- **Anticipated Staff Resource Cost**
  The amendment poses no additional costs for staff resources.

Staff Recommendation:	Approval
Division Director Sign-off:	J. Brian Grady
ATTACHMENTS: Draft Text Amendment	