

Agenda – July 16, 2025
State Attorney Addiction Recovery Task Force
(SAART)

1. Introduction
2. Updates:
 - a. PBC ME & FR OD Statistics: Al Johnson
 - b. FARR: Michael Schlossman
 - c. Oxford House: Michael McKeough
 - d. PBCHCD: Dr. Belma Andric
3. CORE Statewide Program Presentation: DCF
4. 2025 Legislation:
 - a. SB464: Michael Schlossman
 - b. Chapter 419 rewrite: Dan Lauber
5. SAART Comments.
6. Public comments.
7. Closing remarks.

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9/25/2018

Palm Beach County Fire Rescue Primary or Secondary Impression = Opioid

1/1/2017 to 07/31/2017

2017	January	# of Calls:	162	# of Patients:	165
	February	# of Calls:	135	# of Patients:	138
	March	# of Calls:	329	# of Patients:	343
	April	# of Calls:	238	# of Patients:	251
	May	# of Calls:	414	# of Patients:	429
	June	# of Calls:	340	# of Patients:	373
	July	# of Calls:	180	# of Patients:	183

GRAND TOTALS # of Calls: 1798 # of Patients: 1882



1/10/2019

Palm Beach County Fire Rescue

Primary or Secondary Impression = Opioid

1/1/2018 to 07/31/2018

2018	January	# of Calls:	144	# of Patients:	148
	February	# of Calls:	128	# of Patients:	130
	March	# of Calls:	116	# of Patients:	120
	April	# of Calls:	129	# of Patients:	133
	May	# of Calls:	124	# of Patients:	126
	June	# of Calls:	180	# of Patients:	182
	July	# of Calls:	149	# of Patients:	151

GRAND TOTALS # of Calls: 970 # of Patients: 990



1/10/2020

Palm Beach County Fire Rescue

Primary or Secondary Impression = Opioid

1/1/2019 to 0731/2019

2019	January	# of Calls:	100	# of Patients:	102
	February	# of Calls:	105	# of Patients:	107
	March	# of Calls:	97	# of Patients:	100
	April	# of Calls:	103	# of Patients:	104
	May	# of Calls:	137	# of Patients:	139
	June	# of Calls:	113	# of Patients:	115
	July	# of Calls:	127	# of Patients:	132
GRAND TOTALS		# of Calls:	782	# of Patients:	799



1/5/2021

Palm Beach County Fire Rescue

Primary or Secondary Impression = Opioid

1/1/2020 to 0731/2020

2020

January	# of Calls:	183	# of Patients:	187
February	# of Calls:	147	# of Patients:	149
March	# of Calls:	147	# of Patients:	148
April	# of Calls:	143	# of Patients:	148
May	# of Calls:	151	# of Patients:	154
June	# of Calls:	148	# of Patients:	153
July	# of Calls:	144	# of Patients:	147

GRAND TOTALS # of Calls: 1063 # of Patients: 1086



1/3/2022

Palm Beach County Fire Rescue

Primary or Secondary Impression = Opioid

1/1/2021 to 07/31/2021

2021

January	# of Calls:	127	# of Patients:	129
February	# of Calls:	119	# of Patients:	121
March	# of Calls:	151	# of Patients:	156
April	# of Calls:	143	# of Patients:	144
May	# of Calls:	153	# of Patients:	159
June	# of Calls:	128	# of Patients:	130
July	# of Calls:	120	# of Patients:	122

GRAND TOTALS	# of Calls:	941	# of Patients:	961
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1/3/2023

Palm Beach County Fire Rescue Primary or Secondary Impression = Opioid

1/1/2022 to 07/31/2022

2022

January	# of Calls:	140	# of Patients:	144
February	# of Calls:	148	# of Patients:	150
March	# of Calls:	126	# of Patients:	130
April	# of Calls:	102	# of Patients:	103
May	# of Calls:	123	# of Patients:	127
June	# of Calls:	101	# of Patients:	104
July	# of Calls:	135	# of Patients:	137

GRAND TOTALS # of Calls: 875 # of Patients: 895



2/7/2024

Palm Beach County Fire Rescue Primary or Secondary Impression = Suspected Opioid

January to June 2023

2023

January	# of Calls:	97	# of Patients:	98
February	# of Calls:	81	# of Patients:	83
March	# of Calls:	115	# of Patients:	116
April	# of Calls:	112	# of Patients:	114
May	# of Calls:	112	# of Patients:	115
June	# of Calls:	125	# of Patients:	132

GRAND TOTALS	# of Calls:	642	# of Patients:	658
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7/2/2024

Palm Beach County Fire Rescue Primary or Secondary Impression = Suspected Opioid

01/01/2024-06/30/2024

FISCAL YEAR 2024

2024

January	# of Calls:	88	# of Patients:	91
February	# of Calls:	96	# of Patients:	97
March	# of Calls:	90	# of Patients:	90
April	# of Calls:	94	# of Patients:	97
May	# of Calls:	85	# of Patients:	87
June	# of Calls:	92	# of Patients:	98

GRAND TOTALS	# of Calls:	545	# of Patients:	560
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7/7/2025

Palm Beach County Fire Rescue

Primary or Secondary Impression = Suspected Opioid

FISCAL YEAR 2025

2025

January	# of Calls:	48	# of Patients:	49
February	# of Calls:	56	# of Patients:	59
March	# of Calls:	83	# of Patients:	85
April	# of Calls:	74	# of Patients:	76
May	# of Calls:	83	# of Patients:	83
June	# of Calls:	65	# of Patients:	67

GRAND TOTALS	# of Calls:	409	# of Patients	419
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2024/2025 PBCME Opiate OD Deaths -SNAPSHOT-

- **PBC Medical Examiner – 2024- January 1 – July 9, 2024 – No Pending Cases**
 - Total drug overdose cases 214
 - Total opioid OD deaths 156 (73% of total OD cases)
 - Total Fentanyl & Fentanyl analog cause or presence 142 (91%)

- **PBC Medical Examiner –2025 - January 1 – July 9, 2025 – 24 Pending Cases**
 - Total drug overdose cases 124
 - Total opioid OD deaths 57 (46% of total OD cases)
 - Total fentanyl & fentanyl analog cause or presence 56 (99%)
 - **Decline in Opioid OD deaths - 2024/2025 (<63%)**

Xylazine: “tranq” non-opioid animal tranquilizer – 2024-14/ 2025- 4

New Fentanyl analogues:

- Fleurofentanyl – similar potency to Fentanyl – 2024-34/ 2025-7
- Carfentanil – 2024-3/ 2025- 0

PBCFR TRANSPORTS 2017-2025

January 1 – June 30

YEAR	#CALLS	# PATIENTS	%CHANGE/CALLS
2017	1798	1882	
2018	970	990	< 45 %
2019	782	799	< 20 %
2020	1063	1086	> 27 %
2021	941	961	< 11%
2022	875	895	< 7%
2023	642	658	< 17%
2024	545	560	< 15%
2025	409	419	< 25%

6 Month Net change 2017-2025 77% reduction in transports

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State Attorney Addiction Recovery Task Force July, 2025

STATEWIDE PROGRAMS CERTIFIED - 272

July 14, 2025:

Units: 1,959
Beds: 9,741

Levels I, II & III:	Units: 997	Beds: 5,557
Level IV:	Units: 962	Beds: 4,184

- Broward County has 30.3% of the units and 26.4% of the beds.
- Palm Beach County has 39.4% of the units and 37.7% of the beds.

PALM BEACH COUNTY NUMBERS

- 106 Certified Providers
- 772 Units, 3,675 Beds (Men: 1,849, Women: 606, Both: 1,194, LGBTQ+: 26)

Level I: 1 Programs, 1 Units, 6 Beds
Level II: 63 Programs, 331 Units, 1,700 Beds
Level III: 2 Programs, 17 Units, 64 Beds
Level IV: 49 Programs, 423 Units, 1,905 Beds

FLORIDA COUNTIES

County	Units	Beds
Alachua	4	20
Brevard	18	196
Broward	594	2,572
Clay	1	8
Collier	10	72
Duval	54	345
Escambia	14	65
Flagler	12	92
Hillsborough	90	486
Indian River	23	137
Lee	45	303
Manatee	22	111
Marion	2	9

Martin	20	128
Miami-Dade	35	256
Orange	29	230
Okaloosa	0	0
Palm Beach	772	3,675
Pasco	40	195
Pinellas	85	290
Polk	3	19
Santa Rosa	4	52
Sarasota	28	144
Seminole	3	24
St. John's	2	15
St. Lucie	31	168
Volusia	18	129

RUNNING TOTALS
STATE CAPACITY TREND

FARR

July	2017	3,280	beds
January	2018	4,153	beds
January	2019	5,786	beds
January	2020	5,781	beds
January	2021	6,715	beds
January	2022	6,872	beds
January	2023	8,122	beds
January	2024	9,203	beds
January	2025	9,440	beds
February	2025	9,486	beds
March	2025	9,511	beds
April	2025	9,760	beds
May	2025	9,836	beds
June	2025	9,842	beds
July 14	2025	9,741	beds

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FLORIDA STATE OXFORD HOUSES

Total Houses	265
Total Beds	2375
Men Houses	157
Men Beds	1412
Women Houses	49
Women Beds	412
Women with Children Houses	53
Women with Children Beds	497
Men with Children Houses	6
Men with Children Beds	54

For an up-to-date listing of all Oxford Houses in Florida please go to:

[oxfordvacancies.com](https://www.oxfordvacancies.com)

Searches can be done by State & County

Clicking on the house name will pull up google maps to show the home location.

Overdoses since the last meeting: 1 non-fatal (Escambia Co.)

MOUD Monthly Stats for June 2025

74% of Oxford Houses in Florida had at least one member using medication for opioid use disorder (MOUD).

20.4% of Oxford House members in June were utilizing MOUD.

Oxford House Florida membership are gearing up to attend the Oxford House World Convention in August. The State Association will be sending 185 members and Alumni to National Harbor Maryland to experience this great event marking the 50th anniversary of Oxford House. The Oxford House World Convention is an annual event held by Oxford House uniting our residents, alumni, and stakeholders to promote recovery from addiction. With workshops, networking, and World Council elections, it reinforces our organization's democratic, substance-free model, celebrates recovery success, and addresses challenges.

The Florida State Association has also officially voted in three new subcommittees—Veterans, Bilingual, and Parents with Children—to develop resources tailored to these groups and enhance community engagement to reach more individuals in need.

The growth of Oxford Houses in Florida is continuing throughout the state. The main areas of growth have always been in locations that offer the best chances of success (building recovery capital) with things like employment opportunities, treatment options, recovery meetings, and public transportation close by. Looking at more rural areas does come with challenges, but long-term, with proper support close by, we do plan on continuing the search for appropriate houses in some of the more rural areas of the state.

Contacts:

Lori Holtzclaw-Hunt
Director of National Field Services
504-430-8554
lori.holtzclaw@oxfordhouse.org

Michael McKeogh
Regional Manager
601-402-6864
michael.mckeogh@oxfordhouse.org

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CORE NETWORK

The Coordinated Opioid Recovery (CORE) Network

Amber Williams

Senior Management Analyst Supervisor

Department of Children and Families

July 2025

LEARNING OBJECTIVES

What is Recovery and Why is it Important?

What is a CORE Network?

Who Makes up a CORE Network?

How Does it Work?

Core Network Updates



WHAT IS RECOVERY AND WHY IS IT IMPORTANT?

*Recovery is **not** a fixed destination but rather an ongoing journey.*

HOPE FOR ADDICTION RECOVERY

Achieving long-term recovery involves focusing on key dimensions of personal growth and overall well-being. Each of these dimensions plays an essential role in helping individuals maintain and sustain their recovery. This underscores the importance of having a robust network of resources, supports, and services to guide and assist individuals throughout their recovery journey.



WHAT IS A CORE NETWORK?

A comprehensive approach that includes substance use and mental health services, primary care, and other medical needs to ensure holistic and effective care for individuals.



**Disrupting the Revolving
Door of Addiction**

ExtraCORedinary



WHO MAKES UP A CORE NETWORK?

A diverse team of professionals...

Collaboratively working to



save lives, reduce overdoses, and strengthen communities.

HOW DOES IT WORK?

Step **1**

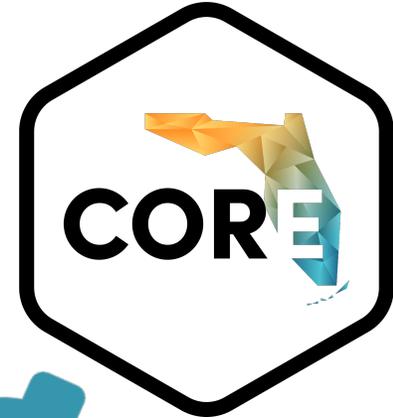
Establish a 24/7 access point through an Emergency Department, Emergency Medical Services or a Central Receiving Facility.

Step **2**

Immediate stabilization and induction into medication-assisted treatment services. Individuals are connected with a peer through a warm handoff to a receiving clinic.

Step **3**

Receiving clinics provide continuous long-term treatment and recovery support services.



POINTS OF ACCESS



KEY ACCOMPLISHMENTS & STRATEGIC INITIATIVES



- **Statewide Reach (Fiscal Year 2025-2026)** - All 67 Florida counties will have launched or be onboarding into the CORE Network—marking full statewide implementation.
- **Strengthening Partnerships** - Law enforcement formally integrated as a vital partner in CORE Networks, enhancing crisis response and community outreach.
- **Performance-Based Incentives** - Launched statewide incentive program to recognize and reward top-performing CORE Networks for excellence in service and outcomes.

LAW ENFORCEMENT OFFICERS

- **Bridge to Treatment** – Officers connect individuals in crisis to care services.
- **Community Engagement** – Promote CORE awareness through outreach.
- **Crisis Intervention** – De-escalate substance-related encounters with compassion.
- **Referrals** – Direct individuals to treatment & recovery support.
- **Cross-Sector Collaboration** – Partner with health & social service providers.
- **Follow-Up** – Support continuity of care post-incident.
- **First Link in the Chain of Care** – Officers often initiate the recovery journey.



THE CORE INCENTIVE PROGRAM

The Department is introducing an incentive program that will recognize and reward impactful outcomes in addressing opioid-related challenges.

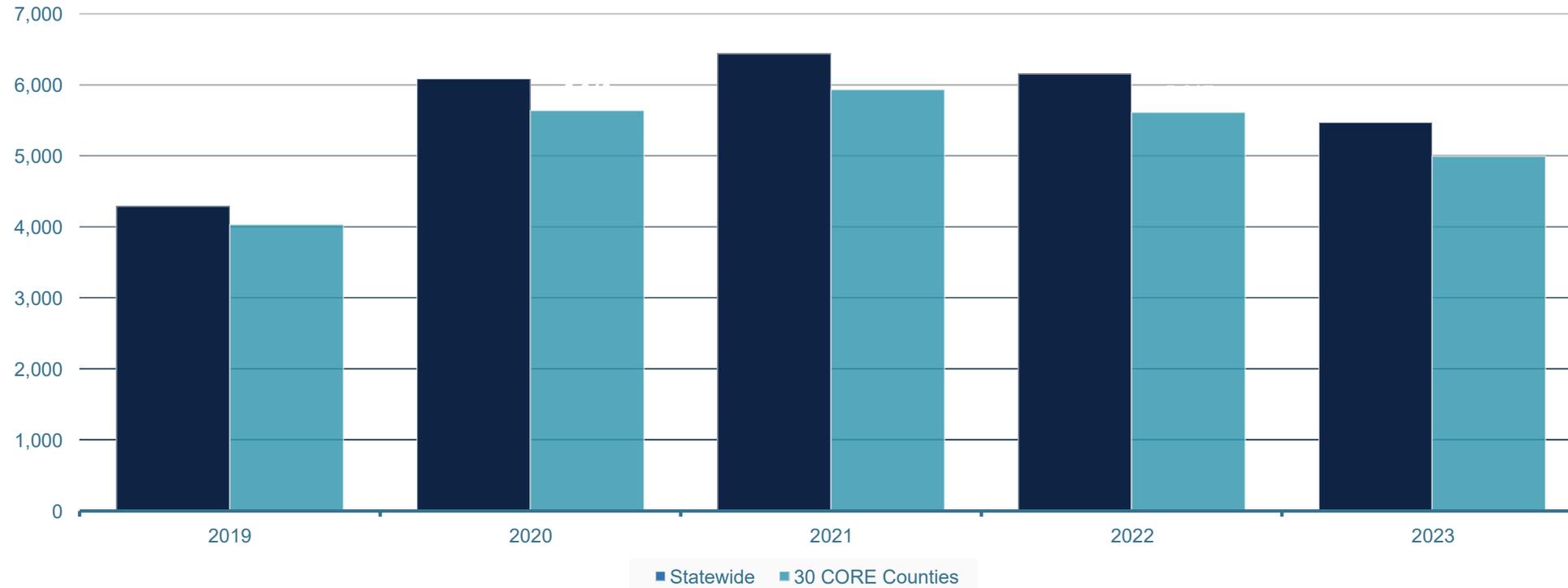
- **Decrease in Opioid-Caused Deaths** - County with the highest population-adjusted percentage decrease in opioid-caused deaths will earn an additional \$300,000.
- **Top Performing Counties** – The top 10 performing CORE Networks will each be awarded an additional \$200,000 for the year.



OPIOID-CAUSED DEATHS (2019-2023)

FLORIDA MEDICAL EXAMINERS COMMISSION DRUG REPORT

Opioid-Caused Deaths

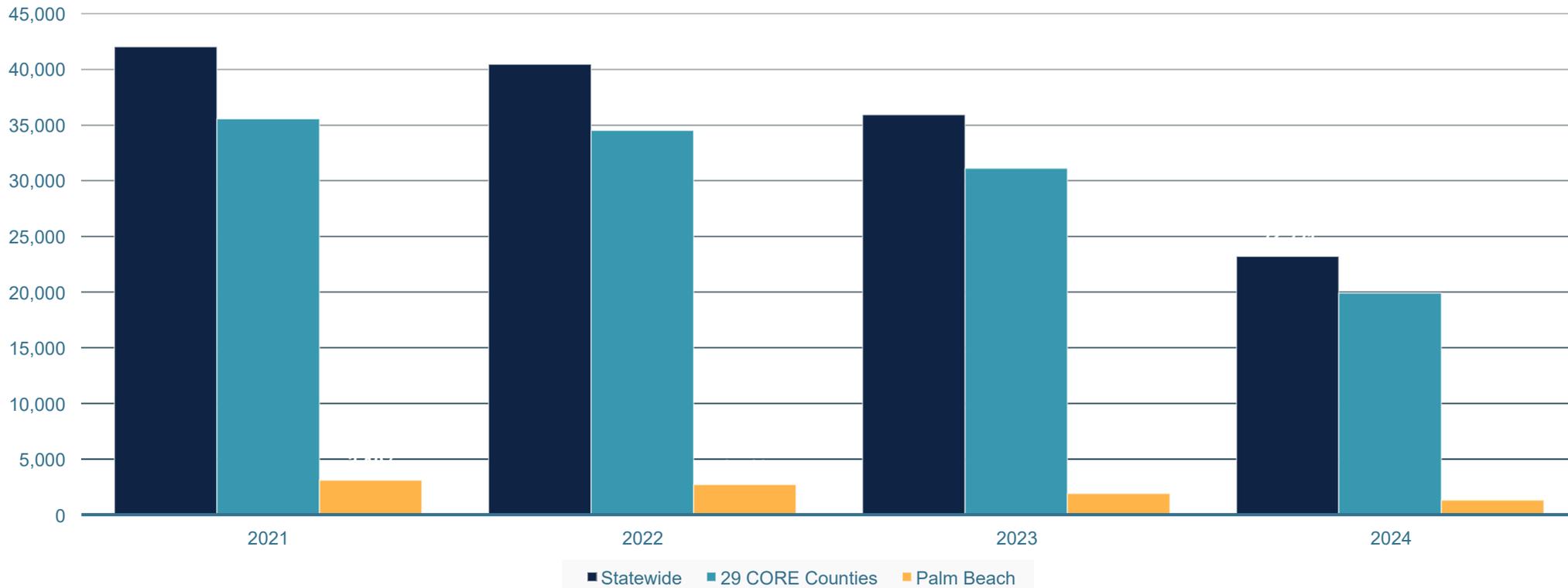


Source: Florida Department of Law Enforcement. (n.d.). *Medical Examiners Commission*. Florida Department of Law Enforcement. <https://www.fdle.state.fl.us/MEC>



EMERGENCY MEDICAL SERVICES (EMS) RESPONSES TO SUSPECTED OPIOID OVERDOSES (2021-2024)

EMS Responses to Suspected Opioid Overdoses



Source: Florida Department of Health. *Biospatial Dashboard*, assessed June 20, 2025.



EMERGENCY MEDICAL SERVICES (EMS) RESPONSES

Counties with the highest percentage reduction in EMS responses to suspected opioid-involved overdose from 2023 to 2024.

Location	2023 Counts	2024 Counts	Change in Counts	Percentage Change
Florida	35,939	23,221	-12,718	-35.4
Manatee	979	450	-529	-54.0
Pinellas	4,090	2,031	-2,059	-50.3
Brevard	2,256	1,245	-1,011	-44.8
Broward	2,489	1,399	-1,090	-43.8
Palm Beach	1,899	1,302	-597	-31.4

Source: Florida Department of Health. *Biospatial Dashboard*, assessed June 20, 2025.



CORE HIGHLIGHTS

In Fiscal Year 2023-2024

CORE first responders responded to **over 24,000** calls involving individuals with opioid use disorder.

CORE first responders administered naloxone on **over 23,500** overdose calls.

CORE receiving clinics or treatment centers served **over 28,000** individuals with opioid use disorder.

Data is for Fiscal Year 2023-2024 for the first 30 counties with a CORE Network.



CORE HIGHLIGHTS: APRIL 2024 – APRIL 2025

**29
COUNTIES**

189,835

Total dispatches responding to all SUD in 29 counties.

16,094

Total dispatches responding to all OUD patients in 29 counties.

17,863

Total dispatches reversing overdose with naloxone in 29 counties.

**PALM
BEACH
COUNTY**

11,604

Total dispatches responding to all SUD in Palm Beach County.

1,189

Total dispatches responding to all OUD patients in Palm Beach County.

726

Total dispatches reversing overdose with naloxone in Palm Beach County.





**THE CORE NETWORK IS YOUR
CONNECTION TO ADDICTION
RECOVERY**

**IF YOU, OR A LOVED ONE, ARE STRUGGLING WITH OPIOID
ADDICTION, THIS IS FOR YOU.**

QUESTIONS?



CONTACT INFORMATION



Amber Williams

- Special Programs Supervisor

Email: Amber.Williams@myflfamilies.com

Work Phone: (850) 728-8738



Stephen Teal

- Paramedic – Community Paramedic Certification (CP-C)
- Subject Matter Expert on Mobile Medication-Assisted Treatment
- Subject Matter Expert on Medications for Opioid Use Disorder
- Subject Matter Expert on EMS in the CORE Network

Email: Stephen.Teal@myflfamilies.com

Phone: (904) 870-3000

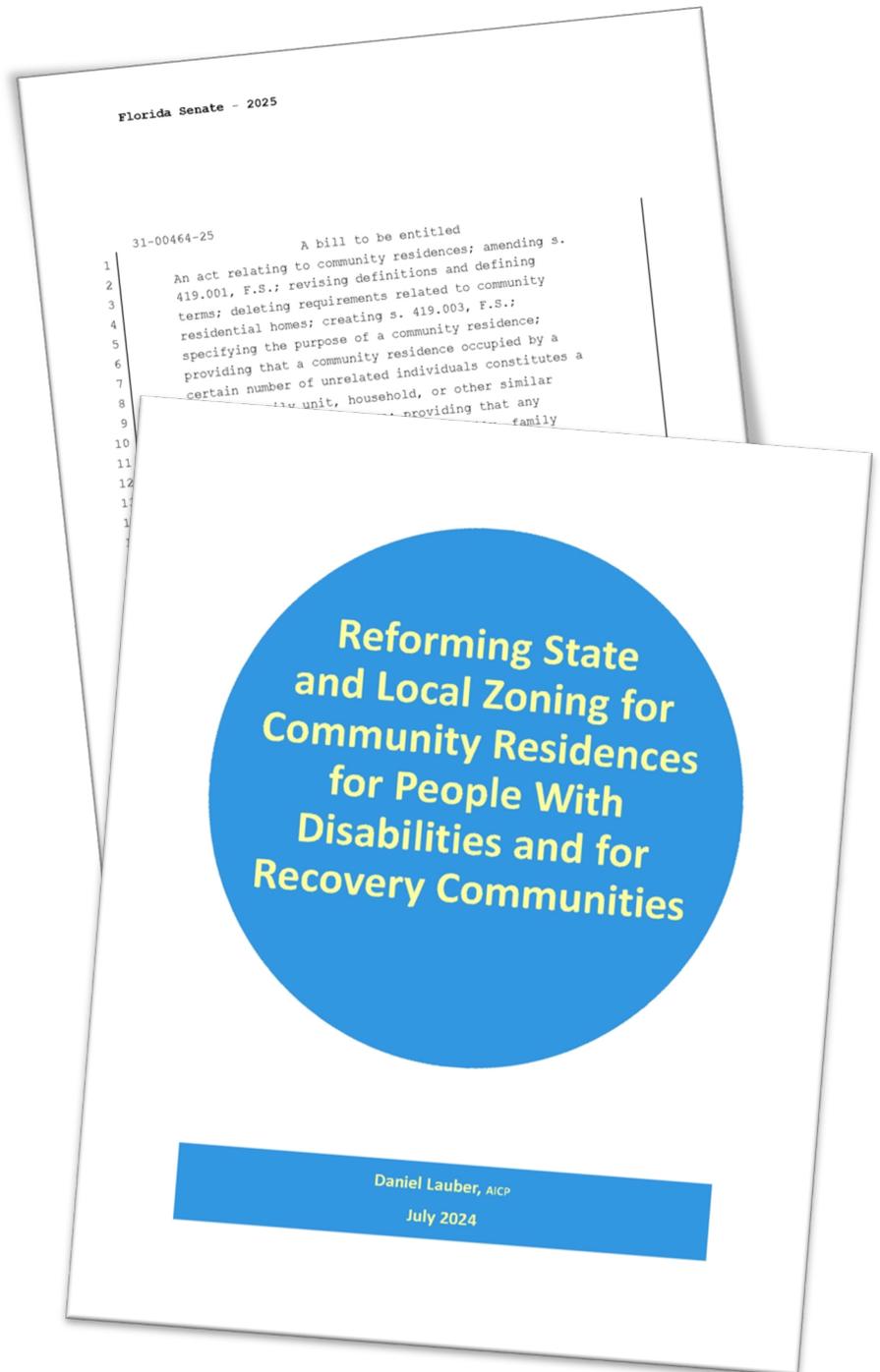


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State Attorney Addiction Recovery Task Force

July 16, 2025

Upcoming Legislation to
Bring Florida Statute
§419.001 into Compliance
with the Fair Housing Act
Regarding Community
Residences for People With
Disabilities
and
Recovery Communities



Underlying principle for legislation from case law:

To make the “reasonable accommodation” that the Fair Housing Act requires, state (and local) zoning regulations must be fact-based and:

- Be **intended to achieve** a legitimate government interest
- **Actually accomplish** that legitimate government interest
- Constitute the **least drastic means** needed to actually attain that legitimate government interest

Flaws in §419.001

- ➔ **So many arbitrary and capricious provisions that violate the Fair Housing Act. Briefly ...**
- 💧 **Discriminatory** like recently passed SB954: Covers just *some* community residences for *some* people with *some* disabilities.
- 💧 **No justifiable or legal basis** for current excessive 1,200 foot spacing distance between community residential homes
- 💧 **Doesn't allow for case-by-case reasonable accommodation review** to locate within the arbitrary spacing distance



Flaws in §419.001

- ◆ **Asserts without any basis** in reality that locating within 500 feet of a single-family zone creates a concentration and “substantially alters the nature and character of an area.”
- ◆ **Divides zoning treatment** of community residences based on number of residents rather than length of tenancy
- ◆ **Does not provide for** Oxford Houses or recovery communities
- ◆ Applies spacing and other zoning requirements even **when a community residence constitutes a “family”** under local zoning or there’s no definition of “family”



Underlying
discriminatory
flaw in F.S.
§419.001 (and
in local zoning):

Placing zoning
requirements on
community
residences that
comply with
zoning
definition of
“family”

Basic legal principle from the case law:

Zoning that treats a group of people with disabilities differently than the same sized group of people without disabilities = **illegal discrimination on its face**



When a zoning code doesn't define “family” or “household,” **zoning cannot regulate community residences for people with disabilities because they constitute a “family”**



When a zoning code's definition of “family” or “household” allows any number of unrelated individuals to live together as a single housekeeping unit, **zoning cannot regulate community residences for people with disabilities because they constitute a “family”**



When zoning places a cap on the number of unrelated individuals that constitutes a “family” or “household,” **zoning can regulate only those community residences that exceed that cap on number of unrelateds**

Legislative Recommendations

Opening Doors Statewide



Repeal provisions in §419.001 that run afoul of the nation’s Fair Housing Act and, replace them with provisions that comply with the Fair Housing Act



Amend §419.001 to follow case law that requires treating a community residence that fits within a local jurisdiction’s zoning definition of “family” the same as any other family (page 154 of study)



Amend §419.001 to treat community residences the same for all types of disabilities and replace categories based on number of residents with functional definitions on length of tenancy



Replace §419.001 in its entirety with the comprehensive up-to-date balanced zoning approach Chapter 6 of the state report recommends to bring state law into full compliance with the Fair Housing Amendments Act of 1988 (pages 154–155 of study)

Legislative Recommendations

Opening Doors Statewide



To make further reasonable accommodation: Adopt narrowly-crafted standards based on reasons why case-by-case review is warranted



Provide case-by-case review to locate within the spacing distance to be a permitted use, recognizing the spacing is flexible and exceptions should be made when standards are met (page 157 of study)



Provide case-by-case review using narrowly-crafted standards when no license or certification is available, (page 158 of study)



Provide case-by-case review to allow more than the 12 occupants allowed as of right when narrowly-drawn standards are met (pages 159–160 of study)

Legislative Recommendations

Opening Doors Statewide



Allow transitional community residences in single-family districts when narrowly-written standards are met (page 159 of study)



Define and allow recovery communities as permitted uses in all districts where multifamily housing is a permitted use, subject to spacing and certification (page 162 of study)



Amend §553.80(9) and §633.208(1) and/or other applicable state statutes to apply to all licensed or certified community residences where occupants are capable of self-evacuation in an emergency

**Example of how forthcoming legislation would work:
Local definition of “family” allows up to 4 unrelated**

**Fits within the cap of 4
unrelated individuals that
constitutes a “family”**

**Therefore, it’s a “family” and
must be treated the same as
any other “family.”**

All community residences for
people with disabilities with up
to 4 residents are a permitted
use in all districts where
residences are allowed with *no*
additional zoning requirements

**Exceeds cap of 4 unrelated
individuals that constitutes a
“family”**

**Zoning code must make a
“reasonable accommodation”
for community residences for
people with disabilities
using the least drastic
means that actually
achieve legitimate
government interests**

Community residence occupied by more than the maximum number of unrelated individuals that constitute a “family”

Properly categorize based on performance characteristics rather than number of residents

Family Community Residence

- ✓ **Relatively *permanent* tenancy**
- ✓ **No time limit on length of residency**
- ✓ **Typically at least 6 months by rules and/or in practice**

Transitional Community Residence

- ✓ **Relatively *shorter* tenancy**
- ✓ **Residency limited to weeks or months**
- ✓ **Typically fewer than 6 months by rules and/or in practice**

Community residence occupied by more than the 4 unrelated individuals that constitute a “family”

Family Community Residence

Relatively *permanent* tenancy

No time limit on length of residency

Typically at least 6 months

Permitted use in all zoning districts where any residences are allowed when:

- A. Located more than 660 feet or 9 lots, whichever is greater, from the closest existing community residence or recovery community
- B. Licensed, certified, or Oxford House Charter
- C. No more than 12 occupants (including live-in staff)

If A, B, or C is *not* met: **Apply for a “reasonable accommodation”**

Further reasonable accommodation can be made via a special use, conditional use, special exception, or by a dedicated “reasonable accommodation” process

Community residence occupied by more than the 4 unrelated individuals that constitute a “family”

Transitional Community Residence

Relatively *transient* tenancy
Residency limited to weeks or months
Typically less than 6 months

Permitted use in all zoning districts where multi-family housing is allowed when:

- A. Located more than 660 feet or 9 lots, whichever is greater, from the closest existing community residence or recovery community
- B. Licensed or certified
- C. No more than 12 occupants (including live-in staff)

If A, B, or C is *not* met or the site is in a pure single-family district: [Apply for case-by-case review](#)

Further reasonable accommodation can be made via a special use, conditional use, special exception, or by a dedicated “reasonable accommodation” process

Community residence occupied by more than the 4 unrelated individuals that constitute a “family”

Family Community Residence

Relatively *permanent* tenancy
No time limit on length of residency
Typically at least 6 months

Transitional Community Residence

Relatively *transient* tenancy
Residency limited to weeks or months
Typically less than 6 months

Permitted use in all districts where residences are allowed when:

- A.** Located more than 660 feet or 9 lots, whichever is greater, from the closest existing community residence or recovery community
- B.** Licensed, certified, Oxford House Charter
- C.** No more than 12 occupants

Permitted use in all districts where multi-family housing is allowed when:

- A.** Located more than 660 feet or 9 lots, whichever is greater, from the closest existing community residence or recovery community
- B.** Licensed or certified
- C.** No more than 12 occupants

If A, B, or C is *not* met:
Apply for case-by-case review

If A, B, or C is *not* met, or the site is in a pure single-family district:
Apply for case-by-case review

Further reasonable accommodation can be made via a special use, conditional use, special exception, or by a dedicated “reasonable accommodation” process

Bottom line on number of residents



Local property maintenance code, minimum housing code, building code, etc. usually includes ...



... a formula to prevent overcrowding



Applies to *all* residences



One occupant of sleeping area: **70 square feet**



More than one occupant of sleeping area: **50 square feet per occupant**

Recovery Communities

Single-family districts

(only single-family detached housing)

Not permitted

except an existing recovery community may continue as a lawful nonconforming use if it obtains and maintains FAAR certification within 9 months of forthcoming state statute going into effect

Zoning districts where multi-family (town houses, duplex, etc.) or institutional uses are allowed

Permitted use when:

- ✓ Located outside applicable spacing distance from the closest existing community residence or recovery community
- ✓ State licensed or certified

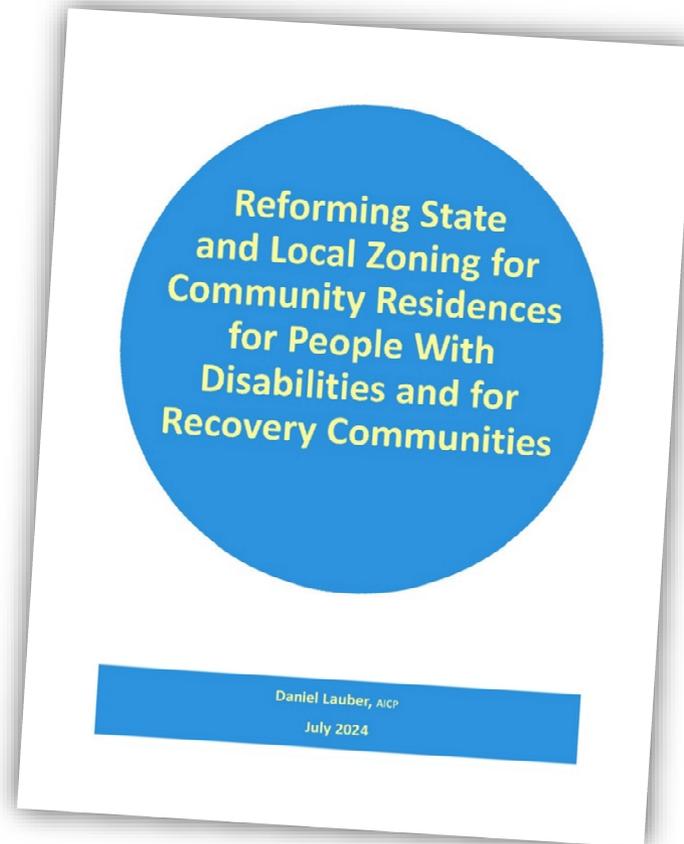
When located within applicable spacing distance of the closest existing community residence or recovery community:
Apply for case-by-case review

Download the study at:

<https://sa15.org/addiction-recovery-task-force>

or

<https://www.grouphomes.law>



**Frequent flaws in local zoning
that the forthcoming
legislation will eliminate**

Frequent Flaws in Local Zoning

- ✘ Failing to treat a community residence exactly the same as any other family when:
 - The number of occupants fits within the cap on the number of unrelated people that can constitute a family in the zoning code's definition of "family"
 - Zoning definition of "family" allows any number of unrelated people in a single housekeeping unit to constitute a family
 - Zoning does not define "family"
- ✘ Failing to make the necessary reasonable accommodation to even allow community residences that exceed the cap on unrelated individuals that constitute a family in the jurisdiction's zoning code definition of "family"



Frequent Flaws in Local Zoning

- ✘ Failing to provide a case-by-case review process to make a reasonable accommodation to:
 - Allow these uses to locate within the applicable spacing distance required to be a permitted use
 - Allow a community residence for which no license or certification is available
 - Allow more than 12 occupants in a community residence

- ✘ When deciding case-by-case review, failing to employ narrowly-tailored standards based on the reasons why individual review is required and instead apply the same standards for deciding, for example, all conditional uses

- ✘ Completely excluding transitional community residences from strict single-family districts



Frequent Flaws in Local Zoning

- ✘ Always requiring case-by-case review for community residences and recovery communities to locate in residential zoning districts
- ✘ Imposing an unjustifiably excessive spacing distance between community residences and/or recovery communities
- ✘ Misinterpreting the function of spacing distances and declining to approve applications to locate within an applicable spacing distance even when standards for approval are met
- ✘ Categorizing zoning treatment of community residences by the number of residents rather than as family and transitional community residences
- ✘ Completely excluding recovery communities from districts where multifamily housing is allowed



1 ~~CHAPTER 419 COMMUNITY RESIDENTIAL HOMES~~

2 ~~419.001. Site selection of community residential homes~~

3 ~~(1) For the purposes of this section, the term:~~

4 ~~(a) "Community residential home" means a dwelling unit~~
5 ~~licensed to serve residents who are clients of the Department of~~
6 ~~Elderly Affairs, the Agency for Persons with Disabilities, the~~
7 ~~Department of Juvenile Justice, or the Department of Children and~~
8 ~~Families or licensed by the Agency for Health Care Administration~~
9 ~~which provides a living environment for 7 to 14 unrelated residents~~
10 ~~who operate as the functional equivalent of a family, including~~
11 ~~such supervision and care by supportive staff as may be necessary~~
12 ~~to meet the physical, emotional, and social needs of the residents.~~

13 ~~(b) "Licensing entity" or "licensing entities" means the~~
14 ~~Department of Elderly Affairs, the Agency for Persons with~~
15 ~~Disabilities, the Department of Juvenile Justice, the Department~~
16 ~~of Children and Families, or the Agency for Health Care~~
17 ~~Administration, all of which are authorized to license a community~~
18 ~~residential home to serve residents.~~

19 ~~(c) "Local government" means a county as set forth in~~
20 ~~chapter 7 or a municipality incorporated under the provisions of~~
21 ~~chapter 165.~~

22 ~~(d) "Planned residential community" means a local~~
23 ~~government-approved, planned unit development that is under unified~~
24 ~~control, is planned and developed as a whole, has a minimum gross~~
25 ~~lot area of 8 acres, and has amenities that are designed to serve~~
26 ~~residents with a developmental disability as defined in [s. 393.063](#)~~
27 ~~but that shall also provide housing options for other individuals.~~
28 ~~The community shall provide choices with regard to housing~~
29 ~~arrangements, support providers, and activities. The residents'~~
30 ~~freedom of movement within and outside the community may not be~~
31 ~~restricted. For the purposes of this paragraph, local government~~
32 ~~approval must be based on criteria that include, but are not limited~~

33 to, compliance with appropriate land use, zoning, and building
34 codes. A planned residential community may contain two or more
35 community residential homes that are contiguous to one another. A
36 planned residential community may not be located within a 10-mile
37 radius of any other planned residential community.

38 (e) — “Resident” means any of the following: a frail elder as
39 defined in [s. 429.65](#); a person who has a disability as defined in
40 [s. 760.22\(3\)\(a\)](#); a person who has a developmental disability as
41 defined in [s. 393.063](#); a nondangerous person who has a mental
42 illness as defined in [s. 394.455](#); or a child who is found to be
43 dependent as defined in [s. 39.01](#) or [s. 984.03](#), or a child in need
44 of services as defined in [s. 984.03](#) or [s. 985.03](#).

45 (f) — “Sponsoring agency” means an agency or unit of
46 government, a profit or nonprofit agency, or any other person or
47 organization which intends to establish or operate a community
48 residential home.

49 (2) Homes of six or fewer residents which otherwise meet the
50 definition of a community residential home shall be deemed a single-
51 family unit and a noncommercial, residential use for the purpose of
52 local laws and ordinances. Homes of six or fewer residents which
53 otherwise meet the definition of a community residential home shall
54 be allowed in single-family or multifamily zoning without approval
55 by the local government, provided that such homes are not located
56 within a radius of 1,000 feet of another existing such home with
57 six or fewer residents or within a radius of 1,200 feet of another
58 existing community residential home. Such homes with six or fewer
59 residents are not required to comply with the notification
60 provisions of this section; provided that, before licensure, the
61 sponsoring agency provides the local government with the most
62 recently published data compiled from the licensing entities that
63 identifies all community residential homes within the
64 jurisdictional limits of the local government in which the proposed
65 site is to be located in order to show that there is not a home of

66 ~~six or fewer residents which otherwise meets the definition of a~~
67 ~~community residential home within a radius of 1,000 feet and not a~~
68 ~~community residential home within a radius of 1,200 feet of the~~
69 ~~proposed home. At the time of home occupancy, the sponsoring agency~~
70 ~~must notify the local government that the home is licensed by the~~
71 ~~licensing entity. For purposes of local land use and zoning~~
72 ~~determinations, this subsection does not affect the legal~~
73 ~~nonconforming use status of any community residential home lawfully~~
74 ~~permitted and operating as of July 1, 2016.~~

75 ~~(3) (a) When a site for a community residential home has been~~
76 ~~selected by a sponsoring agency in an area zoned for multifamily,~~
77 ~~the agency shall notify the chief executive officer of the local~~
78 ~~government in writing and include in such notice the specific~~
79 ~~address of the site, the residential licensing category, the number~~
80 ~~of residents, and the community support requirements of the~~
81 ~~program. Such notice shall also contain a statement from the~~
82 ~~licensing entity indicating the licensing status of the proposed~~
83 ~~community residential home and specifying how the home meets~~
84 ~~applicable licensing criteria for the safe care and supervision of~~
85 ~~the clients in the home. The sponsoring agency shall also provide~~
86 ~~to the local government the most recently published data compiled~~
87 ~~from the licensing entities that identifies all community~~
88 ~~residential homes within the jurisdictional limits of the local~~
89 ~~government in which the proposed site is to be located. The local~~
90 ~~government shall review the notification of the sponsoring agency~~
91 ~~in accordance with the zoning ordinance of the jurisdiction.~~

92 ~~(b) Pursuant to such review, the local government may:~~

93 ~~1. Determine that the siting of the community residential home~~
94 ~~is in accordance with local zoning and approve the siting. If the~~
95 ~~siting is approved, the sponsoring agency may establish the home~~
96 ~~at the site selected.~~

97 2. ~~Fail to respond within 60 days. If the local government fails~~
98 ~~to respond within such time, the sponsoring agency may establish~~
99 ~~the home at the site selected.~~

100 3. ~~Deny the siting of the home.~~

101 (c) ~~The local government shall not deny the siting of a community~~
102 ~~residential home unless the local government establishes that the~~
103 ~~siting of the home at the site selected:~~

104 1. ~~Does not otherwise conform to existing zoning~~
105 ~~regulations applicable to other multifamily uses in the area.~~

106 2. ~~Does not meet applicable licensing criteria established~~
107 ~~and determined by the licensing entity, including requirements that~~
108 ~~the home be located to assure the safe care and supervision of all~~
109 ~~clients in the home.~~

110 3. ~~Would result in such a concentration of community~~
111 ~~residential homes in the area in proximity to the site selected,~~
112 ~~or would result in a combination of such homes with other residences~~
113 ~~in the community, such that the nature and character of the area~~
114 ~~would be substantially altered. A home that is located within a~~
115 ~~radius of 1,200 feet of another existing community residential home~~
116 ~~in a multifamily zone shall be an overconcentration of such homes~~
117 ~~that substantially alters the nature and character of the area. A~~
118 ~~home that is located within a radius of 500 feet of an area of~~
119 ~~single-family zoning substantially alters the nature and character~~
120 ~~of the area.~~

121 (4) ~~Community residential homes, including homes of six or fewer~~
122 ~~residents which would otherwise meet the definition of a community~~
123 ~~residential home, which are located within a planned residential~~
124 ~~community are not subject to the proximity requirements of this~~
125 ~~section and may be contiguous to each other. A planned residential~~
126 ~~community must comply with the applicable local government's land~~
127 ~~development code and other local ordinances. A local government~~
128 ~~may not impose proximity limitations between homes within a planned~~

129 ~~residential community if such limitations are based solely on the~~
130 ~~types of residents anticipated to be living in the community.~~

131 ~~(5) All distance requirements in this section shall be measured~~
132 ~~from the nearest point of the existing home or area of single-~~
133 ~~family zoning to the nearest point of the proposed home.~~

134 ~~(6) If agreed to by both the local government and the sponsoring~~
135 ~~agency, a conflict may be resolved through informal mediation. The~~
136 ~~local government shall arrange for the services of an independent~~
137 ~~mediator. Mediation shall be concluded within 45 days of a request~~
138 ~~therefor. The resolution of any issue through the mediation process~~
139 ~~shall not alter any person's right to a judicial determination of~~
140 ~~any issue if that person is entitled to such a determination under~~
141 ~~statutory or common law.~~

142 ~~(7) The licensing entity shall not issue a license to a sponsoring~~
143 ~~agency for operation of a community residential home if the~~
144 ~~sponsoring agency does not notify the local government of its~~
145 ~~intention to establish a program, as required by subsection (3). A~~
146 ~~license issued without compliance with the provisions of this~~
147 ~~section shall be considered null and void, and continued operation~~
148 ~~of the home may be enjoined.~~

149 ~~(8) A dwelling unit housing a community residential home~~
150 ~~established pursuant to this section shall be subject to the same~~
151 ~~local laws and ordinances applicable to other noncommercial,~~
152 ~~residential family units in the area in which it is established.~~

153 ~~(9) Nothing in this section shall be deemed to affect the~~
154 ~~authority of any community residential home lawfully established~~
155 ~~prior to October 1, 1989, to continue to operate.~~

156 ~~(10) Nothing in this section shall permit persons to occupy a~~
157 ~~community residential home who would constitute a direct threat to~~
158 ~~the health and safety of other persons or whose residency would~~
159 ~~result in substantial physical damage to the property of others.~~

160 ~~(11) The siting of community residential homes in areas zoned for~~
161 ~~single family shall be governed by local zoning ordinances. Nothing~~
162 ~~in this section prohibits a local government from authorizing the~~
163 ~~development of community residential homes in areas zoned for~~
164 ~~single family.~~

165 ~~(12) Nothing in this section requires any local government to adopt~~
166 ~~a new ordinance if it has in place an ordinance governing the~~
167 ~~placement of community residential homes that meet the criteria of~~
168 ~~this section. State law on community residential homes controls~~
169 ~~over local ordinances, but nothing in this section prohibits a~~
170 ~~local government from adopting more liberal standards for siting~~
171 ~~such homes.~~

172 CHAPTER 419 SITE SELECTION OF COMMUNITY RESIDENCES AND RECOVERY
173 COMMUNITIES.-

174 419.001 Definitions.- As used in this chapter, the term:

175 (1) "Community residence" means a residential living arrangement,
176 with the exceptions established in s419.002(1), (2), and (3), for
177 up to 12 unrelated individuals with disabilities living as a single
178 functional family in a dwelling unit, town home, duplex, or triplex
179 who need the mutual support furnished by other residents of the
180 dwelling unit as well as the support services, if any, provided by
181 any staff of the community residence. Residents may be self-
182 governing or supervised by a sponsoring entity or its staff, which
183 provide habilitative or rehabilitative services related to the
184 residents' disabilities. A community residence emulates a
185 biological family to foster normalization of its residents,
186 integrate them into the surrounding community, and use neighbors
187 as role models for those residents capable of going into the
188 community and interacting with neighbors. Supportive inter-
189 relationships between residents are an essential component. Its
190 primary purpose is to provide shelter; foster and facilitate life
191 skills; and meet the physical, emotional, and social needs of the
192 residents in a mutually supportive family-like environment.

193 Community residences include, but are not limited to, those
194 residences licensed by the Florida Agency for Persons with
195 Disabilities, the Florida Department of Elder Affairs, the Florida
196 Agency for Health Care Administration, and the Florida Department
197 of Children and Families, Community Residential Homes; and Recovery
198 Residences certified as Level 1 or 2 by the state's designated
199 credentialing entity established under S. 397.487, and recovery
200 residences democratically operated by their residents pursuant to
201 a charter from an entity recognized or sanctioned by Congress. A
202 community residence shall be considered a residential use of
203 property for purposes of all local government land-use and zoning
204 codes.

205 (2) "Congregate living facility" means a facility that provides
206 long-term care, accommodations, food service, and one or more
207 personal care services to people without disabilities and not
208 related to the owner or administrator by blood or marriage. A
209 congregate living facility is a permanent or temporary group living
210 arrangement for people with disabilities. A congregate living
211 facility may be; a group living arrangement too large to emulate a
212 family, a group living arrangement in which normalization and/or
213 community integration are not integral elements, an intermediate
214 care or assisted living facility that does not emulate a family, a
215 group living arrangement that is an alternative to incarceration
216 for people who pose a direct threat to the health or safety of
217 others, a group living arrangement for people undergoing treatment
218 in a program at the same site, or a facility for the treatment of
219 substance use disorder where treatment is the primary purpose and
220 use, whether it provides only services or includes a residential
221 component on site. A congregate living facility is not a community
222 residence or a recovery community.

223 (3) "Disability" means a physical or mental impairment that
224 substantially limits one or more of an individual's major life
225 activities, impairs an individual's ability to live independently,
226 having a record of such an impairment, or being regarded as having

227 such an impairment as defined in the Federal Fair Housing Act and
228 Americans With Disabilities Act. People with disabilities do not
229 include individuals who are currently using alcohol, illegal drugs,
230 or using legal drugs to which they are addicted, nor individuals
231 who constitute a direct threat to the health and safety of others.
232 People with disabilities include, but are not limited to:

233 (a) An elderly person with disabilities as defined in
234 s.429.65(9)

235 (b) A person with physical disabilities as defined in
236 s.760.22(7)(a)

237 (c) A person with developmental disabilities as defined in
238 s.393.063(11)

239 (d) A person with mental illness as defined in s.394.455(3)

240 (e) A person in recovery from substance abuse, as defined in
241 s.397.311(48)

242 (4) "Family community residence" means a community residence that
243 provides a relatively permanent living arrangement which, in
244 practice and/or under its rules, charter, or other governing
245 document, does not limit how long a resident may live there. The
246 intent is for residents to live in the family community residence
247 on a long-term basis of at least six months. Typical uses can
248 include, but are not limited to, the following:

249 (a) A community residential home for people with disabilities
250 who do not pose a threat to the health and safety of other persons
251 or whose residency would result in substantial physical damage to
252 the property of others.

253 (b) Group homes for people with disabilities that emulate a
254 family, including, but not limited to, people with mental illness,
255 substance use disorder, or physical disabilities

256 (c) An assisted living facility for the elderly or other
257 people with disabilities licensed under s.429.02(5)

258 (d) An adult family-care home licensed under Florida
259 s.429.60

260 (e) An intermediate care facility for people with
261 developmental disabilities licensed under s.400.96

262 (f) Housing licensed under ch.394

263 (g) Recovery residences certified under s.397.487,
264 typically Levels 1 and 2 certified recovery residences, where
265 residency in practice or by rules is at least six months)

266 (h) Recovery residences democratically operated by their
267 residents pursuant to a charter from an entity recognized or
268 sanctioned by Congress.

269 (5) "Local government" means a county as set forth in ch.125 or a
270 municipality incorporated under the provisions of chapter 166.

271 (6) "Planned residential community" means a local government-
272 approved, planned unit development that is under unified control,
273 is planned and developed as a whole, has a minimum gross lot area
274 of 8 acres, and has amenities that are designed to serve residents
275 with a developmental disability as defined in s. 393.063 but that
276 shall also provide housing options for other individuals. The
277 community shall provide choices with regard to housing
278 arrangements, support providers, and activities. The residents'
279 freedom of movement within and outside the community is not
280 restricted. For the purposes of this subsection, local government
281 approval must be based on criteria that include, but are not limited
282 to; compliance with appropriate land use, zoning, and building
283 codes. A planned residential community may contain two or more
284 community residential homes that are contiguous to one another. A
285 planned residential community may not be located within a 10-mile
286 radius of any other planned residential community.

287 (7) "Reasonable accommodation" means providing an individual or
288 individuals with a disability and providers of housing for
289 individuals with a disability, as defined in this section,

290 flexibility in the application of land use, zoning and building
291 code regulations, practices, procedures, or policies, including
292 the modification or waiver of certain requirements when it is
293 necessary to give a person with a disability an equal opportunity
294 to use and enjoy a dwelling, within the meaning of 42 U.S.C
295 s.3604(f).

296 (8) "Recovery community" means multiple dwelling units in
297 multifamily housing districts including duplexes, triplexes, and
298 quadraplexes; attached single-family dwellings; or a group of these
299 types of dwellings that are not held out to the general public for
300 rent or occupancy, that provide a mutually supportive drug-free
301 and alcohol-free living arrangement for people in recovery from
302 substance use disorder which, taken together, do not emulate a
303 single biological family and are under the auspices of a single
304 sponsoring agency or group of related sponsoring agencies.
305 Recovery communities include land uses for which the operator is
306 eligible to apply for certification pursuant to s. 397.487. The
307 term does not include any other group living arrangements for
308 people who are not disabled nor any community residence, congregate
309 living facility, institutional or medical use, shelter, lodging or
310 boarding house, extended stay hotel, nursing home, vacation rental,
311 or other like use.

312 (9) "Recovery residence" means a residential dwelling unit, the
313 community housing component of a licensed day or night treatment
314 facility with community housing, or other form of group housing,
315 that provides a peer-supported, alcohol-free, and drug-free living
316 environment as defined in s. 397.311(39).

317 (10) "Resident" means any of the following: a frail elder as defined
318 in s. 429.65; a person who has a disability as defined in s.
319 760.22(3)(a); a person who has a developmental disability as
320 defined in s. 393.063; a nondangerous person who has a mental
321 illness as defined in s. 394.455, or a person in recovery from a

322 substance use disorder abuse as defined in s. 397.311(48); and
323 live-in staff.

324 (11) "Sponsoring agency" means an agency or unit of government, a
325 profit or nonprofit agency, or any other person or organization
326 which intends to establish or operate a community residential home
327 community residence, or recovery community.

328 (12) "Transitional community residence" means a community residence
329 that provides a relatively temporary living arrangement for
330 unrelated people with disabilities with a limit on length of
331 tenancy, typically less than six months, which may be measured in
332 weeks or months as determined either in practice or by the rules,
333 charter, or other governing document of the transitional community
334 residence. Typical uses can include, but are not limited to, the
335 following:

336 (a) Group homes for people with disabilities that emulate a
337 family, including, but not limited to, people with mental illness,
338 substance use disorder, or physical disabilities

339 (b) Community residential home for people with disabilities
340 who do not pose threat to the health and safety of other persons
341 or whose residency would result in substantial physical damage to
342 the property of others.

343 (c) Housing connected to outpatient treatment licensed under
344 ch.394.

345 (d) Recovery residences certified under s. 397.487, where
346 residency in practice or by rules is typically less than six months,
347 generally Level 3 and Level 4 recovery residences.

348 (e) The separate community housing component for people with
349 substance use disorder who may be undergoing detoxification or
350 treatment at another location such as a day or night residential
351 treatment center licensed under chapter 397.

352 [419.002. Restrictions on site selection of community residences,](#)
353 [exemptions.-](#)

354 (1) When a local government's land use or zoning code establishes
355 a maximum number of unrelated individuals that constitute a
356 "family" or "household" or similar term, a community residence
357 occupied by no more than the maximum number of unrelated
358 individuals that constitute a "family" or "household" or similar
359 term shall constitute a "family" or "household" or similar term
360 and shall not be subject to this chapter.

361 (2) When a local government's land use or zoning code allows any
362 number of unrelated people to constitute a "family" or "household"
363 or similar term, all community residences shall constitute a
364 "family" or "household" or similar term and shall not be subject
365 to this chapter.

366 (3) When a local government's land use or zoning code does not
367 define "family," "household," or define a similar term, community
368 residences shall be allowed as of right in all zoning districts
369 where residential uses are permitted and shall not be subject to
370 this chapter

371 (4) A community residence that is exempted from this section under
372 subsections (1), 2, and (3) shall not be used to determine distances
373 between community residences or recovery communities under this
374 chapter.

375 (5) All distance requirements in this this chapter shall be
376 measured from the lot line of the existing community residence or
377 recovery community nearest to the proposed community residence to
378 the lot line of the proposed community residence nearest to the
379 closest existing community residence or recovery community.

380 (5) A local government shall revoke zoning approval when the
381 operator of a community residence fails to provide evidence of
382 permanent licensure, certification, or is not operated pursuant to
383 a charter from an entity recognized or sanctioned by Congress. An
384 operator that has not received licensure, certification, or
385 charter; or where a license or certification was denied or revoked,
386 shall not be allowed to operate in the State of Florida and zoning

387 approval shall become null and void upon termination of such
388 license, certification, or charter. An operator must notify the
389 designated local government official that its license,
390 certification, or charter has been, denied, suspended or revoked
391 within five-calendar days of the operator being notified of the
392 denial suspension or revocation. Such operator shall cease
393 operation and vacate the premises within 60-calendar days of the
394 date of denial, suspension or revocation, and the operator of the
395 community residence shall safely return residents to their families
396 or relocate them to a safe and secure living environment.

397 (6) For purposes of local land use and zoning determinations,
398 this subsection does not affect the legal nonconforming use status
399 of any community residence lawfully permitted and operating prior
400 to July 1, 2025.

401 (7) Nothing in this section shall be deemed to affect the
402 authority of any community residence lawfully established prior to
403 July 1, 2025, to continue to operate.

404 (8) Nothing in this section shall permit persons to occupy a
405 community residence ~~or~~ who would constitute a direct threat to the
406 health and safety of other persons or whose residency would result
407 in substantial physical damage to the property of others.

408 (9) Nothing in this section requires any local government to
409 create an ordinance or adopt a new ordinance if it has in place an
410 ordinance governing the placement of community residences that is
411 in substantial compliance with the criteria of this ~~section~~
412 chapter.

413 **419.003 Community residences; permitted use.-**

414 (1) Family community residences constitute a residential use
415 allowed as of right in all zoning districts where single-family
416 residences are allowed and transitional community residences
417 constitute a residential use allowed as of right in all zoning

418 districts where duplexes, triplexes, or other forms of multi-family
419 structures are allowed, provided that:

420 (a) Such community residences are not located within a radius
421 of 660 feet or 9 lots, whichever is greater, from the closest
422 existing community residence or recovery community

423 (b) Such community residences have been issued and maintain:

424 (i) The license, certification or charter required to
425 operate the proposed family community residence; or

426 (ii) A provisional or conditional license, certification
427 or charter during an application process as determined by the
428 designated licensing, certifying or chartering entity;

429 (c) No more than twelve individuals will occupy the community
430 residence subject to the local government's standard housing,
431 building, or property maintenance code's provisions to prevent
432 overcrowding, except that fourteen people may occupy a community
433 residence licensed as a "community residential home."

434 (2) A community residence that does not comply with s. 419.002 (1)
435 (a), (b), or (c) shall be approved when it meets the standards
436 for a reasonable accommodation in 419.003.

437 **419.003 Community residences; reasonable accommodation.-**

438 (1) A proposed community residence that does not comply with
439 standards in s.419.002 shall be allowed as a reasonable
440 accommodation through the local government's chosen zoning process
441 or dedicated reasonable accommodation process, when:

442 (a) The proposed location is within 660 linear feet or 9
443 lots, whichever is greater, of the closest existing community
444 residence or recovery community. A reasonable accommodation shall
445 be granted only when it is found that the applicant has demonstrated
446 that:

447 (i) The proposed community residence will not interfere
448 with the normalization and community integration of the residents
449 of the closest existing community residence or recovery community

450 and that the closest community residence or recovery community will
451 not interfere with the normalization and community integration of
452 the residents of the proposed community residence. primary factors
453 when determining compliance with this provision include:

454 1. The on-the-ground distance along the pedestrian right
455 of way,

456 2. the likelihood of residents of each site interacting
457 with residents of the other site, and

458 3. whether the residents of both sites have different
459 Disabilities.

460 (ii) The proposed community residence in combination
461 with any existing community residences and/or recovery communities
462 will not alter the residential character of the surrounding
463 neighborhood by creating an institutional atmosphere or by creating
464 or intensifying an institutional atmosphere or de facto social
465 service district by clustering community residences and/or recovery
466 communities on a block face or concentrating them in a
467 neighborhood.

468 (b) When the State of Florida does not offer a license or
469 certification for the type of community residence proposed and the
470 population it would serve is not eligible for a charter for recovery
471 residences democratically operated by its residents from an entity
472 recognized or sanctioned by Congress, a reasonable accommodation
473 through the local government's chosen zoning process shall be
474 approved only when it is found that the applicant has demonstrated
475 that:

476 (i) The proposed community residence will be operated
477 in a manner effectively similar to that of a licensed or certified
478 community residence; and

479 (ii) Staff who reside and/or work in the community
480 residence will be adequately trained in accordance with standards

481 typically required by licensing or state certification for a
482 community residence; and

483 (iii) The community residence will emulate a biological
484 family and be operated to achieve normalization and community
485 integration; and

486 (iv) The rules and practices governing how the community
487 residence operates will actually protect the residents from abuse,
488 exploitation, fraud, theft, neglect, insufficient support, use of
489 illegal drugs or alcohol, and misuse of prescription medications.

490 (c) A community residence may house more than twelve unrelated
491 people by obtaining a reasonable accommodation through the local
492 government's chosen zoning process. The reasonable accommodation
493 shall be approved only when it is found that the applicant has
494 demonstrated that:

495 (i) The proposed number of residents greater than twelve
496 is necessary to ensure the therapeutic and/or financial viability
497 of the proposed community residence; and

498 (ii) The primary function of the proposed community
499 residence is residential where any medical treatment is merely
500 incidental to the residential use of the property; and

501 (iii) The proposed community residence will emulate a
502 biological family and operate as a functional family rather than
503 as a boarding or rooming house; nursing home; short term rental;
504 continuing care facility; motel; hotel; treatment center;
505 rehabilitation center; institutional use; assisted living facility
506 or community residential home that does not comport with the
507 definition of community residence; or other nonresidential use;
508 and

509 (iv) The requested number of residents in the proposed
510 community residence will not interfere with the normalization and
511 community integration of the occupants of closest existing
512 community residence or recovery community per s. 419.003(a).

513 (2) Transitional community residences shall be allowed in single-
514 family zoning districts where duplexes and other forms of multi-
515 family housing are prohibited as a reasonable accommodation through
516 the local government's chosen zoning process provided that:

517 (a) The proposed transitional community residence complies
518 with s. 419.002 and s. 419.003, and

519 (b) The transitional community residence is found to be
520 compatible with the residential uses allowed as of right in the
521 zoning district.

522 **419.004 Recovery communities as a permitted use.-**

523 (1) Recovery communities constitute a residential use allowed as
524 of right in all zoning districts where duplexes, triplexes, and
525 other forms of multi-family structures are allowed, provided that:

526 (a) The operator or applicant has receives and maintains
527 provisional and then permanent certification from the designated
528 certifying entity as established by s. 397.487; and

529 (b) A proposed recovery community housing up to 16
530 occupants is located at least 660 feet or nine lots, whichever is
531 greater, from the closest recovery community or community
532 residence; and

533 (c) A proposed recovery community housing 17 to 30 occupants
534 is located at least 900 feet or twelve lots, whichever is greater,
535 from the closest recovery community or community residence; and

536 (d) A proposed recovery community housing 31 to 50 occupants
537 is located at least 1,300 feet or fourteen lots, whichever is
538 greater, from the closest recovery community or community
539 residence; and

540 (e) A proposed recovery community housing 51 to 100
541 occupants is located at least 1,300 feet or sixteen lots, whichever
542 is greater, from the closest recovery community or community
543 residence; and

544 (f) A proposed recovery community housing more than 100
545 occupants is located at least 1,500 feet or twenty lots, whichever
546 is greater from the closest recovery community or community
547 residence.

548 (2) All distance requirements in this section and s.419.005 shall
549 be measured from the lot line of the existing community residence
550 or recovery community nearest to the proposed recovery community
551 to the lot line of the proposed recovery community nearest to the
552 closest existing community residence or recovery community.

553 (3) An operator of a recovery community that has not received
554 certification; or where a certification was denied, suspended or
555 revoked, shall not be allowed to operate in the State of Florida
556 and zoning approval shall become null and void upon termination of
557 such certification. An operator must notify the designated local
558 government official that its certification has been denied,
559 suspended or revoked within five-calendar days of the operator
560 being notified of the denial, suspension or revocation. Such
561 operator shall cease operation and vacate the premises within 60-
562 calendar days of the date of denial or revocation and the operator
563 shall safely return residents to their families or relocate them
564 to a safe and secure living environment.

565 (4) For purposes of local land use and zoning determinations,
566 this section and s.419.005 do not affect the legal nonconforming
567 use status of any recovery community lawfully permitted and
568 operating as of July 1, 2025.

569 (5) Nothing in this section or s. 419.005 shall be deemed to
570 affect the authority of any recovery community lawfully established
571 prior to July 1, 2025, to continue to operate.

572 (6) Nothing in this section or s. 419.005 shall permit persons to
573 occupy a recovery community or who would constitute a direct threat
574 to the health and safety of other persons or whose residency would
575 result in substantial physical damage to the property of others.

576 (7) Nothing in this section or s. 419.005 requires any local
577 government to adopt a new ordinance if it has in place an ordinance
578 governing the placement of recovery communities that meet the
579 criteria of this section. State law on recovery communities
580 controls over local ordinances, but nothing in this section
581 prohibits a local government from adopting lesser standards for
582 siting recovery communities.

583 **419.006 Recovery communities as reasonable accommodation.-**

584 (1) A recovery community proposed to be located within the spacing
585 distances specified in s. 419.005 from the closest existing
586 community residence or recovery community, shall be allowed as a
587 reasonable accommodation through the local government's chosen
588 zoning process or dedicated reasonable accommodation process, when
589 it is found that the applicant has demonstrated that:

590 (a) The proposed recovery community will not interfere with
591 the normalization and community integration of the residents of
592 the closest existing community residence or recovery community and
593 that the closest existing community residence or recovery community
594 will not interfere with the normalization and community integration
595 of the residents of the proposed recovery community. primary
596 factors when determining compliance with this provision include:

- 597 1. The on-the-ground distance along the pedestrian right
598 of way,
- 599 2. the likelihood of residents of each site interacting
600 with residents of the other site, and
- 601 3. whether the residents of both sites have different
602 Disabilities.

603 (b) The proposed recovery community in combination with any
604 existing community residences and/or recovery communities will not
605 alter the residential character of the surrounding neighborhood by
606 creating an institutional atmosphere or by creating or intensifying

607 an institutional atmosphere or de facto social service district by
608 clustering recovery communities and/or community residences on a
609 block face or concentrating them in a neighborhood.

610

611 419.007 Community residences and recovery communities; applicable
612 spacing distance, assistance.-

613 (1) A local government shall respond in writing within five
614 business days to a request from a housing provider as to whether a
615 proposed site for a community residence or recovery community is
616 within the applicable spacing distance established by this chapter
617 from any existing community residence or recovery community. The
618 response shall include the distance calculation relied upon for a
619 denial of an otherwise permitted use.

620 (2) When a proposed community residence or recovery community is
621 within the applicable spacing distance established by this chapter,
622 the local government shall, if requested, provide to the applicant
623 in writing the following information:

624 (a) the address of the existing community residence or
625 recovery community within the spacing distance for which the
626 proposed site is located, and

627 (b) The exact distance of the proposed site from the existing
628 community residence or recovery community; and

629 (c) The general nature of the disabilities of the occupants
630 of the existing community residence or recovery community.

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