

By Senator Cowin

20-264A-03

1                                   A bill to be entitled  
2           An act relating to site selection of community  
3           residential homes; amending s. 419.001, F.S.;  
4           prohibiting certain community residential homes  
5           from being located within a prescribed distance  
6           from existing single-family homes; providing an  
7           effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Subsections (1) and (2) of section 419.001,  
12 Florida Statutes, are amended to read:

13           419.001 Site selection of community residential  
14 homes.--

15           (1) As used in ~~For the purposes of~~ this section, the  
16 term following definitions shall apply:

17           (a) "Community residential home" means a dwelling unit  
18 licensed to serve clients of the Department of Children and  
19 Family Services, which provides a living environment for 7 to  
20 14 unrelated residents who operate as the functional  
21 equivalent of a family, including such supervision and care by  
22 supportive staff as may be necessary to meet the physical,  
23 emotional, and social needs of the residents.

24           (b) "Department" means the Department of Children and  
25 Family Services.

26           (c) "Local government" means a county as set forth in  
27 chapter 7 or a municipality incorporated under the provisions  
28 of chapter 165.

29           (d) "Resident" means any of the following: a frail  
30 elder as defined in s. 400.618; a physically disabled or  
31 handicapped person as defined in s. 760.22(7)(a); a

1 developmentally disabled person as defined in s. 393.063(12);  
2 a nondangerous mentally ill person as defined in s.  
3 394.455(18); or a child as defined in s. 39.01(14), s.  
4 984.03(9) or (12), or s. 985.03(8).

5 (e) "Sponsoring agency" means an agency or unit of  
6 government, a profit or nonprofit agency, or any other person  
7 or organization which intends to establish or operate a  
8 community residential home.

9 (2) Homes of six or fewer residents which otherwise  
10 meet the definition of a community residential home shall be  
11 deemed a single-family unit and a noncommercial, residential  
12 use for the purpose of local laws and ordinances. Homes of  
13 six or fewer residents which otherwise meet the definition of  
14 a community residential home shall be allowed in single-family  
15 or multifamily zoning without approval by the local  
16 government; however, ~~provided that~~ such a home must ~~homes~~  
17 ~~shall~~ not be located within a radius of 1,000 feet of another  
18 existing such home with six or fewer residents or within a  
19 radius of 500 feet of an existing single-family home. Such  
20 homes with six or fewer residents need not ~~shall not be~~  
21 ~~required to~~ comply with the notification provisions of this  
22 section; ~~provided, however, that~~ the sponsoring agency or the  
23 department must notify ~~notifies~~ the local government at the  
24 time of home occupancy that the home is licensed by the  
25 department.

26 Section 2. This act shall take effect July 1, 2003.

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SENATE SUMMARY

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Prohibits locating a community residential home within a  
radius of 500 feet of an existing single-family home.

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