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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/26/2016	.	
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	.	

The Committee on Community Affairs (Diaz de la Portilla) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 419.001, Florida Statutes, is amended to read:

419.001 Site selection of community residential homes.—

(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the



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11 purpose of local laws and ordinances. Homes of six or fewer
12 residents which otherwise meet the definition of a community
13 residential home shall be allowed in single-family or
14 multifamily zoning without approval by the local government,
15 provided that such homes are ~~shall~~ not ~~be~~ located within a
16 radius of 1,000 feet of another existing such home with six or
17 fewer residents or within a radius of 1,200 feet of another
18 existing community residential home. Such homes with six or
19 fewer residents are ~~shall~~ not ~~be~~ required to comply with the
20 notification provisions of this section; provided that, before
21 ~~prior to~~ licensure, the sponsoring agency provides the local
22 government with the most recently published data compiled from
23 the licensing entities that identifies all community residential
24 homes within the jurisdictional limits of the local government
25 in which the proposed site is to be located in order to show
26 that there is not a home of six or fewer residents which
27 otherwise meets the definition of a ~~no other~~ community
28 residential home ~~is~~ within a radius of 1,000 feet and not a
29 community residential home within a radius of 1,200 feet of the
30 proposed home ~~with six or fewer residents~~. At the time of home
31 occupancy, the sponsoring agency must notify the local
32 government that the home is licensed by the licensing entity.
33 For purposes of local land use and zoning determinations, this
34 subsection does not affect the legal nonconforming use status of
35 any community residential home lawfully permitted and operating
36 as of July 1, 2016.

37 Section 2. This act shall take effect July 1, 2016.

38
39 ===== T I T L E A M E N D M E N T =====



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40 And the title is amended as follows:

41 Delete everything before the enacting clause
42 and insert:

43 A bill to be entitled

44 An act relating to residential facilities; amending s.
45 419.001, F.S.; specifying applicability of siting
46 requirements for community residential homes;
47 providing applicability with respect to local land use
48 and zoning; providing an effective date.