

By the Committee on Community Affairs; and Senator Diaz de la Portilla

578-02620-16

20161174c1

1 A bill to be entitled

2 An act relating to residential facilities; amending s.
3 419.001, F.S.; specifying applicability of siting
4 requirements for community residential homes;
5 providing applicability with respect to local land use
6 and zoning; providing an effective date.

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

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

12 419.001 Site selection of community residential homes.—

13 (2) Homes of six or fewer residents which otherwise meet
14 the definition of a community residential home shall be deemed a
15 single-family unit and a noncommercial, residential use for the
16 purpose of local laws and ordinances. Homes of six or fewer
17 residents which otherwise meet the definition of a community
18 residential home shall be allowed in single-family or
19 multifamily zoning without approval by the local government,
20 provided that such homes are ~~shall~~ not ~~be~~ located within a
21 radius of 1,000 feet of another existing such home with six or
22 fewer residents or within a radius of 1,200 feet of another
23 existing community residential home. Such homes with six or
24 fewer residents are ~~shall~~ not ~~be~~ required to comply with the
25 notification provisions of this section; provided that, before
26 ~~prior to~~ licensure, the sponsoring agency provides the local
27 government with the most recently published data compiled from
28 the licensing entities that identifies all community residential
29 homes within the jurisdictional limits of the local government
30 in which the proposed site is to be located in order to show
31 that there is not a home of six or fewer residents which

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32 otherwise meets the definition of a ~~no other~~ community
33 residential home ~~is~~ within a radius of 1,000 feet and not a
34 community residential home within a radius of 1,200 feet of the
35 proposed home ~~with six or fewer residents~~. At the time of home
36 occupancy, the sponsoring agency must notify the local
37 government that the home is licensed by the licensing entity.
38 For purposes of local land use and zoning determinations, this
39 subsection does not affect the legal nonconforming use status of
40 any community residential home lawfully permitted and operating
41 as of July 1, 2016.

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

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