

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 neither a home of six or fewer residents which
32 | otherwise meets the definition of a ~~no other~~ community
33 | residential home ~~is~~ within a radius of 1,000 feet ~~nor 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.