



# MEMORANDUM

DATE: October 15, 2025

TO: Planning and Zoning Board

FROM: Jordan Smith, AICP, PP Planning and Development Services Director

THRU: Jordan Smith, AICP, PP Planning and Development Services Director

SUBJECT: Ordinance No. 36-2025, Amending Section 110-814 "Additional Regulations for Certain Permitted Principal Uses and Structures," of Chapter 110, "Zoning" and Chapter 74, "Administration" of the Land Development Code (Legislative – Public Hearing) (Jordan Smith, Project Manager)

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**REFERENCES:** City Comprehensive Plan, City Code of Ordinances (Land Development Code, Chapter 110 and Chapter 74).

**REQUEST:** Proposed amendments to Chapter 74 "Administration" of the Land Development Code and to Section 110-814 "Certified Recovery Residences" to bring the City's procedures and land use code into compliance with SB 954 (2025), and to clarify decision authority, review processes, and the reasonable accommodation procedure.

**BACKGROUND:** The passage of SB 954 (2025) requires that local regulations for certified recovery residences comply with state law. To address this, staff is recommending amendments to Section 110-814 and the addition of Section 74-24 to Chapter 74. These changes provide a framework for the establishment of certified recovery residences, ensure consistency with state law, and clarify the reasonable accommodation process for residents.

**CERTIFIED RECOVERY RESIDENCES:** In Florida, a Certified Recovery Residence is a safe, sober, and supportive living environment that helps individuals maintain long term recovery from substance use. Each residence is overseen by a Certified Recovery Residence Administrator (CRRRA), as required by law, to ensure the home meets standards set by the Florida Association of Recovery Residences (FARR).

FARR certifies recovery residences into four level:

- Level I: Peer run homes with no staff.
- Level II: Monitored homes with a house manager enforcing rules.
- Level III: Supervised homes with paid staff providing daily support and life skills mentoring.
- Level IV: Homes integrated with a treatment provider while still offering abstinence based housing.

FARR's mission is to ensure safe, supportive, and accountable housing for people in recovery. It also provides training and resources to help operators maintain high standards.

**DISCUSSION:** The proposed update to Section 110-814 adds a subsection that defines how certified recovery residences fit into the City's zoning framework. Residences that do not occupy an entire condominium are treated as non-transient residential uses. They are permitted in all multi-family residential districts and may use existing multi-family structures without additional zoning approvals. Local ordinances cannot prohibit these residences or restrict their duration or frequency of use in multi-family buildings. The city may only deny a Level IV residence if it is adjacent to or surrounded by at least 25 contiguous single-family homes. These rules apply to voluntarily certified residences as of July 1, 2025, and state law takes precedence over conflicting regulations. All residences must maintain state certification and comply with building, fire and property maintenance codes.

Chapter 74 is amended to add Section 74-24, which establishes a reasonable accommodation procedure consistent with federal and state law. Applicants submit a written request to Planning and Development Services, including contact information, the property address, and a description of the requested accommodation. Staff reviews the application for completeness within 30 days, and the applicant has 30 days to respond if additional information is requested. A final determination is issued within 60 days, and requests are automatically approved if no response is issued within that period. This procedure does not require additional public hearings beyond what the law mandates, does not override condominium, co-op, or HOA rules, and all actions must comply with federal fair housing and disability laws. Accommodations may be revoked for cause, with a 180 day correction period.

**RECOMMENDATION:**

Under Section 163.3174, Florida Statutes, the Planning and Zoning Board is required to review proposed land development regulations and determine whether they are consistent with the adopted Comprehensive Plan. Staff recommends that the Board recommend that the City Commission approved Ordinance No. 36-2025, which updates Section 110-814 and Chapter 74 to ensure compliance with state law and provide a clear, fair process for certified recovery residences.

**NEXT STEPS:** The Mayor and City Commission will hear this item on November 3, 2025, at first reading.

**ATTACHMENTS:**

- Ordinance No. 36-2025
- SB 954