

CHAPTER 2016-74

Committee Substitute for Senate Bill No. 1174

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

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

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

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

Approved by the Governor March 23, 2016.

Filed in Office Secretary of State March 23, 2016.