

8. The Property Owner shall do the ...
c. Once part “a” of this condition is deemed complete, Conditions ~~and 911~~ and ~~1012~~ will be deemed complete and will be closed. (ONGOING: ENGINEERING - Engineering)
9. The Property Owner shall construct ...
c. Once part “a” of this condition is deemed complete, Condition ~~810~~ will be deemed complete and will be closed. (ONGOING: ENGINEERING - Engineering)

L. ULDC AMENDMENTS

17. (Page 36) REQUEST FOR PERMISSION TO ADVERTISE - UNIFIED LAND DEVELOPMENTCODE (ULDC) AMENDMENT FOR COMMUNITY RESIDENCES, RECOVERYCOMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING ANDRESIDENTIAL TREATMENT FACILITIES

Amend – Exhibit B, Community Residences, Recovery Communities, Congregate Living Facilities, And Skilled Nursing and Residential Treatment, Part 1, page 535 lines 46-56, ULDC Art. 1.H.2, General Provisions, Definitions and Acronyms, Definitions [Reason: To adjust add clarification on the misuse of legal drugs is prohibited, and to clarify that residents that live in the Oxford House and lose their charter must go back to their families or other safe living environment.]

O. Terms defined herein or referenced in this Article shall have the following meanings:
....
27. Oxford House – A self-governed Family Community Residence for people in recovery from substance abuse disorder that has been issued a “Conditional Charter” or “Permanent Charter” by Oxford House World Services, or any successor organization providing oversight; where there is no limit on length of residency, and, where the use of alcohol or any illegal drug is prohibited; where any misuse of legal drugs is prohibited, where any resident who violates this prohibition is expelled from the dwelling; where the residents pay the costs of the dwelling, including rent and utilities; and, where through a majority vote, the residents establish policies governing living in the Oxford House, including the manner in which applications for residence are approved. Upon termination, revocation, or suspension of its Charter, an Oxford House must be closed within 60 calendar days and the administrators of the Charter must return residents must be returned to their families or relocated them to another safe and secure living environment.
....[Renumber accordingly]

Amend – Exhibit B, Art. 2.B.7.D, Application Processes and Procedures, Public Hearing Processes, Types of Applications, Type 2 Waiver Part 2 page 536 Reason for amendment lines 10 to 12 and page 538 lines 29-35 [Reason: To clarify that the waiver is required when it exceeds the maximum number of residents allowed as of right. To clarify that the Type 2 Waiver that allowance to demonstrate financial viability is only for Community Residences and not Recovery Communities. To clarify the zoning districts and Pods where the Transitional Family Residence must meet the standards to have the proposed use.]

Reason for amendments: [Zoning]
1. Addition of Type 2 Waiver standards for the Family Community Residence, Transitional Community Residence, a Recovery Community, or Congregate Living Facility when the Applicant cannot meet the requirements for Location, Licensing/Certification is not available from the State, or the number of residents exceeds the maximum <u>allowed as of right</u> . The Zoning Commission would make a recommendation to the Board of County Commissioners based on whether the request meets the standards and the Board of County Commissioners would make the final decision. These Waivers and standards are to provide a procedure for Reasonable Accommodation.
2.
32. A Type 2 Waiver for <u>a Family Community Residences, Transitional Community Residence, and Recovery Community</u> is to demonstrate financial viability. [RENUMBER ACCORDINGLY]

1 CHAPTER B PUBLIC HEARING PROCESSES
2
3 Section 7 Types of Applications
4
5 D. Type 2 Waiver
6 1. Purpose
7 A Type 2 Waiver is to allow flexibility for mixed use or infill redevelopment projects, or
8 architectural design, site design or layout, where alternative solutions can be allowed, subject
9 to performance criteria or limitations. Type 2 Waivers are not intended to ~~relieve specific~~
10 ~~financial hardship demonstrate financial viability, except for a Family Community Residences~~

~~Transitional Community Residence, or Recovery Community, pursuant to the Standards described below,~~ nor circumvent the intent of this Code. A Type 2 Waiver may not be granted if it conflicts with other Sections of this Code, or the Florida Building Code. [Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002]

5. Standards for Community Residences, Recovery Communities, or Congregate Living Facilities

a) Family Community Residence or Transitional Community Residence

~~4) When an Applicant seeks to allow a Transitional Community Residence, in the AGR, AR, RE, RT, RS, Detached units Residential Pod of a PUD, or Residential Pod of a TND; or, ZLL or Cottage homes within CL/CH/CHO MUPD Zoning District or IND/L PIPD Zoning Districts when the use is allowed only by the BCC, pursuant to Art. 4.B.1.C.9.e,2) a)(2)b), the BCC shall utilize the Standards a through e indicated below. An application which fails to meet any of these Standards shall be deemed adverse to public interest and shall not be approved.~~

Amend – Exhibit B, Community Residences, Congregate Living, and Nursing & Treatment Facilities, Part 5, page 452, lines 1-17, Art. 2.C.8.A.4. c. ZCL Response [Reason: To clarify that the provisional approval for the use to be six months. Typical approvals from the State, FARR, and Oxford House can be completed in 3 to 4 months.]

A. Zoning Confirmation Letter (ZCL)

2. Types of ZCL

c. Confirmation for a Community Residences, Recovery Communities or Congregate Living Facility

~~Within 30 days after the date the request is deemed sufficient for review, the DRO shall provide a response to the Applicant. During the review, the Applicant may be required to submit additional information to assist in preparing the response. Resubmittal of information will restart the response period. Upon demonstration that the use and site can comply with the requirements, the site shall be issued given a provisional approval. The Applicant shall provide pending proof of final licensure or certification from the State of Florida, or approval Oxford House Charter by the State or the within six months of the provisional approval. A written request for a time extension to the Zoning Director may be requested if the Applicant is unable to obtain its appropriate license, certification, or charter within the six-months. The provisional approval will advise the Applicant that Type 2 Waiver(s) may be required, if approvals from the State are not completed prior to other Community Residences, Recovery Communities, or Congregate Living Facilities are approved during the same timeframe, and impact the location requirements pursuant to Art. 4.B.1.C.1, Congregate Living Facility, 4.B.1.C.3, Family Community Residence, Art. 4.B.1.C.9, Transitional Community Residence and 4.B.1.C.6, Recovery Community. Location requirements. Upon receipt of the license, certification, or charter the Applicant shall provide the Zoning Division proof of licensure, certification, or charter. The Applicant shall on an annual basis, provide proof of the valid license, certification, or charter. Failure to provide proof of final licensure or certification from the State of Florida, or an Oxford House Charter will result in revocation of the provisional approval for the use.~~

Amend – Exhibit B, Community Residences, Congregate Living, and Nursing & Treatment Facilities, Part 12, page 553, lines 1-17, Art. 4.B.1.C.1.3) Type2 Waiver [Reason: To add to allow a waiver for reference for Oxford House Charter when one is not eligible.]

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

3. Family Community Residence

c. Approval Process

3) Type 2 Waiver

~~A Family Community Residence may request a Type 2 Waiver pursuant to Art. 2.B.7.D. Type 2 Waiver, when the proposed use does not meet the requirements of one or more of the following:~~

~~a) Art. 4.B.1.C.3.d.1), Licensing or Certification, when licensing or certification is not required or available from the State of Florida or Florida Association of Recovery Residences or a the Family Community Residence is not eligible for an Oxford House Charter. This does not apply when the Family Community Residence has been denied a license or certification, or Oxford House Charter, or it has been revoked;~~

Amend – Exhibit B, Community Residences, Congregate Living, and Nursing & Treatment Facilities, Part 12, page 556-557, lines 23-25, page 558 lines 19-30, and page 559 Lines 17 to 25 Art. 4.B.1.C.9.b [Reason: To modify addition with substance abuse disorder. To remove reference for Oxford house and their charters as an Oxford House is a type of Family Community Residence and not a Transitional Community Residence]

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

C. Definitions and Supplementary Use Standards for Specific Uses

9. Transitional Community Residence

b. Typical Uses

Typical uses shall conform to the definition, with less than one year of tenancy, and include but are not limited to the following:

- 1) Halfway houses for people with disabilities that emulate a family, including people with illness, ~~addiction~~ substance abuse disorder, physical disabilities, or mental illness;

d. Licensing, Certification, or Charter

- 1) A Transitional Community Residence shall be licensed or certified by one of the licensing entities referenced in F.S. § 419.001, § 397.311, or § 397.487; ~~or obtain a charter for an Oxford House, as follows:~~

- a) The appropriate available license or certification that the State of Florida or Florida Association of Recovery Residences, offers or requires to operate the proposed Transitional Community Residence, including any provisional license or certification issued prior to granting a full license or certification pursuant F.S. § 419.001, § 397.311, or § 397.487.

- ~~b) A “conditional” Oxford House Charter within 30 calendar days of the date on which the first individual occupies the Oxford House and a “permanent” Oxford House Charter within 180 calendar days after the “conditional” charter was issued.~~

g. Revocation

An operator must provide evidence of license, ~~or certificate, or Charter~~ within the 12 month Zoning Confirmation Letter for Transitional Community Residence, as issued. An operator, who is unable to provide licensure, ~~or certification, or Charter~~ or where a license, ~~or certificate, or Charter~~ was denied, revoked, or suspended, shall not be allowed to operate in PBC and the Transitional Community Residence Zoning Confirmation Letter shall become null and void. Such an operator shall cease operation and vacate the premises within 60 calendar days and shall either return residents to their families or relocate them to a safe and secure living environment.