

# **Request for Permission to Advertise: Community Residential Housing ULDC Amendments**

## **Schedule to Date:**

- 02/26/2021 - Final Subcommittee Meeting
- 03/24/2021 - LDRAB/LDRC Meeting
  - Unanimous Recommendation for BCC Approval (16-0 vote)
- 04/22/2021 - BCC Request for Permission to Advertise

## **Anticipated Schedule:**

- 05/27/2021 - BCC Hearing (1<sup>st</sup> Reading)
- 06/24/2021 - BCC Hearing (Final Adoption)

# General Summary

Congregate Living Facility	Existing/Revise	Residential Use
<ul style="list-style-type: none"> <li>Type 1 CLF</li> <li>Type 2 CLF</li> <li>Type 3 CLF</li> </ul>	<p>Proposed to remove</p> <p>Proposed to remove</p> <p>Revised</p>	<p>1-6 Residents, excluding staff</p> <p>7-14 Residents, excluding staff</p> <ul style="list-style-type: none"> <li>Remove references as “Type 3”;</li> <li>May or may not be permeant livings when not a Community Residence, or over 14 residence, and based on 2.39 residents/beds per acre;</li> <li>Separation from other CLF, Community Residences or Recovery Communities dependent on the number of residents (660 feet or 7 lots or 1200 feet)</li> <li>May require certification/license by the state</li> <li>No change to where the use is allowed or the process of the approval for the use (RS -dependent on the FLU, RM, PDDs and TDDs, some non-residential districts.</li> <li>Type 2 Waiver- new when the use does not meet the separation requirements.</li> </ul>
Community Residence	NEW	Residential Use
<ul style="list-style-type: none"> <li>Family Community Residence (includes Oxford House)</li> </ul>	<p>Replace both Type 1 and 2</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Permanent living of a year or longer and emulate a family;</li> <li><input type="checkbox"/> Medical Treatment is incidental</li> <li><input type="checkbox"/> <b>Permitted where SF are allowed;</b> <ul style="list-style-type: none"> <li>1-10 residents, including staff that live on site for Residents certified under 397, or others; or</li> <li>1-14 residents, including staff that live on site for Residents licensed by state agencies 419;</li> <li>Must be certified/licensed by the state; and.</li> <li>Distance requirements 660 ft or 7 lots.</li> </ul> </li> <li><input type="checkbox"/> <b>Type 2 Waivers</b> <ul style="list-style-type: none"> <li>When requesting more than 10 residents (397); or</li> <li>If no license/certification available from the state; or</li> <li>The site is less than the distance requirements.</li> </ul> </li> </ul>

Community Residence	NEW	Residential Use
<ul style="list-style-type: none"><li>Transitional Community Residence</li></ul>	Replaces the Type 1 and 2	<div><input type="checkbox"/> Transitional living for a year or less and emulates a family;</div> <div><input type="checkbox"/> Medical Treatment is incidental</div> <div><input type="checkbox"/> <b>Permitted where Multifamily is allowed</b><ul style="list-style-type: none"><li>1-10 residents, including staff that live on site for Residents certified under 397, or others; or,</li><li>1-14 residents, including staff that live on site for Residents licensed by state agencies 419;</li><li>Must be certified/licensed by the state; and,</li><li>Distance requirements 660 ft or 7 lots.</li></ul></div> <div><input type="checkbox"/> <b>Type 2 Waiver where Multifamily is allowed:</b><ul style="list-style-type: none"><li>When requesting more than 10 residents (397); or</li><li>If no license/certification available from the state; or</li><li>The site is less than the distance requirements.</li></ul></div> <div><input type="checkbox"/> <b>Permitted where Single Family is allowed:</b><ul style="list-style-type: none"><li>Residents limited to 1-6 including staff that live on site for Residents licensed by state agencies 419;</li><li>Must be certified/licensed by the state</li><li>Distance requirements 660 ft or 7 lots ;</li></ul></div> <div><input type="checkbox"/> <b>Type 2 Waiver where Single Family is allowed <u>for the Use if:</u></b><ul style="list-style-type: none"><li>Residents limited to 5-10, including staff that live on site for Residents certified under 397, or others;</li><li>Must be certified/licensed by the state</li><li>Distance requirements 660 ft or 7 lots ;</li></ul></div> <div><input type="checkbox"/> <b>Additional Type 2 Waiver(s) where SF is allowed if:</b><ul style="list-style-type: none"><li>When requesting more than 10 residents (397) or 7-14 (419) ; or</li><li>If no license/certification available from the state; or</li><li>The site is less than the distance requirements.</li></ul></div>
Recovery Community	New	Residential Use
<ul style="list-style-type: none"><li>Recovery Community</li></ul>		<div><input type="checkbox"/> <b>Permitted where Multifamily is allowed</b><ul style="list-style-type: none"><li>Must be certified/licensed by the state</li><li>Distance 1,200 feet, or 10 lots;</li></ul></div> <div><input type="checkbox"/> <b>Type 2 Waiver</b><ul style="list-style-type: none"><li>If less than distance</li></ul></div>

Nursing Home and Convalescent Facility	Existing/Revised	Institutional Use
<ul style="list-style-type: none"><li>• Skilled Nursing and Residential Treatment Home</li></ul>	Revisions	<ul style="list-style-type: none"><li>• Allowed in RS, RM and non-residential districts subject to Public Hearing or Administrative Reviews.- <b>No change</b></li><li>• Number of residents based on acreage 1/1000 sq ft of lot – <b>No change</b></li><li>• Medical treatment is not incidental</li><li>• Residents include those described under F.S 400; as well as 397 that require more medical treatment that is not incidental for the Recovery Communities or Community Residences;</li><li>• Location Criteria based on the type of road the parcel is adjacent to.</li></ul>
Process		
<ul style="list-style-type: none"><li>• Permitted by Right</li></ul>	<ul style="list-style-type: none"><li><input type="checkbox"/> Based on Fair Housing and ADA the number of residents typically allowed by right has increased<ul style="list-style-type: none"><li>• Type 1 was max 6 residents, and Type 2 was max 14 residents;</li><li>• Proposed is a maximum 10 for those licensed under F.S. 397 or others; and 14 for those licensed under F.S. 419 (dependent on location and Community Residence type)</li></ul></li><li><input type="checkbox"/> Must be licensed/certified</li><li><input type="checkbox"/> Must meet distance requirements</li></ul>	
<ul style="list-style-type: none"><li>• DRO/Conditional Use</li></ul>	<ul style="list-style-type: none"><li><input type="checkbox"/> If the specific housing type, ie Zero Lot Line, Town House or Multifamily, requires a higher Administrative or Public Hearing approval, because housing doesn't exist, then the Community Residences would follow that same approval process.</li></ul>	
<ul style="list-style-type: none"><li>• Type 2 Waiver</li></ul>	<ul style="list-style-type: none"><li><input type="checkbox"/> New Waivers Standards are created, and Applicant must meet all standards to render support or approval of the requests</li><li><input type="checkbox"/> Requires recommendation from Zoning Commission and final decision by the Board of County Commissioners</li><li><input type="checkbox"/> Used as the means for Reasonable Accommodation for Community Residences and Recovery Communities</li><li><input type="checkbox"/> The Board would be reviewing requests relating to the Community Residences or Recovery Communities if:<ul style="list-style-type: none"><li>• If no license/certification was available from the State</li><li>• If they did not meet the location distance requirements</li><li>• If they exceed the allowed maximum number allowed by right</li><li>• If they want to have a Transitional Community Residence Use in the RS (or other Single Family type Zoning Districts) for residents licensed under 397 (even if it has 10 or fewer, meets the distance and has a license)</li></ul></li><li><input type="checkbox"/> Appeal would be pursuant to the Circuit Court</li></ul>	
<ul style="list-style-type: none"><li>• Reasonable Accommodation</li></ul>	<ul style="list-style-type: none"><li><input type="checkbox"/> Revised to clarify that the RA process does not apply for Community Residences or Recovery Communities as it is now included in their supplemental requirements and the Type 2 Waiver</li></ul>	