



**TITLE: FINAL ADOPTION
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT FOR COMMUNITY
RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES,
AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES**

SUMMARY: The proposed Ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications, as well as several specific amendments, as follows:

- Ordinance Title
- Exhibit A Community Residences, Recovery Communities, Congregate Living Facilities, and Skilled Nursing and Residential Treatment Facilities

Staff Recommendation: Staff recommends adoption of an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 2003-067, as amended.

Land Development Regulation Advisory Board (LDRAB): On March 24, 2021, the LDRAB recommended approval of the proposed amendment with a vote of 16-0.

Land Development Regulation Commission (LDRC) Determination: On March 24, 2021, the LDRC found the proposed ULDC amendment to be consistent with the Comprehensive Plan with a vote of 16-0.

BCC Public Hearing: On April 22, 2021, the BCC approved the Request for Permission to Advertise for First Reading on May 27, 2021, with a vote of 7-0. On May 27, 2021, the BCC postponed First Reading to July 22, 2021, with a vote of 7-0. On July 22, 2021, the BCC approved the First Reading and Advertisement for Adoption Hearing on August 26, 2021 with a vote of 6-1.

MOTION: TO ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 – GENERAL PROVISIONS:** CHAPTER H, DEFINITIONS AND ACRONYMS; **ARTICLE 2 – APPLICATION PROCESSES AND PROCEDURES:** CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS:** CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 – USE REGULATIONS:** CHAPTER B, USE CLASSIFICATION; **ARTICLE 5 – SUPPLEMENTARY STANDARDS:** CHAPTER B, ACCESSORY USES AND STRUCTURES; CHAPTER D, PARKS AND RECREATION – RULES AND RECREATION STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; **ARTICLE 6 – PARKING, LOADING, AND CIRCULATION:** CHAPTER B, PARKING AND LOADING; **ARTICLE 7 – LANDSCAPING:** CHAPTER B, APPLICABILITY AND APPROVAL PROCESS; CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067 AS AMENDED, AS FOLLOWS: **ARTICLE 1 – GENERAL PROVISIONS:** CHAPTER H, DEFINITIONS AND ACRONYMS; **ARTICLE 2 – APPLICATION PROCESSES AND PROCEDURES:** CHAPTER B, PUBLIC HEARING PROCESSES; CHAPTER C, ADMINISTRATIVE PROCESSES; CHAPTER G, DECISION MAKING BODIES; **ARTICLE 3 – OVERLAYS AND ZONING DISTRICTS:** CHAPTER B, OVERLAYS; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4 – USE REGULATIONS:** CHAPTER B, USE CLASSIFICATION; **ARTICLE 5 – SUPPLEMENTARY STANDARDS:** CHAPTER B, ACCESSORY USES AND STRUCTURES; CHAPTER D, PARKS AND RECREATION – RULES AND RECREATION STANDARDS; CHAPTER G, DENSITY BONUS PROGRAMS; **ARTICLE 6 – PARKING, LOADING, AND CIRCULATION:** CHAPTER B, PARKING AND LOADING; **ARTICLE 7 – LANDSCAPING:** CHAPTER B, APPLICABILITY AND APPROVAL PROCESS; CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

WHEREAS, Palm Beach County has conducted an extensive study entitled “Zoning Analysis and Framework for Community Residences for People With Disabilities and for Recovery Communities in Palm Beach County, Florida” upon which these amendments are based; and

WHEREAS, the BCC has determined that the proposed amendments further a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. Adoption

The amendments set forth in Exhibit A listed below, attached hereto and made a part hereof, are hereby adopted.

Section 2. Interpretation of Captions

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

1 **Section 3. Repeal of Laws in Conflict**

2 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby
3 repealed to the extent of such conflict.

4 **Section 4. Severability**

5 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item
6 contained in this Ordinance is for any reason held by the Court to be unconstitutional, inoperative,
7 void, or otherwise invalid, such holding shall not affect the remainder of this Ordinance.

8 **Section 5. Savings Clause**

9 All development orders, permits, enforcement orders, ongoing enforcement actions, and all
10 other actions of the Board of County Commissioners, the Zoning Commission, the Development
11 Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special
12 Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and
13 procedures established prior to the effective date of this Ordinance shall remain in full force and
14 effect.

15 **Section 6. Inclusion in the Unified Land Development Code**

16 The provisions of this Ordinance shall be codified in the Unified Land Development Code and
17 may be reorganized, renumbered, or re-lettered to effectuate the codification of this Ordinance.

18 **Section 7. Providing for an Effective Date**

19 The provisions of this Ordinance shall become effective upon filing with the Department of
20 State.

21 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach County,
22 Florida, on this the _____ day of _____, 20____.

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Scott A. Stone, County Attorney

23 **EFFECTIVE DATE:** Filed with the Department of State on the _____ day of
24 _____, 20____.

**UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT
COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES,
AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES
REASONS FOR AMENDMENTS SUMMARY
BCC Zoning Hearing**

Part	Article	Reasons
1.	ULDC Art. 1.H.2, General Provisions, Definitions and Acronyms, Definitions	<p>[Zoning]</p> <p>Modifying definitions to address new uses of Community Residences, Recovery Communities and modifications to Congregate Living Facilities.</p> <ol style="list-style-type: none"> 1. Community Residence – Add new definition for a housing based on the Study and Analysis provided by the Consultant. This type of residence has two types, Family Community Residence and Transitional Community Residence. These uses will replace the Type 1 and Type 2 Congregate Living Facilities. These uses are established to protect individuals with disabilities, including persons recovering from additions to alcohol and drugs, in accordance with Federal Fair Housing Act, Americans with Disabilities Act, and the Florida Statutes. 2. Congregate Living Personal Services – Modified the definition to include references to the Florida Statutes relating to Assisted Care Communities that allow for personal services, and include exceptions for limited nursing services and extended congregare care. 3. Continuing Care Facility – Add a new definition for Continuing Care Facility. This in the past has been reviewed by the BCC as either Type 3 CLFs, which included Independent, Assisted Living and Memory Care, in other cases reviewed as two collocated uses, Type 3 CLF and Nursing Home, that may have included Independent, Assisted, Memory, and a Nursing Home, as examples. 4. Disabled – Updated definition to clarify disabled persons or individuals as disabled in now referenced beyond Reasonable Accommodation within new uses for Community Residences, Family Community Residence, Transition Community Residence, and Recovery Community. 5. Dwelling Unit – Modified definition to match definition of dwelling unit as described in the Comprehensive Plan. 6. Greater Weight of Evidence – New definition included relating to the standards for Type 2 Waivers that must be met and documents provided to determine support of the Waivers for location, licensing, and additional number of residents for Family Community Residence, Transitional Community Residence, and a Recovery Community. 7. Oxford House – Add new definition for a type of Family Community Residence. This type of Community Residence is self-governing, and must have a Charter from the Oxford House organization.
2.	ULDC Art. 2.B.7.D, Application Processes and Procedures, Public Hearing Processes, Types of Applications, Type 2 Waiver	<p>[Zoning]</p> <ol style="list-style-type: none"> 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 allowed as of right. 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. Add a Type 2 Waiver, with standards, to allow a Transitional Community Residence within a Single Family Zoning District (RS, RT, RE, AR, etc or similar zoning district) subject to the Board of County Commissioners decision. The use in this district would be restricted to number, location, licensing/certification, or the applicant would seek additional waivers as described under 1 above. 3. A Type 2 Waiver for Community Residences may take into account a financial viability. 4. Clarify the types of Waivers and the standards the specific waivers are subject. The existing Art. 2.B.7.D.3.d Standards is specifically for Medical Marijuana Dispensing Facilities, and to clarify that the d standard does not apply to others. 5. Added standards are a result of the Study and Analysis prepared by the Consultant. Originally proposed to be a Conditional Use approval, but based on the structure of the Code, the process and application is proposed to be a Type 2 Waiver. An applicant may seek a single or multiple waivers, and based on the specific waiver or requirement they do not meet they must meet the specific standard in order to have support of the request.
3.	ULDC Art. 2.C.8.C, Application Processes	<p>[Zoning]</p>

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Part	Article	Reasons
	and Procedures, Administrative Processes, Applications Not Issuing a Development Order, Reasonable Accommodation	1. Clarifying that Reasonable Accommodations do not apply to Community Residences. Community Residences may seek accommodations only through the new Type 2 Waiver process and compliance with the standards.
4	ULDC Art. 2.C.8.C, Application Processes and Administrative Processes, Applications Not Issuing a Development Order, General	[Zoning] 1. Codification procedures for Community Residences, Recovery Communities, and Congregate Living Facilities. The exiting procedures allow for an Applicant to request confirmation that a site meets the location criteria and reserve that site for one year (with allowance of one time extension) while the Applicant goes through the State process to get the license/certification. These procedures would be expanded to include confirmation for licensing, number of residents, and location. Staff would provide a provisional approval, provided that the Applicant provides documentation of compliance with Location, Licensing/Certification and number of residents.
5.	ULDC Art. 2.C.8.C, Application Processes and Administrative Processes, Applications Not Issuing a Development Order, Zoning Confirmation Letter	[Zoning] 1. Add in the confirmation process for Community Residences, Recovery Community, and Congregate Living Facilities for an Applicant to confirm a site has the potential to have the use if they meet the location, number of residents, and licensing requirements. The process currently exists for Type 1 and Type 2 CLFs; with the removal of Type 1 and Type 2 CLF, the new uses will follow the similar process. 2. The sites are provided a provisional approval, pending final documentation from the State or Oxford House for licensure or certification. The Applicant shall provide proof of licensure, certification or Charter. If the Applicant proposes more residents than permitted or licensure is not available, or they cannot meet the distance requirements when the request confirmation then the Applicant will need to seek the appropriate Waivers. If the Applicant fails to provide proof of licensure/certification after receipt of the provisional approval, the approval is revoked.
6.	ULDC Art. 2.G.4.N.2, Application Processes and Procedures, Decision Making Bodies, Staff Officials, Zoning Director, Jurisdiction, Authority, and Duties	[Zoning] 1. Add authority and duties for the Zoning Director to review and confirm evidence provided by an Applicant that they have the appropriate license or certification from the State, or charter for an Oxford House prior to commencement of the use, and that the use provides proof of the license, certification, and charter.
7.	ULDC Art. 3.B.14.E, Overlays and Zoning Districts, Overlays, WCRAO, Westgate Community Redevelopment Area Overlay, Use Regulations	[Zoning] 1. Add reference to the Family Community Residence, Transitional Community Residence, and the Recovery Community within the Sub-areas of the Westgate Community Redevelopment Area Overlay. 2. Add Footnote that the Community Residences or Recovery Communities meet the appropriate setbacks based on the structure the uses are located within.
8	ULDC Art. 3.B.16 Overlays and Zoning Districts, Overlays, Urban Redevelopment Area Overlay (URAO), Use Regulations	[Zoning] 1. Clarify that detached housing types, Single Family, Zero Lot Line, or Cottage Homes, may not be allowed on a frontage street. These housing types would include residential uses for single families or Community Residences.
9.	ULDC Art. 3.E.1.C.2.j, Overlays and Zoning Districts, Overlays, Planned Development Districts (PDDs), General, Objectives and Standards, Performance Standards, Emergency Generators	[Zoning] 1. Deleted the specific uses that required generators under the Planned Development District Performance Standards leaving the reference to Article 5 where the requirements for generators is located.
10	ULDC Art. 3.F.1.G.1, Overlays and Zoning Districts, Overlays, Traditional Development Districts (TDDs), Use Regulations	[Zoning] 1. Deleted the list of housing types in the TND, as Article 4 lists all of the residential housing types, and TND shall have a mix of the uses as described in the Use Matrices.

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Part	Article	Reasons
11.	ULDC Art. 4.B.1.A, Use Regulations, Use Classification, Residential Uses, Residential Use Matrix	<p>[Zoning]</p> <ol style="list-style-type: none"> 1. Remove Type 1 and 2 Congregate Living Facilities as these uses are equivalent to Family Community Residences and Transitional Community Residences. 2. Add new uses and Supplementary Standards based on Consultant's Study and Analysis regarding Community Residences. New uses added: Family Community Residence, Transitional Community Residence, and Recovery Community. 3. Community Residences permitted similar to the appropriate housing types such as Single Family or Multifamily.
12.	ULDC Art. 4.B.1.C.1, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Congregate Living Facility (CLF)	<p>[Zoning]</p> <ol style="list-style-type: none"> 1. Revise the definition and standards for the Congregate Living Facility to remove the Type 1 and 2 standards and retain the Type 3 standards under Congregate Living Facility (remove the term Type 3 no longer needed since Type 1 and 2 are removed). Clarify the typical uses to include previously approved Congregate Living Facilities. 2. Remove signage as all signage must be in accordance with Art.8 3. Standard for Emergency Generators removed and clarified in Art.5 with existing language for Generators. 4. Remove the licensing section as it relates to Type 1 and 2 CLFs. The new Community Residences and Recovery Communities will require licensing or certification. Some Congregate Living Facilities that are for persons with disabilities that fall under what was previously Type 3 CLF will still require the appropriate licensing from the State agencies. 5. Approval process within the RS district remains the same for a Congregate Living Facility, with limitations based on FLU. 6. Add a Type 2 Waiver for new Congregate Living Facilities that do not meet the separate requirements. The separate requirements would only apply to existing facilities if they proposed to add land area that would decrease the existing separation below the proposed minimum. 7. Add reference to the Zoning Confirmation letter application for an applicant to confirm compliance with the location of a new CLF. 8. Remove the separate requirements for the Type 1 and 2 CLF's as the new Community Residences include separation/location requirements. Add a separation requirement between Congregate Living Facilities, similar to Community Residences for 14 or few residents, and Recovery Communities when greater than 14 residents. Provide an exception for existing CLFs not be considered non-conforming when not meeting these proposed separations, provided they do not decrease the separation with the addition of land area. Allow for a Type 2 Waiver for CLFs that do not meet the distance requirements. 9. Clarify the location criteria requiring the use to abut commercial type roadways, unless limited in the number of residents or located within in Planned Unit Developments. 10. Remove the minimum lot size requirements to default to the minimum lot sizes for the zoning district in which the use would be located. 11. Remove the location requirement for the use to be within a 5 miles of a Fire Rescue facility. Policies of the Plan described locations of Fire Rescue for all uses within Palm Beach County, and the goals and objectives for service times. 12. Remove reference to Type 2 and 3 CLF for the drop off areas, but leave a requirement for drop off when greater than 14 residents. 13. For Accessory Commercial uses, add Medical or Dental Offices as allowable accessory commercial use.
13	ULDC Art. 4.B.1.C.3, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Family Community Residence	<p>[Zoning]</p> <ol style="list-style-type: none"> 1. Add new use Family Community Residence, which is a type of Community Residence, based on recommendations by the Consultant based on his Study and Analysis. The Family Community Residence provides permanent housing for a specific group of residents who function as a family under one household. This type of use must be licensed or certified in accordance with Florida Statutes 419 or 397 but may also allow for other residents that are recovering from an illness or condition that is not licensed/certified by the State. The standards for the specific housing type also apply to this type of use. 2. The uses are allowed by right where single family is allowed provided it meets requirements for licensing/certification from the State, location and distance requirements and maximum number of residents 3. Add an allowance for a Type 2 Waiver, where the Zoning Commission provides a recommendation on the request and the Board of County

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Part	Article	Reasons
		<p>Commissioners renders a final decision. The Standards are specifically relate to when Licensing/certification is not available by the State, when the proposed Family Community Residence is less than the proposed separation, or when the facility is requesting to have more residents, that are not licensed under 419,</p> <p>4. Add reference to Article 2 to the Zoning Confirmation Letter, which will confirm the location, number and licensure for the proposed use. If the applicant cannot comply with these standards they would have to request a Type 2 Waiver, if allowed.</p> <p>5. Add specific Supplementary Standards for the Family Community Residence as it relates to Location, Number of residents and license/certification. Along with compliance with the definition, these three criteria are required to be met in order for the use to be permitted by right. The allowance to exceed the number of residents, is only for proposed Community Residence not licensed by FS 419, and would be required to be approved by the BCC. For those residences that the State does not offer a license/certification, they would be required to seek approval as a Type 2 Waiver. Finally, if the proposed Residence is located less than the distance it would be required to see approval as a Type 2 Waiver.</p> <p>6. Add provision, as described in the Study and Analysis, that if a Zoning Confirmation Letter is issued, or the use has Commenced Development and a license/certification is not obtained, denied or revoked, by the State, Palm Beach County may revoke the approval, and the operator must provide safe housing for the residence.</p>
14	ULDC Art. 4.B.1.C.6, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Recover Community	<p>[Zoning]</p> <p>1. Add new use as recommended by the Consultant related to Community Residences, add Recovery Community standards and requirements. Recovery Community is approved in multifamily dwelling units operated by a licensed administrator. Residents may be under drug or alcohol addiction and do not emulate a family.</p> <p>2. Recovery Communities are allowed where multi-family uses are allowed or other attached housing subject to certification and location requirements.</p> <p>3. Include similar language as multifamily use within the RM Zoning District with the MR-5 Future Land use. This combination of zoning and land use has limitations on the allowance of multifamily, and therefore will apply the same for Recovery Communities.</p> <p>4. Recognize existing recovery communities as legal conforming uses, provided they submit proof of licensure/certification from the State agency. Failure to provide licensure/certification would require the use to cease and the operator to find safe/secure housing for the residents.</p>
15	ULDC Art. 4.B.1.C.9, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Transitional Community Residence	<p>[Zoning]</p> <p>1. Add new use Transitional Community Residence, which is a type of Community Residence, based on recommendations by the Consultant based on his Study and Analysis. The Transitional Community Residence provides temporary housing for a specific group of residents who function as a family under one household. This type of use must be licensed or certified in accordance with Florida Statutes 419 or 397 but may also allow for other residents that are recovering from an illness or condition that is not licensed/certified by the State. The standards for the specific housing type also apply to this type of use.</p> <p>2. The uses are allowed by right where single family homes are allowed, when licensed under FS 419 and not exceeding 6 residents, meets the location and licensing/certification requirements. The use is allowed in RM or similar zoning Districts where multi-family is allowed for a maximum of 10 residents and 14 residents licensed under FS 419, and meets the licensing/certification, and location requirements.is allowed provided it meets requirements for licensing/certification from the State, location and distance requirements and maximum number of residents</p> <p>3. Add an allowance for a Type 2 Waiver, where the Zoning Commission provides a recommendation on the request and the Board of County Commissioners renders a final decision. The Standards are specifically relate to when Licensing/certification is not available by the State, when the proposed Transitional Community Residence is less than the proposed separation, or when the facility is requesting to have more residents, that are not licensed under 419,</p> <p>4. Add reference to Article 2 to the Zoning Confirmation Letter, which will confirm the location, number and licensure for the proposed use. If the applicant</p>

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Part	Article	Reasons
		cannot comply with these standards they would have to request a Type 2 Waiver, if allowed.
		5. Add specific Supplementary Standards for the Transitional Community Residence as it relates to Location, Number of residents and license/certification. Along with compliance with the definition, these three criteria are required to be met in order for the use to be permitted by right. The allowance to exceed the number of residents, is only for proposed Community Residence not licensed by FS 419, and would be required to be approved by the BCC. For those residences that the State does not offer a license/certification, they would be required to seek approval as a Type 2 Waiver. Finally, if the proposed Residence is located less than the distance it would be required to see approval as a Type 2 Waiver.
		6. Add provision, as described in the Study and Analysis, that if a Zoning Confirmation Letter is issued, or the use has Commenced Development and a license/certification is not obtained, denied or revoked, by the State, Palm Beach County may revoke the approval, and the operator must provide safe housing for the residence.
16	ULDC Art. 4.B.1.A, Use Regulations, Use Classification, Institutional, Public, and Civic Uses, Institutional, Public, and Civic Use Matrix	[Zoning] 1. Modify the name of Nursing or Convalescent Facility to Skilled Nursing or Residential Treatment Home. No change to the process that exists for the use.
17	ULDC Art. 4.B.4.C.12, Use Regulations, Use Classification, Institutional, Public, and Civic Uses, Definitions and Supplementary Use Standards for Specific Uses, Nursing Home or Convalescent Facility	[Zoning] 1. Modify the Use of Nursing Convalescent Facility to Skilled Nursing and Residential Treatment Home. 2. Added typical uses for this type of use. These facilities are institutional and require more medical treatment and oversight due to the illness or condition the patient has. 3. Removal of minimum lot size as it will default to the lot size of the district it is located within. 4. Removal of the bed calculation for the RR Future Land Use designation as the use is not allowed in the districts with the RR FLU designation.
18	ULDC Art. 5.B.1.A.19, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures, Permanent Generators	[Zoning] 1. Clarify those facilities that require a permanent emergency generator pursuant to F.S. § 400.99, for assisted living facilities, or facilities caring for disabled persons as defined in State Statutes.
19	ULDC Art. 5.G.1.A.2.e, Supplementary Standards, Density Bonus Programs, Workforce Housing Program (WHP), General, Applicability, Exemptions	[Zoning] 1. Minor modification to remove all, as there will only be one type of Congregate Living Facility with the proposed modifications.
20	ULDC Art. 5.G.1.A.2.e, Supplementary Standards, Density Bonus Programs, Affordable Housing Program (AHP), General, Applicability, Exemptions	[Zoning] 1. Removing nursing and convalescent facility as this use is an institutional use and development is based on intensity, rather than density.
21	ULDC Art. 5.G.2.B.1, Supplementary Standards, Density Bonus Programs, Transfer of Development of Rights (TDRs) – Special Density Program, Applicability	[Zoning] 1. Clarify the cross-reference to Congregate Living Facility as it relates to calculation for density.
22		[Zoning]

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	ULDC Art. 6.B.1, Parking, Loading, and Circulation, Parking and Loading, Calculation, Minimum Parking Requirements	1. Clarify that Parking calculations for Community Residences and Recovery Residences follow the same parking calculations as the type of structure whether single family or multifamily.
23	ULDC Art. 7, Landscaping	<p>[Zoning]</p> <ol style="list-style-type: none"> 1. Revise use reference in Landscape Waiver table as the revised use now called Congregate Living Facility 2. Clarify the references to attached and detached structures in regards to Incompatibility Buffer requirements where incompatibility buffers are required based on the housing types, attached or detached.

EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

Part 1. ULDC Art. 1.H.2, General Provisions, Definitions and Acronyms, Definitions (pages 44, 46, 50, 51, 57, and 75 of 111, Supplement 28), is hereby amended as follows:

CHAPTER H DEFINITIONS AND ACRONYMS

....

Section 2 Definitions

C. Terms defined herein or referenced in this Article shall have the following meanings:

47. Community Residence – Except as required by State law, a Community Residence is a residential living arrangement for five to ten unrelated individuals with disabilities living as a single functional family in a single dwelling unit who need the mutual support furnished by other residents of the dwelling unit as well as the support services, if any, provided by any staff of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A Community Residence emulates a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter; foster and facilitate life skills; and, meet the physical, emotional, and social needs of the residents in a mutually supportive family-like environment. Medical treatment is incidental as in any home. Supportive inter-relationships between residents are an essential component. A Community Residence can be a Family Community Residence or Transitional Community Residence.

A Community Residence shall be considered a residential use of property for purposes of the ULDC. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor any Recovery Community, Congregate Living Facility, institutional or medical use, shelter, lodging or boarding house, extended stay hotel, nursing home, vacation rental, or other use as defined in this Code. Upon termination, revocation, or suspension of its license or certification, a Community Residence must be closed within 60-calendar days, and the operator of the Community Residence must return residents to their families or relocate them to a safe and secure living environment.

Community Residences include, but are not limited to those residences that comport with this definition that are licensed by the Florida Agency for Persons with Disabilities, the Florida Department of Elder Affairs, the Florida Agency for Health Care Administration, and the Florida Department of Children and Families, pursuant to F.S. ch. 419, Community Residential Homes; and Recovery Residences certified by the State's designated credentialing entity established under F.S. ~~ch~~ § 397.487, Substance Abuse Services.

....[Renumber accordingly]

78. Congregate Living Personal Services – Direct physical assistance with or supervision of essential activities of daily living such as eating, bathing, grooming, dressing, and ambulating; supervision of self-administered medication and such other similar services as may be defined by the applicable State of Florida regulatory agencies ~~Department of Health and Rehabilitative Services and Assisted Care Communities as described in F.S. ~~ch~~ § 429.02(12), (14), and (18).~~

89. Continuing Care Facility – A facility that provides a continuum of congregare living arrangements ranging from less restrictive to more restrictive. It may include one building or a complex of buildings that provides a range of continuum of living arrangements for unrelated individuals, and shall include a minimum of two different living arrangements: independent living, assisted living, congregare living, memory care, nursing care, or hospice care.

....[Renumber accordingly]

D. Terms defined herein or referenced in this Article shall have the following meanings:

39. Disabled Person or Individual – ~~for the purposes of Art. 2.C.8.C, Reasonable Accommodation, a disabled person is an individual that Someone who~~ qualifies as disabled or handicapped under the FHA Fair Housing Amendments Act or ADA Americans with Disabilities Act. [Ord. 2011-016]

63. Dwelling Unit – ~~e~~One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with only one kitchen plus sleeping and sanitary facilities provided within the unit, for the exclusive use of a ~~single~~ family maintaining a household. Specialized residences, such as ~~a~~Accessory ~~apartments for the elderly or handicapped~~ Quarters,

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1 ~~Caretaker Quarters, congregated~~ living ~~facility~~ quarters that make up a Congregate Living
2 Facility, gGroom's qQuarters, fFarm wWorkers qQuarters, or migrant labor quarters shall not
3 be considered "dwelling units" for the purpose of applying any restriction on density contained
4 in the Plan or this Code unless otherwise stated in the Plan or the Code.

5

6
7 **G. Terms defined herein or referenced in this Article shall have the following meanings:**

8

9 13. Greater Weight of Evidence – The more persuasive and convincing force and effect of the
10 entire evidence in the case.

11 [Renumber accordingly]

12
13 **O. Terms defined herein or referenced in this Article shall have the following meanings:**

14

15 27. Oxford House – A self-governed Family Community Residence for people in recovery from
16 substance use disorder that has been issued a "Conditional Charter" or "Permanent Charter"
17 by Oxford House World Services, or any successor organization providing oversight; where
18 there is no limit on length of residency, where the use of alcohol or any illegal drug is prohibited;
19 where any misuse of legal drugs is prohibited, where any resident who violates this prohibition
20 is expelled from the dwelling; where the residents pay the costs of the dwelling, including rent
21 and utilities; and, where through a majority vote, the residents establish policies governing
22 living in the Oxford House, including the manner in which applications for residence are
23 approved. Upon termination, revocation, or suspension of its Charter, an Oxford House must
24 be closed within 60-calendar days and residents must be returned to their families or relocated
25 to another safe and secure living environment.

26 [Renumber accordingly]

27
28 **W. Terms defined herein or referenced in this Article shall have the following meanings:**

29 1. **Waiver –**

30 a. A request to alter a specific ULDC provisions where alternative solutions to Code
31 requirements are provided, subject to standards, performance criteria, or limitations.
32 Waivers are not intended to ~~relieve specific financial hardship~~ demonstrate financial
33 viability, except for Community Residences, nor circumvent the intent of this Code. **[Ord.**
34 **2012-027]**

35 b. For the purpose of Art. 4.B.1.C.9.c.2)a), Transitional Community Residence Use Approval,
36 a Waiver shall also mean a request to allow a Transitional Community Residence use in
37 certain zoning districts as described in that section.

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Part 2. ULDC Art. 2.B.7.D, Application Processes and Procedures, Public Hearing Processes, Types of Applications, Type 2 Waiver, (pages 35 and 36 of 101, Supplement 28), is hereby amended as follows:

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 Community Residences pursuant
 11 to the Standards described below, nor circumvent the intent of this Code. A Type 2 Waiver may
 12 not be granted if it conflicts with other Sections of this Code, or the Florida Building Code. **[Ord.**
 13 **2011-016] [Ord. 2012-027] [Ord. 2018-002]**

14 **2. Applicability**

15 Requests for Type 2 Waivers shall only be permitted where expressly stated within the ULDC
 16 or indicated in the following Table. **[Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002]**

Table 2.B.7.D – Summary of Type 2 Waivers

Urban Redevelopment Overlay (URAO)	Table 3.B.16.G, Type 1 and 2 URAO Waivers
Unique Structure	Art. 5.C.1.E.2, Unique Structure
Community Residence, Recovery Community, or Congregate Living Facility	Art. 4.B.1.C.1.e Congregate Living Facility, Location Art. 4.B.1.C.3 Family Community Residence – d. licensing, Certification or Charter; e. Occupancy; or f. Location Art. 4.B.1.C.6.e Recovery Community – Location Art. 4.B.1.C.9.c.2 Transitional Community Residence – Use, Location, Licensing, and Occupancy
Large Scale Commercial Development – Parking	Art. 6.B.2.A.1.b.1)d, Type 2 Waiver
[Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-005] [Ord. 2020-007]	

18 **3. Standards for a Type 2 Waiver**

19 When considering a DO application for a Type 2 Waiver, the BCC shall utilize the Standards
 20 a-c indicated below and any other standards specific to a Type 2 Waiver. For a Unique
 21 Structure, refer to the Standards listed in Art. 2.B.7.D.4 below; ~~and~~ for a Commercial
 22 Communication Tower, refer to Art. 4.B.9.H.5.d, Criteria for Granting a Type 2 Waiver; ~~For~~
 23 Minimum Legal Access for Collocated Landscape Service, refer to Art. 11, Subdivision,
 24 Platting, and Required Improvements; ~~for a Medical Marijuana Dispensing Facility, pursuant~~
 25 ~~to Art. 4.B.2.C.35.i, refer to the Standards a-d indicated below; and, for a Community~~
 26 ~~Residences, Recovery Community, or Congregate Living Facility, refer to standards listed in~~
 27 ~~Art. 2.B.7.D.5 below.~~ A Type 2 Waiver, which fails to meet any of the Standards, shall be
 28 deemed adverse to the public interest and shall not be approved. **[Ord. 2011-016] [Ord. 2012-**
 29 **027] [Ord. 2018-002] [Ord. 2020-007]**

- 30 a. The Waiver does not create additional conflicts with other requirements of the ULDC, and
 31 is consistent with the stated purpose and intent for the zoning district or overlay; **[Ord.**
 32 **2010-022] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2018-002]**
- 33 b. The Waiver will not cause a detrimental effect on the overall design and development
 34 standards of the project, and will be in harmony with the general site layout and design
 35 details of the development; and, **[Ord. 2010-022] [Ord. 2012-027] [Ord. 2018-002]**
- 36 c. The alternative design option recommended as part of the Waiver approval, if granted, will
 37 not adversely impact adjacent properties. **[Ord. 2010-022] [Ord. 2012-027] [Ord. 2018-**
 38 **002]**
- 39 d. For the purpose of Medical Marijuana Dispensing Facility in Art. 4.B.2.C.35.i, the BCC shall
 40 make the determination that the location of a medical marijuana dispensing facility
 41 promotes the health, safety, and welfare of the community. **[Ord. 2017-028] [Ord. 2018-**
 42 **002]**

43

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

When considering a DO application for a Type 2 Waiver for a Family Community Residence, Transitional Community Residence, Recovery Community, or Congregate Living Facility, the BCC and ZC shall make a finding of approval, approval with conditions, or denial, based on the standards indicated below. The requested Type 2 Waiver by an Applicant constitutes the procedure by which an Applicant shall apply for the additional Reasonable Accommodation for a Family Community Residence, Transitional Community Residence, and Recovery Community. A request for a Community Residence, Recovery Community or Congregate Living Facility, which fails to meet any of the applicable standards below shall be deemed adverse to public interest and shall not be approved:

a. Family Community Residence or Transitional Community Residence

- 1) When a proposed Community Residence would be located less than 660 feet or seven lots, whichever is greater, from the nearest existing Community Residence, Recovery Community, or Congregate Living Facility, the Applicant shall demonstrate by the greater weight of evidence that:
 - a) The proposed Community Residence will not interfere with the normalization and community integration of the residents of any existing Community Residence, Recovery Community, or Congregate Living Facility and that the presence of other Community Residences, Recovery Community, or Congregate Living Facilities will not interfere with the normalization and community integration of the residents of the proposed Community Residence; and,
 - b) The proposed Community Residence in combination with any existing Community Residences, Recovery Communities, or Congregate Living Facilities will not alter the residential character of the surrounding neighborhood by creating an institutional atmosphere or by creating or intensifying an institutional atmosphere or *de facto* social service district by clustering Community Residences, Recovery Communities, or Congregate Living Facilities on a block face or concentrating them in a neighborhood.
- 2) When the State of Florida does not offer a license or certification for the type of Community Residence proposed and the population it would serve, or the proposed Community Residence is not eligible to be granted an Oxford House Charter, the Applicant shall demonstrate by the greater weight of evidence that:
 - a) The proposed Community Residence will be operated in a manner effectively similar to that of a licensed or certified Community Residence;
 - b) Staff who reside and/or work in the Community Residence will be adequately trained in accordance with standards typically required by licensing or State certification for a Community Residence;
 - c) The Community Residence will emulate a biological family and be operated to achieve normalization and community integration; and,
 - d) The rules and practices governing how the Community Residence operates will actually protect the residents from abuse, exploitation, fraud, theft, neglect, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications. ~~nt support, use of illegal drugs or alcohol, and misuse of prescription medications.~~
- 3) When an Applicant seeks to provide housing for more than ten unrelated individuals in a Community Residence, the BCC shall not approve a Type 2 Waiver, unless and until it finds that the Applicant:
 - a) Specifies by how many individuals it wishes to exceed ten residents and demonstrates by the greater weight of evidence that housing more than ten residents is required to ensure the financial and/or therapeutic viability of the Community Residence;
 - b) Demonstrates by the greater weight of evidence that the primary function of the proposed Community Residence is residential where any medical treatment is merely incidental to the residential use of the property;
 - c) Demonstrates by the greater weight of evidence that the proposed Community Residence will emulate a biological family and operate as a functional family rather than as a boarding or rooming house, nursing home, short-term rental, continuing care facility, motel, hotel, treatment center, rehabilitation center, institutional use, assisted living facility that does not comport with the definition of "Community Residence," or other non-residential use; and,
 - d) Demonstrates by the greater weight of evidence that the requested number of residents in the proposed Community Residence will not interfere with the normalization and community integration of the occupants of any existing Community Residence, Congregate Living Facility, or Recovery Community.
- 4) When an Applicant seeks to allow a Transitional Community Residence in the AGR, AR, RE, RT, RS Zoning Districts, Detached Units Residential Pod of a PUD, or

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1 Residential Land Use Zone ~~Pod~~ of a TND; or, ZLL or Cottage Homes within
2 CL/CH/CHO MUPD Zoning District or IND/L-PIPD Zoning Districts; or, the NR Sub-
3 area of the WCRAO, when the use is allowed only by the BCC, pursuant to Art.
4 4.B.1.C.9.c.2)a) Use Approval, the BCC shall utilize Standards a through e indicated
5 below. An application, which fails to meet any of these Standards shall be deemed
6 adverse to public interest and shall not be approved.

7 a) The proposed Transitional Community Residence will not interfere with the
8 normalization and community integration of the residents of any existing
9 Community Residence, Recovery Community, or Congregate Living Facility, and
10 that the presence of other Community Residences, Recovery Communities, or
11 Congregate Living Facilities will not interfere with the normalization and community
12 integration of the residents of the proposed Community Residence;

13 b) The proposed Transitional Community Residence, alone or in combination with
14 any existing Community Residences, Recovery Communities, or Congregate
15 Living Facility will not alter the residential character of the surrounding
16 neighborhood by creating an institutional atmosphere or by creating or intensifying
17 a de facto social service district by clustering Community Residences, Recovery
18 Communities, or Congregate Living Facilities on a block or concentrating them in
19 a neighborhood;

20 c) The proposed Transitional Community Residence will be compatible with the
21 residential uses allowed as of right in the zoning district;

22 d) The proposed Transitional Community Residence, alone or in combination with
23 any existing Community Residences, Recovery Communities, or Congregate
24 Living Facilities, will not alter the residential stability of the surrounding
25 neighborhood;

26 e) The Applicant demonstrates that the State of Florida offers certification or requires
27 a license for this type of Transitional Community Residence and the population it
28 would serve ~~the owner or operator of the proposed Transitional Community~~
29 ~~Residence has been granted certification or licensure that the State of Florida~~
30 ~~offers or requires.~~ When the State of Florida does not offer certification or require
31 a license for this type of Transitional Community Residence and the population it
32 would serve, the Applicant shall demonstrate that:

33 (1) The proposed Transitional Community Residence will be operated in a manner
34 effectively similar to that of a licensed or certified Community Residence;

35 (2) Staff will be adequately trained in accordance with standards typically required
36 by licensing or State certification for a Community Residence;

37 (3) The Transitional Community Residence will emulate a biological family and be
38 operated to achieve normalization and community integration; and

39 (4) The rules and practices governing how the Transitional Community Residence
40 operates will actually protect residents from abuse, exploitation, fraud, theft,
41 neglect, insufficient support, use of alcohol or illegal drugs, and misuse of
42 prescription medications.

43 **b) Recovery Community or Congregate Living Facility**

44 When a proposed Recovery Community or Congregate Living Facility would be located
45 less than 1,200 feet or ten lots, whichever is greater, from the nearest existing Community
46 Residence, Recovery Community, or Congregate Living Facility, the Applicant shall
47 demonstrate by the greater weight of evidence that:

48 1) The proposed Recovery Community or Congregate Living Facility will not interfere with
49 the normalization and community integration of the residents of any existing
50 Community Residences, Recovery Communities, or Congregate Living Facility, and
51 that the presence of existing Community Residences, Recovery Communities, or
52 Congregate Living Facility will not interfere with the normalization and community
53 integration of the residents of the proposed Recovery Community; and,

54 2) The proposed Recovery Community or Congregate Living Facility in combination with
55 any existing Community Residences, Recovery Communities, or Congregate Living
56 Facilities will not alter the residential character of the surrounding neighborhood by
57 creating or intensifying an institutional atmosphere or creating or intensifying a de facto
58 social service district by clustering Community Residences, Recovery Communities,
59 or Congregate Living Facilities, on a block face or concentrating them in a
60 neighborhood.

61 **56. Effect of an Issuance of a DO**

62 Pursuant to Art. 2.B.7.B.4, Effect of an Issuance of a DO or a Map Amendment for Conditional
63 Uses or a Rezoning to a PDD or TDD. **[Ord. 2018-002]**

64 ...

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Part 3. ULDC Art. 2.C.8.C, Application Processes and Procedures, Administrative Processes, Applications Not Issuing a Development Order, Reasonable Accommodation (pages 58-60 of 101, Supplement 28), is hereby amended as follows:

1 CHAPTER C ADMINISTRATIVE PROCESSES

2

3 Section 8 Applications Not Issuing a Development Order

4

5 C. Reasonable Accommodation

6 1. Purpose

7 The purpose of this Section is to establish procedures for processing requests for reasonable
8 accommodation from the County's Unified Land Development Code and related rules, policies,
9 practices, and procedures, for persons with disabilities as provided by the Federal Fair Housing
10 Amendments Act (42 U.S.C. 3601 et seq.) (FHA), or Title II of the Americans with Disabilities
11 Act (42 U.S.C. 12131 et seq.) (ADA). Any person who is disabled, or qualifying entities, may
12 request a reasonable accommodation, pursuant to the procedures set out in this Section. [Ord.
13 2011-016] [Ord. 2018-002] [Ord. 2020-020]

14 2. Applicability

15 An Applicant shall be required to apply for all applicable Development Review processes
16 available in the ULDC prior to filing a request for reasonable accommodation, unless
17 compliance with available Development Review processes would deprive the Applicant, or
18 persons with disabilities served by the Applicant, of an equal opportunity to use and enjoy
19 housing. Art. 2.B.7.D.5, Type 2 Waiver sets forth the procedure to seek a Reasonable
20 Accommodation for Family Community Residence, Transitional Community Residence,
21 Recovery Communities, or Congregate Living Facilities and the provisions set forth herein do
22 not apply to those uses. [Ord. 2015-006] [Ord. 2018-002]

23

Part 4. ULDC Art. 2.C.8.C, Application Processes and Procedures, Administrative Processes, Applications Not Issuing a Development Order, General (pages 44 of 101, Supplement 28), is hereby amended as follows:

24 CHAPTER C ADMINISTRATIVE PROCESSES

25

26 Section 3 General

27 The DRO shall coordinate the review of applications with all the applicable Agencies based on the
28 request(s), and in accordance with Table 2.C.3, DRO, Administrative Processes. The application(s) shall
29 be assigned by the DRO to be reviewed either through the Full DRO, which consists of all applicable County
30 Agencies, or the Zoning Agency Review (ZAR), which consists of one to a maximum of five Agencies
31 pursuant to Art. 2.C.4.A.3, Zoning Agency Review (ZAR). An Applicant may also request Concurrent
32 Review by the DRO. [Ord. 2018-002] [Ord. 2020-020]

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Table 2.C.3 – DRO, Administrative Processes

Requests	Processes	
	Full DRO	ZAR
Finalization of BCC or ZC DOs		
Finalize the BCC or ZC DOs and Plans	✓	
Administrative Approval		
....		
Reasonable Accommodation		✓
Zoning Confirmation Letter (Formal and Non-Site Specific Formal) (5)		✓
Zoning Confirmation Letter (Informal) (5)		✓
<u>Zoning Confirmation Letter – Community Residence, Recovery Community, or Congregate Living Facility</u>		✓
Release of Unity of Title (5)		✓
ABN for a prior DO approved by the DRO	✓	✓
[Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-020]		
Notes:		
....		
5. This type of request will not issue a DO for the subject property.		
6. Shall be processed as a Special Permit.		
7. Limited to NEO and Structural Setback as outlined in Table 2.C.5.F, Summary of Type 1 Waivers. [Ord. 2020-020]		

1

Part 5. ULDC Art. 2.C.8.C, Application Processes and Procedures, Administrative Processes, Applications Not Issuing a Development Order, Zoning Confirmation Letter (page 57 of 101, Supplement 28), is hereby amended as follows:

2 **CHAPTER C ADMINISTRATIVE PROCESSES**

3

4 **Section 8 Applications Not Issuing a Development Order**

5 **A. Zoning Confirmation Letter (ZCL)**

6 **1. Purpose**

7 Confirmation of information regarding a particular parcel of land, or interpretation of how the
 8 Code applies to a given parcel, may be obtained through ~~a-an Informal ZCL, a~~ Formal ZCL,
 9 Site Specific, or ~~Non-Site Specific, or through an Informal ZCL, Confirmation for a Community~~
 10 Residence, Recovery Community, or Congregate Living Facility from the DRO pursuant to the
 11 procedures in this Section. The scope of the ~~Formal or Informal~~ ZCL shall be limited to those
 12 matters under the authority of the Executive Director of PZB pursuant to Art. 1.B.1.A, Authority.
 13 [Ord. 2018-002] [Ord. 2020-020]

14 **2. Types of ZCL**

15 The request for a ZCL by an Applicant may be in form of an Informal ZCL, a Non-Site Specific
 16 Formal ZCL or a Formal ZCL. [Ord. 2018-002]

17

18 **d. Confirmation for a Community Residence, Recovery Community, or Congregate Living Facility**

19 An owner of a parcel of land, any person with a contractual interest in a parcel of land, or
 20 any person submitting a DO application for a parcel of land, shall request confirmation to
 21 determine if a proposed Community Residence, Recovery Community, or Congregate
 22 Living Facility, may be allowed for a specific parcel of land. The Applicant shall provide
 23 documentation on how the Community Residence will comply with the Location, Maximum
 24 Number of Residents, and Licensing/Certification or Charter requirements pursuant to Art.
 25 4.B.1.C.3, Family Community Residence and Art. 4.B.1.C.9, Transitional Community
 26 Residence; or, documentation on how the Recovery Community or Congregate Living
 27 Facility complies with the Location requirements pursuant to Art. 4.B.1.C.1, Congregate
 28 Living Facility or Art. 4.B.1.C.6, Recovery Community.

30 **3. Processing**

31 Applicants requesting ~~an Informal or a Formal~~ ZCL shall submit the application same to the
 32 DRO subject to the ZAR process. All applications are subject to sufficiency review pursuant to
 33 Art. 2.C.2., Sufficiency Review. The BCC may establish an administrative fee by Resolution for
 34 processing ~~both Informal and Formal of~~ ZCLs. [Ord. 2018-002]

35 **4. ZCL Response**

36 **a. Informal ZCL Response**

37 Within 30 days after the date of which the request is deemed sufficient for review, the DRO
 38 shall provide a response to the Applicant. [Ord. 2018-002]

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b. Formal ZCL and Non-Site Specific ZCL Response

Within 60 days after the date of which the request is deemed sufficient for review, the DRO shall provide a response or render an interpretation to the Applicant. A response by the DRO may be extended, based on the complexity of the request(s). During the review, the Applicant may be required to submit additional information to assist the DRO in preparing the response. Resubmittal of information to the DRO will restart the response period. **[Ord. 2018-002]**

c. Confirmation for a Community Residence, Recovery Community 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, by the Applicant, that the use and site can comply with the requirements, the ~~site~~ the Applicant shall be issued a provisional approval.

The Applicant shall provide proof of final licensure or certification from the State of Florida, or issuance of an Oxford House Charter within six months of the provisional approval. A written request for an extension of time to the Zoning Director may be requested if the Applicant is unable to obtain its appropriate license, certification, or charter within the six-months provisional approval time. The letter for 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 being approved during the same timeframe, and would affect the location requirements pursuant to Art. 4.B.1.C.1, Congregate Living Facility, Art. 4.B.1.C.3, Family Community Residence, Art. 4.B.1.C.6, Recovery Community, Location, and Art. 4.B.1.C.9, Transitional Community Residence requirements. Upon receipt of the license, certification, or charter the Applicant shall provide the Zoning Division proof of licensure, 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.

1) Annual Notification Renewal of License, Certificate or Charter

The Applicant shall ~~annually~~ provide proof of the valid license, certification, or charter ~~annually to the DRO.~~ Failure to provide proof of ~~final annual~~ licensure or certification from the State of Florida, or an Oxford House Charter will result in revocation of the approval for the use.

Part 6. ULDC Art. 2.G.4.N.2, Application Processes and Procedures, Decision Making Bodies, Staff Officials, Zoning Director, Jurisdiction, Authority, and Duties (page 96 of 101, Supplement 28), is hereby amended as follows:

CHAPTER G DECISION MAKING BODIES

....

Section 4 Staff Officials

....

N. Zoning Director

1. Creation and Appointment

The Zoning Director of PZB shall be the division head of the Zoning Division of PZB, and shall be appointed and serve at the pleasure of the Executive Director of PZB.

2. Jurisdiction, Authority, and Duties

In addition to the Jurisdiction, Authority, and Duties which may be conferred upon the Zoning Director by other provisions of the PBC Code, the Zoning Director shall have the following jurisdictions, authority and duties under this Code:

- to set the Annual Zoning Calendar, as required by Art. 2.A, General; **[Ord. 2020-001]**
- to recommend annually any necessary amendments to this Code;
- to submit AI to the BCC pursuant to Art. 2.C.8.B, Administrative Inquiry (AI). **[Ord. 2011-016] [Ord. 2018-002]**
- to review and approve or deny applications for Adequate Public Facilities (Concurrency); **[Ord. 2016-016]**
- to revoke or suspend, if necessary, any Development Order or permit which was issued in violation of this Code; **[Ord. 2016-016] [Ord. 2018-002]**
- to oversee the preservation and maintenance of vegetation not covered under the provisions of Art. 14, Environmental Standards, through design review, Conditions of Approval, and inspections; and, **[Ord. 2016-016]**

Notes:

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

- 1 g. review and approval or deny requests for time extensions described under Art. 2.A,
 2 General, Art. 2.B, Public Hearing Processes, Art. 2.C, Administrative Processes, and Art.
 3 2.D, ULDC Privately Initiated Amendment (PIA). **[Ord. 2020-001]**
 4 h. review and confirm evidence provided by an Applicant for a Development Order for a
 5 Community Residence or Recovery Community that a Community Residence or Recovery
 6 Community has been granted and maintains a license or certification from the State of
 7 Florida, or an Oxford House Charter, or other license or certification that is the equivalent
 8 of a State license or certification.
 9

Part 7. ULDC Art. 3.B.14.E, Overlays and Zoning Districts, Overlays, WCRAO, Westgate Community Redevelopment Area Overlay, Use Regulations (pages 46, 47, and 49 of 213, Supplement 28), is hereby amended as follows:

10 **CHAPTER B OVERLAYS**

11

12 **Section 14. WCRAO, Westgate Community Redevelopment Area Overlay**

13

14 **E. Use Regulations**

15 **1. Mixed Use**

16 In the WCRAO, mixed use means the combination of residential and one or more non-
 17 residential uses that are functionally integrated. Mixed use may be required or permitted in
 18 commercial districts that have a commercial with underlying residential FLU designation, as
 19 indicated in Table 3.B.14.E, WCRAO Mixed Use. **[Ord. 2006-004]**
 20

Table 3.B.14.E – WCRAO Mixed Use

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Mixed Use (2)	Prohibited	Permitted (1)(3)	Permitted (1)(3)	Permitted (3)(4)	Permitted (4)	Permitted (4)	Prohibited
Min. Residential Use	N/A	50%	50%	0%	0%	0%	N/A
Max. Residential Use	N/A	100%	100%	100%	100%	100%	N/A
Min. Non-Residential Use	N/A	0%	0%	0%	0%	0%	N/A
Max. Non-Residential Use	N/A	50%	50%	100%	100%	100%	N/A
[Ord. 2006-004] [Ord. 2011-001] [Ord. 2015-031] [Ord. 2018-002] [Ord. 2020-001]							
Notes:							
1.	Non-residential uses on parcels that have a commercial FLU with underlying residential designation, approved as part of Plan Amendment Round 2005-01, Ord. No. 2005-032, shall be permitted in in the NRM and NG Sub-areas. Non-residential uses shall only be permitted if all permitted residential density is utilized, but in no case shall it be less than one unit. Density shall be calculated meeting the requirements of FLUE Table 2.2.1-g.1, and other related Policies of the Plan. [Ord. 2006-004] [Ord. 2015-031] [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]						
2.	Minimum and maximum percentages for residential and non-residential uses are calculated by dividing the total GFA for either use (residential OR non-residential) type by the total GFA (residential AND non-residential). Projects that vertically integrate a minimum of 20 percent of the site's approved (includes allowed density and any density bonus units) residential density with commercial uses may be allowed to utilize up to 100 percent of both the site's commercial intensity and residential density. [Ord. 2006-004] [Ord. 2020-001]						
3.	Residential-only developments are permitted within the NC, NRM, and NG Sub-areas. [Ord. 2015-031] [Ord. 2018-002] [Ord. 2020-001]						
4.	Within the NC, UG, and UH Sub-areas, residential-only Multifamily and , Townhouse, <u>and Recovery Community</u> developments with five dwelling units or more shall be permitted. Residential-only developments with under five units shall not be permitted. [Ord. 2020-001]						

21

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

1
2
3
4
5

2. Sub-area Use Regulations
a. Use Regulations

In addition to the requirements of Art. 4.B, Use Classification, the following uses shall be prohibited or permitted in the WCRAO Sub-areas: **[Ord. 2006-004]**

Table 3.B.14.E – WCRAO Sub-area Use Regulations

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	Supplementary Use Standards # (2)
Residential Uses								
Single Family	P	P	X	X	X	X	X	4.B.1.C.67
Cottage Home – Single Unit on a Single Lot	X	P	X	X	X	X	X	4.B.1.C.2
Cottage Home – Multiple Units on a Single Lot or Site	X	P	P	X	X	X	X	4.B.1.C.2
<u>Family Community Residence</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>4.B.1.C.3</u>
Zero Lot Line (ZLL)	X	X	X	X	X	X	X	4.B.1.C.710
Multifamily (MF)								
Multifamily (MF)	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.45
<u>Recovery Community</u>	<u>X</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>X</u>	<u>4.B.1.C.6</u>
Townhouse	X	P (5)	P (5)	P (5)	P (5)	P (5)	X	4.B.1.C.68
<u>Transitional Community Residence</u>	<u>-</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>X</u>	<u>4.B.1.C.9</u>
Commercial Uses								
....								
[Ord. 2006-004] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-007] [Ord. 2017-002] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-001]								
Notes:								
1.	Limited to lots with a CH FLU designation and corresponding zoning district. [Ord. 2006-004] [Ord. 2018-002]							
2.	A number in the Supplementary Use Standards # column refers to Art. 4.B, Use Classification, which are applicable to the use. [Ord. 2006-004] [Ord. 2020-001]							
3.	Adult Entertainment shall also be prohibited as an accessory use to other principal uses within the Sub-areas. [Ord. 2007-013]							
4.	Limited to lots with a CH or CL FLU designation and corresponding zoning district. Work/Live Space shall be Permitted by Right in all Sub-areas except the NR and UI. [Ord. 2007-013] [Ord. 2020-001]							
5.	Multifamily, Townhouse, <u>Transitional Community Residence, and Recovery Communities</u> units may be Permitted by Right in non-residential districts where mixed use is permitted in accordance with Table 3.B.14.E. WCRAO Mixed Use. <u>Transitional Community Residence and Recovery Communities shall follow the approval processes of the underlying zoning district.</u> [Ord. 2017-002] [Ord. 2020-001]							
6.	Employment Agencies as contained in Art. 4, Use Regulations under Office, Business or Professional. [Ord. 2017-007]							
Key:								
X	Prohibited in Sub-area							
-	Subject to Use Regulations of zoning district							
P	Permitted by Right in Sub-area [Ord. 2007-013] [Ord. 2009-040] [Ord. 2020-001]							
A	Class A Conditional Use [Ord. 2017-007]							

6

Table 3.B.14.F – WCRAO Residential Sub-area PDRs

Residential Use Type (8)	Single Family	Cottage Homes – Single Unit on a Single Lot	Cottage Homes – Multiple Units on a Single Lot or Site	Townhouse (1)	Multifamily (≤ 4 Units)	Multifamily (≥ 5 Units)
Lot Dimensions						
Min. Frontage/Lot Width	50'	25'	75'	16'	75'	100'
Min. Lot Depth	90'	70'	100'	50'	100'	100'
Max. Building Coverage	50%	50%	80%	80%	40% (2)	40% (2)
Setbacks						
Front/Build-to-Line	25' min.	20' min.	10' min.	10-25'	10-25'	10-25'
Min. Side (3)	5'	2.5'	5'	5' – End unit; 0' – Interior unit	5'	10'
Min. Side Street	7.5'	7.5'	7.5'	10' – End unit	10'	10'
Min. Rear	10'	5'	15'	7.5'	10'	25'
Height/Stories						
Max. Stories	2	2	2	3	3	2 min. (6)
Max. Height (4)	N/A	N/A	N/A	36'	36'	(5)
Accessory Structures	2 stories					
Building Frontage						
Min. Building Frontage	N/A	N/A	N/A	60% (7)	60% (7)	60% (7)
[Ord. 2020-001]						
Notes:						
....						
8.	<u>Community Residences and Recovery Communities are subject to the same Sub-area PDRs as the specific housing type they are located within.</u>					

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

Part 8. ULDC Art. 3.B.16 Overlays and Zoning Districts, Overlays, Urban Redevelopment Area Overlay (URAO), Use Regulations (page 91 of 213, Supplement 28), is hereby amended as follows:

1 CHAPTER B OVERLAYS

2

3 Section 16 Urban Redevelopment Area Overlay (URAO)

4

5 E. Additional PRA Use Regulations

6 The list of uses permitted within the URAO shall be in accordance with Art. 4, Use Regulations, and the following. [Ord. 2011-016] [Ord. 2017-007]

7

8 2. Residential Uses

9 Residential uses may be allowed on any floor, with exception to the following: [Ord. 2011-016] [Ord. 2017-007]

10 a. Where located in the same building as non-residential uses, residential uses shall either
11 be located above or internally separated from any non-residential uses; and [Ord. 2011-016]

12 b. Single Family ~~and Type 1 CLF~~, Cottage Home on a single lot, Zero Lot Line housing types,
13 or Community Residences within these housing types, shall not front on Slip Street or
14 Primary Street Frontages. [Ord. 2011-016] [Ord. 2017-007]

Part 9. ULDC Art. 3.E.1.C.2.j, Overlays and Zoning Districts, Overlays, Planned Development Districts (PDDs), General, Objectives and Standards, Performance Standards, Emergency Generators (page 139 of 219, Supplement 28), is hereby amended as follows:

18 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

19 Section 1 General

20

21 C. Objectives and Standards

22

23 2. Performance Standards

24 Planned developments shall comply with the following standards:

25

26 j. Emergency Generators

27 A permanent emergency generator shall be required ~~for all Type 2 and Type 3 CLFs,~~
28 ~~Nursing or Convalescent Facilities, and PDD clubhouses 20,000 square feet or greater,~~
29 ~~and shall to~~ meet the standards of Art. 5.B.1.A.19, Permanent Generators. [Ord. 2006-004] [Ord. 2010-022]

Part 10. ULDC Art. 3.F.1.G.1, Overlays and Zoning Districts, Overlays, Traditional Development Districts (TDDs), Use Regulations (pages 176 of 213, Supplement 28), is hereby amended as follows:

31 CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

32 Section 1 General Provisions for TDDs

33

34 G. Design Objectives

35 TDDs shall comply with the following design guidelines:

36 1. Neighborhoods

37 a. A mix of residential uses shall be required in a TND, to provide a variety of housing
38 opportunities. ~~TND residential uses include: [Ord. 2005-002]~~

39 ~~1) Single Family dwellings;~~

40 ~~2) Zero Lot Line (ZLL) dwellings;~~

41 ~~3) Townhouses;~~

42 ~~4) Multifamily dwellings;~~

43 ~~5) Accessory dwellings; or,~~

44 ~~6) Congregate Living Facilities~~

45

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

Part 12. ULDC Art. 4.B.1.C.1, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Congregate Living Facility (CLF) (pages 15 and 16 of 199, Supplement 28), is hereby amended as follows:

1 CHAPTER B USE CLASSIFICATION

2 Section 1 Residential Uses

3
4 C. Definitions and Supplementary Use Standards for Specific Uses

5 1. Congregate Living Facility (CLF)

6 a. Definition

7 A facility which provides long-term care, housing, food service, and one or more assistive
8 care services for persons not related to the owner or administrator by blood or marriage. ~~A~~
9 ~~permanent or temporary group living arrangement for people without disabilities, or a group~~
10 ~~living arrangement in which normalization and/or community integration are not integral~~
11 ~~elements, or a group living arrangement for people undergoing treatment in a program~~
12 ~~under the same or affiliated ownership, or congregate housing for people with disabilities~~
13 ~~who pose a direct threat to the health or safety of others including as an alternative to~~
14 ~~incarceration, or intermediate care or assisted living facilities that do not emulate a family.~~

15 b. ~~Licensing~~Typical Uses

16 ~~Type 1 and 2 CLFs shall be licensed by one of the licensing entities referenced in F.S. §~~
17 ~~449.004. Typical uses may include, but are not limited to:~~

- 18 1) ~~Group home or other CLF for housing for people without disabilities that does not~~
19 ~~emulate a family;~~
- 20 2) ~~Group home or other CLF arrangement for people who may be considered ~~as~~ a direct~~
21 ~~threat to the health or safety of others, that requires monitoring;~~
- 22 3) ~~Intermediate care facility for people with developmental disabilities that does not~~
23 ~~emulate a family;~~
- 24 4) ~~Assisted Living Facilities for adults with disabilities or elderly for the number of people~~
25 ~~that exceed the thresholds to be considered a Community Residence and do not~~
26 ~~emulate a family;~~
- 27 5) ~~Shelters for victims of domestic abuse;~~
- 28 6) ~~Previously approved Type 3 CLF, for people with disabilities that do not meet the~~
29 ~~requirements of a Community Residential Home pursuant to F.S. ~~ch~~ § 419.01, and the~~
30 ~~residents are:~~
 - 31 a) ~~Frail elders or disabled adults (F.S. ~~ch~~ § 429.65);~~
 - 32 b) ~~People Persons~~ with disabilities (F.S. ~~ch~~ § 760.22 (3)(a));
 - 33 c) ~~Persons who have a developmental disability (F.S. ~~ch~~ § 393.063);~~
 - 34 d) ~~Non-dangerous person who has a mental illness (F.S. ch. 394);~~
 - 35 e) ~~A child who is found to be dependent (F.S. ~~ch~~ § 39.01 or § 984.03);~~
 - 36 f) ~~A child in need of services (F.S. ~~ch~~ § 984.03 or § 985.03); or,~~
- 37 7) ~~Previously approved Type 1 CLF or Type 2 CLF for people without disabilities that do~~
38 ~~not meet the definition and requirements for Family Community Residence or~~
39 ~~Transitional Community Residence.~~

40 c. Approval Process

41 1) RS Zoning District

42 A ~~Type 3~~ CLF may be allowed in the RS Zoning District with an MR-5, HR-8, HR-12,
43 or HR-18 FLU designation subject to a Class A Conditional Use approval. A ~~Type 3~~
44 CLF in the RS Zoning District with an LR-1, LR-2, and LR-3 ~~FLU designation~~ shall be
45 prohibited. [Ord. 2019-005]

46 2) Type 2 Waiver

47 A CLF may request a Type 2 Waiver pursuant to Art. 2.B.7.D, Type 2 Waiver, when
48 the proposed use does not meet the minimum distance between other Community
49 Residences, Recovery Communities, or CLFs pursuant to Art. 4.B.1.C.1.e.2) Location.

50 3) Zoning Confirmation Letter

51 An Applicant proposing a CLF shall apply for a Zoning Confirmation letter pursuant to
52 ~~Art. ~~ch~~ 2.C.8.A.2.d, Confirmation for a Community Residence, Recovery Community,~~
53 ~~or Congregate Living Facility, in order to confirm compliance with the location~~
54 ~~requirements of Art. 4.B.1.C.1.e.2). Location~~

55 d. Maximum Occupancy

56 1) ~~Type 1 CLF~~

57 Six persons, excluding staff.

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

1 ~~2) Type 2 CLF~~

2 ~~14 persons, excluding staff.~~

3 ~~3) Type 3 CLF~~

4 ~~A CLF Congregate Living Facility may include multiple dwelling units on a single lot. The~~
5 ~~maximum occupancy shall be determined by FLUE Table 2.2.1-g.1 of the Plan and~~
6 ~~multiplying the maximum allowable density by 2.39. A dwelling unit is equivalent to 2.39~~
7 ~~residents/beds. [Ord. 2019-005]~~

8 ~~e. Separation~~

9 ~~The separation requirements in this Section shall be measured from the nearest point of~~
10 ~~the existing CLF structure to the nearest point of the proposed CLF structure.~~

11 ~~1) Type 1 CLF~~

12 ~~A Type 1 CLF, shall not be located within a radius of 1,000 feet of another Type 1 CLF~~
13 ~~regulated by F.S. § 419.001 and within a radius of 1,200 feet of a Type 2 CLF.~~

14 ~~2) Type 2 CLF – RM Zoning District~~

15 ~~A Type 2 CLF located in the RM Zoning District shall not be located within a radius of~~
16 ~~1,200 feet of another CLF.~~

17 ~~fe. Location~~

18 ~~1) A Type 3 CLF shall have frontage and access from a front or side street property line~~
19 ~~abutting a Local Commercial, a Collector, or an Arterial Street, except for the following:~~

20 ~~a) A Type 3 CLF having 25 residents or less may have frontage and access from a~~
21 ~~Local Street.~~

22 ~~b) A Type 3 CLF having 250 or fewer residents may be located in a Multifamily,~~
23 ~~Commercial, or Civic Pod with Residential Pod with attached housing, and may~~
24 ~~have access to a Local Residential Street or a parking tract in a PDD Residential~~
25 ~~Access Street.~~

26 ~~2) A The proposed CLF with 14 or fewer residents shall be located a minimum of 660 feet~~
27 ~~or seven lots whichever is greater, from an existing Community Residence, Recovery~~
28 ~~Community, or other CLF. A proposed CLF with more than 14 residents shall be~~
29 ~~located a minimum of 1,200 feet from an existing Community Residence, Recovery~~
30 ~~Community, or other CLF with more than 14 residents. The separation requirement in~~
31 ~~this Section shall be measured in linear feet from the closest points between the~~
32 ~~property lines.~~

33 ~~a) Exception~~

34 ~~A CLF approved as a Type 3 CLF prior to the effective date of Ordinance No. 2021-~~
35 ~~, shall be considered a legal conforming use and not subject to these separation~~
36 ~~requirements, unless the proposed request is to add land area and will decrease~~
37 ~~the existing separation from the closest Community Residence, Recover~~
38 ~~Community, or other CLF.~~

39 ~~g. Lot Size~~

40 ~~1) The minimum lot dimension for a Type 2 or Type 3 CLF shall be 8,000 square feet or~~
41 ~~the zoning district minimum lot requirement, whichever is greater.~~

42 ~~2) The required minimum acreage for a PDD may be reduced by 50 percent if it consists~~
43 ~~exclusively of a CLF.~~

44 ~~h. Type 2 or Type 3 CLFs – Fire Rescue Station~~

45 ~~A Type 2 or Type 3 CLF shall be located within five miles of a full-service fire-rescue station.~~

46 ~~if. Drop-off Area, for Type 2 and Type 3, CLFs~~

47 ~~A drop-off area shall be provided for group transportation, such as vans or similar vehicles,~~
48 ~~when more than 14 residents.~~

49 ~~jq. Accessory Commercial Uses~~

50 ~~A limited amount of commercial uses may be Permitted by Right as accessory uses in a~~
51 ~~Type 3 CLF. Such uses shall be limited to Retail Sales and Medical or Dental Office,~~
52 ~~Personal Services, and Retail Sales uses designed exclusively to serve the residents of~~
53 ~~the facility, such as a barber or beauty shop, convenience retail sales, and banking~~
54 ~~services, and convenience retail sales. No more than ten percent of the GFA of the facility~~
55 ~~shall be used for accessory commercial uses. There shall be no exterior signage or other~~
56 ~~indication of the existence of these uses in the facility that may attract nonresidents.~~

57 ~~k. Signage~~

58 ~~Signage for a Type 1 or Type 2 CLF shall be limited to one freestanding sign no more than~~
59 ~~four square feet in sign face area and six feet in height.~~

60 ~~lh. Congregate Living, Assistive Care Services~~

61 ~~Assistance with activities of daily living and limited nursing services.~~

62 ~~m. Emergency Generators~~

63 ~~A permanent emergency generator shall be required for all Type 2 and Type 3 CLFs, and~~
64 ~~shall meet the standards of Art. 5.B.1.A.19, Permanent Generators.~~

65

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COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

- 1 **hi. Cooking Facilities**
2 A CLF shall provide and continuously maintain a central dining facility. ~~Food preparation~~
3 ~~shall be prohibited in sleeping areas or in individual quarters in Types 1 and 2 CLFs.~~
4 Individual kitchen facilities may be provided in the living quarters of a ~~Type 3~~ CLF.
5

Part 13. ULDC Art. 4.B.1.C.3, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Family Community Residence, is hereby amended as follows

6 CHAPTER B USE CLASSIFICATION

7 Section 1 Residential Uses

8

9 **3. Family Community Residence**

10 **a. Definition**

11 A Community Residence that provides a relatively permanent living arrangement for five
12 to ten people with disabilities which, in practice and/or under its rules, charter, or other
13 governing document, does not limit how long a resident may live there. The intent is for
14 residents to live in the dwelling unit on a long-term basis, ~~of at least longer than~~ a year A
15 Family Community Residence emulates a biological family to foster normalization of its
16 residents and integrate them into the surrounding community. Its primary purpose is to
17 provide shelter; foster and facilitate life skills; and, meet the physical, emotional, and social
18 needs of the residents in a mutually supportive family-like environment. Medical treatment
19 is incidental, as in any home.

20 **b. Typical Uses**

21 Typical uses shall conform to the definition and include, but not are limited to the following:

- 22 1) Oxford House or other long-term housing for people in recovery from substance use
23 disorder, and with no limit on tenancy in practice or in rules;
- 24 2) Community Residential Home (F.S. ch 419);
- 25 3) Assisted Living Facility for the elderly or other people with disabilities (F.S. ~~ch~~ §
26 429.02(5));
- 27 4) Adult Family-Care Home (F.S. ~~ch~~ § 429.60);
- 28 5) Intermediate Care Facility for people with developmental disabilities (F.S. ~~ch~~ § 400.96);
- 29 6) Housing licensed by F.S. ch. 394;
- 30 7) Recovery Residences certified pursuant to F.S. ch 397 currently the Florida
31 Association of Recovery Residences, typically Levels 1-2 certified homes, when
32 residency is ~~a~~ one year or longer; or,
- 33 8) Previously approved Type 1 CLF or Type 2 CLF for people with disabilities that meets
34 the definition and requirements for a Family Community Residence.

35 **c. Approval Process**

36 **1) Permitted by Right**

37 **a) CL/CH/CHO MUPD, IND/L-PIPD, TND Residential Pod Exurban/Rural Tier,**

38 **TMD US, Exurban/Rural, or AGR Development Area Zoning District**

39 A Family Community Residence may be Permitted by Right within previously
40 approved Single Family, Zero Lot Line, Cottage Homes, Townhouse, or Multi-
41 family Dwelling units, subject to compliance with Licensing, Location, and Number
42 of Residents.

43 **2) DRO Approval**

44 **a) CL, CH, or CHO MUPD Zoning District**

45 A Family Community Residence may be allowed in a proposed Zero Lot Line,
46 Townhouse, or Multifamily dwelling units, subject to the approval procedures for
47 those housing types.

48 **3) Type 2 Waiver**

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

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

Notes:

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EXHIBIT A

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b) Art. 4.B.1.C.3.e.2)a), Number of Residents, including staff that reside in the dwelling unit, are more than ten, but still meets the definition of Family Community Residence; or,

c) Art. 4.B.1.C.3.f, Location, when the proposed Family Community Residence does not meet the minimum distance between other Community Residences, Recovery Communities, or Congregate Living Facilities.

4) Zoning Confirmation Letter

An Applicant proposing to have a Family Community Residence shall apply for a Zoning Confirmation Letter pursuant to Art. 2.C.8.A.2.d, Confirmation for Community Residence, Recovery Community, or Congregate Living Facilities, in order to confirm compliance with Licensing, Number of Residents, and Location requirements.

d. Licensing, Certification, or Charter

1) A Family Community Residence shall be licensed or certified by one of the licensing entities referenced in F.S. ~~ch~~ §419.001, ~~ch~~ § 397.311, or ~~ch~~ §397.487; or obtain an Oxford House Charter, 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 Family Community Residence, including any provisional license or certification issued prior to granting a full license or certification; pursuant to F.S. ~~ch~~ §-419.001, ch 394, or ~~ch~~ § 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.

2) An existing Type 1 ~~or~~ Type 2 CLF, or other facility or use that conforms to the definition of Family Community Residence, and located in the unincorporated area of Palm Beach County as of the effective date of Ordinance No. 2021- , that is not currently licensed or certified by the State of Florida and that does not receive licensure, certification or recertification from the designated state entity within one calendar year from the effective date of Ordinance No. 2021- , shall not be considered a conforming use and shall cease operation one calendar year from the effective date of Ordinance No. 2021- or within 60- calendar days of the date on which certification, recertification, or the required license is denied, whichever date comes first. The operator of the unlicensed or uncertified Family Community Residence must return residents to their families or relocate them to a safe and secure living environment.

3) An existing use that conforms to the definition of Family Community Residence, and located in the unincorporated Palm Beach County that is licensed or certified by the State of Florida, or has an Oxford House Charter as of the effective date of Ordinance No 2021- , shall provide proof of license, certificate, or Charter to the Zoning Division, within one calendar year from the effective date of Ordinance No 2021- . Should the operator fail to provide proof of license, certificate or Charter, they shall:

a) Cease operation and vacate the premises within 60- calendar days and the operator ~~of the~~ shall return residents to their families or relocate them to a safe and secure living environment; or,

b) Request approval for the applicable use pursuant to adopted Ordinance.

4) Annual ~~Notification Renewal~~ of License, Certificate or Charter

The Applicant shall annually provide proof of the valid license, certification, or charter pursuant to Art. 2.C.8.A.2.c. Confirmation for a Community Residence, Recovery Community or Congregate Living Facility. 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 approval for the use.

e. Occupancy

1) Residents of a Family Community Residence may include, but are not limited to non-dangerous persons who are:

a) Frail elders or other adults with disabilities (F.S. ~~ch~~ § 429.65)

b) ~~People~~ Persons with disabilities (F.S. ~~ch~~ § 760.22 (3)(a));

c) Persons with developmental disabilities (F.S. ~~ch~~ § 393.063);

d) Persons who have a mental illness (F.S. ~~ch~~ § 394.455);

e) A child who is found to be dependent (F.S. ~~ch~~ § 39.01 or § 984.03);

f) A child in need of services (F.S. ~~ch~~ § 984.03) or (F.S. ~~ch~~ § 985.03);

g) Residents of an Oxford House or persons recovering from a substance use disorder; or,

h) Staff who reside in the home as part of the Family Community Residence and play an integral part of emulating a family.

2) Number of Residents, including Staff that reside in the dwelling unit

a) Minimum five and no more than ten residents; or,

b) Minimum five and no more than 14 residents defined pursuant to F.S. ~~ch~~ § 419.001.

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f. Location

~~A-The~~ Family Community Residence shall be located at least 660 feet or seven lots whichever is greater, from another Community Residence, Recovery Community, or Congregate Living Facility. The separation requirement in this Section shall be measured in linear feet from the closest points between the property lines.

1) Exemption

Per State law, Family Community Residences for people with developmental disabilities located in a "planned residential community" as defined by F.S. ~~ch~~ § 419.001(1)(d), are exempt from the spacing requirements between Community Residences, Recovery Communities, and Congregate Living Facilities established in this Code.

g. Revocation

An operator must provide evidence of license, certificate, or charter prior to the expiration of the 12-month Zoning Confirmation Letter for Family Community Residence, as issued. An operator who ~~is unable to provide~~ has not received licensure, certification, or charter; or where a license, certification, or charter was denied, revoked, or suspended shall not be allowed to operate in PBC and the Zoning Confirmation Letter for the Family Community Residence shall become null and void. An operator must notify the Zoning Director, or designee, that its license, certification, or Oxford House charter has been suspended or revoked within five calendar days of the operator being notified of the suspension or revocation. Such an operator shall cease operation and vacate the premises within 60-calendar days and the operator of the Family Community Residence shall return residents to their families or relocate them to a safe and secure living environment.

Part 14. **ULDC Art. 4.B.1.C.6, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Recover Community, is hereby amended as follows**

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

C. Definitions and Supplementary Use Standards for Specific Uses

6. Recovery Community

a. Definition

Multiple dwelling units in Townhouses or Multifamily housing, or a group of Single Family or other detached dwellings, that are not held out to the general public for rent or occupancy, that provides a drug-free and alcohol-free mutually supportive living arrangement for people in recovery from substance use disorder, which, taken together, do not emulate a biological family and are under the auspices of a single entity or group of related entities. Recovery Communities include land uses for which the operator is eligible to apply for certification or licensing from the State of Florida. The term does not include any other group living arrangements for people who are not disabled nor any Community Residence, Congregate Living Facility, institutional or medical use, shelter, lodging or boarding house, extended stay hotel, nursing home, vacation rental, or other use defined in this this Code.

b. Non-Conformities

- 1) An existing Type 1, or Type 2 CLF, or other facility or use that conforms to the definition of Recovery Community, located in the unincorporated Palm Beach County as of the effective date of Ordinance No. 2021- , that is not currently licensed or certified by the State of Florida and that does not receive licensure, certification or recertification from the designated State entity within one calendar year from the effective date of Ordinance No. 2021- , shall not be considered a conforming use and shall cease operation one calendar year from the effective date of Ordinance No. 2021- or within 60-calendar days of the date on which certification, recertification, or the required license is denied, whichever date comes first. The operator of the unlicensed or uncertified Recovery Community must return residents to their families or relocate them to a safe and secure living environment.
- 2) An existing use that conforms to the definition of Recovery Community, and located in the unincorporated Palm Beach County that was previously licensed or certified by the State of Florida, as of the effective date of Ordinance No 2021- , shall provide proof of license or certificate to the Zoning Division, within one calendar year from the

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1 effective date of Ordinance No 2021- . Should the operator fail to provide proof of
2 license, certificate or Charter, they shall:

3 a) Cease operation and ~~vacate the premises within 60-calendar days and the~~
4 operator ~~of the~~ shall return residents to their families or relocate them to a safe and
5 secure living environment; or,

6 b) Request approval for the applicable use pursuant to adopted Ordinance.

7 c. Approval Process

8 1) Permitted by Right

9 a) Residential Pod- PUD within Townhouse or Multi-family Housing.

10 A Recovery Community may be located within an existing or proposed Pod for
11 attached housing subject to the approval process for the specific housing structure,
12 and compliance with Art. 4.B.1.C.6.d, Licensing or Certification and Art.
13 4.B.1.C.6.e, Location.

14 2) RM Zoning District

15 A Recovery Community may be allowed in the RM Zoning District as follows:

16 a) MR-5 FLU Designation

17 (1) Existing RM Zoning

18 The property was zoned RM prior to the 1989 adoption of the Plan.

19 (2) Previous Approval for Multifamily in the RM Zoning District with ~~and~~ MR-

20 5 FLU

21 A Recovery Community may be Permitted by Right when located within
22 existing Multifamily units in the RM Zoning District with an MR-5 FLU
23 designation, subject to compliance with Art. 4.B.1.C.6.d Licensing or
24 Certification and Art. 4.B.1.C.6.e Location. Where a Multifamily with ~~5~~ five or
25 more units does not exist, the Applicant shall seek approval for a Multifamily
26 use pursuant to Art, 4.B.1.C.5.d.2) RM Zoning District.

27 (3) A proposed Recovery Community with a maximum of ~~4~~ four units may be
28 Permitted by Right in the RM Zoning District with ~~the~~ an MR-5 FLU
29 designation, subject to to compliance with Art. 4.B.1.C.6.d, Licensing or
30 Certification and Art. 4.B.1.C.6.e, Location.

31 b) HR-8, HR-12, or HR-18 FLU Designation

32 Recovery Community located on a parcel(s) with an HR-8, HR-12, or HR-18 FLU
33 designation, may be Permitted by Right unless Development Thresholds in Art.
34 4.A.9 are triggered, subject to compliance with Art. 4.B.1.C.6.d, Licensing or
35 Certification and Art. 4.B.1.C.6.e, Location.

36 c) Limestone Creek

37 Recovery Community in the RM Zoning District shall be prohibited in the area
38 bounded on the north by 184th Place North, on the south by the C-18 Canal, on
39 the east by Central Boulevard and the municipal limits of the Town of Jupiter, and
40 on the west by Narcissus Avenue (north of Church Street) and Limestone Creek
41 Road (south of Church Street).

42 3) Type 2 Waiver

43 A Recovery Community may request a Type 2 Waiver pursuant to Art. 2.B.7.D, Type
44 2 Waiver, when the proposed use does not meet the minimum distance between other
45 Community Residences, Recovery Communities, or CLFs pursuant to Art.
46 4.B.1.C.1.e.2) Location.

47 4) Zoning Confirmation Letter

48 An Applicant proposing ~~to have~~ a Recovery Community shall apply for a Zoning
49 Confirmation Letter pursuant to Art. 2.C.8.A.2.d, Confirmation for Community
50 Residence, Recovery Communities or Congregate Living Facility, in order to confirm
51 compliance Art. 4.B.1.C.6.d, Licensing or Certification and Art. 4.B.1.C.6.e, Location
52 requirements.

53 d. Licensing or Certification

54 A Recovery Community shall be licensed or certified by one of the certifying entities
55 referenced in F.S. ~~ch~~ §397.487 and be actively managed by a certified recovery residence
56 administrator. Certificate of Compliance and/or renewal shall be provided for application
57 review.

58 1) Annual Notification ~~Renewal~~ of License, Certificate or Charter

59 The Applicant shall annually provide proof of the valid license, certification, or charter
60 pursuant to Art. 2.C.8.A.2.c, Confirmation for a Community Residence, Recovery
61 Community or Congregate Living Facility. Failure to provide proof of final licensure or
62 certification from the State of Florida, will result in revocation of the approval for the
63 use.

64 e. Location

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1 A proposed Recovery Community shall be located at least 1,200 feet or ten lots whichever
2 is greater, from the closest Recovery Community, Community Residence, or Congregate
3 Living Facility.

4 (1) The separation requirement in this Section shall be measured in linear feet from
5 property line to property line.

6 (2) The separation requirement, when developed as a group of Single Family or other
7 detached dwellings and located on separate adjacent lots, shall be measured in linear
8 feet from the perimeter property lines of the combined lots to the property line of the
9 closest Recovery Community, Community Residence, or Congregate Living Facility.

10 **f. Revocation**

11 An operator must provide evidence of licensure or certification prior to the expiration of the
12 12-month Zoning Confirmation Letter for Recovery Community, as issued. An operator
13 who ~~is unable to provide~~ ~~has not received~~ licensure or certification; or where a license or
14 certification was denied, revoked, or suspended, shall not be allowed to operate in Palm
15 Beach County and the Zoning Confirmation Letter for the Recovery Community shall
16 become null and void. An operator must notify the Zoning Director, or designee, that its
17 license, certification, or Oxford House charter has been suspended or revoked within five
18 calendar days of the operator being notified of the suspension or revocation. Such an
19 operator shall cease operation and vacate the premises within 60- calendar days and the
20 operator of the Recovery Community shall return residents to their families or relocate them
21 to a safe and secure living environment.

Part 15. **ULDC Art. 4.B.1.C.9, Use Regulations, Use Classification, Residential Uses, Definitions and Supplementary Use Standards for Specific Uses, Transitional Community Residence, is hereby amended as follows**

22 **CHAPTER B USE CLASSIFICATION**

23 **Section 1 Residential Uses**

24 25 **C. Definitions and Supplementary Use Standards for Specific Uses**

26 27 **9. Transitional Community Residence**

28 **a. Definition**

29 A Community Residence that provides a relatively temporary living arrangement for
30 unrelated people with disabilities with a limit on length of tenancy less than a year which
31 may be measured in weeks or months as determined either in practice or by the rules,
32 charter, or other governing document of the Transitional Community Residence. A
33 Transitional Community Residence may service residents with substance use disorder who
34 may be undergoing detoxification at another location. A Transitional Community Residence
35 emulates a biological family to foster normalization of its residents and integrate them into
36 the surrounding community. Its primary purpose is to provide shelter; foster and facilitate
37 life skills; and, meet the physical, emotional, and social needs of the residents in a mutually
38 supportive family-like environment. Medical treatment is incidental, as in any home.
39 Transitional Community Residences include, but are not limited to, those residences that
40 comport with this definition that are licensed by the Florida Agency for Persons with
41 Disabilities, the Florida Department of Elder Affairs, the Florida Agency for Health Care
42 Administration, and the Florida Department of Children and Families, under F.S. ch. 419,
43 and Recovery Residences certified by the State's designated credentialing entity
44 established under F.S. ~~ch.~~ § 397.487.

45 **b. Typical Uses**

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

- 48 1) Halfway houses for people with disabilities that emulate a family, including people with
49 illness, substance use disorder, physical disabilities, or mental illness;
- 50 2) Community Residential Facility licensed under F.S. ch 419;
- 51 3) Housing licensed by F.S. ch. 394 with only outpatient treatment;
- 52 4) Recovery Residences certified pursuant to F.S. ch 397 currently the Florida
53 Association of Recovery Residences, typically Levels 1-4 certified homes, when
54 residency is less than ~~a~~ one year;
- 55 5) Short-term group home;
- 56 6) Day or night treatment with The Community Housing component associated with a day
57 or night residential treatment center licensed under F.S. ~~ch.~~ § 397.311; or,

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1 7) Previously approved Type 1 CLF or Type 2 CLF for people with disabilities with less
2 than one year on tenancy and meeting the definition of Transitional Community
3 Residence.

4 **c. Approval Process**

5 **1) Permitted by Right**

6 a) AGR, AR, RE, RT, RS **Zoning Districts**, Detached Units Residential Pod of a PUD,
7 or Residential **Land Use Zone Pod** of a TND; or, ZLL or Cottage Homes within
8 CL/CH/CHO-MUPD Zoning District or IND/L-PIPD Zoning District; or, the NR Sub-
9 area of the WCRAO shall meet the following:

10 (1) Art. 4.B.1.C.9.d, Licensing, Certification, or Charter;

11 (2) Art. 4.B.1.C.9.e2)a)(1), Occupancy, Maximum six residents defined pursuant
12 to F.S. ~~ch §~~419.001.

13 (3) Art. 4.B.1.C.9.f, Location.

14 b) IRO, UC, UI or RM Zoning District; or existing attached housing within a
15 Residential Pod of a PUD, CL/CH/CHO MUPD, Res/NC Pod of a TND, or TMD
16 Zoning District shall meet the following:

17 (1) Art. 4.B.1.C.9.d, Licensing, Certification, or Charter;

18 (2) Art. 4.B.1.C.9.e.2).b), Occupancy; and,

19 (3) Art. 4.B.1.C.9.f, Location.

20 **2) Type 2 Waiver**

21 **a) Use Approval**

22 A Transitional Community Residence, when the residents are not defined pursuant
23 to F.S. ~~ch §~~419.001, shall request a Type 2 Waiver pursuant to Art. 2.B.7.D, Type
24 2 Waiver, to allow the use within the AGR, AR, RE, RT, RS **Zoning Districts**,
25 Detached Units Residential Pod of a PUD, or Residential **Land Use Zone Pod** of a
26 TND; or, ZLL or Cottage Homes within CL/CH/CHO-MUPD Zoning District or
27 IND/L-PIPD Zoning Districts; or, the NR Sub-area of the WCRAO subject to the
28 following requirements:

29 (1) Art. 4.B.1.C.9.d, Licensing or Certification;

30 (2) Art. 4.B.1.C.9.e.2),a)(2), Occupancy; and,

31 (3) Art. 4.B.1.C.9.f, Location.

32 (4) An Applicant may seek additional Type 2 Waivers, when the Transitional
33 Community Residents does not meet the requirements of one or more of the
34 following:

35 (a) Art. 4.B.1.C.9.d, Licensing or Certification, when licensing or certification
36 is not required or available from the State of Florida or Florida Association
37 of Recovery Residences. This does not apply when the Transitional
38 Community Residence has been denied a license or certification, or it has
39 been revoked;

40 (b) Art. 4.B.1.C.9.e.2),a)(2), Occupancy, when the number of residents
41 including staff that reside in the dwelling unit, are more than ten, but still
42 meet the definition of Transitional Community Residence; or,

43 (c) Art. 4.B.1.C.9.f, Location, when the proposed Transitional Community
44 Residence does not meet the minimum distance from other Community
45 Residences, Recovery Communities, or Congregate Living Facilities.

46 b) A Transitional Community Residence may request a Type 2 Waiver pursuant to
47 Art. 2.B.7.D, Type 2 Waiver, when the proposed use does not meet the
48 requirements of one or more of the following:

49 (1) **AGR, AR, RE, RT, RS **Zoning Districts**, Detached Units Residential Pod**
50 **of a PUD or Residential **Land Use Zone Pod** of a TND; or, ZLL or Cottage**
51 **Homes within CL/CH/CHO-MUPD Zoning District or IND/L-PIPD Zoning**
52 **District; or, the NR Sub-area of the WCRAO**

53 (a) Art. 4.B.1.C.9.d.1), Licensing or Certification, when licensing or
54 certification is not required or available from the State of Florida or the
55 Florida Association of Recovery Residences. This does not apply when
56 the Transitional Community Residence has been denied a license or
57 certification, or it has been revoked;

58 (b) Art. 4.B.1.C.9.e.2)a)(1), Number of Residents, including Staff that reside
59 in the dwelling unit, are more than six but not exceeding 14 residents; or,

60 (c) Art. 4.B.1.C.9.f, Location, when the proposed Transitional Community
61 Residence does not meet the minimum distance from the closest
62 Community Residence, Recovery Community, or Congregate Living
63 Facility.

64 (2) **IRO, UC, UI or RM Zoning District; or existing attached housing within a**
65 **Residential Pod of a PUD, CL/CH/CHO MUPD, Residential or**
66 **Neighborhood Center Land Use Zones Pod of a TND, or TMD**

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

4 (a) Art. 4.B.1.C.9.d.1), Licensing or Certification, when licensing or
5 certification is not required or available from the State of Florida or Florida
6 Association of Recovery Residences. This does not apply when the
7 Transitional Community Residence has been denied a license or
8 certification, or it has been revoked;

9 (b) Art. 4.B.1.C.9.e.2)b)(1) Number of Residents, including staff that reside in
10 the dwelling unit, are more than ten, but still meets the definition of
11 Transitional Community Residence; or,

12 (c) Art. 4.B.1.C.9.f, Location, when the proposed Transitional Community
13 Residence does not meet the minimum distance from the closest
14 Community Residence, Recovery Community, or Congregate Living
15 Facility.

16 **3) Zoning Confirmation Letter**

17 An Applicant proposing to establish a Transitional Community Residence shall apply
18 for a Zoning Confirmation Letter pursuant to Art. 2.C.8.A.2.d, Confirmation for
19 Community Residence or Recovery Community, in order to confirm compliance with
20 Licensing, Number of Residents, and Location requirements.

21 **d. Licensing, Certification, or Charter**

22 1) A Transitional Community Residence shall be licensed or certified by one of the
23 licensing entities referenced in F.S. ~~ch §~~ 419.001, ~~ch §~~ 397.311, or ~~ch §~~ 397.487; as
24 follows:

25 a) The appropriate available license or certification that the State of Florida or Florida
26 Association of Recovery Residences, offers or requires to operate the proposed
27 Transitional Community Residence, including any provisional license or
28 certification issued prior to granting a full license or certification pursuant F.S. ~~ch §~~
29 419.001, ~~ch §~~ 397.311, or ~~ch §~~ 397.487.

30 2) An existing Type 1, or Type 2 CLF, or other facility or use that conforms to the definition
31 of Transitional Community Residence, and located in the unincorporated Palm Beach
32 County as of the effective date of Ordinance No. 2021- , that is not currently licensed
33 or certified by the State of Florida and that does not receive licensure, certification or
34 recertification from the designated State entity within one calendar year from the
35 effective date of Ordinance No. 2021- , shall not be considered a conforming use and
36 shall cease operation one calendar year from the effective date of Ordinance No. 2021-
37 or within 60- calendar days of the date on which certification, recertification, or the
38 required license is denied, whichever date comes first. The operator of the unlicensed
39 or uncertified Transitional Community Residence must return residents to their families
40 or relocate them to a safe and secure living environment.

41 3) An existing use that conforms to the definition of Transitional Community Residence,
42 and located in the unincorporated Palm Beach County that was previously licensed or
43 certified by the State of Florida, as of the effective date of Ordinance No 2021- , shall
44 provide proof of license or certificate to the Zoning Division, within one calendar year
45 from the effective date of Ordinance No 2021- . Should the operator fail to provide
46 proof of license, certificate or Charter, they shall:

47 a) Cease operation and vacate the premises within 60-calendar days and the
48 operator ~~of the~~ shall return residents to their families or relocate them to a safe and
49 secure living environment; or,

50 b) Request approval for the applicable use pursuant to adopted Ordinance.

51 4) Annual ~~Notification Renewal~~ of License, Certificate or Charter

52 The Applicant shall annually provide proof of the valid license, certification, or charter
53 pursuant to Art. 2.C.8.A.2.c. Confirmation for a Community Residence, Recovery
54 Community or Congregate Living Facility. Failure to provide proof of final licensure or
55 certification from the State of Florida, will result in revocation of the approval for the
56 use.

57 **e. Occupancy**

58 1) Residents of a Transitional Community Residence may include but are not
59 limited to:

60 a) Frail elders or other people with disabilities (F.S. ~~ch §~~ 429.65)

61 b) ~~People~~ Persons with disabilities (F.S. ~~ch §~~ 760.22 (3)(a));

62 c) Persons with development disabilities (F.S. ~~ch §~~ 393.063);

63 d) Non-dangerous person who has a mental illness (F.S. ~~ch §~~ 394.455);

64 e) A child who is found to be dependent (F.S. ~~ch §~~ 39.01 or ~~ch §~~ 984.03);

65 f) A child in need of services (F.S. ~~ch §~~ 984.03 or ~~ch §~~ 985.03);

66 g) Persons recovering from substance use disorder;

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

1 h) Staff who reside in the home of the Transitional Community Residence and play
2 an integral part of emulating a family.

3 **2) Number of Residents, including Staff that reside on the property:**

4 a) AGR, AR, RE, RT, RS Zoning Districts, Detached Units Residential Pod of a PUD,
5 or Residential Land Use Zone Pod of a TND; or, ZLL or Cottage Homes within
6 CL/CH/CHO-MUPD Zoning District.

7 (1) Maximum six residents defined pursuant to F.S. ~~ch~~§ 419.001;

8 (2) Residents not defined pursuant to F.S. ~~ch~~§ 419.001 require a Type 2 Waiver
9 to allow the use with a minimum of five and a maximum of ten residents.

10 b) IRO, UC, UI or RM Zoning District; or existing attached housing within a
11 Residential Pod of a PUD, CL/CH/CHO MUPD, Res/NC Pod of a TND, or TMD
12 Zoning District

13 (1) Minimum five and a maximum of ten; or,

14 (2) Minimum five and a maximum of 14 for residents defined pursuant to F.S. ~~ch~~
15 § 419.001.

16 **f. Location**

17 ~~A~~The Transitional Community Residence shall be located at least 660 feet or seven lots
18 whichever is greater, from another Community Residence, Recovery Community, or
19 Congregate Living Facility. The separation requirement in this Section shall be measured
20 in linear feet from property line to property line.

21 **1) Exemption**

22 Per State law, Transitional Community Residences for people with developmental
23 disabilities located in a "planned residential community" as defined by F.S. ~~ch~~§
24 419.001(1)(d), are exempt from the spacing requirements between Community
25 Residences, Recovery Communities, and Congregate Living Facilities established in
26 this Code

27 **g. Revocation**

28 An operator must provide evidence of a license or certificate prior to the expiration of the
29 12-month Zoning Confirmation Letter for Transitional Community Residence, as issued. An
30 operator, who ~~is unable to provide~~ has not received licensure or certification or where a
31 license or certification was denied, revoked, or suspended, shall not be allowed to operate
32 in PBC and the Transitional Community Residence Zoning Confirmation Letter shall
33 become null and void. An operator must notify the Zoning Director, or designee, that its
34 license, certification, or Oxford House charter has been suspended or revoked within five
35 calendar days of the operator being notified of the suspension or revocation. Such an
36 operator shall cease operation and vacate the premises within 60 calendar days and shall
37 either return residents to their families or relocate them to a safe and secure living
38 environment.

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Part 17. ULDC Art. 4.B.4.C.12, Use Regulations, Use Classification, Institutional, Public, and Civic Uses, Definitions and Supplementary Use Standards for Specific Uses, Nursing Home or Convalescent Facility (page 76 of 199, Supplement 28), is hereby amended as follows:

1 CHAPTER B USE CLASSIFICATION

2

3 Section 4 Institutional, Public, and Civic Uses

4

5 C. Definitions and Supplementary Use Standards for Specific Uses

6

7 12. Skilled Nursing Home or Convalescent Residential Treatment Facility

8 a. Definition

9 An establishment where care is offered or provided for three or more persons suffering
10 from illness, other than a contagious disease, sociopathic, or psychopathic behavior which
11 is not of sufficient severity to require Hospital attention, or for three or more persons
12 requiring further institutional care after being discharged from a Hospital, other than a
13 mental hospital. Patients usually require domiciliary care in addition to nursing care,
14 patients may require medical or psychiatric treatment for a disability, disease, or other
15 condition, in an institutional or medical setting.

16 b. Licensing

17 A Nursing Home or Convalescent Facility shall be required to be licensed by the State of
18 Florida.

19 c. Typical Uses

20 Typical uses may include, but are not limited to:

- 21 1) Addiction receiving facility;
22 2) Detoxification Treatment Facility;
23 3) Residential Treatment Facility (F.S. ch. 394 and 397) and includes inpatient treatment;
24 4) Nursing Home;
25 5) Convalescent Facility; or,
26 6) Hospice larger than a Single Family Dwelling unit.

27 d. Lot Size

28 A minimum of 10,000 square feet or the minimum requirement of the zoning district,
29 whichever is greater.

30 d. Frontage

31 A minimum of 100 feet of frontage or the minimum requirement of the zoning district.

32 e. Access

33 If located in a residential FLU designation, access shall be provided from a Collector or
34 Arterial Street.

35 f. Maximum Number of Patient Beds

- 36 1) All FLU designations except RR: One bed per 1,000 square feet of lot area.
37 2) RR FLU designation: 0.25 bed per 1,000 square feet of lot area.

38

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EXHIBIT A

COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

Part 18. ULDC Art. 5.B.1.A.19, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures, Permanent Generators (pages 34 and 35 of 106, Supplement 28), is hereby amended as follows:

1 CHAPTER B ACCESSORY USES AND STRUCTURES

2 Section 1 Supplementary Regulations

3 A. Accessory Uses and Structures

4

5 19. Permanent Generators

6 a. Applicability

7 1) Permitted Use

8 Use of permanent generators shall be permitted during periods of electrical power
9 outages in utility systems maintained by the utility service provider or when the BCC
10 declares a state of emergency. [Ord. 2006-004] [Ord. 2007-013]

11 2) ~~Type 2 and 3 CLF, Club-Houses, and Skilled Nursing or Residential Treatment~~
12 ~~Convalescent Facility~~

13 A permanent emergency generator or other alternative power source shall be required
14 for all ~~Type 2 and 3 CLFs~~ assisted living facilities, excluding personal residences
15 (owner occupied) used as an assisted living facility for five or fewer residents, Nursing
16 or Convalescent Facilities homes, intermediate care facilities for people with
17 developmental disabilities, or transitional living facilities for brain and spinal cord injury
18 patients, pursuant to F.S. ~~ch~~ § 400.492 and Rule 59A-8.027, F.A.C., and PDD or TDD
19 clubhouses 20,000 square feet, or greater. [Ord. 2006-004] [Ord. 2007-013]

20

21 b. Standards

22

23 3) ~~Type 2 and 3 CLF, PUD Club-Houses, and Skilled Nursing Homes and or~~
24 ~~Residential Treatment Facility, and Other Uses Referenced in Article~~
25 ~~5.B.1.A.19.a.2)~~

26 Required generators or alternative power source shall have a minimum operating
27 capacity to provide service for the following: [Ord. 2006-004]

28 a) Essential Functions

29 Essential electrical systems within the building, including but not limited to, exit
30 lighting, emergency lighting, elevators, fire alarm system, bathroom exhaust fans,
31 and, bathroom hot water heaters. [Ord. 2006-004]

32 b) General Lighting

33 Lighting for a minimum of 30 percent of the building's GFA, including but not limited
34 to, main meeting or gathering area, hallways, and bathrooms. [Ord. 2006-004]

35 c) Multipurpose Room

36 Air conditioning for 30 percent of the building's GFA including the largest meeting
37 or gathering room. [Ord. 2006-004]

38 d) Fuel Storage

39 Sufficient to operate the generator for the minimum of 72 hours at the full load
40 capacity. [Ord. 2006-004]

41

Part 19. ULDC Art. 5.G.1.A.2.e, Supplementary Standards, Density Bonus Programs, Workforce Housing Program (WHP), General, Applicability, Exemptions (pages 72 and 73 of 106, Supplement 28), is hereby amended as follows:

42 CHAPTER G DENSITY BONUS PROGRAMS

43 Section 1 Workforce Housing Program (WHP)

44 A. General

45 1. Purpose and Intent

46 The WHP is intended to increase the supply of housing opportunities for persons employed in PBC
47 in jobs that residents rely upon to make the community viable. The WHP implements Policies 1.1-
48 o and 1.5-g of the Housing Element of the Comprehensive Plan, among others, by establishing an
49 inclusionary WHP to provide Low, Moderate 1, Moderate 2, and Middle-Income housing. The
50 program mandates the provision of workforce housing for all new developments in the
51 Urban/Suburban Tier with a residential component of ten or more dwelling units; encourages the
52 development of additional workforce housing through a density bonus and other incentives;
53 encourages the equitable geographic distribution of workforce housing units; and, ensures a

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COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, CONGREGATE LIVING FACILITIES, AND SKILLED NURSING AND RESIDENTIAL TREATMENT FACILITIES

1 minimum affordability period. The WHP is implemented by the Planning Division of the Planning,
2 Zoning and Building Department, and the Department of Housing and Economic Sustainability.
3 **[Ord. 2019-033]**

4 **2. Applicability**

5

6 **e. Exemptions**

- 7 1) Developments utilizing the AHP. **[Ord. 2019-033]**
- 8 2) ~~All~~ Congregate Living Facilities (CLFs) **[Ord. 2019-033]**

9

Part 20. ULDC Art. 5.G.1.A.2.e, Supplementary Standards, Density Bonus Programs, Affordable Housing Program (AHP), General, Applicability, Exemptions (pages 81 and 82 of 106, Supplement 28), is hereby amended as follows:

10 **CHAPTER G DENSITY BONUS PROGRAMS**

11

12 **Section 2 Affordable Housing Program (AHP)**

13

14 **B. Applicability**

15 In cases of conflict between this Chapter and other Articles of this Code, the provisions of this
16 Chapter shall apply. The AHP shall apply to developments with a residential component of 10 or
17 more dwelling units with all units being built on site. This shall include the expansion of existing
18 projects that add 10 or more dwelling units, where the program shall apply to those units being
19 added. Requirements and limitations are further defined in Table 5.G.2.B, Affordable Housing
20 Program. **[Ord. 2009-040]**

21 **1. Exemptions**

22 Congregate ~~L~~iving ~~F~~acilities (CLFs); ~~and, nursing or convalescent facilities.~~ **[Ord. 2009-040]**

23

Part 21. ULDC Art. 5.G.2.B.1, Supplementary Standards, Density Bonus Programs, Transfer of Development of Rights (TDRs) – Special Density Program, Applicability (page 87 of 106, Supplement 28), is hereby amended as follows:

24 **CHAPTER G DENSITY BONUS PROGRAMS**

25

26 **Section 3 Transfer of Development of Rights (TDRs) – Special Density Program**

27

28 **C. Applicability**

29 This Chapter shall apply to property in unincorporated PBC which is located within designated
30 sending areas, as defined in Art. 5.G.3.F, Sending Areas. Development rights may be transferred
31 from sending areas pursuant to the procedures contained in this Chapter, to property which meets
32 the qualifications to receive such density according to Art. 5.G, Density Bonus Programs, and the
33 standards contained herein.

34
35 The use of TDR shall be allowed in all residential zoning districts within the U/S Tier and shall be
36 approved pursuant to this Chapter. TDR units may be utilized for all housing types. Additionally,
37 TDR units may be converted to CLF beds subject to the provisions of Art. 4.B.1.C.1, Congregate
38 Living Facility, whereby the total approved density, including TDR units, is utilized when calculating
39 permissible CLF occupants ~~per CLF.~~

40 **D. Previous Approvals**

41 All previously approved transfers of development rights, as long as they remain in force, shall
42 remain valid and shall not be affected nor changed by subsequent revisions to the TDR Program.

43

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Part 22. ULDC Art. 6.B.1, Parking, Loading, and Circulation, Parking and Loading, Calculation, Minimum Parking Requirements (pages 4 and 6 of 35, Supplement 28), is hereby amended as follows:

1 **CHAPTER B PARKING AND LOADING**

2 **Section 1 Calculation**

3 **A. Computing Parking Standards**

4

5 **4. Occupants**

6 When the calculation of required parking spaces is based on the number of occupants, the
7 calculation shall be based on the maximum number of persons legally residing on the premises
8 at any one time.

9

10 **B. Minimum Parking Requirements**

Table 6.B.1.B – Minimum Parking and Loading Requirements

Use Classification: Residential		Loading Standard
Congregate Living Facility, Type 1, Type 2, Type 3	0.6 spaces per unit or 0.25 per resident/bed whichever is greater; plus 1 space per 250 sq. ft. of office space	A (12)
Multifamily, Recovery Community , and Cottage Home (Multiple Units on a Single Lot)	1 space per efficiency unit; 1.75 spaces per unit (1 bedroom or more); plus 1 guest parking space per 4 units with common parking areas	N/A
Single Family, Cottage Home (Single Unit on a Single Lot), Zero Lot Line Home, Townhouse, Farm Residence, Community Residence or Mobile Home Dwelling	2 spaces per unit	N/A
Accessory Quarters, Caretaker Quarters, Groom's Quarters, Guest Cottage	1 space per unit	N/A
Farm Worker Quarters	1 space per 4 units	N/A
[Ord. 2016-042] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2018-018] [Ord. 2019-005] [Ord. 2019-034] [Ord. 2020-001] [Ord. 2020-020]		

Use Classification: Institutional, Public, and Civic		Loading Standard
....		
Skilled Nursing Home or Residential Treatment Home Convalescent Facility	1 space per 3 beds; plus 1 space per 250 sq. ft. of office space	A (12)
....		
[Ord. 2006-004] [Ord. 2006-013] [Ord. 2009-040] [Ord. 2016-042] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005] [Ord. 2020-001]		

13
14
15 **C. Parking Spaces for Persons Who Have Disabilities**

16 Pursuant to F.S. ~~ch § 553.513~~, the provision of parking spaces and passenger loading areas for
17 persons who have disabilities is governed by F.S. ~~ch § 553.511~~, ~~ch § 553.5041~~, and the current
18 effective version of the Florida Building Code, Accessibility. [Ord. 2005-002] [Ord. 2011-016] [Ord.
19 2020-001]

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Part 23. ULDC Art. 7, Landscaping (pages 12, 13, and 19 of 58, Supplement 28), is hereby amended as follows:

CHAPTER B APPLICABILITY AND APPROVAL PROCESS

....

Section 4 Type 1 Waiver for Landscaping

An Applicant may seek minor modifications to the requirements of this Article that are identified in Table 7.B.4.A, Type 1 Waivers for Landscaping. Any requirements that are not listed herein may be eligible to be modified through other applicable processes pursuant to Art. 2, Application Processes and Procedures. The Applicant shall demonstrate in the Justification Statement and provide supporting documents that Art. 2.C.5.F.3, Standards for a Type 1 Waiver, and the applicable Criteria in the following Table have been met. **[Ord. 2007-001] [Ord. 2016-042] [Ord. 2018-002]**

A. Applicability

Type 1 Waiver for Landscaping shall not be combined with other Variance requests for the same requirements. **[Ord. 2018-002]**

Table 7.B.4.A – Type 1 Waivers for Landscaping

Article/Table Reference and Title	Maximum Waiver	Criteria
R-O-W Buffer		
Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer, Canopy Tree Planting for R-O-W Buffer	Allow a reduction of 25 percentage of required Canopy trees to be located on the exterior side of the wall or fence for R-O-W Buffers.	<ul style="list-style-type: none"> Since a wall or fence is not a requirement for a R-O-W Buffer, the Applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose. The required trees shall be located on both sides of the wall or fence.
Incompatibility Buffer		
Art. 7.C.2.C.1, Elimination of Incompatibility Buffer <u>(1)</u>	Allow to eliminate the requirement of an Incompatibility Buffer for Residential Pods in a PDD or tracts within a residential subdivision.	<ul style="list-style-type: none"> The pod or tract is located adjacent to open space that is 100 feet or greater in width; or The site layout of the pod or tract will integrate recreational amenities with Multifamily units and <u>Congregate Living Facilities (CLFs)</u>.
....		
[Ord. 2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-016] [Ord. 2016-042] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-005]		
Notes:		
<u>1.</u>	Multifamily also includes Cottage Homes with <u>Multiple Units on a Single Lot</u> ; and Community Residences and Recovery Communities located in a Multifamily housing type.	

....

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS

....

Section 2 Types of Landscape Buffer

....

C. Incompatibility Buffer

An Incompatibility Buffer shall consist of Canopy trees, palms or pines, and rows of shrubs. Palms or pines may be used as a substitute for trees. In addition, an Incompatibility Buffer shall consist of a continuous, opaque landscape barrier. **[Ord. 2009-040] [Ord. 2016-016] [Ord. 2018-002]**

1. Applicability

Incompatibility Buffers shall be provided between all incompatible uses or incompatible pods in a PDD. **[Ord. 2018-002]**

a. Type 1 Waiver for Landscaping

An Incompatibility Buffer may not be required for Residential Pods of a PDD, or tracts within a residential subdivision subject to a Type 1 Waiver for Landscaping. **[Ord. 2018-002]**

2. Types and Width of Incompatibility Buffers

There are three types of Incompatibility Buffers, Types 1, 2, and 3, and shall be applied in accordance with Table 7.C.2.C, Incompatibility Buffer Types. The type of Incompatibility Buffer required shall be the most restrictive buffer type based on the use difference between adjacent uses. Where required between pods in a PDD, only one Incompatibility Buffer shall be required. **[Ord. 2016-016] [Ord. 2018-002]**

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1

Table 7.C.2.C – Incompatibility Buffer Types

Difference Between Adjacent Uses (1)			
Use Classification	Abutting	Use Classification	Required Buffer Type
Residential, Detached (4)	↔	Residential, Attached (3)	Type 1
Residential, Detached (4)	↔	Congregate Living Facility, Type 3 CLF	Type 2
Residential	↔	Commercial	Type 2
Residential	↔	Recreational	Type 2
Residential	↔	Institutional, Public, and Civic	Type 2
Residential	↔	Agricultural	Type 3
Residential	↔	Industrial	Type 3
Residential	↔	Utility (2)	Type 3
[Ord. 2008-003] [Ord. 2016-016] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-034]			
Notes:			
1.	Determination of use classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, use classification shall be based upon Future Land Use (FLU) designation. [Ord. 2018-002]		
2.	Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007] [Ord. 2018-002]		
3.	Shall also apply to Type 2 CLF. [Ord. 2018-002]		
3.	Attached Residential classification includes Multifamily, Cottage Homes with <u>Multiple Units</u> on a <u>Single Lot</u>, or Townhouse housing types. This shall also include Community Residences and Recovery Communities located in attached housing types.		
4.	Detached Residential classification includes Cottage Home on a <u>Single Lot</u>, Zero Lot Line, or Single Family housing types. This shall also include Community Residences and Congregate Living Facilities located within detached housing types.		

2
3

....

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