

ORDINANCE NO. 2025 -027

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: REVISION FOR **REASONABLE ACCOMMODATION FOR CERTIFIED RECOVERY RESIDENCES**, AMENDING ARTICLE 2 – APPLICATION PROCESSES AND PROCEDURES; 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, the BCC has determined that the proposed amendment furthers a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found this amendment 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 this amendment 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 revisions set forth in Exhibit 1, 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.

Section 3. Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability

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

1 **Section 5. Savings Clause**

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

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

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

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

11 The provisions of this Ordinance shall become effective upon filing with the Department of
12 State.

13 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach County,
14 on the 13 day of November , 2025.

15 ATTEST:

16 MICHAEL A. CARUSO, CLERK
17 & COMPTROLLER

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

18 By

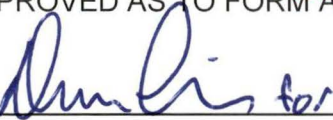
19 
 Deputy Clerk

 By


 Maria G. Marino, Mayor

20 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

21 By

22 
 Scott A. Stone, County Attorney

23 Filed with the Department of State on the 13 day of November , 2025.

EXHIBIT 1

REASONABLE ACCOMMODATION FOR CERTIFIED RECOVERY RESIDENCES

This exhibit revises the following Article(s):

ARTICLE 2 – APPLICATION PROCESSES AND PROCEDURES

Revision Key: Proposed revisions are shown with new text as underlined, deleted text in strike-out, and relocated text italicized. ~~Stricken and italicized~~ means text to be totally or partially relocated. Relocation notes are shown in brackets as [Relocated to:] or [Relocated from:]. Unaltered text omitted for brevity is indicated by a series of four bolded ellipses....

Part 1. ULDC Art. 2.B..., Application Processes and Procedures, Public Hearing Processes, Review, Resubmittal, and Certification, Exceptions; and Type of Applications, Type 2 Waiver, are hereby amended as follows:

CHAPTER B PUBLIC HEARING PROCESSES

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Section 4 Review, Resubmittal, and Certification

Review of an application shall be initiated by the DRO on the date it is deemed sufficient. The deadlines for Staff comments, Resubmittal by the Applicant, and Certification shall be indicated on the Annual Zoning Calendar. [Ord. 2018-002] [Ord. 2020-001]

A. ~~Exceptions~~ for PO Deviations

1. PO Deviations

PO Deviations shall be submitted to the Zoning Division on the Application Submittal date. Sufficiency review is completed by the DRO to ensure the request complies with Art. 2.B.7.G, Public Ownership (PO) Deviations and PPM #ZO-O-063. The Zoning Division is only responsible for ensuring the correct allowable deviations are being requested and placing the application and Staff summary on a BCC Zoning Agenda. PO Deviations, pursuant to Art. 11, Subdivision, Platting, and Required Improvements, shall be submitted directly to the County Engineer for review. [Ord. 2019-005] [Ord. 2020-001]

2. Type 2 Waiver for Community Residences or Recovery Communities

A Type 2 Waiver under Art. 2.B.7.D.5, Standards for Community Residences, Recovery Communities, or Congregate Living Facilities for a Community Residence or Recovery Community that is specifically for a certified recovery residence pursuant to F.S. ch. 397, shall be deemed certified for a public hearing upon determination of a sufficient application. If a final decision on the application is not rendered within 60-calendar days after the date of sufficiency determination, the request is deemed approved unless both parties agree in writing to a reasonable extension of time, in accordance with F.S. § 397.487.

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Section 7 Type of Applications

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D. Type 2 Waiver

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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: [Ord. 2021-022]

a. Family Community Residence or Transitional Community Residence

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b. Recovery Community or Congregate Living Facility

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c. Revocation

Pursuant to F.S. § 397.487, a DO for a Type 2 Waiver for a certified recovery residence may be revoked for cause, including, but not limited to, a violation of the Conditions of Approval or the lapse, revocation or failure to maintain certification or licensure required under F.S. ch. 397, if not reinstated within 180 days.

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 13, 2025

Michael A. Carusso
Clerk of Circuit Court
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Dear Michael A. Carusso,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2025-027, which was filed in this office on November 13, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

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Telephone: (850) 245-6270