



**PALM BEACH COUNTY
 PLANNING, ZONING AND BUILDING DEPARTMENT
 ZONING DIVISION
 POLICY AND PROCEDURE**

JON P. MACGILLIS, ASLA, ZONING DIRECTOR

**PPM # ZO-O-050
 Issued: 07/01/11
 Effective: 07/01/11**

SUBJECT: **Florida Statute 419.001 Site Selection of Community Residential Homes (CRH)**

AUTHORITY: **Article 4.B.1.C.1, Congregate Living Facility (CLF)**

PURPOSE: To establish procedures necessary to implement application(s) for Type 2 CLF, or Community Residential Homes as required by Florida Statute 419.001, until the Unified Land Development Code (ULDC) is amended to established code provisions.

GENERAL: The Statute establishes the following definitions:
***"Community residential home"** means a dwelling unit licensed to serve residents, as defined in paragraph (d), who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or a dwelling unit licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.*

***"Planned residential community"** means a local government-approved, planned unit development that is under unified control, is planned and developed as a whole, has a minimum gross lot area of 8 acres, and has amenities that are designed to serve residents with a developmental disability as defined in s. 393.063 but that shall also provide housing options for other individuals. The community shall provide choices with regard to housing arrangements, support providers, and activities. The residents' freedom of movement within and outside the community may not be restricted. For the purposes of this paragraph, local government approval must be based on criteria that include, but are not limited to, compliance with appropriate land use, zoning, and building codes. A planned residential community may contain two or more community residential homes that are contiguous to one another. A planned residential community may not be located within a 10-mile radius of any other planned residential community.*

For the purposes of Article 4 of the ULDC, Supplementary Uses, a Community Residential Home is the same as a Type 2 CLF.

PROCEDURES: In additional to the requirements of Article 4, a Type 2 CLF located within the RM Zoning District, shall comply with the following requirements. An applicant shall notify the Zoning Division of his/her intent to establish a Type 2 CLF and the notice shall include the following information:

- a. Address of subject site;
- b. Residential licensing category;
- c. Number of residents;
- d. Community support requirements for the state program;
- e. Letter from the Licensing Entity- Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, the Department of Children and Family Services, or the Agency for Health Care Administration; and
- f. A list of all Type 2 CLF's within the jurisdictional limits of the Palm Beach County.

Upon receipt of this notice, staff shall respond to the applicant within 60 days, establishing the procedures of the approval process for the Type 2 CLF. Failure to respond within the time frame, would allows an applicant to establish the CLF.

Director