

ORDINANCE NO. 2025-02-197
LIBERTY COUNTY, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, IMPLEMENTING FLORIDA SENATE BILL 954 (CHAPTER 2025-182), TO PROVIDE STREAMLINED PROCEDURES FOR THE REVIEW AND APPROVAL OF CERTIFIED RECOVERY RESIDENCES (CRRS), TO ENSURE COMPLIANCE WITH STATUTORY REQUIREMENTS, AND TO PROMOTE FAIR HOUSING AND EFFICIENT ADMINISTRATION; PROVIDING FOR DEFINITIONS; PROVIDING PROCEDURES FOR REASONABLE ACCOMMODATION; PROVIDING LIMITATIONS AND REVOCATION PROVISIONS; PROVIDING FOR ENFORCEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Senate Bill 954 (Chapter 2025-182, Laws of Florida), amending Section 397.487, Florida Statutes, to require that each county adopt an ordinance by January 1, 2026, establishing procedures for the review and approval of Certified Recovery Residences; and

WHEREAS, the Board of County Commissioners of Liberty County recognizes the importance of Certified Recovery Residences in providing housing for individuals recovering from substance use disorders and acknowledges the protections afforded by the federal Fair Housing Amendments Act and Title II of the Americans with Disabilities Act; and

WHEREAS, the Board of County Commissioners of Liberty County desires to adopt procedures that provide for the timely review of applications, ensure compliance with state and federal law, and promote fair and efficient administration; and

WHEREAS, the Board finds that adoption of this ordinance is in the best interests of the public health, safety, and welfare of the residents of Liberty County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA:

SECTION 1. PURPOSE AND AUTHORITY

This ordinance is enacted pursuant to the authority granted by Chapter 125, Florida Statutes, and Senate Bill 954 (2025), codified in Section 397.487, Florida Statutes. Its purpose is to establish uniform procedures for review, approval, and reasonable accommodation for Certified Recovery Residences (CRRs).

SECTION 2. DEFINITIONS

For purposes of this ordinance:

A. “CERTIFIED RECOVERY RESIDENCE” (CRR) MEANS A RECOVERY RESIDENCE THAT HAS OBTAINED CERTIFICATION UNDER SECTION 397.487, FLORIDA STATUTES.

B. “REASONABLE ACCOMMODATION” MEANS RELIEF FROM A LOCAL LAND USE REGULATION THAT WOULD OTHERWISE PROHIBIT OR LIMIT THE ESTABLISHMENT OF A CRR, CONSISTENT WITH STATE AND FEDERAL LAW.

C. OTHER TERMS SHALL HAVE THE MEANINGS SET FORTH IN CHAPTER 397, FLORIDA STATUTES.

SECTION 3. APPLICABILITY AND TIMELINE

This ordinance applies to all CRRs within the unincorporated areas of Liberty County. The County shall adopt this ordinance no later than January 1, 2026, as required by state law.

SECTION 4. REASONABLE ACCOMMODATION PROCEDURE

A. APPLICATIONS SHALL BE SUBMITTED TO THE LIBERTY COUNTY PLANNING AND ZONING DEPARTMENT AND DATE-STAMPED UPON RECEIPT.

B. WITHIN 30 DAYS OF RECEIPT, THE COUNTY SHALL NOTIFY THE APPLICANT IN WRITING IF ADDITIONAL INFORMATION IS REQUIRED.

C. THE APPLICANT SHALL HAVE NO LESS THAN 30 DAYS TO PROVIDE SUPPLEMENTAL INFORMATION.

D. WITHIN 60 DAYS OF RECEIPT OF A COMPLETED APPLICATION, THE COUNTY SHALL ISSUE A WRITTEN FINAL DETERMINATION APPROVING, APPROVING WITH CONDITIONS, OR DENYING THE REQUEST. A DENIAL SHALL INCLUDE OBJECTIVE, EVIDENCE-BASED REASONS AND STATE ANY REMEDIES AVAILABLE.

E. IF THE COUNTY FAILS TO ISSUE A WRITTEN DETERMINATION WITHIN 60 DAYS, THE REQUEST SHALL BE DEEMED APPROVED UNLESS THE APPLICANT AND COUNTY AGREE IN WRITING TO EXTEND THE DEADLINE.

SECTION 5. ADDITIONAL REQUIREMENTS AND LIMITATIONS

A. THE COUNTY MAY IMPOSE CONDITIONS CONSISTENT WITH FEDERAL AND STATE LAW, BUT SHALL NOT REQUIRE PUBLIC HEARINGS BEYOND THOSE REQUIRED BY LAW.

B. THIS ORDINANCE SHALL NOT OVERRIDE ANY RESTRICTIONS CONTAINED IN CONDOMINIUM DECLARATIONS, COOPERATIVE DOCUMENTS, OR HOMEOWNERS' ASSOCIATION COVENANTS.

SECTION 6. REVOCATION OF APPROVED ACCOMMODATION

A. AN APPROVED ACCOMMODATION MAY BE REVOKED FOR CAUSE, INCLUDING VIOLATION OF CONDITIONS OF APPROVAL OR LOSS OF REQUIRED CERTIFICATION OR LICENSURE.

B. REVOCATION SHALL NOT OCCUR IF CERTIFICATION OR LICENSURE IS REINSTATED WITHIN 180 DAYS.

SECTION 7. NONTRANSIENT RESIDENTIAL USE AND ZONING RELIEF

A. A CRR IS DEEMED A NONTRANSIENT RESIDENTIAL USE FOR ALL LOCAL ZONING PURPOSES.

B. CRRS SHALL BE PERMITTED IN ALL MULTIFAMILY RESIDENTIAL DISTRICTS WITHOUT REQUIRING A ZONING CHANGE, VARIANCE, SPECIAL EXCEPTION, CONDITIONAL USE, OR COMPREHENSIVE PLAN AMENDMENT.

C. LIBERTY COUNTY MAY DENY A LEVEL IV CRR IF IT IS ADJACENT TO OR BOUNDED ON TWO OR MORE SIDES BY PARCELS ZONED EXCLUSIVELY FOR SINGLE-FAMILY RESIDENTIAL USE WITHIN A SUBDIVISION OF AT LEAST 25 CONTIGUOUS HOMES.

SECTION 8. STAFFING RATIOS

FOR LEVEL IV CRRS, REQUIRED PERSONNEL-TO-RESIDENT RATIOS MUST BE MAINTAINED ONLY DURING TIMES WHEN RESIDENTS ARE PRESENT AT THE RESIDENCE.

SECTION 9. ENFORCEMENT

VIOLATIONS OF THIS ORDINANCE MAY RESULT IN ADMINISTRATIVE ACTION, INCLUDING REVOCATION OF APPROVAL OR OTHER REMEDIES AUTHORIZED BY LAW.

SECTION 10. SEVERABILITY

IF ANY PROVISION OF THIS ORDINANCE IS HELD INVALID, THE REMAINDER SHALL NOT BE AFFECTED.

SECTION 11. EFFECTIVE DATE

THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION, BUT NO LATER THAN JANUARY 1, 2026.

DULY ADOPTED in regular session this ____ day of _____, 2025.
BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY, FLORIDA

By: _____
Chair, Liberty County Board of County Commissioners

ATTEST:

Jace Ford, Clerk of Court

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Kenneth L. Hosford, County Attorney