



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: Zoning Code Text Amendments – Certified Recovery Residences
Public Hearing: Planning and Zoning Board
Date & Time: November 19, 2025; 6:00 – 9:00 p.m.
Location: City Commission Chambers, City Hall
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code by amending Section 3-200, “Principal Uses”; Section 3-201, “Group Homes, Assisted Living Facilities, and Child Care Facilities”; adding Section 3-202, “Certified Recovery Residences”; and amending Article 16, “Definitions,” to add definitions for “Adult Day Care Center,” “Certified Recovery Residence,” “Dwelling Unit,” and “Group Residential Home.” The ordinance clarifies statutory capacity and licensing requirements, establishes procedures for review and approval consistent with federal and state law, and provides for a repealer provision, severability clause, codification, and effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

The proposed ordinance establishes a regulatory framework for Certified Recovery Residences consistent with Section 397.487, Florida Statutes, as amended by Chapter 2025-182, Laws of Florida (CS/SB 954, 2025 Regular Session), the Fair Housing Amendments Act of 1988, and Title II of the Americans with Disabilities Act. Chapter 2025-182 requires that, by January 1, 2026, each county and municipality adopt procedures for review and approval of Certified Recovery Residences, including a process for requesting reasonable accommodations from local land-use regulations and provisions for revocation for cause. Certified Recovery Residences provide a family-like living environment for persons recovering from substance use disorders, offering peer support and shared accountability, but do not provide on-site medical treatment, detoxification, or clinical counseling services.

The ordinance clarifies that homes with six (6) or fewer residents are treated as single-family uses, while homes with seven (7) to fourteen (14) residents must comply with applicable state licensing, spacing, and siting requirements. Accessory services such as dining, recreation, staff offices, or limited medical support may be provided on-site. It establishes a clear process for requesting reasonable accommodations from local land-use regulations, with Planning and Zoning staff reviewing applications and the City Manager or designee issuing a determination within sixty (60) days, considering whether the request is reasonable, imposes an undue burden, or fundamentally alters zoning policies. Reasonable

accommodation approvals may be revoked if the residence loses certification, violates conditions, or ceases operation for more than 180 consecutive days, with notice and an opportunity to cure.

The ordinance also adds definitions for “Certified Recovery Residence,” “Group Residential Home,” “Dwelling Unit,” and “Adult Day Care Center” to align local code with state law. In developing these provisions, Planning and Zoning staff reviewed practices from other jurisdictions, including the Town of Orchid, Town of Cutler Bay and Seminole County, to inform best practices. This framework ensures compliance with state licensing requirements, federal anti-discrimination protections, and City Code provisions while providing a fair and consistent review process for Certified Recovery Residences.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided in ~~striketrough~~/underline format.

SECTION 3-200. Principal Uses.

SECTION 3-201. General to Group Residential Homes, Assisted Living Facilities (ALF), and Child Care Facilities

Each Group Residential Home, ~~or~~ Assisted Living Facility, ~~or~~ Child Care Facility shall comply ~~be in conformance~~ with all applicable provisions of the Florida Building Code, the Miami-Dade County Health Code, ~~appropriate~~ applicable state licensing agencies, and standards and regulations of any other agency or department which has authority over facilities of this type. For purposes of this Section, Community Residential Homes shall have the meaning provided in Chapter 419, Florida Statutes. Homes with six (6) or fewer residents shall be treated as single-family residential uses consistent with state law, while homes with seven (7) to fourteen (14) residents shall comply with applicable state licensing, spacing, and siting requirements. All group residential homes shall operate as the functional equivalent of a family. Accessory services customarily associated with residential care, such as dining, recreation, staff offices, or limited medical support areas, may be provided on-site. Where applicable, siting and review of such homes shall be conducted in accordance with Chapter 419, Florida Statutes.

Section 3-202. Certified Recovery Residences.

A. Purpose.

The purpose of this section is to establish procedures for the review and approval of Certified Recovery Residences, as defined in Section 397.311(5), Florida Statutes, consistent with Section 397.487, Florida Statutes, the federal Fair Housing Amendments Act (42 U.S.C. § 3601 et seq.), and Title II of the Americans with Disabilities Act (42 U.S.C. § 12131 et seq.). The intent of this section is to provide a fair, consistent, and efficient process for the consideration of reasonable accommodation requests related to the establishment of certified recovery residences, while ensuring compliance with applicable codes and the protection of public health, safety, and welfare.

B. Establishment of a Certified Recovery Residence.

A certified recovery residence may be established within the City subject to compliance with applicable provisions of the City Code, the Florida Building Code, and other laws and regulations of competent jurisdiction. Where these regulations may hinder the establishment of a certified recovery residence, a reasonable accommodation may be requested pursuant to this section.

- C. Filing a reasonable accommodation request to establish a certified recovery residence.
1. A request for a reasonable accommodation from any provision of the City's land-development regulations that may hinder the establishment of a certified recovery residence shall be made in writing to the Planning and Zoning Division and shall include:
 - a. The name and contact information of the applicant making the request. If the applicant is not the certified recovery residence administrator who will be actively managing the recovery residence, his/her name, contact information, and a copy of his/her certification must also be provided. If the applicant is not the owner of the property where the reasonable accommodation is being requested, then the contact information for the owner must be included.
 - b. The location where reasonable accommodation is requested, including the address and parcel identification number.
 - c. A description of the accommodation needed, identifying the ordinances, rules, or policies for which the applicant needs reasonable accommodation, and why it is necessary.
 - d. Certification stating the following: "I certify, under penalty of perjury, that the information provided in this request is true and correct. I understand that if I knowingly provide false information with this request, my request shall become null and void."
 - e. Any additional information or documentation the applicant feels is necessary to support the request for reasonable accommodation.
 - f. The signature of the applicant and date.
 2. The application shall not include information or records specific to any individual resident's medical history, diagnosis, or treatment.
 3. The City shall acknowledge receipt of a complete application and may request additional information within thirty (30) days. The applicant shall provide any requested information within thirty (30) days thereafter.
- D. Review and Determination.
1. The Planning and Zoning Division shall review the completed request and prepare a written recommendation to the City Manager or designee, who shall issue a determination within sixty (60) days of receiving a complete application. The determination shall consider:
 - a. Whether the requested accommodation is reasonable and necessary to afford equal housing opportunity;
 - b. Whether the accommodation would impose an undue financial or administrative burden on the City; and
 - c. Whether the accommodation would require a fundamental alteration of the City's zoning or land-use policies.
 - d. The City Manager or designee may consult with appropriate departments or external professionals and may conduct a site visit if deemed necessary.
 - e. The determination shall be in writing and shall state the basis for approval, conditional approval, or denial. The written determination shall also advise the applicant of the right to appeal.
- E. Fees.
1. There shall be no fee imposed by the City in connection with a request for reasonable accommodation or any subsequent reconsideration of such request.

2. The City shall have no obligation to pay a requesting party's attorney's fees or costs in connection with a request for reasonable accommodation.
3. The City Commission may by resolution establish a reasonable fee to recover administrative costs associated with processing requests under this section, provided such fee does not exceed the actual costs incurred and does not serve as a barrier to equal housing opportunity.

F. General Provisions.

1. An applicant may apply for a reasonable accommodation on their own behalf or may be represented at any stage of the process by an attorney, legal guardian, or other authorized representative designated in writing.
2. The granting of a reasonable accommodation shall not relieve the applicant from complying with all other applicable permitting, licensing, or code requirements not subject to the approved accommodation.
3. The approval of a reasonable accommodation is specific to the applicant and the property for which it is granted and does not automatically run with the land or transfer to subsequent owners, unless expressly stated in the approval.
4. A granted reasonable accommodation does not exempt the applicant or operator from compliance with any applicable federal, state, or local law, including Chapter 397, Florida Statutes.
5. Nothing in this section shall be construed to diminish or enlarge the rights of any person under the federal Fair Housing Amendments Act of 1988 or Title II of the Americans with Disabilities Act.
6. A certified recovery residence that ceases operation for more than one hundred eighty (180) consecutive days shall be deemed to have abandoned its reasonable accommodation approval.
7. Certified recovery residences and other family-like group homes housing six (6) or fewer residents are deemed single-family uses for the purposes of local zoning pursuant to § 419.001(2), Florida Statutes. Larger facilities may be permitted only where authorized by these regulations through a reasonable-accommodation approval under subsection (C).

G. Revocation.

1. The City may revoke or modify an approved reasonable accommodation if:
 - a. The certified recovery residence fails to maintain the certification required by Section 397.487, Florida Statutes, and such certification is not reinstated within one hundred eighty (180) days; or
 - b. The operator violates a condition of approval or operates the residence in a manner inconsistent with the approved application.
2. Prior to revocation or modification, the City shall provide written notice of the proposed action to the property owner and operator at least thirty (30) days in advance, stating the reason for the proposed action and affording the opportunity to cure the deficiency.
3. If the violation or lapse is not cured within the time specified in the notice, the reasonable accommodation shall be deemed revoked.
4. Revocation or modification of an approved reasonable accommodation shall constitute final administrative action of the City.

Section 3-2023. Assisted Living Facilities.

Section 3-2034. Childcare Facilities.

Section 3-204~~5~~. Family day-care home.

Section 3-205~~6~~. Bed and breakfast establishments.

Section 3-206~~7~~. Home office.

Section 3-207~~8~~. Heliport and helistops.

Section 3-208~~9~~. Automobile Service Stations Minimum requirements.

Section 3- 209~~10~~. Live work minimum requirements.

* * *

ARTICLE 16. DEFINITIONS

Adult Day Care Center means a nonresidential facility, as defined in Section 429.901, Florida Statutes, that provides daytime health, social, and support services for adults for less than twenty-four (24) hours in a protective setting. An adult day care center may operate as a freestanding facility or as a program within a hospital, nursing home, or assisted living facility, provided that no overnight stay or residential occupancy occurs. Such facilities shall be licensed and surveyed by the State of Florida in accordance with Chapter 58A-6, Florida Administrative Code.

* * *

Certified Recovery Residence means a dwelling unit or structure certified pursuant to § 397.487, Florida Statutes, that provides a family-like living environment for persons recovering from substance use disorders and that offers peer support and shared accountability to maintain sobriety. Such residences do not provide on-site medical treatment, detoxification, or clinical counseling services. A certified recovery residence may house no more than six (6) residents, excluding on-site staff, unless approved through the reasonable-accommodation process set forth in Section 3-202(C). For zoning purposes, a certified recovery residence shall be considered a family-like residential use, consistent with § 419.001(2), Florida Statutes, and is not subject to the limitation on unrelated persons in the general Family definition in this Code.

* * *

Dwelling unit means a building or portion of a building providing independent living facilities for one (1) family including provision for living, sleeping and complete kitchen facilities.

* * *

Group Home (Institutional) means ~~any building or part thereof~~ a residential care facility, whether operated for profit or not, ~~that is which~~ undertaken through its ownership or management to provide, for a period exceeding twenty-four (24) hours, services to individuals who require such services. Residents ~~of group homes~~ shall include individuals who are elderly, developmentally disabled, physically disabled, or dependent children. This classification does but shall not include facilities housing individuals under correctional supervision who are violent, criminal or dangerously mentally ill.

* * *

Group Residential Home means a dwelling unit licensed or certified by the State of Florida that provides a residential living environment for unrelated individuals who function as the equivalent of a family. Such uses include, but are not limited to, community residential homes, foster care facilities, assisted living facilities, or similar residential care settings. Homes with a licensed capacity of six (6) or fewer residents shall be treated as single-family residential uses consistent with state law, while homes with seven (7) to fourteen (14) residents shall comply with applicable licensing and review requirements pursuant to Chapter 419, Florida Statutes. Accessory services customarily associated with residential care, such as dining areas, recreation rooms, staff offices, or limited medical support spaces, may be provided on-site. Where a facility is licensed under another statutory chapter, including Chapter 393, Florida Statutes, the applicable state standards for capacity and operation shall govern.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	11.19.25
City Commission – 1 st Reading	TBD
City Commission – 2 nd Reading	TBD

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	11.07.25
Posted agenda and Staff report on City web page/City Hall	11.14.25

5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land Zoning Code unless the text amendment:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The proposed amendment establishes clear procedures for Certified Recovery Residences, supporting state-licensed care operations and safe, family-like living environments.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment clarifies and regulates existing residential care uses; no prohibited uses are introduced.

c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	Residential capacities are defined by state law and reasonable accommodation provisions; no increase in density beyond legal limits.
d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	Reasonable accommodations are administrative and do not impact public infrastructure levels.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment supports housing equity, community health, and welfare goals; aligns with state and federal requirements for persons with disabilities and recovery support.

Staff finds that all five of these criteria are **satisfied**.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

Please visit the City's webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
Assistant Director of Development Services
for Planning and Zoning
City of Coral Gables, Florida