

*Board of County Commissioners*

**Senate Bill 954 Reasonable Accommodation  
Chapter 38 Zoning Code Amendments  
Public Hearing**

**December 2, 2025**



# Presentation Outline

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- Background
- Senate Bill 954 Requirements
- Proposed Chapter 38 Amendments
- Requested Action

- **Senate Bill 954**
  - Effective on July 1, 2025
  - Amends Section 397.487 of Florida Statutes (Substance Abuse Services)
  - Requires jurisdictions to adopt an ordinance to establish procedures for the review and approval of reasonable accommodation requests for “certified recovery residences” by January 1, 2026



# Background

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- **Recovery Residence or “Sober living facility”**
  - Individuals live together as a family and receive off-site treatment for substance abuse disorders
  - Provide housing to a protected class
    - All residents are considered to have a disability under the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA)
  - Local jurisdictions are limited in how they regulate
  - Commonly located in single-family homes/neighborhoods

- Certified Recovery Residence

- A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator
- Certification encouraged by the State, but not mandatory
- Certification is conducted through the Florida Association of Recovery Residences (FARR)
  - FARR is the sole organization that certifies recovery residences in Florida



# Background

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## ■ Reasonable Accommodation Requests

– A request for reasonable accommodation can cover a variety of circumstances

- Recovery Residences

- Address how the residents of a recovery residence are a family despite not meeting the code definition
- Allow a greater number of unrelated people to dwell together in a single home than would otherwise be permitted by code

- Emotional Support Animals

- Allow for types of animals to be located on a property where they may not otherwise be permitted by code

- Development Standard Variances

- Allow for development that would otherwise require a variance, such as a wheelchair ramp that encroaches into a required setback

## ▪ Reasonable Accommodation Requests

### – Current process (not codified)

- Cover Letter - nature and purpose of the reasonable accommodation(s)
- Additional supporting documentation such as:
  - Floor plan
  - A letter from a health care practitioner and proof of compliance with state and local requirements for licensing and vaccinating each emotional support animal.
- Review the request with the County Attorney's office for compliance with the FHA and ADA
- Zoning Manager issues a letter approving or denying the request



## Senate Bill 954

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- **Requires the County to adopt an ordinance establishing procedures for the review and approval of reasonable accommodations**
  - Addresses certified recovery residences only
  - Must establish a written application process
  - May not require public hearings beyond what is required by law
  - Requires consistency with the Fair Housing Amendments Act (FHAA) and the ADA





# Proposed Chapter 38 Amendments

- Amend Section 38-1403
  - Add a reasonable accommodation process
  - Includes recovery residences, emotional support animals, and any other requests for reasonable accommodations
  - Requires certification or equivalent documentation for recovery residences
  - Prohibits fees associated with request or appeal
  - Establishes an appeal process
    - Board of Zoning Adjustment
      - Public hearing
- Process would largely follow our existing unofficial process



- **November 20, 2025 - Planning and Zoning Commission hearing**
  - The ordinance was recommended for approval unanimously with no changes



## Next Steps

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- January 1, 2026 – Effective Date of Ordinance



## Requested Action

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- Make a finding of consistency with the Comprehensive Plan;
- Approve and adopt an Ordinance affecting the use of land in Orange County, Florida by amending Chapter 38 (“Zoning”); and Providing an Effective Date. All Districts;
- Allow staff to correct any non-substantial grammatical or scrivener's errors and to include the ordinance number and effective date