



DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION

I. Item Description:

City-initiated Zoning Text Amendment (ZTA) to Chapter 16 (Zoning Regulations), to establish procedures for processing requests for reasonable accommodation in accordance with state law; update all references from “Code Enforcement Division” to “Code Compliance Division”; and to provide for other corrections throughout the Code for consistency.

Project Manager: Linda Louie, AICP, Zoning Administrator

II. Background:

In 2025, the Florida Legislature amended Section 397.487, Florida Statutes (F.S.), requiring each county and municipality to adopt an ordinance that establishes a process and procedures to review and approve requests for reasonable accommodation, including those associated with certified recovery residences. The statute requires a 30-day timeframe for the City to review applications for completeness, a 60-day timeframe to issue a final written determination once an application is deemed complete, a deemed-approved provision if no timely decision is issued, and limits on public hearings beyond the minimum necessary to grant the accommodation.

The local process must be consistent with the Fair Housing Amendments Act (FHA) and the Americans with Disabilities Act (ADA) to ensure equal housing opportunity for persons with disabilities. The legislation focuses primarily on reasonable accommodations for certified recovery residences; however, the applicability of this amendment is to cover all qualifying requests for reasonable accommodation consistent with the FHA and ADA. Community residences continue to be governed separately under Section 419.001, F.S., which establishes statewide siting standards and local review procedures for those uses. This ZTA addresses the separate statutory mandate for reasonable accommodation procedures under Section 397.487, F.S. The draft language was prepared with assistance from legal to ensure compliance with the requirements of Section 397.487, Florida Statutes.

In addition to creating the reasonable accommodation procedures, this ZTA also updates terminology throughout Chapter 16 by replacing all references to the “Code Enforcement Division” with “Code Compliance Division” to reflect the current organizational structure and ensure consistency across the Code.

III. Staff Analysis:

Staff reviewed both state and federal requirements related to reasonable accommodations, including Section 397.487, F.S., the Fair Housing Amendments Act (FHA), and the Americans with Disabilities Act (ADA). The proposed text amendment is consistent with these requirements

and formalizes a clear, legally compliant process for evaluating accommodation requests. Under the proposed language, and to the extent for ensuring compliance with state law, staff must review applications for completeness within 30 days of submittal and issue a final written determination within 60 days of a complete application. The amendment also establishes an internal appeal mechanism, maintains confidentiality of disability-related information, and authorizes revocation or modification for cause, including the loss of state certification or failure to comply with the conditions of approval.

The proposed amendment simplifies administration, protects the City from potential liability, and strengthens consistency in how the City manages reasonable accommodation requests, ensuring alignment with Section 397.487, F.S.

Development Review Committee (DRC) Staff Comments:

The proposed amendment was reviewed by the DRC and was recommended for approval.

IV. Zoning Text Amendment Criteria:

Per Section 16-154(b) of the city's Zoning Regulations, staff has analyzed the proposed text amendment in relation to each applicable criteria for approval. Staff's analysis of the criteria, to be considered by the Planning and Zoning Board (PZB) and the City Council, is provided below:

A. The need and justification for these changes:

The proposed ZTA is necessary to implement 2025 legislative changes to Section 397.487, F.S. and to codify a predictable process consistent with the statute, the Fair Housing Amendments Act (FHA), and the Americans with Disabilities Act (ADA).

B. The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.

The proposed text amendment furthers the City's Comprehensive Plan objectives related to fair housing access, public health, safety, welfare, and efficient administration of land development regulations. This advances fair housing access and predictable administration through the zoning regulations.

V. Staff Recommendation:

Approval of ZTA-25-06.

PLANNING & ZONING BOARD – November 13, 2025

The proposed text amendment was presented to the Planning and Zoning Board on November 13, 2025. A motion was made by Board Member Hayes and seconded by Board Member Edmundson, by a vote of five (5) to zero (0) to proceed with Zoning Text Amendment **ZTA-25-06**.

CITY COUNCIL ACTION First Reading – December 1, 2025

The City Council, on a motion made by Council Member Diaz and seconded by Council Member Tharp, by a vote of five (5) to zero (0), approved Zoning Text Amendment **ZTA-25-06** (*Chapter 16, Reasonable Accommodations*) on First Reading, through Ordinance **2025-14**, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – January 5, 2026
