

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** January 6, 2026

**DEPARTMENT:** Community Sustainability

**TITLE:**

Ordinance No. 2025-24 - Second Reading – amending multiple sections of Chapter 23 “Land Development Regulations” related to recovery residences

**SUMMARY:**

The proposed ordinance updates the City’s Land Development Regulations to (1) revise the definition of “recovery residence” to match the definition adopted in the Florida Statutes, and (2) amend the City’s reasonable accommodation procedures to comply with Sections 397.487(15) and (16), Florida Statutes. These targeted changes ensure the City meets the January 1, 2026 statutory deadline for adopting a compliant review process for recovery residences. No other amendments are included at this time; broader revisions previously contemplated will be brought forward after the conclusion of the current legislative session.

**BACKGROUND AND JUSTIFICATION:**

The Planning and Zoning Board and the Historic Resources Preservation Board reviewed an earlier draft of the proposed changes that included revisions to additional sections in the Land Development Regulations that are not included in the version being presented to the Commission.

The **Planning & Zoning Board (PZB)** unanimously voted to recommend approval of the proposed text amendment at their meeting on November 5, 2025.

The **Historic Resources Preservation Board (HRPB)** voted 4-1 to recommend approval at its meeting on November 12, 2025, with a suggested modification to increase the required separation distance from 1,000 feet to 2,000 feet.

The proposed Ordinance that the Commission is considering includes fewer amendments to the Land Development Regulations than what was reviewed by the advisory boards. However, the amendments being considered by the Commission were part of what was reviewed and recommended by the advisory boards, with the exception of the definition of “recovery residences” which has been revised to match the statutory definition.

The Fair Housing Act, Americans with Disabilities Act, and Rehabilitation Act require local governments to provide reasonable accommodations that allow individuals with disabilities an equal opportunity to use and enjoy housing. In addition, recent amendments to Section 397.487(15), Florida Statutes, require municipalities to adopt specific procedures for reviewing certified recovery residences, including a process for reasonable accommodation requests, by January 1, 2026.

Although the City of Lake Worth Beach already maintains a reasonable accommodation process in its Land Development Regulations, statutory changes necessitate updates to ensure legal compliance. To address these requirements, staff has prepared an ordinance limited to two essential components:

1. A revised definition of “recovery residence” that mirrors the terminology and scope of the Florida Statutes; and
2. Updates to the reasonable accommodation procedures, including application requirements, timelines, certification expectations for recovery residences, criteria for approval or denial, procedures for additional information requests, abandonment of incomplete applications, and provisions for enforcement stays and revocation.

These focused amendments are being advanced now to maintain compliance with state law. All other previously drafted revisions have been deferred until after the current legislative session to ensure consistency with any new statutory directives.

The Ordinance passed unanimously 4-0 on first reading at the December 2, 2025 commission meeting.

**MOTION:**

Move to approve/disapprove Ordinance 2025-24 amending multiple sections of Chapter 23 “Land Development Regulations” related to recovery residences.

**ATTACHMENT(S):**

Ordinance 2025-24  
PZB/HRPB Staff Report