

Zoning District	Section Reference	Uses Permitted	Code Provisions
RS-1	Sec.24-41	Residential Single Family District	Permitted use of a dwelling, single family provided that: (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
RS-2	Sec.24-42	Residential Single-Family District	Permitted use of a dwelling, single family provided that: (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
RS-3	Sec.24-43	Residential Single-Family District	Permitted use of a dwelling, single family provided that : (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
RS-4	Sec.24-44	Residential Single-Family District	Permitted use of a dwelling, single family provided that: (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
RM-19	Sec.24-45	Residential Low-Rise Multifamily (Medium Density) District	Community residential home as defined in Article II and with a review process in conformance with Chapter 89-372 FAS provided that: (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
RM-23	Sec.24-48	Residential Mid-Rise Multifamily (High Density) District	Community residential home as defined in Article II and with a review process in conformance with Chapter 89-372 FAS  Community Care Facility (as defined in Article II), provided that: (a) There is proximity to bus lines; (b) There is no existing community care facility within one thousand (1,000) feet; (c) The facility is licensed by DCF; (d) The clients either meet the requirements of a community residential home or are at least (60) years of age  Parking Space Requirement for Community Care Facilities: 1 space for each 3 beds
RM-32	Sec.24-49	Residential High-Rise Multifamily (High Density) District	Community residential home as defined in Article II and with a review process in conformance with Chapter 89-372 FAS provided that: (a) such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents as stated in F.S.S. 419.001 (2)
CF	Sec.24-55	Community Facility District	Community Care Facility (as defined in Article II)  Parking Space Requirement for Community Care Facilities: 1 space for each 3 beds

Zoning Definitions	
<b>Community Care Facilities</b>	Adult congregate living facilities, nursing homes, community residential homes with more than fourteen (14) residents, convalescent homes and similar facilities; must be licensed by Florida Department of Children and Families
<b>Community Residential Home</b>	A dwelling unit licensed to serve clients of the Florida Department of Children and Families, which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to: children, the aged, physically disabled, handicapped, developmentally disabled, and mentally ill who do not constitute a direct threat to the health, property and safety of the neighborhood.
<b>Dwelling, Single Family</b>	A building containing one (1) dwelling unit or a group home. The latter is a dwelling unit licensed to serve clients of the Florida Department of Children and Families which provides a living environment for six (6) or less unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of residents. The clients are limited to: children, the aged, physically disabled, handicapped, developmentally disabled and mentally ill who do not constitute a direct threat to the health, property and safety of the neighborhood.

Florida State Statute Reference	Statuary Descriptions
<b>S. 393.063, F.S.</b>	<p>"Group home facility" means a residential facility which provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility shall be at least 4 but not more than 15 residents. For the purposes of this chapter, group home facilities shall not be considered commercial enterprises.</p> <p>(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents. Such homes with six or fewer residents shall not be required to comply with the notification provisions of this section; provided that, prior to licensure, the sponsoring agency provides the local government with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the local government in which the proposed site is to be located in order to show that no other community residential home is within a radius of 1,000 feet of the proposed home with six or fewer residents. At the time of home occupancy, the sponsoring agency must notify the local government that the home is licensed by the licensing entity.</p>

Zoning District	Section Reference	Uses Permitted	Code Provisions
			<p>(3) (a) When a site for a community residential home has been selected by a sponsoring agency in an area zoned for multifamily, the agency shall notify the chief executive officer of the local government in writing and include in such notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the licensing entity indicating the licensing status of the proposed community residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of the clients in the home. The sponsoring agency shall also provide to the local government the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the local government in which the proposed site is to be located. The local government shall review the notification of the sponsoring agency in accordance with the zoning ordinance of the jurisdiction.</p> <p>(3) (b) Pursuant to such review, the local government may:</p> <ol style="list-style-type: none"> <li>1. Determine that the siting of the community residential home is in accordance with local zoning and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected.</li> <li>2. Fail to respond within 60 days. If the local government fails to respond within such time, the sponsoring agency may establish the home at the site selected.</li> <li>3. Deny the siting of the home.</li> </ol> <p>(3) (c) The local government shall not deny the siting of a community residential home unless the local government establishes that the siting of the home at the site selected:</p> <ol style="list-style-type: none"> <li>1. Does not otherwise conform to existing zoning regulations applicable to other multifamily uses in the area.</li> <li>2. Does not meet applicable licensing criteria established and determined by the licensing entity, including requirements that the home be located to assure the safe care and supervision of all clients in the home.</li> <li>3. Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of 1,200 feet of another existing community residential home in a multifamily zone shall be an overconcentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.</li> </ol> <p>(4) Community residential homes, including homes of six or fewer residents which would otherwise meet the definition of a community residential home, which are located within a planned residential community are not subject to the proximity requirements of this section and may be contiguous to each other. A planned residential community must comply with the applicable local government's land development code and other local ordinances. A local government may not impose proximity limitations between homes within a planned residential community if such limitations are based solely on the types of residents anticipated to be living in the community.</p> <p>(5) All distance requirements in this section shall be measured from the nearest point of the existing home or area of single-family zoning to the nearest point of the proposed home.</p> <p>(6) If agreed to by both the local government and the sponsoring agency, a conflict may be resolved through informal mediation. The local government shall arrange for the services of an independent mediator or may utilize the dispute resolution process established by a regional planning council pursuant to s. <a href="#">186.509</a>. Mediation shall be concluded within 45 days of a request therefor. The resolution of any issue through the mediation process shall not alter any person's right to a judicial determination of any issue if that person is entitled to such a determination under statutory or common law.</p> <p>(7) The licensing entity shall not issue a license to a sponsoring agency for operation of a community residential home if the sponsoring agency does not notify the local government of its intention to establish a program, as required by subsection (3). A license issued without compliance with the provisions of this section shall be considered null and void, and continued operation of the home may be enjoined.</p> <p>(8) A dwelling unit housing a community residential home established pursuant to this section shall be subject to the same local laws and ordinances applicable to other noncommercial, residential family units in the area in which it is established.</p> <p>(9) Nothing in this section shall be deemed to affect the authority of any community residential home lawfully established prior to October 1, 1989, to continue to operate</p> <p>(10) Nothing in this section shall permit persons to occupy a community residential home who would constitute a direct threat to the health and safety of other persons or whose residency would result in substantial physical damage to the property of others.</p> <p>(11) The siting of community residential homes in areas zoned for single family shall be governed by local zoning ordinances. Nothing in this section prohibits a local government from authorizing the development of community residential homes in areas zoned for single family.</p> <p>(12) Nothing in this section requires any local government to adopt a new ordinance if it has in place an ordinance governing the placement of community residential homes that meet the criteria of this section. State law on community residential homes controls over local ordinances, but nothing in this section prohibits a local government from adopting more liberal standards for siting such homes.</p>
	<b>Rule Chapter 65G-2.012 of the Administrative Code</b>	Group Home Facility Standards	
	<b>Chapter 393.067</b>	Chapter 393.067 has additional information regarding the provision of residential services to individuals with developmental disabilities.	
	<b>Development 65G-2.001</b>	The proposed rule amendment revises, clarifies, and streamlines the provisions of rule Chapter 65G-2, F.A.C., related to licensure of foster care facilities, group home facilities, residential habilitation centers, and comprehensive transitional education programs for persons with developmental disabilities	

Note: Please be advice that the Zoning Definitions listed above are defined in Chapter XXIV of the Zoning and Land Development Code for the City of North Miami Beach. In addition to the Zoning and Land Development Code, all applicants are required to oblige to all the state regulatory licensed-agency standards that are listed in the Florida State Statute regarding Group Home Facilities as defined in S. 393.063, F.S. and F.S.S. section 419.001