

## ORDINANCE NO. 09-2025

### AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, CREATING A NEW ARTICLE IX (CERTIFIED RECOVERY RESIDENCES) OF CHAPTER 50 (ADMINISTRATION) OF THE LAND DEVELOPMENT CODE CONCERNING THE REVIEW AND APPROVAL OF CERTIFIED RECOVERY RESIDENCES; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

**WHEREAS**, the Florida Legislature has found that a person suffering from addiction has a higher success rate of achieving long-lasting sobriety when given the opportunity to build a stronger foundation by living in a recovery residence while receiving treatment or after completing treatment; and

**WHEREAS**, the Florida Legislature has passed SB 954, which the Governor has signed into law, thus creating Chapter 2025-182, amending Chapter 397, Florida Statutes, pertaining to the certification of recovery residences; and

**WHEREAS**, the new version of Florida Statute § 397.487(15)(a) provides the following:

By January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence.

and

**WHEREAS**, this new statutory language necessitates revisions to the City's Land Development Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA,  
HEREBY ORDAINS:**

**Section 1.** That the Land Development Code, City of Seminole, Florida, is hereby amended by adding an article to be numbered as follows: Article IX. – Certified Recovery Residences, of Chapter 50, which said article shall read as follows:

#### **ARTICLE IX. – CERTIFIED RECOVERY RESIDENCES**

##### **Sec. 50-312. – Review and approval of certified recovery residences.**

(a) *Purpose.* The purpose of this section is to implement a procedure for processing, reviewing, and approving certified recovery residences within the City and requests for reasonable accommodations from any City land use regulation that serves to prohibit the establishment of a certified recovery residence, as the same is defined by Chapter 397, Florida Statutes.

(b) *Application.*

(1) *Submittal.* A request by an applicant for the approval of a certified recovery residence, or for reasonable accommodation from any of the City's land use regulations that serve to prohibit the establishment of a certified recovery residence, shall be submitted by the applicant, in writing, to the City's Community Development Department on a form prescribed by the City's Community Development Department. Upon receipt of the applicant's application, the City shall date-stamp the application and, if additional information is required, notify the applicant in writing within thirty (30) days after receipt of the application and allow the applicant at least thirty (30) days to respond.

(2) *Final Determination.* If the establishment of a certified recovery residence complies and is consistent with the City's Land Development Code and other applicable law, approval of the application shall be rendered administratively by the Director of Community Development. In the event the applicant requests reasonable accommodation from any of the City's land use regulations, a final determination on the application shall be issued by the City Council in accordance with the terms set forth in this Section. In either event, a final determination on the application shall be issued within sixty (60) days after receipt of the completed application. If a final determination is not issued within sixty (60) days after receipt of the completed application, the request is deemed approved, unless the applicant and the City agree, in writing, to a reasonable extension of time. The final determination must:

- (i) Approve the request in whole or in part, with or without conditions; or
- (ii) Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

(3) *Application Contents.* An application submitted pursuant to this Section must include, at minimum, the following information:

- (i) The name and contact information of the applicant or the applicant's authorized representative;
- (ii) The property address and parcel identification number; and
- (iii) A description of the accommodation requested and the specific regulation or policy from which relief is sought.
- (iv) Any other information requested on the application form provided by the City's Community Development Department.

(4) *Findings for Reasonable Accommodations.* In determining whether the reasonable accommodation request shall be granted or denied, the applicant shall be required to establish:

- (i) The property that is the subject of the request for a reasonable accommodation will be used as a certified recovery residence pursuant to Chapter 397, Florida Statutes;
- (ii) The requested accommodation is necessary to establish the property as a certified recovery residence;
- (iii) The applicant agrees to adhere to the requirements set forth in Chapter 397, Florida Statutes, throughout the use of the property as a certified recovery residence.

(c) *Revocation of Reasonable Accommodations.* Any reasonable accommodation received shall be deemed revoked if the applicant or the property upon which the reasonable accommodation is granted is found, by a court of law or by the special magistrate, to have violated a condition of approval or if the certification or licensure required under Chapter 397, Florida Statutes, for the certified recovery residence lapses, is revoked, or otherwise fails to be maintained and the certification or licensure is not reinstated within 180 days of the date of lapse, revocation, or other means of expiration.

**Section 2.** For purposes of codification of any existing section of the City of Seminole code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**Section 3.** If any section, subsection, sentence, clause, provision, or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Council would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**Section 4.** The Codifier shall codify the substantive amendments to the City of Seminole Land Development Code contained in Section 1 of this Ordinance as provided for therein and shall not codify the exordial clauses or any other sections not designated for codification.

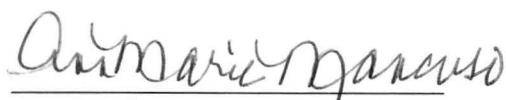
**Section 5.** Pursuant to Florida Statutes § 166.041(5), this Ordinance shall take effect immediately upon adoption.

APPROVED ON FIRST READING: December 02, 2025

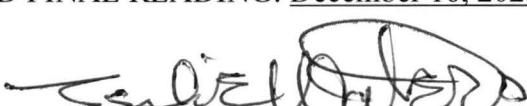
PUBLISHED: December 03, 2025

PASSED AND ADOPTED ON SECOND AND FINAL READING: December 16, 2025.

ATTEST:

  
Ann Marie Mancuso

Ann Marie Mancuso, City Clerk

  
Leslie Waters, Mayor

  
Approved as to form:

Jay Daigneault  
City Attorney