



MARTIN COUNTY, FLORIDA
GROWTH MANAGEMENT DEPARTMENT
STAFF REPORT

Text Amendment

Article 28, Reasonable Accommodation Procedures

General Ordinances

Application Information

REQUEST NUMBER:	GEN 25-01, Certified Recovery Residences	
Report Issuance Date:	March 27, 2026	
APPLICANT:	Board of County Commissioners (BCC) 2401 SE Monterey Road Stuart, FL 34996	
REPRESENTED BY:	Paul Schilling, Growth Management Department Director	
PLANNER-IN-CHARGE:	Amy Offenbach, Planner Growth Management Department	
PUBLIC HEARINGS:	Board of County Commission Adoption	5/5/2026

Applicant Request

This is a request to amend the text of Chapter 21, Building and Housing Regulations, Part 2, Property Maintenance Code, Article 28, Reasonable Accommodation Procedures, General Ordinances, Martin County Code, regarding Certified Recovery Residences (CRRs). The amendment must be done to comply with Section 397.487, Florida Statutes, which is included as an attachment to this report. A description and analysis of the proposed text amendments can be found in Sections 1 and 2 of this report.

Staff Recommendation

Staff recommends approval of the proposed text amendments to Chapter 21, Part 2, Article 28, General Ordinances, Martin County Code, regarding Certified Recovery Residences.

Executive Summary

Martin County provides Reasonable Accommodation Procedures in accordance with the federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) and/or the Americans with Disabilities Act (42 U.S.C. Section 12131, et seq.). A Reasonable Accommodation (RA) is an exception to any County ordinances, rules, policies, practices, procedures, or services to afford persons with disabilities equal opportunity to use and enjoy property or services. The existing County RA procedures, codified in Sections 21.270-21.279, General Ordinances, Martin County Code, include provisions with specific timeframes to make accommodations for all types of RA requests. Examples of such requests may include, but are not limited to, keeping emotional support animals, not otherwise permitted, on a property; housing more than five unrelated persons, limited by the definition of “Family”, in a single housekeeping unit; or exceeding the permitted density of a specific zoning district to provide transitional housing for persons in recovery from addiction.

On July 1, 2025, the State Legislature mandated that each governing body shall establish specific procedures for the review and approval of CRRs which must include a process for requesting reasonable accommodations. The procedures for making reasonable accommodations specifically for CRRs must comply with the minimum requirements of F.S. 397.487(15), which are different from the existing County RA procedures. Therefore, staff has proposed text amendments to Article 28, Reasonable Accommodation Procedures, General Ordinances, Martin County Code, to incorporate the minimum Statutory requirements for reasonable accommodation procedures specifically involving a CRR.

Section 1. Proposed Text Amendments

The following list describes the proposed changes to the Reasonable Accommodation Procedures found in Chapter 21, Part 2, Article 28, General Ordinances, Martin County Code. The full text of the affected sections, including the strike and underline, are presented as Exhibits within the draft Ordinance attached at the end of this report.

- **Section 21.271.A. Applicability.** This section will be updated to indicate the sections that apply to Certified Recovery Residences verses all other RA requests.
- **Section 21.271.B. Application.** This section will be updated to incorporate the minimum information required for all other reasonable accommodation application

forms. This section will also reference a publicly available application for a reasonable accommodation involving a CRR.

- **Section 21.279. Reasonable accommodation request form.** The form in this section is inadequate and will be stricken. An updated application will be posted on the county website and made available at the Growth Management Department. A separate application will be created specifically for reasonable accommodations involving a CRR that will be posted on the county website and made available at the Growth Management Department.
- **Section 21.279. Certified Recovery Residences.** This section will be added to include specific RA procedures involving a CRR that are consistent with the minimum statutory requirements of Section 397.487(15), Florida Statutes.

Section 2. Staff Analysis

The Legislature finds that persons suffering from addiction have higher success rates of achieving long-lasting sobriety when living in a recovery residence and intends to protect these persons who represent a vulnerable consumer population in need of adequate housing. Section 397.311, Florida Statutes, which is attached to this report, provides the following definitions.

- *“Certificate of compliance” means a certificate that is issued by a credentialing entity to a recovery residence or a recovery residence administrator.*
- *“Certified recovery residence” means a recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator.*
- *“Certified recovery residence administrator” means a recovery residence administrator who holds a valid certificate of compliance.*

Section 397.487, Florida Statutes, lists the requirements and procedures for certification, inspection and oversight of CRRs which are to be carried out by a credentialing entity approved by the Department of Children and Families (DCF). As of the date of this report, the only entity that is approved by the DCF to certify recovery residences is the Florida Association of Recovery Residences (FARR). A FARR certification is voluntary and based on National Alliance for Recovery (NARR) standards which set a framework of four levels of support. These four levels of CRRs are outlined under Section 397.311(5), Florida Statutes. The levels of a CRR are supportive in nature and no licensable services are provided at the residence. Additionally, the definition of “Family” found in Section 3.3, Land Development Regulations

(LDR), Martin County Code, allows up to five unrelated people to live in a single housekeeping unit. Therefore, five or less unrelated persons living together in a recovery residence, either with or without a FARR certification, are permitted as a single housekeeping unit in any type of dwelling unit located in unincorporated Martin County without the need for administrative approval. A CRR housing more than five unrelated people living together as a single housekeeping unit, would require a reasonable accommodation that is compliant with the minimum requirements of Section 397.487(15), Florida Statutes. These requirements are different from the existing County RA procedures. Therefore, a text amendment to the existing Reasonable Accommodation Procedures outlined in Chapter 21, Part 2, Article 28, General Ordinances, Martin County Code, is necessary to comply with the requirements of State Statutes.

Conclusion

Based on staff's analysis of the subject matter, staff recommends approval of the proposed amendments to Chapter 21, Part 2, Article 28, General Ordinances, Martin County Code, which are consistent with Florida Statutes.

Attachments

- Draft Ordinance including proposed text amendments indicated by strike and underline.
- Section 397.487, Florida Statutes, Substance Abuse Services, Voluntary certification of recovery residences.
- Section 397.311, Florida Statutes, Substance Abuse Services, Definitions.