



**CITY OF PORT ST. LUCIE**  
CITY ATTORNEY

January 24, 2018

**VIA U.S. MAIL**

The Honorable Bill Nelson  
716 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Bill Nelson:

We proudly represent the people of Florida's Treasure Coast as mayors, city council members and county commissioners. As you know, the Treasure Coast has a population of nearly 650,000 people living in Indian River County, Martin County, Okeechobee County, and St. Lucie County. We are writing to you as a representative of part of the Treasure Coast regarding the opioid crises and recovery residences.

The United States is experiencing an opioid crises claiming over 59,000 lives in 2016 alone. This crisis is particularly severe in Florida. As elected local representatives in the Treasure Coast, we recognize that this crises has not only tragic human costs but also a staggering financial cost to local governments. It is therefore appreciated that the Centers for Disease Control and Prevention declared a national opioid epidemic and President Trump directed the Department of Health and Human Services to declare the opioid crisis a public health emergency.

Against this backdrop, we appreciate that recovery residences are a crucial part of the recovery process for those who are disabled as a result of a drug or alcohol addiction. We recognize that such residences provide a life-saving service to many who are addicted to opioids. We, in the Treasure Coast, are wholly supportive of recovery residences that provide these individuals the ability to integrate back into the social fabric of our communities.

As the opioid crises has worsened the need for recovery residences has understandably increased. However as recovery residences have proliferated, local governments in the Treasure Coast have been faced with new and uncharted challenges particularly with regard to implementing the Fair Housing Act alongside local zoning. This situation has not been ameliorated by the fact that not all recovery residences are run by altruistic individuals.

We appreciate that the Department of Housing and Urban Development and the Department of Justice produced a new Joint Statement addressing State and Local Land Use Laws and Practices and the Application of the Fair Housing Act in 2016. However, it is inadequate in a number of areas of concern to local government. For example, while the Joint Statement makes reference

that the Fair Housing Act does not prevent local government from taking into account concerns about over-concentration of recovery residences, it does not provide sufficient guidance.

The Joint Statement goes on to note that “[b]ecause an across-the-board spacing requirement may discriminate against persons with disabilities in some residential areas, any standards that state or local governments adopt should evaluate the location of group homes for persons with disabilities on a case-by-case basis.” That places local governments in an impossible position.

We would welcome the opportunity to discuss this matter with you further so that you can relay our concerns, and those of your constituents, to the Department of Housing and Urban Development and the Department of Justice in an effort to receive further clarification.

Thank you,