

ORDINANCE 2021- 54

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, TO AMEND THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES REGARDING AMENDMENTS TO THE WORKFORCE HOUSING ZONING DESIGNATION; AMENDING THE LAND USE ELEMENT AND HOUSING ELEMENT; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, POLICY A.1.11.1.M TO REMOVE THE MAXIMUM SALES PRICE FOR THE WORKFORCE HOUSING ZONING DISTRICT AND DEFER TO THE SALES PRICE MAXIMUM ESTABLISHED IN THE LAND DEVELOPMENT CODE PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

**WHEREAS**, Chapter 125 and 163, Florida Statutes, provide for the Board of County Commissioners to prepare, implement, and enforce Comprehensive Plans and Land Development regulations for the control of development within the County;

**WHEREAS**, Section 163.3184 and 163.3187 Florida Statutes provide for the process for the adoption of Comprehensive Plan amendments:

**WHEREAS**, local land development regulations require evaluation and revision to address public health, safety and welfare issues that may occur during the implementation of land development regulations; and

**WHEREAS**, in 2020, St. Johns County created a new Workforce Housing zoning district that provides new regulations and a density increase applicable to the Residential-B, Residential-C, Residential-D, and Mixed Use Future Land Use designations; and

**WHEREAS**, flexible design standards and additional density were provided for in the Workforce House Zoning district in consideration that the applicant dedicate a minimum of forty (40) percent of the overall units at a maximum sales price of two-hundred and ten thousand dollars (\$210,000); and

**WHEREAS**, due to a recent increase in construction costs and materials it has become unfeasible for the development community to provide single family homes at the maximum sales price of two-hundred and ten thousand dollars (\$210,000); and

**WHEREAS**, on March 2, 2021 at a regularly scheduled public hearing the St. Johns County Board of County Commissioners directed staff to increase the maximum sales price to two-hundred and forty thousand dollars (\$240,000); and

**WHEREAS**, the St. Johns County Board of County Commissioners directed staff to remove the numerical figure from the Comprehensive Plan and Land Development Code and

replace it with a metric/formula that would better reflect any increase and decrease in development costs annually per annum; and

**WHEREAS**, the Florida Housing Finance Corporation (FHFC) using United States Department of Housing and Urban Development (HUD) figures, determines the Annual Median Income (AMI) for St. Johns County and defines income eligibility in terms of AMI adjusted for family size; and

**WHEREAS**, HUD has provided several income limits and has defined them as Extremely Low income, Very Low income, Low income, and Moderate income; and

**WHEREAS**, as a general rule of thumb, HUD determines that the income eligible household is said to be living in affordable housing when they spend no more than thirty-percent (30%) their income on mortgage payments; and

**WHEREAS**, the increase in the maximum sales price of the Workforce Housing dwelling units would be considered affordable for households that currently fall within the Moderate income category, which ranges from 80% to 120% of AMI.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:**

**SECTION 1.** The Land Use Element, Goal A, and Goal C, of the St. Johns County Comprehensive Plan is amended to change, revise, and add new Goals, Objectives, and Policies as described and shown on the attached as **Exhibit A**, incorporated herein as part of this Ordinance.

**SECTION 2.** The 2025 Comprehensive Plan amendment described in Section 1 is based upon the following Findings of Fact:

- (a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
- (b) The amendment is consistent with the Northeast Florida Strategic Regional Policy Plan.
- (c) The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

**SECTION 3.** The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended and the 2025 Future Land Use Map, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

**SECTION 4.** Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be

deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

**SECTION 5.** These amendments to the St. Johns County Comprehensive Plan shall be effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely, challenged, within 30 days after adoption, the amendment does not become effective until the state land planning agency or Administration Commission enters a final order determining the adopted amendment to be in compliance.


**SECTION 6.** This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

**PASSED AND ENACTED** by the Board of County Commissioners of St. Johns County, Florida, this 17<sup>th</sup> day of August, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

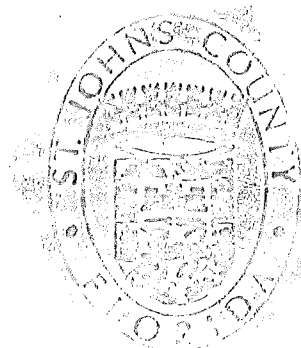
By:   
Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit Court and Comptroller

By:   
Deputy Clerk

Rendition Date: AUG 18 2021

Effective Date: SEP 17 2021



**Exhibit A – Policy A “Land Use Element”**

POLICY A.1.11.1.(m)

\*\*\*\*\*

(m) **Residential** shall mean single-family or multi-family dwelling units appropriate to the residential densities as designated on the Future Land Use Map along with uses supportive or complimentary to residential. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Residential uses at the applicable density established by density zone as depicted on the Future Land Use Map and further defined below, together with permitted accessory uses. Nothing in this provision shall be construed to guarantee the achievement of the maximum density for any specific proposed development including the provision of any bonus or incentive that may be applicable pursuant to the Plan. The actual density achieved by a proposed development shall be established and controlled, within the maximums provided by this provision, through the application of applicable Plan policies and implementing land development regulations, and concurrency management regulations. These additional controls may restrict the density of a proposed development to less than the maximum provided for in this provision. Density shall be determined on a site specific basis considering design, compatibility, infrastructure, site characteristics and other similar considerations, which may limit density appropriate to the site.
- Cultural/Institutional;
- Outdoor/Passive;
- Neighborhood Public Service;
- Public or private elementary schools, middle schools, and high schools;
- In Density Zone “A” and “B” designations, Neighborhood Commercial uses, approved pursuant to the Planned Development land development regulations may be appropriate on a size and scale compatible with the surrounding residential area, and further governed through Future Land Use Element Policies A.1.3.7, A.1.3.8, A.1.3.9, A.1.3.10, A.1.3.11 and A.1.11.2;
- In Density Zone “C” and “D” designations, Neighborhood Commercial and Community Commercial uses, approved pursuant to the Planned Development land development regulations may be appropriate on a size and scale compatible with the surrounding residential area, and

further governed through Future Land Use Element Policies A.1.3.7, A.1.3.8, A.1.3.9, A.1.3.10, A.1.3.11 and A.1.11.2;

- In the West Augustine Overlay District, Neighborhood and Community Commercial uses may be provided in Residential Land Use designations as permitted by zoning designation and Overlay District regulations.
- In the Workforce Housing Zoning District, at least forty percent (40%) of all residential units constructed must be dedicated as Workforce Housing. The initial sale between the builder/developer and the initial third party purchaser must not exceed a set maximum sales price, as determined on an annual basis in accordance with a methodology established in the Land Development Code, as evidenced by recordation of a deed conveying title from the builder/developer to the initial buyer, two hundred and ten thousand dollars (\$210,000) as evidenced by recordation of a deed conveying title from the builder/developer to the initial buyer. Upon completion of the initial buyer's purchase of the property the restriction will automatically terminate. This zoning category is implemented through provisions outlined within the Land Development Code Article V, Part 5.11.00.
- In Density Zone "D" designation, hotels, motels and club facilities, together with ancillary commercial uses may be appropriate, when not incompatible with surrounding residential uses; and
- Agriculture uses, and agricultural support services and facilities may be appropriate when not incompatible with surrounding residential uses.

(1) Maximum Residential Density Zones for the Mainland Area are established as follows (units/acre):

MAINLAND AREA	A	B	C	D
<b>Base Density (per net acre)</b>	1.0	2.0	2.0	4.0
<b>Variable Density Factors</b>				
Planned Development Approval (PUD)	-	-	2.0	4.0
Central Water	-	-	1.0*	2.5*
Central Sewer	-	-	1.0*	2.5*
West Augustine Overlay District				4.0**
<b>Maximum Density (Base + Variable)</b>	1.0	2.0	6.0	13.0

<b>WORKFORCE HOUSING ZONING DISTRICT</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Base Density (per net acre)</b>	1.0	2.0	2.0	4.0
<b>Variable Density Factors</b>				
Central Water	-	-	1.0*	2.5*
Central Sewer	-	-	1.0*	2.5*
Workforce Housing Zoning District ***	-	4.0	2.0	4.0
<b>Maximum Density (Base + Variable)</b>	1.0	6.0	6.0	13.0
<b>HASTINGS OVERLAY DISTRICT</b>				
<b>Base Density (per net acre)</b>	1.0	2.0	4.0	8.0
<b>Variable Density Factors</b>				
High Density Hastings Manor (Hastings Overlay District; See Policy A.1.11.1.m.8.(cc))	-	-	-	4.0
<b>Maximum Density (Base + Variable)</b>	1.0	2.0	4.0	12.0

\* *Required for Development Approval*

\*\* *In lieu of PUD Variable Density Factor*

\*\*\* In the Workforce Housing Zoning District density is provided to those properties that maintain a Future Land Use designation of Residential-B (Res-B), Residential-C (Res-C), Residential-D (Res-D), and Mixed Use (MU). Additional density provided for projects that encumber more than forty percent (40%) of their units with a deed restriction limiting the price of the unit to a set maximum sales price \$210,000, as determined on an annual basis in accordance with a methodology established in the Land Development Code, upon completion of the initial buyers purchase of the property from the builder/developer.

(2) Maximum Residential Density Zones for the Coastal Area are established as follows (units/acre):

<b>COASTAL AREA</b>	A	B	C	D
<b>Base Density (per net acre)</b>	0.4	2.0	2.0	4.0
<b>Variable Density Factors</b>				
Planned Development Approval (PUD)	-	-	-	2.0
Central Water	0.6	*	1.0*	1.0*
Central Sewer	-	*	1.0*	1.0*
<b>Maximum Density (Base + Variable)</b>	1.0	2.0	4.0	8.0
<b>WORKFORCE HOUSING ZONING DISTRICT</b>	A	B	C	D
<b>Base Density (per net acre)</b>	1.0	2.0	2.0	4.0
<b>Variable Density Factors</b>				
Central Water	-	-	1.0*	2.5*
Central Sewer	-	-	1.0*	2.5*
Workforce Housing Zoning District ***	-	4.0	2.0	4.0
<b>Maximum Density (Base + Variable)</b>	1.0	6.0	6.0	13.0

*\*Required for Development Approval*

- (3) Density permitted by the applicable Density Zones shall be allocated only to the net acreage proposed for development. Net acreage is defined as the total acreage of the site proposed for development less St. Johns River Water Management District or Florida Department of Environmental Protection jurisdictional wetlands, or lands designated Conservation contained within the site. Except as provided pursuant to the Optional Density Factors, wetlands shall not be assigned density.
- (4) All new development on parcels equal to or greater than ten (10) acres in size that requires a zoning change in the Density Zone "A", "B", "C", or "D" designations shall be required to apply for development approval pursuant to the County's Planned Development land development regulations.
- (5) All new development in the Density Zone "C" or "D" designations shall be required to provide central water and sewer service for the proposed development except for residential development that is projected to generate less than four (4) Equivalent Residential Connections, or non-



residential development that is projected to generate less than 500 gallons per day demand of potable water or sanitary sewer service.

- (6) All development within the Coastal Area shall connect to central sewer as provided by Florida Statutes and County Land Development Code.
- (7) Optional Density Factors shall be provided to encourage protection of natural resources and to encourage specific types of development. Application of these Optional Density Factors shall be as provided in the County land development regulations. Developments within the Workforce Housing Zoning designation shall not utilize the Optional Density Factors. Optional Density Factors are established as follows:

<b>OPTIONAL DENSITY FACTORS</b>	<b>Units/Acre</b>
Public Beach Access	2
Public Beach Parking	4
Dedication of Land for Public Benefit	2
Preservation of Open Space East of SR A1A	1
Preservation of Open Space West of SR 13	1
Preservation of Uplands Adjacent to Contiguous Wetlands	2
Dedication of Uplands Adjacent to State-Owned Navigable Waters for Public Benefit with Public Access and Parking	4
Mitigation of an Existing Non-conforming or Incompatible Land Use	2
Traditional Neighborhood Development or Green Development*	2
Wetlands Preservation	See Note 1
Affordable Housing	See Note 2

*\*Subject to approval through the Planned Development land development regulations*

**Notes:**

1. A density bonus shall be permitted equal to the lesser of: (a) ten percent (10%) of the wetland acreage preserved, or (b) ten percent (10%) of the upland acreage proposed for development, multiplied by the density permitted by the applicable residential density zone. The preservation of the wetland acreage, which is the basis for the calculation of the Wetland Preservation Factor,

shall be by conservation easement, deed restriction, or other written evidence acceptable to the County.

2. For each unit of affordable housing provided within a development, one additional unit of market rate housing shall be permitted, up to a maximum overall density increase (including affordable units) of one (1) unit per net acre in Density Zone "A" and "B" designations, and two (2) units per net acre in Density Zone "C" and "D" designations.
3. Traditional Neighborhood and Green Development projects subject to approval through the Planned Development land development regulations. Green Development shall mean certified or designated developments by a Florida or nationally recognized organization acknowledged by St. Johns County.
4. Optional Density Factors do not apply to development within the Workforce Housing Zoning designation.

SJC GROWTH MANAGEMENT  
4040 LEWIS SPEEDWAY  
ST. AUGUSTINE, FL 32084

ACCT: 15628  
AD# 0003361819-01  
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA LEGAL AD DISPLAY in the matter of PZA- CPA WORKFORCE HOUSING was published in said newspaper on 07/01/2021.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

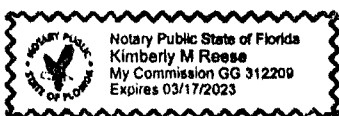
Sworn to (or affirmed) and subscribed before me by means of

physical presence or  
 online notarization

this \_\_\_\_\_ day of JULY 01 2021

by Melissa Rhinehart who is personally known to me or who has produced as identification

Kimberly M Reese  
(Signature of Notary Public)



# NOTICE OF PUBLIC HEARINGS OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING & ZONING AGENCY ON ESTABLISHMENT OF ORDINANCE/REGULATIONS AFFECTING THE USE OF LAND

NOTICE IS HEREBY GIVEN that public hearings will be held to consider adoption of the following proposed ordinance at regular meetings, as follows:

Planning & Zoning Agency  
Thursday, July 15, 2021, at 1:30 p.m.

Board of County Commissioners  
Tuesday, August 17, 2021 @ 9:00 a.m.

All public hearings will be held in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, TO AMEND THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES REGARDING AMENDMENTS TO THE WORKFORCE HOUSING ZONING DESIGNATION; AMENDING THE LAND USE ELEMENT AND HOUSING ELEMENT; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, POLICY A.1.11.1.M TO REMOVE THE MAXIMUM SALES PRICE FOR THE WORKFORCE HOUSING ZONING DISTRICT AND DEFER TO THE SALES PRICE MAXIMUM ESTABLISHED IN THE LAND DEVELOPMENT CODE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

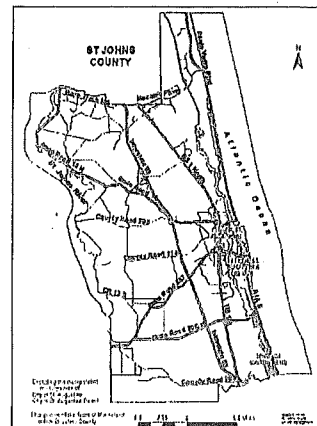
The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by parties interested prior to said public hearings. Please take note that the proposed ordinance is subject to revision prior to hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact the ADA Coordinator at (904) 209-0650 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

PLANNING AND ZONING AGENCY BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA  
GREG MATOVINA, CHAIR JEREMIAH R. BLOCKER, CHAIR

File Number: WORKFORCE HOUSING - COMPREHENSIVE PLAN AMENDMENT (ADOPTION)





## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

August 20, 2021

Honorable Brandon Patty  
Clerk of Courts  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2021-54, which was filed in this office on August 20, 2021.

Sincerely,

Anya Grosenbaugh  
Program Administrator

AG/lb

AUG 20 2021  
FILED  
ST. JOHNS COUNTY  
CLERK OF COURT  
BY Yvonne King  
DEPUTY CLERK