

ORDINANCE NO. 2023-19

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; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, POLICY A.1.11.1.M TO AMEND THE MINIMUM PERCENTAGE OF OWNER OCCUPIED UNITS REQUIRED FOR THE WORKFORCE HOUSING ZONING DISTRICT AS 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 Housing zoning district in consideration that the applicant dedicate a minimum of forty (40) percent of the overall units at a maximum sales price, as determined on an annual basis in accordance with methodology established in the Land Development Code; and

WHEREAS, on October 18, 2022 at a regularly scheduled public hearing the St. Johns County Board of County Commissioners acknowledged factors, such as increased construction and materials costs, creating difficulty for developers to produce Workforce Housing units; and

WHEREAS, the St. Johns County Board of County Commissioners directed staff to reduce the percentage of owner occupied units required for the Workforce Housing zoning district to thirty (30) percent; and

WHEREAS, these regulations are intended to encourage the development of workforce housing units by assisting the development community in making these units economically viable for purchase; and

WHEREAS, these regulations are intended to encourage the development of housing units that are affordable to those persons with household incomes in the low to moderate range based on the current Annual Median Income (AMI) in St. Johns County; and

WHEREAS, this Ordinance serves the public health, safety and welfare of the citizens of St. Johns County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

SECTION 1. The Land Use Element, Goal A, 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 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. 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 the 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 5. 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 6th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Rendition Date JUN 06 2023

By: 
Christian Whitehurst, Chair

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

By: 
Deputy Clerk

Effective Date: JUL 10 2023



EXHIBIT A

Objective A.1.11 Provision of Efficient, Compact Development

The County shall encourage an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development.

Policies

A.1.11.1 The land use designations, as depicted on the Future Land Use Map, shall permit the following land uses:

- (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 thirty percent (30%) of all residential units constructed must be dedicated as Workforce Housing. 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
Base Density (per net acre)	1.0	2.0	2.0	4.0
Variable Density Factors				
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**
Maximum Density (Base + Variable)	1.0	2.0	6.0	13.0
WORKFORCE HOUSING ZONING DISTRICT	A	B	C	D
Base Density (per net acre)	1.0	2.0	2.0	4.0
Variable Density Factors				
Central Water	-	-	1.0*	2.5*
Central Sewer	-	-	1.0*	2.5*
Workforce Housing Zoning District ***	-	4.0	2.0	4.0
Maximum Density (Base + Variable)	1.0	6.0	6.0	13.0
HASTINGS OVERLAY DISTRICT				
Base Density (per net acre)	1.0	2.0	4.0	8.0
Variable Density Factors				
High Density Hastings Manor (Hastings Overlay District; See Policy A.1.11.1.m.8.(cc))	-	-	-	4.0
Maximum Density (Base + Variable)	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 is provided for projects that encumber a minimum of thirty percent (30%) of their units as Workforce Housing in accordance with a methodology established in the Land Development Code.

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

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

OPTIONAL DENSITY FACTORS	Units/Acre
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
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**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.

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PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marie Colee
Cheri Ng
Sjc Growth Management
4040 Lewis Speedway, St.

Augustine FL 32804

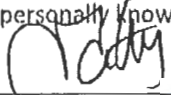
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Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

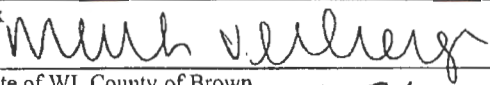
05/17/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/17/2023



Legal Clerk



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NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED COMPREHENSIVE PLAN AMENDMENT OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners on Tuesday, 6/6/2023 at 9:00 a.m., will hold a public hearing, as follows: to adopt the proposed Comprehensive Plan text amendment of the 2025 Comprehensive Plan, with the following styled ordinance:

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; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, POLICY A.1.11.1.M TO AMEND THE MINIMUM PERCENTAGE OF OWNER OCCUPIED UNITS REQUIRED FOR THE WORKFORCE HOUSING ZONING DISTRICT AS ESTABLISHED IN THE LAND DEVELOPMENT CODE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding any or all of the proposed amendment. Board of County Commissioner Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The proposed change is a Comprehensive Plan text amendment amending the required minimum percentage of Workforce Housing units in the Workforce Housing Zoning designation, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or 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.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or visit St. Johns County Facilities Management at 2416 Dobbs Road, 32086. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA CHAIR	CHRISTIAN WHITFURST CHAIR

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PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Cheri Ng
Cheri Ng
Sjc Growth Management
4040 Lewis Speedway, St.

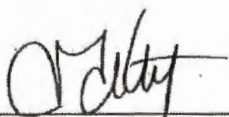
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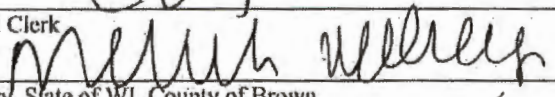
STATE OF FLORIDA, COUNTY OF ST JOHNS

The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

03/13/2023

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Sworn to and subscribed before on 03/13/2023



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State of Wisconsin



NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED COMPREHENSIVE PLAN AMENDMENT OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 4/6/2023 at 1:30 p.m. and the St. Johns County Board of County Commissioners on Tuesday, 5/2/2023 at 9:00 a.m., will each hold public hearings, as follows: The Planning and Zoning Agency to consider and issue a recommendation on the adoption of a proposed Comprehensive Plan text amendment of the 2025 Comprehensive Plan and the Board of County Commissioners will consider whether or not to adopt the same proposed Comprehensive Plan text amendment of the 2025 Comprehensive Plan, with the following styled ordinance:

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; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, POLICY A.1.11.1.M TO AMEND THE MINIMUM PERCENTAGE OF OWNER OCCUPIED UNITS REQUIRED FOR THE WORKFORCE HOUSING ZONING DISTRICT AS ESTABLISHED IN THE LAND DEVELOPMENT CODE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

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The proposed change is a Comprehensive Plan text amendment amending the minimum percentage required of Workforce Housing units in the Workforce Housing Zoning designation, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

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PLANNING AND ZONING AGENCY	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR	CHRISTIAN WHITEHURST, CHAIR



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 7, 2023

FILED JUN 07 2023
St. Johns County
Clerk of Court

By: *Crystal Smith*
Deputy Clerk

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

Attention: Crystal Smith

Dear Honorable Brandon Patty,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2023-19, which was filed in this office on June 7, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh