

RESOLUTION NO. 2021- 553

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ACCEPT THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) 2021 INCENTIVE REVIEW AND RECOMMENDATION ANNUAL REPORT REQUIRED BY FLORIDA STATE STATUTE.

WHEREAS, St. Johns County is the recipient of State Housing Initiative Partnership (SHIP) funds for the construction, acquisition, and preservation of affordable housing; and

WHEREAS, Section 420.9706 requires recipients of SHIP funds to establish an Affordable Housing Advisory Committee (AHAC) and to submit an Annual Report to recommend monetary and nonmonetary incentives as part of an affordable housing incentive plan; and

WHEREAS, County Ordinance 2008-29 established the St. Johns County Affordable Housing Advisory Committee; and

WHEREAS, the AHAC Committee conducted two public meetings on 11/17/21 and 12/21/21 to consider incentives and impediments to the construction, acquisition, and preservation of affordable housing; and

WHEREAS, the AHAC Committee completed and recommended the Affordable Housing Advisory Committee 2021 Incentive Review and Recommendation Annual Report; and

WHEREAS, participation in the SHIP Program and the recipient of housing trust fund grants for the construction, acquisition, and preservation of affordable housing serves a public purpose and is in the best interest of St Johns County residents.

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

Section 1. The above recitals are incorporated by reference into the body of this resolution and such recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby accepts the attached Affordable Housing Advisory Committee 2021 Incentive Review and Recommendation Annual Report.

Section 3. To the extent that there are typographical or administrative errors or omissions that do not change the tone, tenor, or context of this resolution, this resolution may be revised without subsequent approval of the Board of County Commissioners.

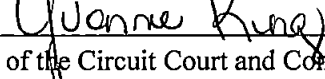
Section 4. This resolution shall become effective immediately upon adoption.

21st PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County this
day of December 2021.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY

By: 
Henry Dean, Chair

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

By: 
Clerk of the Circuit Court and Comptroller

Rendition Date: DEC 22 2021



**Affordable Housing Advisory Committee
Report to Board of St. Johns County Commissioners
SHIP Affordable Housing Incentive Strategies**



Date:
12/21/2021

Prepared by:
The County Staff of Housing & Community Development and Growth
Management Departments, in conjunction with:
St. Johns County Affordable Housing Advisory Committee

Submitted To:
Florida Housing Finance Corporation

BACKGROUND

As a recipient of State Housing Initiative Partnership (SHIP) funds, the St. Johns County Board of County Commissioners (BCC) established an affordable housing advisory committee in 1993 as required by the Florida Statute section 420.9076. The Affordable Housing Advisory Committee (AHAC) is responsible for reviewing policies, land development regulations, the Comprehensive Plan Policy, and other aspects of the County's policies and procedures that affect the cost of housing. In addition, the AHAC is responsible for making recommendations to encourage affordable housing.

The AHAC is required to submit an incentive report every year. The report includes recommendations by the Committee, as well as comments on the implementation of incentives for at least the following eleven distinct areas:

- The processing of approvals of development orders or permits, as defined in s.163.3164 (7) And (8), for affordable housing projects is expedited to a greater degree than other projects.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- The allowance of flexibility in densities for affordable housing.
- The reservation of infrastructure capacity for housing for very low-income persons, low-income persons, and moderate-income persons.
- The allowance of affordable accessory residential units in residential zoning districts.
- The reduction of parking and setback requirements for affordable housing.
- The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- The modification of street requirements for affordable housing.
- The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- The support of development near transportation hubs and major employment centers and mixed-use developments.

Committee Composition

The County Commission appointed and re-appointed members to the Committee on the dates below. Section 420.907 of the Florida Statutes lists the categories from which committee members must be selected. There must be at least eight committee members with representation from at least six of the following categories:

- Citizen actively engaged in the residential home building industry in connection with affordable housing.
- Citizen actively engaged in the banking or mortgage banking industry in connection with

- affordable housing.
- Citizen Representative of those areas of labor actively engaged in home building in connection with affordable housing.
 - Citizen actively engaged as an advocate for low-income persons in connection with affordable housing.
 - Citizen actively engaged as a for-profit provider of affordable housing.
 - Citizen actively engaged as a not-for-profit provider of affordable housing.
 - Citizen actively engaged as a real estate professional in connection with affordable housing.
 - Citizen actively serving on the local planning agency pursuant to s.163.3174.
 - Citizen residing within the jurisdiction of the local governing body making the appointments.
 - Citizen who represents employers within the jurisdiction.
 - Citizen who represents essential services personnel, as defined in the local housing assistance plan
 - Locally elected official

The appointed AHAC Committee members are included here, along with their category affiliation

Name	Category Represented	Date Appointed
1 Hayes, Trace A.	Citizen engaged in Banking or Mortgage Banking Industry	11/20/2018
2 Mansur, Alexander	Citizen actively engaged in areas of labor in home building.	02/20/2018
3 O'Donnell, Michael	Housing Finance Authority Chair/Citizen actively engaged as an advocate for low-income persons	09/24/2020
4 Maxwell, Harry	Citizen actively engaged as a for-profit for affordable housing	08/17/2021
5 Lazar, Bill	Citizen actively engaged as a not-for-profit provider of affordable housing.	08/17/2021
6 Vierck, Karl F.	Citizen actively engaged as a Real Estate Professional	08/17/2021
7 McCormick, William	Citizen actively serving on a local planning agency	06/01/2021
8 Ladrido, Steven	Citizen representing employers within St. Johns County	03/16/2021
9 Braxton Jr., Jay	St. Johns County Resident	06/02/2020
10 Coronado, Brittany	Citizen representing essential services personnel	03/16/2021
11 Vacant	Citizen engaged in Residential Home Building Industry	
12 Dean, Henry	Locally elected official	

AFFORDABLE HOUSING INCENTIVES

Staff presented the latest affordable housing practices and recommendations on incentives. Each of the affordable housing incentives recommended by the State were thoroughly examined and discussed with AHAC members. This plan is a result of the recommendations from the AHAC and meetings held with county staff to determine the feasibility of the recommendations. If approved by the St. Johns County Board of County Commissioners, the recommendations will be used to amend the Local Housing Assistance Plan (LHAP) and/or the local Comprehensive Plan-Housing Element.

MODIFICATION OF IMPACT FEES

Meeting Synopsis:

- On modestly priced housing, (under \$250,000) utility and impact fees can account for almost 10% of the building costs and financed over a 30-year mortgage can cost as much as the fees themselves. If developers are not able to build and finance rental property with lower rents because of the financing costs for impact, school, and connection fees. The challenge is creating a way to eliminate the impact of these fees on the development of both rental and homeownership housing for the local workforce

Existing Strategy:

- Impact fees are currently scaled to address the type of use, as well as the square footage of a residential unit.

AHAC Recommendation:

- Allow payment of impact fees, and utility connection fees over a period, possibly paid through property tax process. Longer repayment period proposed when projects focus on lower income populations.
- Consider the utilization of County impact fee investment earnings (from interest) on roads, parks and public buildings to support the development of affordable owner-occupied, for sale and rental housing

SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

Meeting Synopsis:

- St. Johns County has a traditional suburban development pattern.

Existing Strategy:

- Currently, there is little in the way to encourage development near transit.
- AHAC had staff from the Sunshine Bus Company come and speak at one of their meetings in the last 12 months.

AHAC Recommendation:

- The AHAC should meet with County departments periodically to discuss long term planning efforts that will incorporate plans that utilize affordable developments and emphasize differing modes of transportation.

Implementation:

- At the time of this writing, December 2021, County staff is working with the staff at Council on Aging/Sunshine Bus to help facilitate advertising for the Sunshine Bus in order to make information available to the public on the County website and social media pages.

FLEXIBLE DENSITIES

Meeting Synopsis:

- Localities need to devise ways to encourage developers to include some percentage of affordable housing as a part of their developments or ask that they contribute to a housing fund when requesting variances or waivers to the existing codes.

Existing Strategy:

- St. Johns County has a number of different zoning categories, such as Mixed Use and RES-D, which allow for greater densities and while zoning categories, such as PUD, that allow for design flexibilities.

AHAC Recommendations:

- The AHAC will continue to meet with staff members from Growth Management, Housing and Community Development, and local developers, in order to continue flexible density roundtable discussions, and come up with viable solutions to be recommended to the Board of County Commissioners.

Implementation:

- At the time of this writing, December 2021, the Board of County Commissioners recently approved the workforce-housing overlay price increase from \$210,000 to \$240,000, to encourage more moderate pricing of new homes in exchange for extra density and flexibility for the developers.

NEGATIVE ECONOMIC IMPACT

Meeting Synopsis:

- The AHAC plans to target this matter with further discussions in future meetings with subject matter experts in St. Johns County. Eventually, AHAC will continue conducting research and collecting data to submit viable recommendations and incentive solutions to the Board of County Commissioners. There is a tremendous need to perform regular negative economic impact assessments and eliminate the economic development barriers that eventually will affect our workforce.

Existing Strategy:

- At this time, an existing strategy is not in place. The AHAC will further discuss this matter and submit recommendations to the Board of County Commissioners for their review and approval.

AHAC Recommendation:

- County and City should review and recognize the negative economic impact a lack of affordable housing can have on a community.
- Consider using private funds, such as DRI contributions, for lower interest rate enticements.
- Have a policy that any large corporations or businesses receiving incentives to relocate and/or build in St. Johns County must pay a specific dollar amount, based on the incentive received, into an Affordable Housing Fund. A way to make it more attractive to the companies receiving the incentives would be to give their qualified employees priority to the affordable housing being built. The policy could also set out that a percentage of the affordable housing being built could be set aside or reserved for other qualified residents of St. Johns County. Some type of Affordable Housing impact or linkage fee on larger or commercial developments could also be considered.

Implementation:

- The AHAC will identify all negative economic impact barriers through discussions, and the preparation of a comprehensive needs' assessment. In addition, AHAC will present recommendations and solutions to the BOCC for approval. Implementations are pending.

CORPORATE INCENTIVES

Meeting Synopsis:

- AHAC will schedule a meeting with St. Johns County Economic Development office to discuss this matter in more detail. Once we start having our dialogues regarding this matter, a meeting synopsis will be available.

Existing Strategy:

- There are incentives available for businesses through the County's Business Incentive Program (Ordinance 2014-30). The categories within the program are for speculative space, new industry and existing business/industry and are based on a point system. Depending on how the application scores and the project type, projects can be eligible for 2 to 4 years of general county portion of ad valorem taxes paid on capital improvements, 2 to 4 years of general county portion of tangible personal property taxes (not applicable for speculative space), 50% or 100% of impact fees and water/sewer connection fees (in applicable areas), and expedited permitting.

AHAC Recommendations:

- Have a policy that any large corporations or businesses receiving incentives to relocate and/or build in St. Johns County must pay a specific dollar amount, based on the incentive being received, into an Affordable Housing Fund. A way to make it more attractive to the companies receiving the incentives would be to give their qualified employees priority to the affordable housing being built. The policy could also set out that a percentage of the affordable housing being built could be set aside or reserved for other qualified residents of St. Johns County. Some type Affordable Housing impact or linkage fee on larger, or commercial developments could also be considered.

IMPACT FEE CREDIT TRANSFER

Meeting Synopsis:

- At the May 2021 meeting, under the guidance of the St. Johns County Assistant County Attorney, suggested that the AHAC could recommend to the Board of County Commissioners to conduct comprehensive analysis in the next financial forecast study.

Existing Strategy:

- At this time, an existing strategy is not in place. The AHAC will further discuss this matter and submit recommendations to the Board of County Commissioners for their review and approval.

AHAC Recommendations:

- Allow holders of impact fee credits to transfer or sell, at a discount, impact credits to other developments; in the same impact fee zone for the development of housing that (a) does not exceed a maximum sales price of \$250,000 (adjusted for inflation at 3% per year), or (b) is for sale or rent housing that is "affordable" to moderate, low or very low-income families under section 420.9071, Florida Statute, which generally evaluates an ability to pay based on income. These impact credits reflect dollars previously invested by a developer in County or School district infrastructure and are recognized as being usable against impact fees.

EXPEDITED PERMITTING

Meeting Synopsis:

- Dating back to the 2019 AHAC report, staff has taken the time to address both the previous recommendations as well as previous resolutions passed by the BCC (see below). Committee did feel that there should be a continued emphasis on income

guidelines set by the Florida Housing Finance Corporation, are referenced in local ordinances, state statutes, and other state-based grant programs.

Existing Strategy:

- In September 1993, the County instituted the Development Review Committee (DRC), to establish uniform requirements and procedures for submittal and review of applications for development plan approval, to implement the goals and policies of the Comprehensive Plan, and to ensure compliance with all applicable land development regulations. The eighteen-member committee representing planning and zoning, growth management, transportation, utilities, environmental health, fire service, 911 addressing, building, codes, survey, environmental planning, and landscaping, review all proposed developments (such as subdivisions or multi-family) within 20 working days, then meets with the developer to discuss their independent findings at a joint DRC meeting. February 24, 1998, adopted by Resolution 98-48, developers planning affordable housing projects will be directed to the Housing Office by any staff receiving questions. Housing staff can work with the developer to determine, quantitatively, if the project is truly affordable (i.e., the anticipated payments do not exceed 30% of the very low to moderate-income categories, or rents do not exceed standard limits adjusted for bedroom size). Upon issuance of an "Affordable Housing Development" (AHD) designation, a sheet to be attached to all copies submitted for development review; the developer is assured that the original review time may be reduced by up to 50 percent. Rezoning requests may be facilitated in agenda placement for Committee and Board of County Commissioners' review. St. Johns County's permitting process has been centralized and expedited with the location of all applicable permitting departments in one facility. It has cut down on developer's time expended on obtaining permits. The Comprehensive Plan, adopted by Ord. 90-53, Policy E.1.1.4(a), adopted in December, 1990, and amended by Policy C.1.1.4, adopted by Ordinance 2000-34, and amended by Policy C.1.1.4, adopted by Ordinance 2000-34, recommended this change. Permits may be applied for in advance of lot purchase closing so delays can be avoided by careful planning. The County has addressed this item since 1993. The above paragraph has been in previous AHAC recommendation reports.

AHAC Recommendation:

- Continue to use the Income and Rent guideline chart provided by the Florida Housing Finance Corporation when defining affordability, unless specified by a particular fund source. Consider more incentives/subsidy for projects that target lower income populations.
- Staff currently, informally, uses the Income and Rent guideline chart provided by the Florida Housing Finance Corporation when defining affordability.

LOWER INTEREST RATE ENTICEMENTS

Meeting Synopsis:

- The AHAC plans to target this matter with further discussions in future meetings with subject matter experts in St. Johns County.

Existing Strategy:

- At this time, an existing strategy is not in place. The AHAC will further discuss this matter and submit recommendations to the Board of County Commissioners for their review and approval.

AHAC Recommendation:

- Consider using private funds, such as DRI contributions, for lower interest rate enticements.

AFFORDABLE ACCESSORY RESIDENTIAL UNITS

Meeting Synopsis:

- There should be an emphasis on encouraging accessory residential dwellings, such as granny flats, converted overseas shipping containers, small housing, and multiple efficiency units in a single structure.

Existing Strategy:

- Accessory dwelling units, while allowed by right, are limited in use by family members.

AHAC Recommendation:

- All of this should be included as part of density bonus negotiations.
- These accessory dwellings must include limited onsite parking, perhaps restricting onsite parking for one vehicle per dwelling. If possible, perhaps limited on street parking with valid parking pass could be used in conjunction with onsite parking or in lieu of onsite parking.

Implementation:

- At the time of this writing, December 2021, County staff is currently in the process of modifying the current Land Development Code and addressing this issue, primarily as it pertains to the user. The code change will have to go before the BCC for final approval.

FLEXIBLE LOT CONFIGURATIONS

Meeting Synopsis:

- With the current growth in the County, one incentive for affordable housing could be that any PUD or flex-zoning requirement (that increases density) includes some level of participation in affordable housing efforts. This will allow for a mixture and possible increase in the potential number of affordable housing units to be developed in a particular zone(s).

Existing Strategy:

- Staff continues to work amongst themselves and with housing developers to explore issues related to affordability.
- St. Johns County has different zoning categories, such as PUDs, which allow for greater densities and some design flexibilities.

AHAC Recommendation:

- Encourage developers to include some percentage of affordable housing as part of their developments or ask that they contribute to a housing fund when requesting variances or waivers to the existing codes.
- Work with the HFA to determine how to utilize the lot inventory

RESERVATION OF INFRASTRUCTURE CAPACITY

Meeting Synopsis:

- Encourage better coordination with government departments, including planning, utilities, and engineering to include affordable housing in their expansion plans. Those same departments could offer advice or services to incorporate affordable housing projects into their improvement plans.

Existing Strategy:

- Staff continues to work amongst themselves and with housing developers to explore issues related to affordability

AHAC Recommendation:

- Both City and County Utility and Road Departments could work more closely with affordable development efforts to reduce infrastructure costs.
- Consider allowing a developer to utilize existing storm water capacity retention ponds within the development's area rather than having to construct new storm water retention ponds and lift-stations, or allow developer to divert storm water to adjacent County-owned properties, when feasible. This would allow additional units to be built instead of property being utilized for infrastructure requirements.

- Consider that when lift stations are required on infill efforts, affordable housing developers can ask the utility company to incorporate the construction costs into their capital improvement plans or finance the costs over an affordable period.

Implementation:

- When appropriate, Housing and Community Development staff participates in development meetings to explore the issues above as they relate to affordability.

PUBLIC LAND INVENTORY

Meeting Synopsis:

- Florida Statutes at Title XI, Section 125.35 (County Authorized to Sell Real and Personal Property and to Lease Real Property), 125.38 (Sale of County Property to United States or State), 125.37 (Exchange of County Property), 125.379 (Disposition of County Property for Affordable Housing) and St. Johns County Ordinance 2011-17, provide guidelines as to the sale or lease of land owned by the County. The disposition of any County owned land for purposes of addressing the needs identified in this Action Plan are subject to Florida State Statute and County Ordinance. The County maintains an inventory of lots and properties owned by St. Johns County. Land owned and managed by the County may be sold or donated to entities for the purpose of public and community good. A private entity or non-profit may request to the BCC, a conveyance or lease of a property. The property may be conveyed or leased, to an applying entity, for a price named by the BCC, regardless of the actual value of the property and pending BCC satisfaction of the proposed use of the property. The land must not be needed for County purposes as determined by the BCC. A number of properties in the inventory have been earmarked for the purpose of expanding affordable housing options.

Existing Strategy:

- At the time of this writing, staff has developed a procedure by which the County shall distribute these lots in a competitive and equitable manner. This procedure has been approved by the Board of County Commissioners.

AHAC Recommendation:

- Staff should continue the implementation of the distribution of the public lands for affordable housing.
- Use County inventory of land for affordable housing.

Implementation:

- Staff is continuing forward with its implementation of the public lands program.

ECONOMIC IMPACT:

- Have a policy that any large corporations or businesses receiving incentives to relocate and/or build in St. Johns County must pay a specific dollar amount, based on the incentive being received, into an Affordable Housing Fund. A way to make it more attractive to the companies receiving the incentives would be to give their qualified employees priority to the affordable housing being built. The policy could also set out that a percentage of the affordable housing being built could be set aside or reserved for other qualified residents of St. Johns County. Some type of Affordable Housing impact or linkage fee on larger or commercial developments could also be considered.
- Recognize that parking requirements are important needs to address both transportation needs and ensure compatible developments throughout the community. However, excessive parking requirements can increase the cost of affordable housing development.
- Consider using private funds, such as DRI contribution, for lower interest rate enticements.
- Consider an ordinance to be presented to the BCC regarding a new zoning category that will have initiatives addressing affordable housing. One of the initiatives within this new zone may be to allow for flexibility in street requirements to address both design and affordability.

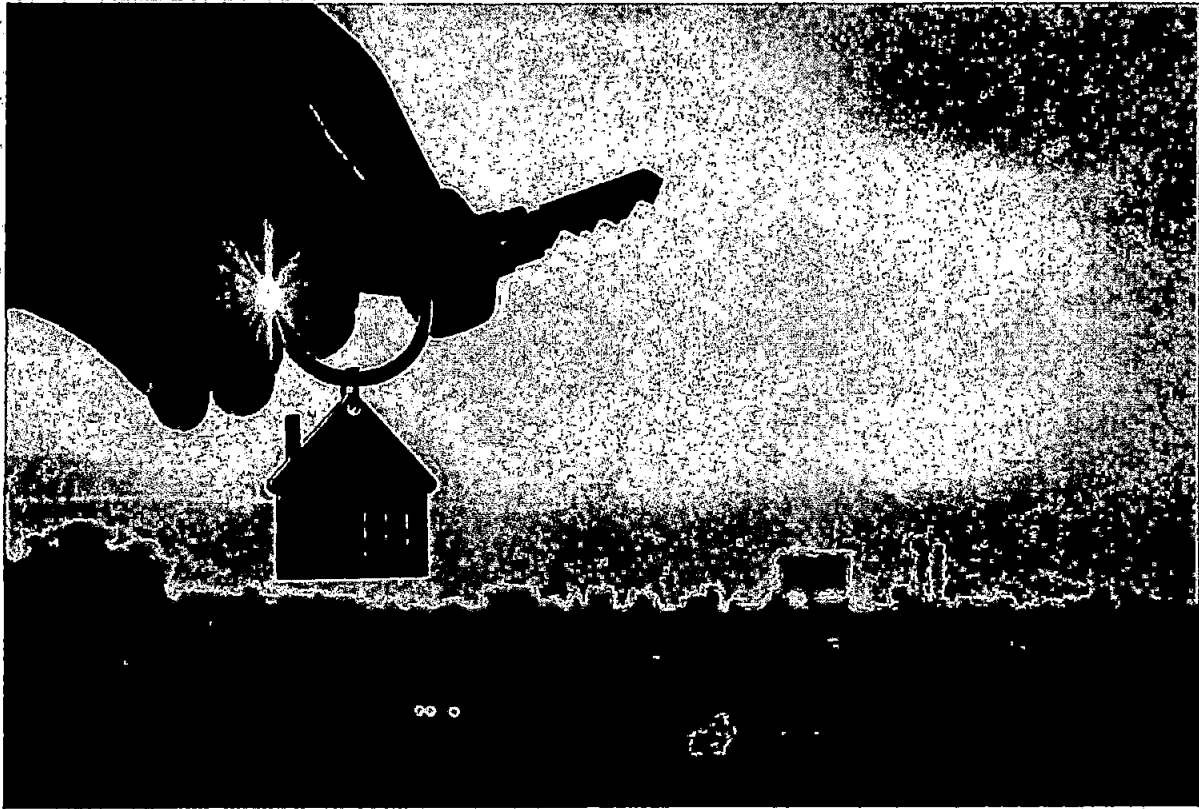
ADDITIONAL RECOMMENDATIONS

Homebuyer Programs:

- Homebuyer programs work with a comprehensive credit-counseling program that requires all applicants for down payment assistance to participate. Advocacy efforts are a mutual effort with both staff and non-profit developers monitoring various down payment housing programs. County staff and non-profit developers should combine housing programs to serve homebuyers by keeping housing costs as close to 30% of the household income and not more than 40%. The recommendations listed will benefit greatly from having one Housing point of contact at the County who is able to work closely with for-profit and non-profit developers. Using the FHFC income charts makes it a common standard for both for-profit and non-profit developers to work from. As of December 2021, St. Johns County does not currently have a Purchase Assistance program.
- Credit counseling education is needed and should be performed by a HUD certified housing counselor to ensure that potential homebuyers have been educated effectively. This will give the potential homebuyer access to rebuild their credit. Ongoing credit counseling and training will ensure homeowners understand how

to manage their credit and housing expenses. St Johns County and other non-profits operating in the County are now providing counseling by certified HUD counselors for potential homeowners.

- Any Down Payment Assistance guidelines should reflect that homeowners who qualify for down payment assistance should only receive an amount necessary to make the home affordable. This will allow the down payment assistance funds to be allocated to more homeowners and only subsidize what is needed to each qualified homeowner.
- Offer down payment assistance subsidy amount for qualified buyers of affordable housing. Homebuyers must meet the affordable income qualifications at *120%* or below the median income based on household size.
- All potential affordable housing incentives should be available to both for-profit and non-profit providers.
- Staff should continue to investigate the potential for a Community Land Trust.
- Utilize the Housing Finance Authority as housing experts to assist in evaluating proposals and financing proformas.



"it is hard to argue that housing is not a fundamental human need. Decent, safe, and affordable housing should be a basic right for everybody in this country. The reason is simple: without stable shelter, everything else falls apart."

— Matthew Desmond