

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

September 23, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2021-627/Affordable Housing Text Amendment to the Future Land Use Element of the 2030 Comprehensive Plan

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-627 on September 23, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

Joshua Garrison, Chair	Aye
Dawn Motes, Vice-Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Ian Brown	Aye
Alexander Moldovan	Aye
Jason Porter	Aye

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If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7837
KReed@coj.net

**Staff Report on Proposed 2021B Series Text Amendment
to the Future Land Use Element of the
2030 Comprehensive Plan**

ORDINANCE 2021-627

Ordinance 2021-627 adds Policy 3.1.28 to the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan to implement the authority provided in Section 125.01055(6), Florida Statutes (F.S.). This section of the F.S. grants the City Council the ability to approve development of affordable housing, as defined in Section 420.0004, F.S., on any parcel zoned for residential, commercial or industrial uses, regardless of any other law, local ordinance or regulation to the contrary.

Under this policy, affordable housing shall be funded by either the Florida Housing Finance Corporation or the Jacksonville Housing Finance Authority. Development funded by these entities must follow strict resident eligibility requirements and maintain units in safe and decent condition. The financing entities also monitor compliance with these requirements.

Implementation of this policy requires changes to the Land Development Regulations to include a process for review and approval of affordable housing projects permitted by this text amendment.

Affordable housing is sometimes referred to as workforce housing because it often serves the housing needs for teachers, medical assistants, retail employees, government employees, law enforcement and other similar low- and very low-income workers.

Pursuant to Section 420.0004, F.S., affordable means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for households as indicated in subsection (9), subsection (11), subsection (12), or subsection (17).

Subsections (9), (11), (12) and (17) refer to the following income categories in terms of area median income (AMI), adjusted for family size:

- Extremely low income describes a family at or below 30% of area median income.
- Very low income describes a family at or below 50% of area median income.
- Low income describes a family at or below 80% of area median income.
- Moderate income describes a family at or below 120% of area median income (at or below 100% of median income for federal programs).

The Shimberg Center for Housing Studies created the following Florida housing income limits table that depicts income categories in terms of AMI, adjusted for family size.

Florida Housing Income Limits, 2021					
Geography	AMI Category	1 Person Limit (\$)	2 Person Limit (\$)	3 Person Limit (\$)	4 Person Limit (\$)
Duval	30%	15720	17970	20220	22440
Duval	50%	26200	29950	33700	37400
Duval	60%	31440	35940	40440	44880
Duval	80%	41920	47920	53920	59840
Duval	120%	62880	71880	80880	89760

Sources: Florida Housing Finance Corporation, 2021 Combined Income and Rent Limits by County

The proposed text amendment is consistent with the following goal and policy of the Housing Element (HE) of the 2030 Comprehensive Plan.

Goal 1 The City shall develop stable, sustainable and definable neighborhoods which offer safe, sound, sanitary and energy efficient housing that is affordable to all its present and future residents.

Policy 1.2.2 The City shall continue to offer incentives to encourage the private sector to provide more housing in price ranges accessible to very low, low, and moderate income families.

The Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** submitted as **Ordinance 2021-627**.

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2021-627**

5 AN ORDINANCE APPROVING THE PROPOSED 2021B SERIES
6 TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT OF
7 THE *2030 COMPREHENSIVE PLAN* OF THE CITY OF
8 JACKSONVILLE, CREATING A NEW FUTURE LAND USE
9 ELEMENT POLICY 3.1.28 TO ALLOW FOR DEVELOPMENT
10 OF AFFORDABLE HOUSING CONTINGENT UPON FUNDING
11 FROM THE FLORIDA HOUSING FINANCE CORPORATION OR
12 THE JACKSONVILLE HOUSING FINANCE AUTHORITY ON
13 ANY PARCEL DESIGNATED ON THE FUTURE LAND USE MAP
14 AND THE ZONING ATLAS FOR MULTI-FAMILY
15 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL USE,
16 SUBJECT TO CERTAIN CONDITIONS, FOR TRANSMITTAL
17 TO THE STATE OF FLORIDA'S VARIOUS AGENCIES FOR
18 REVIEW; PROVIDING A DISCLAIMER THAT THE
19 AMENDMENT TRANSMITTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, the Planning and Development Department has initiated
24 certain revisions and modifications to the text of the *2030*
25 *Comprehensive Plan* in accordance with the procedures and requirements
26 set forth in Chapter 650, Part 4, *Ordinance Code*, to create a new
27 Policy 3.1.28, in accordance with Section 125.01055, *Florida*
28 *Statutes*, to allow for development of affordable housing contingent
29 upon funding from the Florida Housing Finance Corporation or the
30 Jacksonville Housing Finance Authority on any parcel designated on
31 the Future Land Use Map and the Zoning Atlas for multi-family

1 residential, commercial, or industrial use, subject to certain
2 conditions, which are more particularly set forth in **Exhibit 1**,
3 **attached hereto**, dated August 31, 2021, and incorporated herein by
4 reference; and

5 **WHEREAS**, the Jacksonville Planning Commission, as the Local
6 Planning Agency, held a public hearing on this proposed Amendment to
7 the *2030 Comprehensive Plan*, with due public notice having been
8 provided, and reviewed and considered all comments received during
9 the public hearing, and made a recommendation to the City Council;
10 and

11 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
12 hearing on this proposed Amendment pursuant to Chapter 650, Part 4,
13 *Ordinance Code*, and having considered all written and oral comments
14 received during the public hearing, has made its recommendation to
15 the Council; and

16 **WHEREAS**, the City Council held a public hearing on this proposed
17 Amendment with public notice having been provided, pursuant to Section
18 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*
19 *Code*, and having considered all written and oral comments received
20 during the public hearing, the recommendations of the Planning and
21 Development Department, the Planning Commission and the LUZ
22 Committee, desires to transmit this proposed Amendment through the
23 State's expedited state review process to the Florida Department of
24 Economic Opportunity, as the State Land Planning Agency, the Northeast
25 Florida Regional Council, the Florida Department of Transportation,
26 the St. Johns River Water Management District, the Florida Department
27 of Environmental Protection, the Florida Fish and Wildlife
28 Conservation Commission, the Department of State's Bureau of Historic
29 Preservation, the Florida Department of Education, and the Department
30 of Agriculture and Consumer Affairs; now, therefore

31 **BE IT ORDAINED** by the Council for the City of Jacksonville:

1 **Section 1. Approval of Amendment for Transmittal Purposes.**

2 The Council hereby approves the proposed 2021B Series Text Amendment
3 to the Future Land Use Element of the *2030 Comprehensive Plan*, as set
4 forth in **Exhibit 1, attached hereto**, dated August 31, 2021, for
5 transmittal to Florida's various required State Agencies for review.

6 **Section 2. Disclaimer.** The transmittal approved herein

7 shall **not** be construed as an exemption from any other applicable
8 local, state, or federal laws, regulations, requirements, permits or
9 approvals. All other applicable local, state or federal permits or
10 approvals shall be obtained before commencement of the development
11 or use, and transmittal is based upon acknowledgement, representation
12 and confirmation made by the applicant(s), owner(s), developer(s)
13 and/or any authorized agent(s) or designee(s) that the subject
14 business, development and/or use will be operated in strict compliance
15 with all laws. Transmittal does **not** approve, promote or condone any
16 practice or act that is prohibited or restricted by any federal,
17 state or local laws.

18 **Section 3. Effective Date.** This Ordinance shall become

19 effective upon the signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Kristen Reed

27 GC-#1450930-v2-2021-627_(TEXT_AMD_TRANS_FLUE).docx

Ordinance 2021-627

2021B Series Text Amendment
City of Jacksonville 2030 Comprehensive Plan
Future Land Use Element

Policy 3.1.28

The City Council may approve the development of affordable housing contingent upon funding from the Florida Housing Finance Corporation or the Jacksonville Housing Finance Authority on any parcel designated on the Future Land Use Map and the Zoning Atlas for multi-family residential, commercial or industrial use. Affordable housing approved under this policy must comply with the definition for affordable as defined in Section 420.0004, Florida Statutes. Development densities shall be consistent with the requirements of the funding agreements provided by the Florida Housing Finance Corporation or the Jacksonville Housing Finance Authority.

The Land Development Regulations shall be amended to include the process to review and approve affordable housing projects authorized under this policy.