

1 Introduced by Council Member Carlucci:  
2  
3

4 **ORDINANCE 2023-316**

5 AN ORDINANCE AMENDING CHAPTER 111 (SPECIAL  
6 REVENUE AND TRUST ACCOUNTS), PART 9 (NEIGHBORHOOD  
7 DEVELOPMENT), *ORDINANCE CODE*, TO CREATE A NEW  
8 SECTION 111.909 TO ESTABLISH A PERMANENT TRUST  
9 FUND FOR A PROGRAM TO BE ENTITLED THE "RESTORE  
10 ENDANGERED HISTORIC ADAPTABLE BUILDINGS TRUST  
11 FUND"; PROVIDING FOR CREATION OF THE CRITERIA AND  
12 SELECTION OF GRANT RECIPIENTS BY THE PLANNING AND  
13 DEVELOPMENT DEPARTMENT; PROVIDING FOR OVERSIGHT  
14 OF THE FINANCIAL ASPECTS OF THE PROGRAM BY THE  
15 CHIEF ADMINISTRATIVE OFFICER OR THEIR DESIGNEE;  
16 PROVIDING A CARRYOVER OF FUNDS INTO SUBSEQUENT  
17 FISCAL YEARS; PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS**, Jacksonville has over 20,000 historic buildings,  
20 structures, and sites listed on the Florida Master Site File, many  
21 of which fall outside of the downtown boundaries; and

22 **WHEREAS**, the Council of the City of Jacksonville finds that  
23 historic preservation, revitalization, and reuse of Jacksonville's  
24 historic buildings is important to the City's overall social and  
25 economic welfare; and

26 **WHEREAS**, many of the historic buildings throughout Jacksonville  
27 are in need of repair, rehabilitation, and restoration to maintain  
28 their historic use, or to be adaptively reused; and

29 **WHEREAS**, there currently exists a program that concentrates on  
30 the preservation and restoration of historic properties in downtown  
31 Jacksonville, however, there is no program for the historic properties

1 that lie outside of downtown Jacksonville; and

2       **WHEREAS**, a program that would financially incentivize the  
3 repair, restoration or rehabilitation of qualified historic buildings  
4 could provide the missing link of financial support that would make  
5 such repair, restoration or rehabilitation financially feasible; now,  
6 therefore

7       **BE IT ORDAINED** by the Council of the City of Jacksonville:

8       **Section 1.       Creating Section 111.909 (Restore Endangered**  
9 **Historic Adaptable Buildings Trust Fund), Part 9 (Neighborhood**  
10 **Development), Chapter 111 (Special Revenue and Trust Accounts),**  
11 **Ordinance Code.** Section 111.909 (Restore Endangered Historic  
12 Adaptable Buildings Trust Fund), Part 9 (Neighborhood Development),  
13 Chapter 111 (Special Revenue and Trust Accounts), *Ordinance Code*, is  
14 hereby created as follows.

15                   **CHAPTER 111 - SPECIAL REVENUE AND TRUST ACCOUNTS**

16                                   \* \* \*

17                                   **PART 9 - NEIGHBORHOOD DEVELOPMENT**

18                                   \* \* \*

19 **Sec. 111.909. Restore Endangered Historic Adaptable Buildings Trust**  
20 **Fund.**

21 (a) *Fund creation.* There is hereby created an account to be known  
22 as the *Restore Endangered Historic Adaptable Buildings ("REHAB")*  
23 *Trust Fund*, an ongoing trust fund which shall carry forward each  
24 fiscal year and not lapse. The REHAB Trust Fund shall be  
25 comprised of funds as may be appropriated from time to time by  
26 Council, and all fees, fines, and civil penalties as may be  
27 designated for deposit into the Fund from time to time by  
28 Council. It shall also include all such donations,  
29 contributions, gifts, and related sponsorships received by the  
30 City for use toward the general purpose of furthering the goals  
31 of this Fund.

1 (b) *Fund purpose.* These funds are designated to pay for the  
2 repair, rehabilitation and restoration of income-producing or  
3 mixed-use historic buildings or historic buildings owned by not-  
4 for-profit corporations, located throughout Jacksonville,  
5 excluding the Downtown Area as defined in Sec. 55.105, Ordinance  
6 Code.

7 (c) *Grant funding limitations.* No grant in excess of \$100,000 shall  
8 be administratively made from the REHAB Trust fund pursuant to  
9 this program. Subject to availability of unencumbered funds,  
10 applicants that request \$100,000 or less in the aggregate for a  
11 project may be approved by the Historic Preservation Section of  
12 the Planning and Development Department, without further Council  
13 action, in accordance with Subsection (e) below and the REHAB  
14 Trust Fund Guidelines, available on the City's website. For the  
15 purpose of this Section, the dollar amounts in all applications  
16 for loans or grants for any one project submitted within five  
17 years of the first loan or grant approved under this fund for  
18 the project, shall be aggregated to determine if the loan or  
19 grant amount exceeds \$100,000. All monies and interest placed  
20 into this trust fund are hereby appropriated for the purposes  
21 of this trust fund, and all appropriations shall carry forward  
22 each fiscal year and shall not lapse.

23 (d) *Fund administration.* The Historic Preservation Section shall  
24 follow the REHAB Trust Fund Guidelines. The Historic  
25 Preservation Section shall review and approve the design aspects  
26 of the application, and the City's Chief Administrative Officer  
27 ("CAO") or their designee shall review and approve the financial  
28 aspects of the application and administer fund allocation, in  
29 accordance with the REHAB Trust Fund Guidelines. Changes to the  
30 REHAB Trust Fund Guidelines which have financial impact shall  
31 be jointly approved by the CAO or their designee and the Historic

1 Preservation Section and shall be submitted to the Council for  
2 approval. Approved applicants may receive financial assistance  
3 through reimbursement grants as set forth in the REHAB Trust  
4 Fund Guidelines. Trust funds may only be used for one or more  
5 of the purposes specified in subsection (b) above.

6 (e) Eligibility Criteria:

7 (1) The building must be located within Jacksonville outside of  
8 the downtown area, as defined in Section 55.105, Ordinance Code;  
9 and

10 (2) The building must be at least 50 years old; and

11 (3) The building must be income-producing, mixed-use or owned by  
12 a not-for-profit corporation; and

13 (4) The building must be architecturally or historically  
14 significant; and

15 (5) The building must be:

16 (i) a local landmark, designated by the City pursuant to  
17 Chapter 307, Ordinance Code; or

18 (ii) a contributing structure to a local historic district,  
19 designated by the City pursuant to Chapter 307, Ordinance  
20 Code; or

21 (iii) declared a potential local landmark, as defined in  
22 Chapter 307, Ordinance Code, however, final local landmark  
23 designation must be obtained from City Council prior to final  
24 approval of the grant by the CAO or their designee; and

25 (6) The building must be declared critically endangered by the  
26 Jacksonville Historic Preservation Commission ("JHPC").

27 (f) *Historic Preservation Section Review.* To receive assistance from  
28 the Fund, the owner of a historic building, or their agent,  
29 shall submit an application to the Historic Preservation Section  
30 for eligibility review, and an application to the Historic  
31 Preservation Section for a Certificate of Appropriateness for

1 the improvements proposed, in accordance with the REHAB Trust  
2 Fund Guidelines.

3 (1) The Historic Preservation Section shall review the  
4 application for eligibility pursuant to the criteria in  
5 Subsections (e) (1-5) above, and the REHAB Trust Fund Guidelines.  
6 If the Historic Preservation Section finds that a building meets  
7 the eligibility criteria in Subsections (e) (1-5) above, they  
8 shall issue a recommendation regarding whether the building is  
9 critically endangered, as required by Subsection (e) (6) above.  
10 Said recommendation shall be forwarded to the JHPC.

11 (2) The Historic Preservation Section shall also review the  
12 application for the Certificate of Appropriateness for  
13 compliance with the United States Secretary of Interior's  
14 Standards for Rehabilitation and any applicable historic  
15 preservation design guidelines. The Historic Preservation  
16 Section shall evaluate applications based on the historic  
17 importance and significance of the project, the overall  
18 contribution of the project to the restoration of the historic  
19 fabric, and the overall preservation of the building. If  
20 appropriate, the Historic Preservation Section shall issue  
21 administrative approval of the Certificate of Appropriateness  
22 in accordance with the Administrative Matrix; otherwise, they  
23 shall forward a recommended approval, denial, or approval with  
24 conditions to the JHPC.

25 (g) *Jacksonville Historic Preservation Commission Review.* The  
26 Jacksonville Historic Preservation Commission shall review all  
27 REHAB Trust Fund applications and the recommendation of the  
28 Historic Preservation Section, for a determination on the  
29 critically endangered status of the building, pursuant to  
30 Subsection (e) (6) above. The JHPC shall also review related  
31 applications for Certificates of Appropriateness not

1 administratively approved by the Historic Preservation Section.  
2 The JHPC shall issue its decision to the CAO or their designee  
3 in accordance with the REHAB Trust Fund Guidelines.

4 (h) *Review by the CAO or their designee.* To receive a reimbursement  
5 grant from the fund, the owner of a historic building, or his  
6 or her agent, shall submit, in accordance with the REHAB Trust  
7 Fund Guidelines, an application to the CAO or their designee for  
8 the grant requested. The CAO or their designee shall analyze the  
9 specific finances of the project for the express purpose of  
10 determining if the project meets the REHAB Trust Fund  
11 Guidelines.

12 (i) *Fund programs.* The owner of a historic building which meets the  
13 eligibility requirements in Subsection (e) above, or their  
14 agent, may apply for assistance from the fund in the form of  
15 reimbursement grants for repair, rehabilitation or restoration,  
16 according to the REHAB Trust Fund Guidelines which includes, but  
17 is not limited to: restoration or rehabilitation of the building  
18 exterior, restoration of historic features on the building  
19 interior, rehabilitation of the building interior, code  
20 compliance improvements and general requirements and overhead  
21 of the general contractor, as further detailed in the REHAB  
22 Trust Fund Guidelines.

23 (j) *Final inspection.* A final inspection shall be conducted within  
24 90 days following completion of the project to ensure compliance  
25 with the terms of the approved Certificate of Appropriateness  
26 and REHAB Trust Fund grant application. The final inspection  
27 shall be conducted by, or at the direction of, the Historic  
28 Preservation Section staff. An applicant whose project fails to  
29 meet the REHAB Trust Fund Guidelines and criteria set forth  
30 herein shall be deemed ineligible for a grant under this program.

1 The inspection required by this subsection shall not replace or  
2 supersede any other inspection required by local, State, or  
3 federal law.

4 **Section 2. REHAB Trust Fund Guidelines.** The REHAB Trust  
5 Fund Guidelines, attached hereto as **Exhibit 1**, are hereby placed on  
6 file with the Office of Legislative Services and on the City's  
7 website. A copy of the Guidelines will also be kept with the Historic  
8 Preservation Section. These Guidelines shall be the operative  
9 guidelines for projects funded by the REHAB Trust Fund unless and  
10 until these Guidelines are amended by Council action as provided  
11 herein.

12 **Section 3. Effective Date.** This ordinance shall become  
13 effective upon signature by the Mayor or upon becoming effective  
14 without the Mayor's signature.

15  
16  
17 Form Approved:

18  
19           /s/ Carla A. Lopera          

20 Office of General Counsel

21 Legislation Prepared by: Carla Lopera

22 GC-#1555705-v5A-REHAB\_Trust\_Fund\_New\_Sec\_\_111\_909.docx