

1 The Neighborhoods, Community Services, Public Health and Safety
2 Committee offers the following substitute to File No. 2023-316:

3
4 Introduced by Council Member Carlucci and Co-Sponsored by Council
5 Members Boylan, DeFoor, Clark-Murray, Priestly Jackson, Pittman,
6 Bowman, Freeman, Cumber and Gaffney, Jr.:

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9 **ORDINANCE 2023-316**

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

25
26 **WHEREAS**, Jacksonville has over 20,000 historic buildings,
27 structures, and sites listed on the Florida Master Site File, many
28 of which fall outside of the boundaries of Downtown; and

29 **WHEREAS**, the Council of the City of Jacksonville finds that
30 historic preservation, revitalization, and reuse of Jacksonville's
31 historic buildings is important to the City's overall social and

1 economic welfare; and

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

5 **WHEREAS**, there currently exists a program that concentrates on
6 the preservation and restoration of historic properties in Downtown
7 Jacksonville, however, there is no program for the historic properties
8 that lie outside of Downtown Jacksonville; and

9 **WHEREAS**, a program that would financially incentivize the
10 repair, restoration or rehabilitation of qualified historic buildings
11 could provide the missing link of financial support that would make
12 such repair, restoration or rehabilitation financially feasible; now,
13 therefore

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

15 **Section 1. Creating Section 111.909 (Restore Endangered**
16 **Historic Adaptable Buildings Special Revenue Fund), Part 9**
17 **(Neighborhood Development), Chapter 111 (Special Revenue and Trust**
18 **Accounts), Ordinance Code.** Section 111.909 (Restore Endangered
19 Historic Adaptable Buildings Special Revenue Fund), Part 9
20 (Neighborhood Development), Chapter 111 (Special Revenue and Trust
21 Accounts), *Ordinance Code*, is hereby created as follows.

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

23 * * *

24 **PART 9 - NEIGHBORHOOD DEVELOPMENT**

25 * * *

26 **Sec. 111.909. Restore Endangered Historic Adaptable Buildings Special**
27 **Revenue Fund.**

28 (a) *Fund creation.* There is hereby created an account to be known
29 as the *Restore Endangered Historic Adaptable Buildings* ("REHAB")
30 *Special Revenue Fund*, an ongoing fund which shall carry forward
31 each fiscal year and not lapse. The REHAB Special Revenue Fund

1 shall be comprised of funds as may be appropriated from time to
2 time by Council, and all fees, fines, and civil penalties as may
3 be designated for deposit into the Fund from time to time by
4 Council. It shall also include all such donations,
5 contributions, gifts, and related sponsorships received by the
6 City for use toward the general purpose of furthering the goals
7 of this Fund. All monies and interest placed into this fund are
8 hereby appropriated for the purposes of this fund, and all
9 appropriations shall carry forward each fiscal year and shall
10 not lapse.

11 (b) *Fund purpose.* These funds are designated to pay for the
12 repair, rehabilitation and restoration of non-residential
13 income-producing historic buildings, mixed-use historic
14 buildings and historic buildings owned by not-for-profit
15 corporations, located throughout Jacksonville, excluding the
16 Downtown Area as defined in Sec. 55.105, Ordinance Code.

17 (c) *Grant funding limitations.* Grant requests from the REHAB
18 Special Revenue Fund shall not exceed \$100,000 and shall be
19 administratively approved pursuant to this program. Subject to
20 availability of unencumbered funds, applicants that request
21 \$100,000 or less in the aggregate for a project may be approved
22 by the Historic Preservation Section of the Planning and
23 Development Department, without further Council action, in
24 accordance with Subsection (e) below and the REHAB Special
25 Revenue Fund Guidelines, available on the City's website. For
26 the purpose of this Section, the dollar amounts in all grant
27 applications for any one project submitted within five years of
28 the first grant approved under this fund for the project, shall
29 be aggregated to determine if the grant amount exceeds \$100,000.

30 (d) *Fund administration.* The Historic Preservation Section shall
31 follow the REHAB Special Revenue Fund Guidelines. The Historic

1 Preservation Section shall review and approve the design aspects
2 of the grant application, and the City's Chief Administrative
3 Officer ("CAO") or their designee shall review and approve the
4 financial aspects of the grant application and administer fund
5 allocation, in accordance with the REHAB Special Revenue Fund
6 Guidelines. Changes to the REHAB Special Revenue Fund Guidelines
7 which have financial impact shall be jointly approved by the CAO
8 or their designee and the Historic Preservation Section and
9 shall be submitted to the Council for approval. Approved
10 applicants may receive financial assistance through
11 reimbursement grants as set forth in the REHAB Special Revenue
12 Fund Guidelines. Funds may only be used for one or more of the
13 purposes specified in Subsection (b) above.

14 (e) Eligibility Criteria:

- 15 (1) The building must be located within Jacksonville outside
16 of the Downtown Area, as defined in Section 55.105,
17 Ordinance Code; and
- 18 (2) The building must be at least 50 years old; and
- 19 (3) The building must be non-residential income-producing,
20 mixed-use or owned by a not-for-profit corporation; and
- 21 (4) The building must be architecturally or historically
22 significant, as determined by the Historic Preservation
23 Section, in accordance with Section 307.102(s), Ordinance
24 Code; and
- 25 (5) The building must be:
 - 26 (i) a local landmark, designated by the City pursuant to
27 Chapter 307, Ordinance Code; or
 - 28 (ii) a contributing structure to a local historic
29 district, designated by the City pursuant to Chapter
30 307, Ordinance Code; or
 - 31 (iii) declared a potential local landmark, as defined in

1 Chapter 307, Ordinance Code, however, final local
2 landmark designation must be obtained from City
3 Council prior to final approval of the grant by the
4 CAO or their designee; and

5 (6) The building must be declared critically endangered by the
6 Jacksonville Historic Preservation Commission (the
7 "JHPC"). In considering a building for critically
8 endangered status, the JHPC shall consider the following
9 criteria:

10 (i) Evidence of a physical threat of loss, damage, or
11 neglect;

12 (ii) If the building is currently vacant;

13 (iii) The building's susceptibility to development
14 pressures or natural disasters;

15 (iv) The building's suitability for preservation or
16 rehabilitation; and

17 (v) Any other criteria the JHPC considers relevant.

18 (f) *Historic Preservation Section Review.* To receive grant
19 assistance from the Fund, the owner of a historic building, or
20 their agent, shall submit a grant application to the Historic
21 Preservation Section for eligibility review, and an application
22 to the Historic Preservation Section for a Certificate of
23 Appropriateness for the improvements proposed, in accordance
24 with the REHAB Special Revenue Fund Guidelines.

25 (1) The Historic Preservation Section shall review the grant
26 application for eligibility pursuant to the criteria in
27 Subsections (e) (1-5) above, and the REHAB Special Revenue
28 Fund Guidelines. If the Historic Preservation Section finds
29 that a building meets the eligibility criteria in
30 Subsections (e) (1-5) above, they shall issue a
31 recommendation regarding whether the building is

1 critically endangered, as required by Subsection (e)(6)
2 above. Said recommendation shall be forwarded to the JHPC.

3 (2) The Historic Preservation Section shall also review the
4 application for the Certificate of Appropriateness for
5 compliance with the United States Secretary of Interior's
6 Standards for Rehabilitation and any applicable historic
7 preservation design guidelines. The Historic Preservation
8 Section shall evaluate Certificate of Appropriateness
9 applications based on the historic importance and
10 significance of the project, the overall contribution of
11 the project to the restoration of the historic fabric, and
12 the overall preservation of the building. If appropriate,
13 the Historic Preservation Section shall issue
14 administrative approval of the Certificate of
15 Appropriateness in accordance with the Administrative
16 Matrix, pursuant to the authority granted in Section
17 307.107, Ordinance Code; otherwise, they shall forward a
18 recommended approval, denial, or approval with conditions
19 to the JHPC.

20 (g) *Jacksonville Historic Preservation Commission Review.* The JHPC
21 shall review all REHAB Special Revenue Fund grant applications
22 and the recommendations of the Historic Preservation Section,
23 for a determination on the critically endangered status of each
24 building, pursuant to Subsection (e)(6) above. The JHPC shall
25 also review those related applications for Certificates of
26 Appropriateness which are not eligible to receive administrative
27 approval according to Section 307.102(a), Ordinance Code. The
28 JHPC shall issue its decision to the CAO or their designee in
29 accordance with the REHAB Special Revenue Fund Guidelines.

30 (h) *Review by the CAO or their designee.* To receive a reimbursement
31 grant from the fund, the owner of a historic building, or his

1 or her agent, shall submit, in accordance with the REHAB Special
2 Revenue Fund Guidelines, a grant application to the CAO or their
3 designee for the grant requested. The CAO or their designee
4 shall analyze the specific finances of the project for the
5 express purpose of determining if the project meets the REHAB
6 Special Revenue Fund Guidelines.

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

18 (j) *Final inspection.* A final inspection shall be conducted within
19 90 days following completion of the project to ensure compliance
20 with the terms of the approved Certificate of Appropriateness
21 and REHAB Special Revenue Fund grant application. The final
22 inspection shall be conducted by, or at the direction of, the
23 Historic Preservation Section staff. An applicant whose project
24 fails to meet the REHAB Special Revenue Fund Guidelines and
25 criteria set forth herein shall be deemed ineligible for a grant
26 under this program.

27 The inspection required by this Subsection shall not
28 replace or supersede any other inspection required by local,
29 State, or federal law.

30 **Section 2. REHAB Special Revenue Fund Guidelines.** The
31 REHAB Special Revenue Fund Guidelines, attached hereto as **Revised**

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

7 **Section 3. Program Start Date.** The REHAB Special Revenue
8 Grant Program shall commence on October 1, 2023, or upon funding of
9 the Special Revenue Fund.

10 **Section 4. Codification Instructions.** The Codifier and the
11 Office of General Counsel are authorized to make all chapter and
12 division "table of contents" consistent with the changes set forth
13 herein. Such editorial changes and any other necessary to make the
14 *Ordinance Code* consistent with the intent of this legislation are
15 approved and directed herein, and the changes to the *Ordinance Code*
16 shall be made forthwith and when inconsistencies are discovered.

17 **Section 5. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

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21 Form Approved:

22
23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation Prepared by: Carla Lopera

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