

1 Introduced by Council Member Carlucci and Co-Sponsored by Council  
2 Members Boylan, DeFoor, Clark-Murray, Priestly Jackson, Pittman,  
3 Bowman, Freeman, Cumber, Gaffney, Jr., and Newby and substituted by  
4 the Neighborhoods, Community Services, Public Health and Safety  
5 Committee:

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8 **ORDINANCE 2023-316**

9 AN ORDINANCE AMENDING CHAPTER 111 (SPECIAL  
10 REVENUE AND TRUST ACCOUNTS), PART 9  
11 (NEIGHBORHOOD DEVELOPMENT), *ORDINANCE CODE*, TO  
12 CREATE A NEW SECTION 111.909 TO ESTABLISH A  
13 PERMANENT SPECIAL REVENUE FUND FOR A PROGRAM  
14 TO BE ENTITLED THE "RESTORE ENDANGERED  
15 HISTORIC ADAPTABLE BUILDINGS SPECIAL REVENUE  
16 FUND"; PROVIDING FOR CREATION OF THE CRITERIA  
17 AND SELECTION OF GRANT RECIPIENTS BY THE  
18 PLANNING AND DEVELOPMENT DEPARTMENT; PROVIDING  
19 FOR OVERSIGHT OF THE FINANCIAL ASPECTS OF THE  
20 PROGRAM BY THE CHIEF ADMINISTRATIVE OFFICER OR  
21 THEIR DESIGNEE; PROVIDING A CARRYOVER OF FUNDS  
22 INTO SUBSEQUENT FISCAL YEARS; PROVIDING A  
23 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  
3 Jacksonville are in need of repair, rehabilitation, and restoration  
4 to maintain their historic use, or to be adaptively reused; and

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

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

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

1 Special Revenue Fund shall be comprised of funds as may be  
2 appropriated from time to time by Council, and all fees,  
3 fines, and civil penalties as may be designated for deposit  
4 into the Fund from time to time by Council. It shall also  
5 include all such donations, contributions, gifts, and related  
6 sponsorships received by the City for use toward the general  
7 purpose of furthering the goals of this Fund. All monies and  
8 interest placed into this fund are hereby appropriated for the  
9 purposes of this fund, and all appropriations shall carry  
10 forward each fiscal year and shall 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  
22 approved by the Historic Preservation Section of the Planning  
23 and 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  
28 of the first grant approved under this fund for the project,  
29 shall be aggregated to determine if the grant amount exceeds  
30 \$100,000.

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

16 (e) Eligibility Criteria:

17 (1) The building must be located within Jacksonville outside  
18 of the Downtown Area, as defined in Section 55.105,  
19 Ordinance Code; and

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

21 (3) The building must be non-residential income-producing,  
22 mixed-use or owned by a not-for-profit corporation; and

23 (4) The building must be architecturally or historically  
24 significant, as determined by the Historic Preservation  
25 Section, in accordance with Section 307.102(s), Ordinance  
26 Code; and

27 (5) The building must be:

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

30 (ii) a contributing structure to a local historic  
31 district, designated by the City pursuant to Chapter

- 1                   307, Ordinance Code; or
- 2           (iii) declared a potential local landmark, as defined in
- 3                   Chapter 307, Ordinance Code, however, final local
- 4                   landmark designation must be obtained from City
- 5                   Council prior to final approval of the grant by the
- 6                   CAO or their designee; and
- 7   (6) The building must be declared critically endangered by
- 8           the Jacksonville Historic Preservation Commission (the
- 9           "JHPC"). In considering a building for critically
- 10           endangered status, the JHPC shall consider the following
- 11           criteria:
- 12           (i) Evidence of a physical threat of loss, damage, or
- 13                   neglect;
- 14           (ii) If the building is currently vacant;
- 15           (iii) The building's susceptibility to development
- 16                   pressures or natural disasters;
- 17           (iv) The building's suitability for preservation or
- 18                   rehabilitation; and
- 19           (v) Any other criteria the JHPC considers relevant.
- 20   (f) *Historic Preservation Section Review.* To receive grant
- 21           assistance from the Fund, the owner of a historic building, or
- 22           their agent, shall submit a grant application to the Historic
- 23           Preservation Section for eligibility review, and an
- 24           application to the Historic Preservation Section for a
- 25           Certificate of Appropriateness for the improvements proposed,
- 26           in accordance with the REHAB Special Revenue Fund Guidelines.
- 27           (1) The Historic Preservation Section shall review the grant
- 28                   application for eligibility pursuant to the criteria in
- 29                   Subsections (e) (1-5) above, and the REHAB Special Revenue
- 30                   Fund Guidelines. If the Historic Preservation Section
- 31                   finds that a building meets the eligibility criteria in

1 Subsections (e)(1-5) above, they shall issue a  
2 recommendation regarding whether the building is  
3 critically endangered, as required by Subsection (e)(6)  
4 above. Said recommendation shall be forwarded to the  
5 JHPC.

6 (2) The Historic Preservation Section shall also review the  
7 application for the Certificate of Appropriateness for  
8 compliance with the United States Secretary of Interior's  
9 Standards for Rehabilitation and any applicable historic  
10 preservation design guidelines. The Historic Preservation  
11 Section shall evaluate Certificate of Appropriateness  
12 applications based on the historic importance and  
13 significance of the project, the overall contribution of  
14 the project to the restoration of the historic fabric,  
15 and the overall preservation of the building. If  
16 appropriate, the Historic Preservation Section shall  
17 issue administrative approval of the Certificate of  
18 Appropriateness in accordance with the Administrative  
19 Matrix, pursuant to the authority granted in Section  
20 307.107, Ordinance Code; otherwise, they shall forward a  
21 recommended approval, denial, or approval with conditions  
22 to the JHPC.

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

1 or their designee in accordance with the REHAB Special Revenue  
2 Fund Guidelines.

3 (h) *Review by the CAO or their designee.* To receive a  
4 reimbursement grant from the fund, the owner of a historic  
5 building, or his or her agent, shall submit, in accordance  
6 with the REHAB Special Revenue Fund Guidelines, a grant  
7 application to the CAO or their designee for the grant  
8 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 Special Revenue  
11 Fund Guidelines.

12 (i) *Fund programs.* The owner of a historic building which meets  
13 the 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  
16 restoration, according to the REHAB Special Revenue Fund  
17 Guidelines which includes, but is not limited to: restoration  
18 or rehabilitation of the building exterior, restoration of  
19 historic features on the building interior, rehabilitation of  
20 the building interior, code compliance improvements and  
21 general requirements and overhead of the general contractor,  
22 as further detailed in the REHAB Special Revenue Fund  
23 Guidelines.

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

1 deemed ineligible for a grant under this program.

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

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

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

16 **Section 4. Codification Instructions.** The Codifier and  
17 the Office of General Counsel are authorized to make all chapter  
18 and division "table of contents" consistent with the changes set  
19 forth herein. Such editorial changes and any other necessary to  
20 make the *Ordinance Code* consistent with the intent of this  
21 legislation are approved and directed herein, and the changes to  
22 the *Ordinance Code* shall be made forthwith and when inconsistencies  
23 are discovered.

24 **Section 5. Effective Date.** This Ordinance shall become  
25 effective upon signature by the Mayor or upon becoming effective  
26 without the Mayor's signature.

1 Form Approved:

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3           /s/ Carla A. Lopera          

4 Office of General Counsel

5 Legislation Prepared By: Carla A. Lopera

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