



OFFICE OF THE CITY COUNCIL

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JACKSONVILLE, FLORIDA 32202

STAND UP FOR YOUR NEIGHBORHOODS SUBCOMMITTEE MEETING MINUTES

August 27, 2014
10:00 a.m.

City Hall
117 W. Duval St., 1st Floor
Lynwood Roberts Room

Attendance: Council Members Denise Lee (Chair), Greg Anderson, John Crescimbeni, Warren Jones (arr. 10:16a), Jim Love

Excused: Council Members Bill Bishop, Bill Gulliford

Also: Karen Bowling – Mayor's Office; Chief Pat Ivey – Jacksonville Sheriff's Office; Janice Billy – Council Auditor's Office; Paige Johnston and Peggy Sidman – General Counsel Office; Dan Macdonald – ECA; Yvonne P. Mitchell – Council Research Division

See attached sign-in sheet for additional attendees.

Council Member Lee called the meeting to order at 10:10 a.m. In her opening remarks, CM Lee provided a brief overview on the establishment of the Stand Up for Your Neighborhood Blight Committee. The meeting began with introductions from the committee and attendees.

Minutes

Motion/2nd move to approve minutes Love/Anderson (4-0)

Report on policy regarding structures 50+ years old – CM Warren Jones

CM Jones reported according to state statutes tax reverted properties cannot be addressed for approximately six years. The breakdown includes two years for tax certificate process and three years for lands available. A list has been requested of properties that have met timeframe in order to expedite the process with assisting developers or non-profits to ultimately get the properties into the hands of home owners. He stated that a resolution may be needed to amend the state statute to shorten the timeframe to get properties back on tax role. This originated from the proposed legislation to remove/demolish homes from non-historic long list. The legislation has been revised to include three options prior to demolition.

Ms. Margaret Gregory inquired about the maintenance responsibility of vacant properties. She has assumed maintenance of the property next door to her (1411 W. 9th Street) to minimize criminal activity and safety concerns for herself and elderly neighbor, Myrtle Turner. Ms. Gregory has made several complaints on

various properties in her neighborhood that are owned by Mr. Edward C. Wilson. **CM Lee requested Mr. Prado meet with Ms. Gregory to get further details.**

Mr. Hosea Small inquired whether there was a process which allowed properties to be cut on regular bases for the betterment of the neighborhoods.

Ms. Roberta Thomas commented former CM Hyde & CM Lee created legislation that was passed to assist with mowing and landscape of vacant properties. She stated that reports are turned into a vacant registry and services are provided. The legislation is for bank owned properties. **CM Lee requested Ms. Paige Johnston to bring legislation to next meeting.**

Subcommittee on business permitting & licensing (COUs) – CM Warren Jones

CM Jones reported many businesses fail to obtain a certificate of use after paying the business license tax. The proposed legislation has been drafted to add language that allows Planning & Development Department to suspend and revoke COUs provided the business has not meet all regulations and inspections. Mr. Calvin Burney requested that Planning & Development Department and Chief of Building Inspections are able to review proposed legislation prior to submission.

There was extensive discussion regarding business tax, requirements and notifications. Ms. Johnston commented various entities including ITD and the Tax Collector Office have met and discussed developing some internal communication procedures to address concerns; and updating the website that will describe the process steps for doing business with the City. **The committee will convene again within next two weeks to review suggestions and make a report at next meeting.**

45th Street Amoco Station PUD – Paige Johnston

CM Lee provided an overview of purpose of down zoning the property. The Planning & Development Department has attempted to work with the business owner to address the various concerns. There was discussion regarding grandfather rights to the property and time limitation to comply. Mr. Huxford suggested minimizing the zoning to a residential district which will minimize timeline to 6 months. **Ms. Johnston will revise proposal and report at the next meeting.**

Chief Ivey provided a detail map with crime statistics in the vicinity of 45th Street & Moncrief Road. He reported statistics are verified through intelligence led policing to determine staffing needs, etc. He stated Zone 4 has more documented crime specific to residential burglaries than the other zones. Zone 5 has more violent incidents than the remaining zones. The patterns and trends determine how resources are divided throughout the City.

Update on criminal surveillance cameras and Operation Cease Fire – Chief Ivey

Chief Ivey reported the purchasing of the cameras is about 95% complete. Once all the parts have been received, cameras are expected to be in operation within 60 days. There is a small delay due to the shipment of a part expected to arrive in five weeks.

Operation Cease Fire has developed Community Problem Response (CPR) Teams in all zones. The CPR teams are focused on causes of criminal activity in the areas and providing solutions through extensive inspections, investigations and collaboration with residents.

Status Report on 13th and Moncrief – Robert Prado

Mr. Prado reported that Ms. Shaw is initiating the injunction process against property owner of 13th Street & Moncrief Road. Criminal statistics and historical data are being compiled as additional documentation for injunction of 2300 and 2306 Moncrief Road as a public nuisance. There was discussion regarding injunction vs. foreclosure on both properties. **CM Lee directed Mr. Prado to start foreclosure procedures immediately.**

Topics Not Covered on Agenda

Report on neighborhoods organized over last 3 years – Daphne Colbert & Kenny Logsdon
Report on Payne Street near 13th Street and Moncrief Road – Paul Tutwiler, NWJCDC

New Business

None

Public Comment

Ms. Roberta Thomas suggested the committee review the Missouri Senate Bill 731 to address nuisance properties. She provided a copy of the bill for review. Additionally, she was concerned about ditches in Arlington that have not been cleaned since February. **CM Lee requested Ms. Thomas give the Care Issue numbers to Mr. Macdonald.**

Ms. Gregory is concerned about the store at 2610 N. Myrtle Avenue. She reported various illegal activities on site and threats made by owners. She provided information on police reports and concerns of neighborhood residents. **CM Lee requested Chief Ivey to revisit store for cooperation from owner regarding loitering.**

Mr. Carnell Oliver provided a different social perspective regarding loitering. His suggestion to deterring crime is advocating for criminal justice reform; and encouraging businesses to hire individuals with criminal backgrounds.

Mr. Paul Tutwiler commented that many citizens choose to stay in some neighborhoods because of pride and longevity of social/family ties. He believes there are two issues: lack of property responsibility and assisting some people with reintegrating back into society. He commented on capable with dealing with one and encouraged with cooperating with the City of Jacksonville and other entities in improve the other.

CM Lee requested attendees bring back ideas and recommendations of services such as GED programs, work programs, etc., to offer resources and alternatives to minimize illegal activity. She expressed additional concern about the safety of City employees along with what can be done to improve the quality of life for everybody within our City.

There was discussion regarding validation of parking for citizens that attend the meetings. Mr. Jack Shad stated he would contact Ms. Cheryl Brown and inform Mr. Macdonald about the parking validation for citizens at the next meeting. It should be noted that citizens have to park in the library garage to receive validation. Ms. Aleizha Batson stated she would post notice about free parking for citizens attending meetings.

There being no further business, the meeting was adjourned at 12:55 p.m.

Yvonne P. Mitchell, Council Research Division (904) 630-1679

Posted 09.03.14 10:00a.m.

Report on Land Use and Rezoning draft legislation for Safar Property

**Presented by:
Paige Johnston, OGC**

1 Introduced by Council Member Lee:

2
3
4 **ORDINANCE 2014-**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE
8 DESIGNATION FROM COMMUNITY/ GENERAL COMMERCIAL
9 (CGC) TO LOW DENSITY RESIDENTIAL (LDR) ON
10 APPROXIMATELY .23± ACRES OF LAND LOCATED IN
11 COUNCIL DISTRICT 10 AT 5430 AVENUE B, BETWEEN 45TH
12 STREET WEST AND 44TH STREET WEST, OWNED BY KBR
13 PROPERTIES, INC., AS MORE PARTICULARLY DESCRIBED
14 HEREIN, PURSUANT TO APPLICATION NUMBER 2014-__;
15 PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
18 Ordinance Code, and Section 163.3187(1), Florida Statutes, an
19 application for a proposed small-scale amendment to the Future Land Use
20 Map series (FLUMs) of the 2030 Comprehensive Plan to change the Future
21 Land Use designation from Community Commercial General (CGC) to Low
22 Density Residential (LDR) on approximately .23± acres of certain real
23 property in Council District 10, as more particularly described in
24 Section 2 and referenced therein as the "Subject Property", owned by
25 KBR Properties, Inc., and filed by the City of Jacksonville; and

26 **WHEREAS**, the Planning and Development Department reviewed the
27 proposed revision and application and has prepared a written report and
28 rendered an advisory recommendation to the City Council with respect to
29 the proposed amendment; and

30 **WHEREAS**, the Planning Commission, acting as the Local Planning
31 Agency (LPA), held a public hearing on this proposed amendment, with

1 due public notice having been provided, reviewed and considered
2 comments received during the public hearing and made its recommendation
3 to the City Council; and

4 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
5 Council held a public hearing on this proposed amendment to the 2030
6 *Comprehensive Plan* pursuant to Chapter 650, Part 4, *Ordinance Code*,
7 considered all written and oral comments received during the public
8 hearing, and has made its recommendation to the City Council; and

9 **WHEREAS**, the City Council held a public hearing on this proposed
10 amendment with public notice having been provided, pursuant to Sections
11 163.3184 and 163.3187, *Florida Statutes* and Chapter 650, Part 4,
12 *Ordinance Code*, and considered all oral and written comments received
13 during public hearings, including the data and analysis portions of
14 this proposed amendment to the 2030 *Comprehensive Plan* and the
15 recommendations of the Planning and Development Department, the
16 Planning Commission and the LUZ Committee; and

17 **WHEREAS**, in the exercise of its authority, the City Council has
18 determined it necessary and desirable to adopt this proposed amendment
19 to the 2030 *Comprehensive Plan* to preserve and enhance present
20 advantages, encourage the most appropriate use of land, water, and
21 resources consistent with the public interest, overcome present
22 deficiencies, and deal effectively with future problems which may
23 result from the use and development of land within the City of
24 Jacksonville; now therefore

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

26 **Section 1. Purpose and Intent.** This ordinance is adopted to
27 carry out the purpose and intent of, and exercise the authority set out
28 in the Community Planning Act, Sections 163.3161 through 163.3248,
29 *Florida Statutes*, and Chapter 166, *Florida Statutes*, as amended.

30 **Section 2. Subject Property Location and Description.** The
31 approximately .23± acres of land (R.E. No. 027836-0000) is located in

1 Council District 10 at 5430 Avenue B, between 45th Street West and 44th
2 Street West, as more particularly described in Exhibit 1 and
3 graphically depicted in Exhibit 2, both attached hereto and
4 incorporated herein by this reference (Subject Property).

5 **Section 3. Owner and Applicant Description.** The Subject
6 Property is owned by KBR Properties, Inc. The applicant is City of
7 Jacksonville, 214 North Hogan Street, Suite 300, Jacksonville, Florida
8 32202; (904) 255-7800.

9 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
10 City Council hereby adopts a proposed small-scale revision to the
11 Future Land Use Map series of the 2030 Comprehensive Plan by changing
12 the Future Land Use Map designation from Community/ General Commercial
13 (CGC) to Low Density Residential (LDR), pursuant to Application Number
14 2014-_____.

15 **Section 5. Applicability, Effect and Legal Status.** The
16 applicability and effect of the 2030 Comprehensive Plan, as herein
17 amended, shall be as provided in the Community Planning Act, Section
18 163.3161 through 163.3248, *Florida Statutes*, and this ordinance. All
19 development undertaken by, and all actions taken in regard to
20 development orders by governmental agencies in regard to land which is
21 subject to the 2030 Comprehensive Plan, as herein amended, shall be
22 consistent therewith as of the effective date of this amendment to the
23 plan.

24 **Section 6. Effective date of this Plan Amendment.**

25 a. If the amendment meets the criteria of Section 163.3187,
26 *Florida Statutes*, as amended, and is not challenged, the effective date
27 of this plan amendment shall be thirty-one (31) days after adoption.

28 b. If challenged within thirty (30) days after adoption, the
29 plan amendment shall not become effective until the State Land Planning
30 Agency or the Administration Commission, respectively, issues a final
31 order determining the adopted small-scale development amendment to be

1 in compliance.

2 **Section 7. Effective Date.** This ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

5
6 Form Approved:

7
8 _____
9 Office of General Counsel

10 Legislation Prepared By: Paige Hobbs Johnston

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1 Introduced by Council Member Lee:
2
3

4 **ORDINANCE 2014-**

5 AN ORDINANCE REZONING APPROXIMATELY .23± ACRES OF
6 LAND LOCATED IN COUNCIL DISTRICT 10 AT 5430
7 AVENUE B, BETWEEN 45TH STREET WEST AND 44TH
8 STREET WEST (R.E. NO. 027839-0000), AND OWNED BY
9 KBR PROPERTIES, INC., AS DESCRIBED HEREIN, FROM
10 COMMERCIAL/COMMUNITY GENERAL-1 (CGC-1) DISTRICT
11 TO RESIDENTIAL-LOW DENSITY-60 (RLD-60) DISTRICT,
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
14 SMALL-SCALE AMENDMENT APPLICATION NUMBER 2014-
15 ____; PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, the City of Jacksonville adopted a Small-Scale land use
18 amendment to the *2030 Comprehensive Plan* for the purpose of revising
19 portions of the Future Land Use Map series (FLUMs) in order to ensure
20 the accuracy and internal consistency of the plan, pursuant to
21 application 2014-____ and companion land use Ordinance 2014-____; and

22 **WHEREAS**, in order to ensure consistency of zoning district with
23 the *2030 Comprehensive Plan* and the adopted companion Small-Scale land
24 use amendment 2014-____, an application to rezone and reclassify from
25 Commercial/Community General-1 (CGC-1) to Residential Low Density-60
26 (RLD-60) District was filed by City of Jacksonville on behalf of KBR
27 Properties, Inc., the owner of approximately .23 acres of certain real
28 property in Council District 10, as more particularly described in
29 Section 1 and referenced therein as the "Subject Property"; and

30 **WHEREAS**, the Planning and Development Department, in order to
31 ensure consistency of this zoning district with the *2030 Comprehensive*

1 Plan, has considered the rezoning and has rendered an advisory opinion;
2 and

3 WHEREAS, the Planning Commission has considered the application
4 and has rendered an advisory opinion; and

5 WHEREAS, the Land Use and Zoning (LUZ) Committee after due notice
6 held a public hearing and made its recommendation to the Council; and

7 WHEREAS, the City Council after due notice held a public hearing,
8 taking into consideration the above recommendations as well as all oral
9 and written comments received during the public hearings, the Council
10 finds that such rezoning is consistent with the 2030 Comprehensive Plan
11 adopted under the comprehensive planning ordinance for future
12 development of the City of Jacksonville; now therefore

13 BE IT ORDAINED by the Council of the City of Jacksonville:

14 Section 1. Subject Property Location and Description. The
15 approximately .23 acres of land (R. E. No. 027836-0000) is located in
16 Council District 10 at 5430 Avenue B, between 45th Street West and 44th
17 Street West, as more particularly described in Exhibit 1 and
18 graphically depicted in Exhibit 2, both of which are attached hereto
19 and incorporated herein by this reference (Subject Property).

20 Section 2. Owner and Applicant Description. The Subject
21 Property is owned by KBR Properties, Inc. The applicant is City of
22 Jacksonville 214 N. Hogan Street, Jacksonville, FL 32218; (904) 255-
23 7800.

24 Section 3. Property Rezoned. The Subject Property, pursuant
25 to adopted companion Small-Scale land use amendment application 2014-
26 _____, is hereby rezoned and reclassified from Commercial/Community
27 General-1 (CGC-1) to Residential Low Density-60 (RLD-60) District.

28 Section 4. Contingency. This ordinance shall not become
29 effective until 31 days after adoption of the companion Small-Scale
30 land use amendment unless challenged by the state land planning agency;

1 and further provided that if the companion Small-Scale land use
2 amendment is challenged by the state land planning agency, this
3 rezoning shall not become effective until the state land planning
4 agency or the Administration Commission issues a final order
5 determining the companion Small-Scale land use amendment is in
6 compliance with Chapter 163, *Florida Statutes*.

7 **Section 5. Effective Date.** The adoption of this ordinance
8 shall be deemed to constitute a quasi-judicial action of the City
9 Council and shall become effective upon signature by the Council
10 President and the Council Secretary.

11
12 Form Approved:
13
14

15 _____
Office of General Counsel

16 Legislation Prepared By: Paige Hobbs Johnston

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Certificate of Use
Subcommittee (Chair
CM Warren Jones)
report on draft
legislation

Presented by:
Paige Johnston, OGC

1 Introduced by Council Members Lee, Jones, Love, Gulliford,
2 Crescimbeni, Bishop and Anderson:
3

4 **ORDINANCE 2014-**

5 AN ORDINANCE AMENDING CHAPTER 656 (ZONING
6 CODE), ORDINANCE CODE; AMENDING SECTION
7 656.109 (ADMINISTRATION AND ENFORCEMENT;
8 INTERPRETATION OF ZONING CODE; ADMINISTRATIVE
9 DEVIATIONS), ORDINANCE CODE, AND AMENDING
10 SECTIONS 656.151, 656.153, AND 656.156 OF
11 SUBPART E (CERTIFICATES OF USE), ORDINANCE
12 CODE, AND CREATING NEW SECTIONS 656.157
13 656.162 TO AMEND VARIOUS PROVISIONS AND CREATE
14 NEW PROVISIONS CONCERNING THE CERTIFICATE OF
15 USE APPLICATION PROCESS, REVOCATION AND
16 SUSPENSION OF EXISTING CERTIFICATES OF USE,
17 AND ENFORCEMENT OF SAME; AMENDING SECTION
18 656.1601 (DEFINITIONS), ORDINANCE CODE,
19 CREATING NEW SECTION 770.126 OF CHAPTER 770
20 (COUNTY OCCUPATIONAL LICENSE TAX), ORDINANCE
21 CODE, AND CREATING NEW SECTION 772.127 OF
22 CHAPTER 772 (MUNICIPAL OCCUPATIONAL LICENSE
23 TAX), ORDINANCE CODE, TO CLARIFY THAT
24 ISSUANCE OF OCCUPATIONAL LICENSE TAXES DOES
25 NOT WAIVE COMPLIANCE WITH OTHER APPLICABLE
26 CITY, COUNTY OR STATE REGULATIONS; PROVIDING
27 FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
28

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

30 **Section 1.** Amending Section 656.109 (Administration and
31 enforcement; interpretation of Zoning Code; administrative

1 deviations), Ordinance Code. Section 656.109, Ordinance Code, is
2 hereby amended to read as follows:

3 Chapter 656 ZONING CODE

4 PART I. GENERAL PROVISIONS

5 * * *

6 Subpart B. Administration

7 Sec. 656.109. Administration and enforcement; interpretation
8 of Zoning Code; administrative deviations.

9 (a) It shall be the responsibility of the Department to
10 administer, enforce and interpret the Zoning Code, including
11 ordinances related to Planned Unit Development districts. The
12 Director shall have the duty and authority to interpret and enforce
13 the provisions of the Zoning Code, issue, suspend or revoke
14 certificates of use, and to promulgate the rules, regulations and
15 procedures found necessary for the implementation and enforcement
16 of the Zoning Code. A Written Interpretation may be requested by
17 any resident, landowner or any person having a contractual interest
18 in land in the City, and who is, or stands to be, an adversely
19 affected person as a result of the implementation of any provision
20 of the Zoning Code. Before a Written Interpretation is made by the
21 Director, a Request for Written Interpretation shall be submitted
22 to the Director on the form established by the Director, together
23 with the required fee, as specified in Section 656.147. Within five
24 working days after a Request for Written Interpretation has been
25 received, the Director shall determine whether the request is
26 complete. If the Director determines that the request is not
27 complete, a written notice shall be sent to the applicant
28 specifying the deficiencies. The Director shall take no further
29 action on the Request for Written Interpretation until the
30 deficiencies are remedied. Within 30 days after a Request for
31 Written Interpretation has been determined to be complete, the

1 Director shall review and evaluate the request in light of the
2 Comprehensive Plan, the Zoning Code, the Zoning Atlas, and other
3 statutes, codes, ordinances and regulations, to the extent
4 applicable, consult with the Office of General Counsel, or other
5 affected City staff, and then render an interpretation. The
6 interpretation shall be in writing, approved as to form by the
7 Office of General Counsel and mailed to the applicant by certified
8 mail, return receipt requested.

9 * * *

10 Section 2. Amending Subpart E (Certificates of Use),
11 Chapter 656, Ordinance Code. Chapter 656 (Zoning Code), Part 1
12 (General Provision), Subpart E (Certificate of Use), Ordinance
13 Code, is amended to modify existing Sections 656.151, 656.153,
14 656.156 and create a new Sections 656.157, 656.158, 656.159,
15 656.160, 656.161, and 656.162 to read as follows:

16 Chapter 656 ZONING CODE

17 Part 1. General Provisions

18 * * *

19 Subpart E. Certificates of Use

20 Sec. 656.151. Certificates of Use

21 * * *

22 (b) The City shall have the right to periodically inspect
23 premises at any reasonable time to ensure the existence of a
24 current and valid certificate of use, and to ensure compliance with
25 ~~the terms and conditions~~ all zoning regulations, building
26 inspection, fire code safety or life safety code requirements, all
27 applicable local and state regulations and other terms under which
28 a certificate of use was issued.

29 * * *

30 (e) It shall be the duty of all employees of the City, and
31 especially of all of the officers and inspectors of the Building

1 Inspection Division, the Municipal Code Enforcement Division, Fire
2 Prevention Division, Planning and Development Department, and law
3 enforcement officers, to report to the Director any apparent
4 violation of this Chapter.

5 * * *

6 **Sec. 656.153. Certificate of use review**

7 The Building Inspection Division shall review each
8 certificate of use application for any new uses, changes in use,
9 expansion of square footage or inclusion of new uses, for
10 compliance with the Florida Building Code, and Part 12 and Part 13
11 of Chapter 656, Ordinance Code. The Fire Prevention Division shall
12 review each certificate of use application for any new uses,
13 changes in use, expansion of square footage or inclusion of new
14 uses, for compliance with Chapter 633 of the Florida Statutes and
15 Section 420, Ordinance Code. The Planning and Development
16 Department shall review each certificate of use application for any
17 new uses, changes in use, expansion of square footage or inclusion
18 of new uses, for compliance with Chapter 656, Ordinance Code. The
19 Zoning Administrator shall issue a certificate of use for any new
20 uses, changes in use, expansion of square footage or inclusion of
21 new uses, upon a positive recommendation from each department,
22 however in the event there is a question as to the legality of a
23 use, the Zoning Administrator may require inspections, affidavits
24 and such other information the Zoning Administrator may deem
25 appropriate or necessary to establish the legality of the use,
26 before a certificate of use will be issued. The Zoning
27 Administrator shall not issue a certificate of use for any new use,
28 change in use, expansion of square footage or inclusion of new uses
29 prior to final written approval of the Building Inspection
30 Division, Fire Prevention Division, and Planning and Development
31 Department as to their relevant portion of review. In addition, no

1 conditional approval of a certificate of use shall be granted by
2 the Zoning Administrator. Failure to permit inspection of the
3 premises shall be grounds for denial of an application for a
4 certificate of use or revocation of an existing certificate of use.

5 * * *

6 Sec. 656.156. Appellate procedure for denial of a
7 certificate of use.

8 In the event the Zoning Administrator determines to deny any
9 application for a certificate of use, the Zoning Administrator
10 shall provide the applicant written notice of said denial, along
11 with the reasons for said denial and any written documents
12 pertaining to the denial. Said notice of denial shall afford the
13 applicant an opportunity to appear before the Certificate of Use
14 Board by written appeal filed within 30 days of the denial so as to
15 allow the applicant to present additional information or otherwise
16 explain factors the applicant deems relevant. At said appeal the
17 Certificate of Use Board shall notify the applicant of the
18 Certificate of Use Board's final decision and shall confirm said
19 decision in writing within 30 days of the appeal. Said final
20 decision shall be the final action of the City. The final action of
21 the City shall be effective as of issuance of the final order and
22 an applicant shall thereafter have any remedies available at law.

23 Sec. 656.157. Revocation of a certificate of use.

24 The Director is authorized to suspend or revoke a certificate of
25 use for cause. The following constitute adequate grounds for the
26 Director to suspend or revoke a certificate of use:

- 27 (a) The certificate holder has failed to disclose or has
28 misrepresented a material fact or information required by
29 this Chapter in the application;
30 (b) The certificate holder, as part of the certificate
31 holder's business activity within the City, is engaged in

1 conduct that is contrary to the public health, welfare or
2 safety of the City;

3 (c) The certificate holder does not engage in the use
4 described in the application or has changed the use
5 without authorization through approval of a new
6 certificate of use for the changed use, as required
7 herein;

8 (d) The certificate holder is conducting business from
9 premises that do not possess a valid and current
10 certificate of occupancy as may be required by city,
11 county and state laws;

12 (e) The certificate holder has been convicted of violations
13 of city, county or state (including civil violations), on
14 three (3) or more separate occasions in less than five (5)
15 years for activities occurring at the certificate holder's
16 premises;

17 (f) In the event of a conviction of any owner, operator,
18 manager, supervisor, or any employee acting at the
19 direction or with the knowledge of the owner, operator,
20 manager, or supervisor, by a court of competent
21 jurisdiction, for the violation of any criminal statute
22 committed in conjunction with the business operation;

23 (g) The certificate holder has violated any provision of this
24 Chapter and has failed or refused to cease or correct the
25 violation within thirty (30) days of receipt of
26 notification thereof;

27 (h) The certificate holder, as part of their business
28 activity within the city, has used the premises or
29 knowingly lets, leases or gives space for unlawful
30 gambling purposes;

31 (i) The certificate holder, within the preceding five years

1 in this state or any other state or in the United States,
2 has been adjudicated guilty of or forfeited bond when
3 charged with soliciting for prostitution, pandering,
4 letting premises for prostitution, keeping a disorderly
5 place, or illegally dealing in, manufacturing or
6 processing of narcotics;

7 (j) The premises have been condemned by the local health
8 authority for failure to meet sanitation standards or the
9 premises have been condemned by the local authority
10 because the premises are unsafe or unfit for human
11 occupancy;

12 (k) The certificate holder's premises have been found to
13 constitute a public nuisance pursuant to Chapter 823,
14 Florida Statutes;

15 (l) The certificate holder has failed to satisfy any fines or
16 administrative fees imposed pursuant to Chapters 91 or
17 609, Ordinance Code;

18 Sec. 656.158. Procedure for suspension or revocation; appeal
19 of suspension or revocation of a certificate of use.

20 In the event the Director determines there are sufficient grounds
21 to suspend or revoke a certificate of use, the Director shall
22 provide the applicant written notice of said suspension or
23 revocation, along with the reasons for said suspension or
24 revocation and any written documents pertaining to the suspension
25 or revocation. Said notice of denial shall afford the applicant an
26 opportunity to appear before the Certificate of Use Board by
27 written appeal filed within 30 days of the suspension or revocation
28 so as to allow the applicant to present additional information or
29 to otherwise refute the findings of the Director. At said appeal
30 the Certificate of Use Board shall notify the applicant of the
31 Certificate of Use Board's final decision and shall confirm said

1 decision in writing within 30 days of the appeal. The final action
2 of the City shall be effective as of issuance of the final order
3 and an applicant shall thereafter have any remedies available at
4 law.

5 **Sec 656.159. Application of other laws.**

6 A certificate of use issued under this Chapter does not waive or
7 supersede other city or county ordinances or state or federal
8 regulations or laws; does not constitute city approval of any
9 particular business activity or manner of conducting a business
10 activity; and does not excuse the taxes with other city, county,
11 state and federal regulations, ordinances and laws applicable to
12 any business and may not be used in any manner as a defense to any
13 enforcement action. All application materials prepared under this
14 Chapter shall so state. The approval of the certificate of use by
15 the Zoning Administrator and any reviewing agency shall not
16 authorize or legalize in any manner a violation of city, county,
17 state or federal ordinance, regulation or law.

18 **Sec. 656.160. Posting of certificate of use.**

19 Any person conducting a business for which a certificate of use is
20 required by this Chapter shall post the certificate of use in a
21 conspicuous place in or about the place of business where it may be
22 seen upon inspection by any official of the City. Failure to do so
23 shall constitute a violation of Chapter 609, Ordinance Code. If a
24 certificate of use is lost or stolen, a duplicate certificate of
25 use may be issued by the Zoning Administrator, provided that a
26 duplication fee shall be charged for each duplicate certificate of
27 use.

28 **Section 3. Amending Section 656.1601 (Definitions),**
29 **Ordinance Code.** Section 656.1601, Ordinance Code, is hereby amended
30 to read as follows:

Part 16. Definitions

★ ★ ★

* * *

Section 5. Creating new Section 772.127 (Application of other laws), Ordinance Code. Section 772.127, Ordinance Code, is hereby created to read as follows:

1 CHAPTER 772. MUNICIPAL OCCUPATIONAL LICENSE TAX

2 PART 1. GENERAL TAXING AND ADMINISTRATIVE PROVISIONS

3 * * *

4 Sec. 772.127. Application of other laws.

5 An occupational license tax issued under this Chapter does not
6 waive or supersede other city or county ordinances or state or
7 federal regulations or laws; does not constitute city approval of
8 any particular business activity or manner of conducting a business
9 activity; does not excuse the taxes with other city, county, state
10 and federal regulations, ordinances and laws applicable to any
11 business; and shall not be used as a defense in any enforcement
12 action. All application materials prepared under this Chapter
13 shall so state. Neither the payment of an occupational license tax
14 nor the procurement of an occupational license receipt under this
15 Chapter shall authorize or legalize in any manner a violation of
16 city, county, state or federal ordinance, regulation or law.

17 Section 6. Construction; Severability. This ordinance shall
18 be construed and interpreted as nearly as practicable so as to
19 uphold the validity of the provisions hereof. Nevertheless, the
20 provisions of this ordinance are severable, and if any provision is
21 determined to be invalid, unlawful or contrary to public policy,
22 such provision shall be disregarded and the same shall have no
23 effect upon any other provisions hereof, which other provisions
24 shall continue in full force and effect.

25 Section 7. Effective Date. This ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

28 Form Approved: .

29 _____
30 Office of General Counsel

31 Legislation prepared by: Paige Hobbs Johnston

PROPOSED DEFINITION – HISTORIC BUILDINGS

Historic Building: Any building, fifty years old or older, that is designated a City of Jacksonville landmark; a contributing property in a City of Jacksonville historic district; listed on the National Register of Historic Places or a contributing property in a National Register district; or has been determined as eligible for listing on the National Register of Historic Places, individually or as contributing to a potential district based on the Florida Master Site File or as determined by the Jacksonville Planning and Development Department¹.

BACKGROUND ON PROPOSED DEFINITION

In Chapters 307.104 & 105 and 320.407, historic buildings are defined as the following:

1. In Chapter 307.104 historic building are defined either as landmarks or contributing properties in a local district:

*Landmarks means a building or structure which is at least 50 years old and meets at least two of the criteria contained in Section 307.104(j), Ordinance Code, and which has been so designated by the City Council, and has significant archaeological or architectural features or the location of an historic event.*²

Historic District means an area which meets at least two of the criteria contained in Section 307.105(j), Ordinance Code, and has at least 50% of its structures, and has been so designated by the City Council.

2. In Chapter 320.407 (demolition delay for interim protection) historic buildings are also defined as:

*Individually listed on the National Register of Historic Places, determined to be eligible for individual listing on the National Register of Historic Places or a contributing structure within a historic district listed on the National Register of Historic Places.*³

Determination of eligibility for National Register listing is usually made when a building or site is documented on the **Florida Master Site File**. The site file is a statewide listing of properties including buildings, structures, and archaeological sites that are at least fifty years old and may have historical, architectural, archaeological significance. Maintained by the Florida Division of Historical Resources, **the Florida Master Site File does not function as a state registry with any restrictions**. It is used more for planning purposes to determine potential impact of state and federal projects on historic resources and to provide archival documentation for buildings and sites that are later destroyed.

The fifty year old date established by the National Register is considered the passage of time necessary to apply objective standards for defining historic buildings. This passage of time allows for historic evaluations to have the benefit of scholarly research and the development of professional judgment and consensus, in order to make an informed and dispassionate judgment.

Properties that are designated local landmarks or local historic districts; listed on the National Register; or determined to be eligible for listing per the Florida Master Site File have had the benefit of some degree of a professional evaluation. Although Florida Master Site File forms have been completed for well over 20,000 properties in Duval County, **the greater number of historic buildings in Jacksonville have never been documented and therefore not officially deemed as historic or potentially historic as defined above.** Therefore, a gap is created that needs to be addressed for the City to remain in compliance with the intent of the Historic Preservation Element of the Comprehensive Plan and requirements of the 106 review process established by the National Historic Preservation Act.

¹ Procedurally, a sufficient time frame will need to be set for determination of eligibility for undocumented buildings. Managing a similar process, the Florida Division of Historical Resources has a 30 day response period.

² **Local Landmark Criteria**

- A Its value as a significant reminder of the cultural, historical, architectural, or archaeological heritage of the City, state or nation.
- B Its location is the site of a significant local, state or national event.
- C It is identified with a person or persons who significantly contributed to the development of the City, state or nation.
- D It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the City, state or nation.
- E Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
- F It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
- G Its suitability for preservation or restoration

National Register Criteria

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B. Property is associated with the lives of persons significant in our past.
- C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D. Property has yielded, or is likely to yield information important in prehistory or history.

1 Introduced by Council Members Hyde and Lee and amended by the
2 Finance Committee:

3
4
5 **ORDINANCE 2010-327-E**

6 AN ORDINANCE RELATING TO MORTGAGED REAL
7 PROPERTY; CREATING A NEW CHAPTER 179 (MORTGAGE
8 FORECLOSURE REGULATION), *ORDINANCE CODE*;
9 PROVIDING THE PURPOSE, INTENT, DEFINITIONS,
10 AND APPLICABILITY OF THE ORDINANCE; REQUIRING
11 MORTGAGEE REGISTRATION RELATING TO REAL
12 PROPERTY MORTGAGES IN DEFAULT; PROVIDING FOR
13 REGISTRATION, FEES, AND THE APPROPRIATION OF
14 THOSE FEES INTO A SPECIAL ACCOUNT DEDICATED TO
15 IMPLEMENTATION OF THE ORDINANCE; REQUIRING
16 MAINTENANCE OF CERTAIN REAL PROPERTY BY
17 MORTGAGEES; PROVIDING SUPPLEMENTAL AUTHORITY;
18 PROVIDING FOR PENALTIES AND ENFORCEMENT
19 PROVIDING FOR SEVERABILITY; PROVIDING AN
20 EFFECTIVE DATE.

21
22 **BE IT ORDAINED** by the Council of the City of Jacksonville:

23 **WHEREAS**, the present mortgage foreclosure crisis has serious
24 negative implications for all communities trying to manage the
25 resulting property vacancies, increases in crime and homelessness,
26 and other problems that stem from the financial crisis; and

27 **WHEREAS**, foreclosed homes quickly succumb to the forces of
28 nature and the elements, grass and weeds grow long, swimming pools
29 become stagnant public health hazards, landscaping dies from lack
30 of attention or grows out of control, windows break, exteriors
31 suffer damage from normal wear-and-tear and vandalism, communities

1 suffer, and these consequences have a negative impact first on
2 neighboring residences and then on entire neighborhoods; and

3 **WHEREAS**, the conditions identified above negatively impact the
4 City of Jacksonville and blight neighborhoods; and

5 **WHEREAS**, the City of Jacksonville is challenged to identify
6 and locate owners or foreclosing parties who can correct negative
7 impacts and maintain the properties that are in the foreclosure
8 process or that have been foreclosed; and

9 **WHEREAS**, the City of Jacksonville finds that neighborhoods
10 should be protected from becoming blighted through the lack of
11 adequate maintenance and security of abandoned and vacant
12 properties subject to mortgages that are in default; and

13 **WHEREAS**, the City of Jacksonville has already adopted property
14 maintenance codes to regulate community standards for the interior
15 and exterior of structures and the condition of property as a
16 whole; and

17 **WHEREAS**, a foreclosed property registration process is
18 necessary for the City of Jacksonville to address safety and
19 aesthetic concerns, as well as to correct the negative impacts and
20 blighting conditions, that occur as a result of the foreclosure
21 crisis; and

22 **WHEREAS**, the City of Jacksonville finds that the registration
23 process would include properties that have already been foreclosed
24 upon, are currently in the foreclosure process, or will be in the
25 foreclosure process in the future; and

26 **WHEREAS**, the City Council of the City of Jacksonville has
27 determined that the following additions to the City's ordinance
28 code will serve and contribute to promoting and protecting the
29 general health, safety and welfare of the residents of the City of
30 Jacksonville; and,

1 **WHEREAS**, upon passage, duly noticed public hearings as
2 required by law will have been held by the City Council of the City
3 of Jacksonville, at which public hearings all residents and
4 interested persons were given an opportunity to be heard; now
5 therefore

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

7 **Section 1. Recitals Incorporated.** The above recitals are
8 true and correct and by this reference are incorporated herein
9 and made an integral part hereof.

10 **Section 2. New Chapter 179 (Mortgage Foreclosure**
11 **Regulation) enacted.** Title VI (Businesses, Trades and Occupations)
12 is amended to add a new Chapter 179 (Mortgage Foreclosure
13 Regulation) to read as follows:

14 **TITLE VI. BUSINESSES, TRADES AND OCCUPATIONS**

15 * * *

16 **CHAPTER 179. MORTGAGE FORECLOSURE REGISTRATION**

17 **Sec. 179.101 Purpose and intent.**

18 It is the purpose and intent of this Chapter to establish a
19 process to limit and reduce the deterioration of property located
20 within the City of Jacksonville, which property is in mortgage
21 foreclosure, or where ownership has been transferred to a lender or
22 mortgagee by any legal method. It is further intended to establish
23 a registration program as a mechanism to protect neighborhoods from
24 becoming blighted through the lack of adequate maintenance of
25 abandoned and vacated properties which are subject to mortgages
26 that may or may not be in default.

27 **Sec. 179.102 Definitions.**

28 The following words, terms and phrases, when used in this
29 Chapter, shall have the meanings ascribed to them, except where the
30 context clearly indicates a different meaning. Where the context

1 will permit and no definitions are provided herein, the definitions
2 provided in the Florida Building Code shall apply.

3 *Abandoned real property* means any real property that is
4 vacant, and is under a public notice of default, or is pending a
5 mortgage foreclosure, or notice of mortgagee's sale, or lien sale
6 and/or properties that have been the subject of a mortgage
7 foreclosure sale where title is retained by the mortgagee, and/or
8 any properties transferred under a deed-in-lieu of foreclosure
9 sale, a short sale or any other legal means.

10 *Default* means that the mortgagee has filed a foreclosure
11 action or public notice of default on the mortgage. A mortgage
12 shall be considered in default at such time as the mortgagee
13 declares said mortgage to be in default either in writing, by
14 recording a lis pendens, by commencing foreclosure proceedings; or
15 by any other actions demonstrating a breach of a security covenant
16 on a property.

17 *Enforcement officer* means any fulltime law enforcement
18 officer, building official, fire inspector or code enforcement
19 officer employed by the City of Jacksonville.

20 *Evidence of vacancy* means any condition that on its own, or
21 combined with other conditions present, would lead a reasonable
22 person to believe that the property is vacant. Such conditions may
23 include, but are not limited to: overgrown and/or dead vegetation;
24 electricity, water or other utilities turned off; stagnant swimming
25 pool; or statements by neighbors, passers-by, delivery agents or
26 government agents.

27 *Foreclosure* means the judicial process by which a property,
28 placed as security for a mortgage loan, after a judicial process,
29 is to be sold at an auction to satisfy a debt upon which the
30 borrower has defaulted.

1 Vacant means any building or structure that is not lawfully
2 occupied or inhabited by human beings as evidenced by the
3 conditions set forth in the definition of "*Evidence of Vacancy*"
4 above.

5 **Sec. 179.103. Applicability.**

6 This chapter applies to abandoned and vacant property located
7 within the City of Jacksonville, which property is in or has been
8 in mortgage foreclosure, or where ownership has been transferred to
9 a lender or mortgagee by any legal method.

10 **Sec. 179.104. Inspection and registration of vacant real property**
11 **by mortgagee holding mortgages in default.**

12 (a) Any mortgagee who holds a mortgage on real property
13 located within the City of Jacksonville shall perform an inspection
14 of the property upon default by the mortgagor or prior to the
15 issuance of a notice of default. If the property is found to be
16 vacant or shows evidence of vacancy, it shall be deemed vacant or
17 abandoned and the mortgagee shall, within ten (10) days of the
18 inspection, register the property with the City of Jacksonville's
19 Housing & Neighborhood Department on forms promulgated by the
20 Housing & Neighborhood Department.

21 (b) Property inspected pursuant to subsection (a) above that
22 is occupied but remains in default, shall be inspected on a regular
23 basis by the mortgagee or mortgagee's designee.

24 (c) Within ten (10) days of the date any mortgagee declares
25 its mortgage to be in default, the mortgagee shall register the
26 real property with the City of Jacksonville's Housing &
27 Neighborhood Department on forms promulgated by the Housing &
28 Neighborhood Department and, at the time of registration, shall
29 designate in writing a local property manager to inspect, maintain
30 and secure the real property subject to the mortgage in default.

1 (d) Registration pursuant to this section shall contain at a
2 minimum the name of the mortgagee, the mailing address of the
3 mortgagee, e-mail address, and telephone number and name of the
4 local property manager and said person's address, e-mail address,
5 and telephone number. The local property manager shall be
6 responsible to inspect, secure and maintain the property. The
7 property manager named in the registration shall be located within
8 twenty (20) miles of the City of Jacksonville and available to be
9 contacted by the City, Monday through Friday between 9:00 a.m. and
10 5:00 p.m., holidays and lunch hours excepted.

11 (e) Each registrant shall pay a fee of \$150.00 for each
12 registration, as and for the costs of registration and enforcement
13 and the protection against and removal of blight and real property
14 deterioration. Said fees shall be deposited to a special account
15 in the Housing & Neighborhood Department dedicated to the cost of
16 implementation and enforcement of this ordinance and any registries
17 so required.

18 (f) This section shall also apply to properties that have
19 been the subject of a foreclosure sale where title is transferred
20 to the mortgagee as well as any properties transferred to the
21 mortgagee under a deed in lieu of foreclosure.

22 (g) Properties subject to this section shall remain under the
23 registration requirement, and the inspection, security, and
24 maintenance standards of this section as long as they remain vacant
25 or subject to having been declared by a mortgagee to be in default.

26 (h) Any person or other legal entity that has registered a
27 property under this ordinance must report any change of information
28 contained in the registration within ten (10) days of the change.

29 (i) Failure of the mortgagee and/or property owner of record
30 to properly register or to modify the registration from time to
31 time to reflect a change of circumstances as required by this

1 ordinance is a violation of this chapter and shall be subject to
2 enforcement by any of the enforcement means available to the City
3 of Jacksonville.

4 (j) Pursuant to any judicial finding and determination that
5 any property is in violation of this chapter the City may take the
6 necessary action to ensure compliance with and place a lien on the
7 property for the cost of the work performed to benefit the property
8 and to bring it into compliance.

9 **Sec. 179.105. Maintenance requirements.**

10 Properties subject to this chapter shall be maintained in
11 accordance with the City's property safety standards found in
12 Chapter 518, *Ordinance Code*.

13 **Sec. 179.106. Security requirements.**

14 (a) Properties subject to this Chapter shall be maintained in
15 a secure manner so as not to be accessible to unauthorized persons.

16 (b) A "secure manner" shall include, but not be limited to,
17 the closure and locking of windows, doors, gates and other openings
18 of such size that may allow a child or adult to access the interior
19 of the property and/or structure. Broken windows shall be secured
20 by reglazing or boarding.

21 (c) If a mortgage on a property is in default, and the
22 property has become vacant or abandoned, a local property manager
23 shall be designated by the mortgagee to perform the work necessary
24 to bring the property into compliance with the code of ordinances
25 and the local property manager must perform regular inspections to
26 verify compliance with the requirements of this section, and any
27 other applicable laws or ordinances of the City of Jacksonville.

28 (d) When a property subject to this Chapter becomes vacant or
29 abandoned, it shall be posted with the name and twenty four (24)
30 hour contact telephone number of the local property manager. The
31 sign shall be placed in a window facing the street and shall be

1 visible from the street. The posting shall be no less than 18
2 inches x 24 inches. and shall be of a font that is legible from a
3 distance of 45 feet. The posting shall contain the following
4 language with supporting information:

5 THIS PROPERTY IS MANAGED BY
6 AND IS INSPECTED ON A REGULAR BASIS.
7 THE PROPERTY MANAGER CAN BE CONTACTED
8 BY TELEPHONE AT
9 OR BY EMAIL AT

10 (e) The posting required in subsection (d) above shall be
11 placed on the interior of a window facing the street to the front
12 of the property so that it is visible from the street, or secured
13 to the exterior of the building/structure facing the street to the
14 front of the property so that it is visible from the street or if
15 no such area exists, on a stake of sufficient size to support the
16 posting in a location that is at all times visible from the street
17 to the front of the property but not readily accessible to vandals.
18 Exterior posting shall be constructed of and printed with weather-
19 resistant materials.

20 (f) Failure of the mortgagee and/or property owner of record
21 to properly inspect and secure a property subject to this Chapter,
22 and post and maintain the signage noted in this section, is
23 unlawful and a Class C violation and shall be subject to
24 enforcement by any of the enforcement means available to the City
25 of Jacksonville. Pursuant to a finding and determination, the City
26 of Jacksonville may take the necessary action to ensure compliance
27 with this section, and recover costs and expenses in support
28 thereof.

29 **Sec. 179.107. Additional authority.**

30 (a) If an appropriate City code enforcement administrator has
31 reason to believe that a property subject to the provisions of this

chapter is posing a serious threat to the public health safety and welfare, the code enforcement administrator may bring the violations before the City's code enforcement board or code enforcement special magistrate, or a court of competent jurisdiction as soon as possible to address the conditions of the property.

(b) If there is a finding that the condition of the property is posing a serious threat to the public health safety and welfare, then the code enforcement board or code enforcement special magistrate or a court of competent jurisdiction may direct the City to abate the violations and charge the mortgagee with the cost of abatement.

(c) If the mortgagee does not reimburse the City for the cost of abatement within thirty (30) days of the City sending the mortgagee the invoice, then the City may lien the property with the cost of abatement, along with an administrative fee of \$500.00 to recover the administrative personnel services.

Sec. 179.108. Provisions Supplemental.

Nothing contained in this Chapter shall prohibit the City of Jacksonville from enforcing its codes by any other means, including, but not limited to, injunction, abatement or as otherwise provided by law or ordinance.

Sec. 179.109 Criminal Penalties.

Unless otherwise provided for in this Chapter, a violation of this Chapter is declared unlawful and shall be a Class B offense.

Section 3. Severability. It is hereby declared to be the intention of the City Council of the City of Jacksonville that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of

1 competent jurisdiction, such unconstitutionality shall not affect
2 any of the remaining phrases, clauses, sentences, paragraphs and
3 sections of this Ordinance.

4 **Section 4. Effective Date.** This ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

7 Form Approved:

8
9 ____/s/ Margaret M. Sidman_____

10 Office of General Counsel

11 Legislation prepared by: Steven E. Rohan

12 G:\SHARED\LEGIS.CC\2010\ord\Hyde Mortgage Foreclosure Registration 4.21.2.doc
13



Status Update for the
Neighborhood and Organization Database
As of: September 17, 2014
Categories listed on registration form:

Business Association	43
Condominium Association	25
Faith Based	1145
Homeowner Association	209
Neighborhood Organization	236
*Other	148
TOTAL	1806

*Other is broken down into 9 categories:

Apartment Association	3
Certified Housing Development Organization (CHDO)	7
Civic Association	79
National Park	1
Non-Profit / Community Service Provider	17
PTA (Parent Teacher Assoc.)	1
Professional & Trade Association	25
Property Owner Association	2
Rotary Club	13
TOTAL	148

Apartment Associations	3	A group of apartment owners who meet at a scheduled time to determine the needs of the property in question, and decide on general maintenance issues. Or: A group of apartment renters who meet for a variety of issues including management, social, or safety. Also known as Tenant Associations. Ex: Lake Shore Apartments
Business Association	43	An organization that is formed to promote like businesses either by type or by area. Also can be involved in maintenance of city Right of Way, fund raising and charitable work. Ex: Park & King Area Association
Certified Housing Development Organization (CHDO)	7	Community Housing Development Organizations (CHDOs) are neighborhood-based non-profit organizations that assist Jacksonville residents with getting into decent, safe and affordable housing. These organizations can help people who want to purchase a home through referrals to lenders and homebuyer counseling providers. They can help qualify potential income-eligible buyers for down payment and closing costs assistance. Ex. Metro North CDC
Civic Associations	79	A type of organization whose official goal is to improve the community, neighborhood, and/or individuals through volunteer work by its members. Ex. Dinsmore Neighborhood Civic Assoc., Boy Scouts
Condominium Association COA	25	A condominium is a type of housing, usually attached, where the owner owns the unit and a portion of the private land that it sits on, the community amenities like swimming pools, and clubhouses. All condominium buildings have associations that govern the policies of the condominium project, allocate expenses for maintenance, and collect the monthly, quarterly or annual association fees that each owner pays for building, insurance and community maintenance. All owners of the condominiums are mandatory members of the association. Ex. The Plaza Condominiums at Berkman Plaza and Marina
Faith Based	1145	A Faith-based organization (FBO) is not a legally defined term but it is often used to refer to religious organizations and other charitable organizations affiliated or identified with one or more religious organizations. The Faith-based category includes any religious congregation (church, mosque, synagogue, or temple, etc.). Ex. Catholic Social Services, First Baptist Church
Homeowner Association HOA	209	An organization in a subdivision or planned community, usually single-family houses, which make and enforce rules for the properties in its jurisdiction. HOAs also collect monthly or annual dues to pay for upkeep of common areas like parks, tennis courts, elevators and swimming pools and can levy special assessments on homeowners when the association lacks sufficient reserves to pay for unexpected repairs. HOAs must register with the State of Florida and be listed with the Division of Corporations. Ex. Queens Harbor
National Park	1	A scenic or historically important area of countryside protected by the federal government for the enjoyment of the general public or the preservation of wildlife. Ex. Timucuan Ecological and Historic Preserve

Neighborhood Organization	236	A group of residents, business representatives, and/or other interested citizens that devote their time and energy to improve and enhance a well-defined, geographic area where they and others live, work, or have a vested interest. This category includes Neighborhood Watch organizations. Ex. Riverside Avondale Preservation, Royal Terrace
Non-Profit / Community Service Provider	17	An organization that uses surplus revenues to achieve its goals rather than distributing them as profit or dividends. Goals of the organization include providing affordable housing, community education and organization, health awareness, and/or neighborhood improvements. Ex. Gleaner's Dispatch, Inc.
PTA (Parent Teacher Assoc.)	1	A local organization of parents and teachers created for promoting closer relations and improving educational facilities at a school. Ex. Greenfield Elementary PTA
Professional & Trade Association	25	Professional and trade associations are membership organizations, usually nonprofit, which serve the interests of members who share a common field of activity. Ex. ULI North Florida
Property Owner Association	2	An organization, usually non-residential uses, formed to maintain and improve property owned by an individual or conglomerate. Ex. Deer Wood Park Property Owners Assoc.
Rotary Club	13	A local club of business and professional people belonging to a worldwide organization of similar clubs (Rotary International) devoted to serving the community and promoting world peace. Ex. Rotary Club of Jacksonville
Total	1806	

- *Prepared by Kenny Logsdon*

	Association	Date Registered	Planning District	Council District		Association	Date Registered	Planning District	Council District
1	Arden Neighborhood	12/11/2013	4	14	28	Jax Alumnae Chapter, Delta Sigma Theta Sorerity	7/9/2014	5	8
2	Armstrong & Bosh Insurance Agency	1/10/2011	4	12	29	Julington Forest Neighborhood Organization	5/7/2013	3	6
3	Beachwood Civic Association	5/12/2014	2	4	30	Lake Mandarin Gardens Homes	1/23/2014	3	6
4	Bentwater Place HOA	7/11/2011	2	3	31	Lake Mandarin HOA	7/30/2014	3	6
5	Blue Lake Estate	6/10/2014	4	10	32	Lighthouse Pointe Community Ass	2/21/2014	3	13
6	Bluegrass/Norwood	4/16/2012	6	7	33	Monument Oaks HOA	1/31/2014	2	2
7	Casa Grande Apts.	8/15/2011	4	12	34	National Society of Colonial Dames of Florida	4/28/2014	4	14
8	Clara White Mission	4/28/2014	4	9	35	New Mill Cove East Owners Ass	10/30/2013	2	1
9	Crusselle Cove HOA	7/10/2014	3	6	36	Ortega River Place HOA	8/5/2014	4	14
10	Deer Cove Owners Assoc	7/10/2014	3	13	37	Putter Cove HOA	7/10/2014	3	13
11	Deer Ridge HOA	8/4/2014	2	2	38	Reed Island Estates HOA	7/28/2014	2	3
12	Deerwood Improvement Assoc	2/22/2013	3	13	39	River Cove Neighborhood Ass	2/6/2014	2	2
13	Deerwood Park Property Owners	7/28/2014	3	4	40	Shell Bay HOA	8/11/2014	6	11
14	East Trout River	4/4/2014	5	7	41	Sherwood Forest Community Network	5/30/2013	5	10
15	Edgewater at Sunbeam	10/30/2013	3	5	42	Sienna Forest	8/1/2014	3	6
16	Edwards Creek	1/29/2014	6	11	43	Spanish Point Civic Association	2/9/2014	2	1

17	Ellington Place	10/23/2013	2	1	44	St. John Lutheran	6/21/2014	1	7
18	Fishweir Neighborhood Watch	12/19/2013	4	14	45	Sustainable Springfield		1	7
19	Flynn Oaks HOA	7/10/2014	3	6	46	Sweetwater HOA	8/27/2013	3	13
20	Greenland Chase HOA	7/10/2014	3	5	47	The Chelsea at Riverside COA	10/13/2011	4	14
21	Hampton Glen at Deerwood	1/24/2014	3	13	48	The GAP (Green Arbor Place)	1/25/2014	2	1
22	Harbor Oaks of St. Nicholas	10/25/2013	2	4	49	The Lakewood Community	2/1/2014	3	5
23	Heavenside Neighborhood Ass	7/29/2014	3	6	50	The Plaza at Berkman	2/3/2012	1	2
24	Hunters Mill HOA	7/30/2014	2	2	51	The Village Green Property Owners	3/25/2013	3	5
25	Hyde Grove Acres	7/27/2014	4	10	52	Timucuan Ecological and Historic Preserve	8/4/2014	6	11
26	Ibis Point	11/12/2012	2	3	53	Victoria Landing NW	7/9/2014	5	10
27	Indian Springs Community Assoc	4/8/2012	2	3	54	Villages of Bartram Springs Owners Ass	9/25/2013	3	6
					55	Westwood Manor Neighborhood Watch	8/10/2011	4	10
Assisted by RW									

**Directory of Neighborhood Organizations
& Registration for Zoning Notifications
(Required for an organization to be listed)**



Date: _____

Is this a new listing ☐ or Update ☐

Would you or your organization like to receive Zoning Notifications?

(**MUST** check one): Yes ☐ No ☐

Name of Organization: _____

Type of Organization: Business ☐ Condo or Home Owners Association ☐ Faith Based ☐

(**MUST** check one)

Neighborhood ☐ Other ☐ _____

Contact Person to receive Notifications: _____

Address: _____ Zip: _____

Primary Phone #: _____ Secondary Phone #: _____

E-mail: _____

Secondary E-mail: _____

Organization's Web site: _____ Social media webpage: _____

Please email, mail or fax form to:

e-mail: Logsdon@coj.net

mail: Planning and Development Department
City of Jacksonville
Attention: Kenny Logsdon, Senior Planner
214 N. Hogan St., 8th floor
Jacksonville, FL 32202

fax: 904-255-8209, Attention: Kenny Logsdon, Senior Planner

Questions? Call the Planning and Development Department at 904-255-7800.

***Please note: This information is subject to public record requests.**

For Staff Use only: Planning Date - Name
 Neighborhoods Date - Name

These are the blight database columns as of 9/16/2014. This will enable staff to extract relevant information for contacting neighborhood leaders and update consistently.

Type of Association	Planning District	2005 Council District (CD)	2015 Council District (CD)	Association Name	Citizens Planning Advisory Committee (CPAC) Member	Contact Name
---------------------	-------------------	----------------------------	----------------------------	------------------	--	--------------

Physical Address	Street #	Street Name	Street Type	Street Direction	City	State	Zip
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Mailing Address	Street #	Street Name	Street Type	Street Direction	City	State	Zip
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E-Mail	Secondary E-Mail	Website	Zoning Notification	Last Staff Update	Date Registered with CoJ	Notes
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Baltimore's Vacants to Value (V2V) program strategies include:

Streamline the Disposition of City-Owned Properties

Through reorganization, increased marketing, and improvement of pricing policy, Baltimore is making the sale of city-owned properties a clear, predictable, and transparent process.

Streamline Code Enforcement in Stronger Markets

Through streamlined code enforcement, Baltimore forces scattered vacant properties in otherwise strong neighborhoods to rehabilitation without ever going to court.

Facilitate Investment in Emerging Markets

On high-vacancy blocks near areas of strength, Baltimore partners with committed, capitalized developers on a set of Community Development Clusters.

Target Home-buying Incentives

A variety of local, state, and federal programs offer incentives for buying a home in Baltimore City. Through V2V, these incentives are targeted to encourage the purchase of previously vacant homes.

Support Large-Scale Redevelopment in Distressed Areas

In deeply distressed areas with concentrated abandonment, large scale redevelopment remains a critical tool. As part of V2V, Baltimore continues to support large projects.

Demolish and Maintain Severely Distressed Blocks

Recognizing that not every vacant building can be revitalized, Baltimore utilizes targeted demolition, land banking, and active promotion of creative non-housing uses to support long-term housing value.

Provide Concentrated Green, Healthy and Sustainable Home and Neighborhood Improvements

Weatherization, stabilization, and rehabilitation strategies are implemented to help low-income residents create more energy efficient, comfortable and safer living environments.

Source: Baltimore Housing, *Vacants to Value* program

IDEAS (FROM BALTIMORE)

- 1) **REDEVELOPMENT** – Redevelopment of O'Donnell Heights neighborhood, a 62-acre site with over 900 new affordable and market rate townhomes and apartment flats and over 6 acres of new parks/green spaces (funding sources discussed in the press release);
- 2) **REHABILITATION/SALE OF CITY-OWNED PROPERTIES** – Workshop: How to Purchase City-Owned Property – Workshop sponsored by Baltimore Housing to teach citizens how to purchase city-owned property;
- 3) **REHABILITATION** – Workshop: Proper Steps to Rehabbing a Home in Baltimore
- 4) **REDEVELOPMENT** – Baltimore issues a Request for Proposals (RFPs) for re-development and re-purposing of 18 city-owned properties, including former school buildings, firehouses, bundled vacant buildings and lots, and a senior nursing home;
- 5) **HOMEOWNERSHIP PROGRAMS/FAIRS** – Discounted mortgage rates for military/veterans, in addition to a Baltimore City Employee Homeownership Program for city and state employees;
- 6) **DEMOLITION/COMMUNITY GARDENS** – The Mayor, Councilman, and Housing Commissioner (partnership of city leaders) announced demolition of the 2400 block of Lombard Street to *“enhance the value of homeowners’ properties, increase public safety, and support the rehabilitation of vacant properties in the area. Demolitions have also taken place nearby on South Franklinton Road, South Catherine Street, and Emerson Street. The community is working with partners to secure funding to turn the vacant properties into community gardens.”*
- 7) **REHABILITATION** - Baltimore Housing awards contracts to 2 builders to rehabilitate a total of 18 properties and vacant lots in the Greenmount West community;
- 8) **REHABILITATION** – Surplus Sales: Opportunities to evaluate surplus properties for rehabilitation;
- 9) **DECONSTRUCTION (DEMOLITION)/JOB TRAINING** – The Mayor announced a new deconstruction pilot program, which will promote job training and building material re-use, when demolishing blighted properties;
- 10) **DEMOLITION/REDEVELOPMENT/CONSTRUCTION JOBS** – Demolished properties “makes way” for revitalization of a neighborhood, which includes redevelopment of 322 units of mixed-income housing with market-rate and affordable homeownership, and rental opportunities. The plan includes approximately 12,000 square feet of community and retail space, an improved streetscape, a new neighborhood park, and

improvements to Calvert Street Park. The first phase of the redevelopment provided 92 new homes and over 30 construction jobs for local residents.

Source: Baltimore Housing Press Releases and Workshop Notices, 2012 – 2014

Land Banking

Vacant and abandoned properties are a challenging problem for any community. By viewing these properties as potential assets, rather than barriers to revitalization, smart growth advocates are finding new ways to reinvest in once-neglected neighborhoods.

One notable strategy being used nationwide to contest property abandonment is land banking. Land banks are public authorities created to acquire, hold, manage and develop vacant properties. Land banks aim to convert vacant properties that have been neglected by the open market into productive use, thereby transforming neighborhood liabilities into assets. A land bank:

- Acquires title to vacant and abandoned properties;
 - Eliminates barriers to redevelopment; and
 - Transfers property to a new owner in a way that supports community needs and priorities
- As such, land banks often provide marketable title to properties previously impossible to develop.

Land banking is emerging as an important addition to smart growth strategies for community development. By helping communities manage vacant properties and put them back into productive use, land banks help achieve a range of smart growth goals – facilitating infill development, spurring economic investment, and preserving open space.

Today there are over 80 land banks or land bank initiatives across the country, with more forming every year. They can be found in all types of communities and in every region of the nation.

One of the most well-known, the Genesee County Land Bank in Flint, Michigan, has demonstrated the strategy's effectiveness as a redevelopment tool. The Genesee County Land Bank has raised surrounding property values by \$109 million and has spurred \$60 million in new private investment, all during a major recession and foreclosure crisis.

The success of the Genesee County Land Bank as well as others across the country make clear that land banking is an effective way to unlock the potential of vacant urban land.

Source: Smart Growth America

SUBPART F. DONATION OF PROPERTY FOR CERTAIN RESIDENTIAL HOUSING

Sec. 122.461. Donation for residential housing.

Sec. 122.461. Donation for residential housing.

(a)

The Purchasing Division and Real Estate Division may donate property, which has a current fair market value of less than \$25,000, to a not-for-profit corporation which has been qualified and specifically listed hereinbelow and has an objective of creating residential housing for persons of low or moderate income (as such income is defined and approved by the Jacksonville Housing Authority). The not-for-profit corporation must be approved by the Planning and Development Department as an entity whose efforts at constructing housing for low or moderate income individuals meet reasonable standards as to the quality of construction and compliance with income standards. The following listed not-for-profit corporations are found to be qualified and may receive property donations pursuant to this Subpart:

(i)

Habitat for Humanity of Jacksonville, Inc.

(ii)

Community Housing Development Organizations (CHDO) as identified by the City's Community Development Division.

(b)

Prior to any donation, the Real Estate Division shall investigate whether or not there is a need by the City or any independent agency or, if deemed appropriate by the Real Estate Division, any other governmental agency or unit of government; provided that no written inquiry shall be necessary when the Real Estate Division has been informed previously or otherwise is aware of a need or no need to retain the property for governmental use. If, as a result of its investigation, the Real Estate Division determines there is a need for the subject property by a governmental agency or unit, then no donation shall be made.

(c)

The Mayor and Corporation Secretary are authorized to execute and deliver all documents necessary to convey the property to the not-for-profit corporation.

(d)

The Chief, Real Estate Division shall execute on behalf of the City an agreement, with the not-for-profit corporation, containing the following conditions: (i) The property be used solely for the construction of affordable housing for low or moderate income individuals; (ii) That construction of such housing begin within 12 months of the donation, unless such time is extended by the Chief, Real Estate Division; (iii)

Construction completed within 18 months of donation; (iv) The not-for-profit corporation will assume full responsibility for construction of the homes in compliance with appropriate building codes; and (v) If construction is not feasible, the property will be conveyed to the City, at no cost to the City. The form of the agreement shall be approved by the Office of General Counsel.

(Ord. 97-14-E, § 2)

AGREEMENT FOR DONATION

This Agreement for Donation is made this _____ day of _____, 2014,
between _____, a Florida
Non-Profit Corporation, hereinafter referred to as "**Donee**", and the **CITY OF**
JACKSONVILLE, a **Municipal Corporation**, ("**City**").

WITNESSETH

WHEREAS, **Donee** has requested the City to convey to **Donee** the property described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the City, Pursuant to Ordinance 97-14-E, codified at Section 122.461, Jacksonville Ordinance Code, has agreed to convey the subject property to **Donee** provided **Donee** agrees to certain conditions;

NOW THEREFORE, in consideration of the premises **Donee** and City do hereby stipulate and agree as follows:

1. City Agrees to convey to **Donee** the real property described in the attached Exhibit A ("**Property**"). The conveyance shall be by quitclaim deed and the Property shall be conveyed as is, where is, and with all faults. Without limiting the generality of the foregoing City does not warrant title, merchantability, or that the Property is suited for the purposes intended. **Donee** shall be responsible for the payment of all costs associated with the City's conveyance of the Property to **Donee**, including recording fees and any fees assessed by the closing agent to close the transaction.
2. The Property will be used by **Donee** solely for the construction of affordable housing for low or moderate income individuals, and the deed shall be subject to a right of reentry if **Donee** fails to so use the Property.
3. **Donee** will commence construction of said housing on the Property within 12 months of the date of the deed of conveyance, unless such time is extended in writing by the Chief, Real Estate Division, City of Jacksonville. "Commence construction" means the actual and physical actions at the site beginning with clearing of soil and placement of foundations.
4. **Donee** will complete construction of said housing on the Property within 18 months of the date of the deed of conveyance. "Complete construction" means a certificate of occupancy has been issued for the Property.
5. **Donee** will assume full responsibility for construction of the homes on the Property in compliance with the appropriate building codes and all other applicable laws and regulations.
6. If after diligent effort construction of said housing is not feasible on the Property, **Donee** shall immediately convey the Property to the City of Jacksonville by Special Warranty Deed at no cost to

the City. "Feasible" relates to the physical condition of the site and does not include **Donee's** business decisions such as costs or profit.

IN WITNESS WHEREOF, the parties have executed the Agreement the day and year first above written.

**COMMUNITY DEVELOPMENT
COALITION CORPORATION**

By: _____

Title: _____

RE# _____

CITY OF JACKSONVILLE

By: _____

John M. Jones, Esq.
Acting Chief
Real Estate Division

State Housing Initiative Partnership SHIP

Governance: Florida Statutes 420.907

Fiscal Year 2014/2015: \$4,015,023

The State Housing Initiatives Partnership program (SHIP) provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate income families.

Allowable Uses for the SHIP funding

- Homeowner Occupied Rehabilitation
- Purchase Assistance (Down Payment, Principal Buy-down, closing costs)
- Housing Counseling / Homebuyer Education
- New Construction Loan Fund for ownership
- Development Subsidy
- Foreclosure / Loss Mitigation
- Disaster Mitigation
- Multifamily (Acquisition, Rehabilitation, New Construction, Redevelopment)
- Rental and Utility Deposits
- 30% of distribution **must** be used for individuals at or below 50% AMI
- 30% of distribution **must** be used for individuals at or below 80% AMI
- 20% of distribution **must** be used for individuals with a developmental disability
- 75% of distribution **must** be used for rehabilitation activities
- 65% of distribution **must** be used for ownership activities

Community Development Block Grant CDBG

Governance: 24 Code of Federal Regulations 570

Fiscal Year 2014/2015: \$5,594,293

Community Development Block Grant (CDBG) program provides annual grants on a formula basis to entitled cities, urban counties and states to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons and/or the elimination of slum and blight.

Allowable Uses for the CDBG funding

- Acquisition of Real Property
- Clearance
- Code Enforcement
- Fair Housing Initiatives
- Historic Preservation
- Housing Counseling
- Housing Rehabilitation
- Public Facilities & Improvements (e.g. parks and senior centers)
- Public Service
- Removal of Architectural Barriers
- Special Activities by Community-Based Development Organizations (CBDO)
- Economic Development

HOME Investment Partnership Program HOME

Governance: 24 Code of Federal Regulations 92

Fiscal Year 2014/2015: \$2,256,024

HOME is the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households.

Allowable Uses for the HOME funding

- Single Family Development (New Construction or Rental) Subsidy for CHDO's (Ownership and Rental)
- Operating Support for CHDO's
- Owner-occupied Rehabilitation (must be fully brought up to code)
- Purchase Assistance (Down Payment, Principal Buy-down, closing costs)
- Multifamily Development and Rehabilitation (Affordable and Special Needs)