



HISTORIC PRESERVATION COMMISSION

September 10, 2024

TO: Historic Preservation Commission Members and Staff
FR: Michael Montoya, Chair, Jacksonville Historic Preservation Commission
RE: **Task Force on Demolition by Neglect**

The Jacksonville Historic Preservation Commission (the “Commission”) was established to carry forward the purposes of the National Historic Preservation Act.¹ The Commission is charged with conducting an ongoing survey and inventory of historic buildings, areas, and archaeological sites in the City of Jacksonville, which shall be compatible with the Florida Master Site File, and to plan for their preservation²; to initiate plans for the preservation and rehabilitation of individual historic buildings³; to make such rules and regulations as it deems necessary for the administration of ordinances for which it is responsible⁴; and to undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purpose of this Chapter⁵, among other important activities. Additionally, the Commission may, by majority vote, without notice to the owner, designate a building, structure or site as a potential landmark and/or a potential landmark site.⁶

Members of the Commission, as well as members of the public participating in comment at Commission meetings, are concerned with the prevalence of Demolition by Neglect in our City. Demolition by Neglect may be described as the abandonment of a building or structure by the owner resulting in such a state of deterioration that its self-destruction is inevitable, or where demolition of the building or structure to remove a safety hazard is a likely result. Demolition by Neglect can be the result of benign indifference or a deliberate strategy to circumvent historic preservation restrictions against demolition.⁷ Demolition by Neglect has been described as a “loophole” in preservation policy.⁸ Regardless of the owner's motivation, the result is the same:

¹ § 76.101, *Ordinance Code*.

² § 76.103(a)(1), *Ordinance Code*.

³ § 76.103(a)(11), *Ordinance Code*.

⁴ § 76.103(a)(18), *Ordinance Code*.

⁵ § 76.103(a)(19), *Ordinance Code*.

⁶ § 307.104(q), *Ordinance Code*; §76.103(a)(20), *Ordinance Code*.

⁷ Thompson, Sakina B., "Saving the District's Historic Properties from Demolition by Neglect" (2004).

Georgetown Law Historic Preservation Papers Series. 14. ; page 1.

Download for free at: https://scholarship.law.georgetown.edu/hpps_papers/14

⁸ Goldwyn, Andrea Merrill (1995). *Demolition by Neglect: A Loophole in Preservation Policy*. (Masters Thesis). University of Pennsylvania, Philadelphia, PA., page 2.

the loss of historic, cultural, and aesthetic resources that can never be replaced.⁹ Demolition by Neglect affects not just the neglected building or structure, but also the entire neighborhood, and can start a contagious cycle of decay and disinvestment.¹⁰ The practice is especially problematic when it impacts historic landmarks and contributing structures within historic districts, which have been found worthy of preserving for future generations.

For these reasons, pursuant to Section 76.106(b), *Ordinance Code*, I am hereby creating a Jacksonville Historic Preservation Commission Task Force on Demolition by Neglect.

The Demolition by Neglect Task Force shall address the following:

1. Review current Code provisions, rules, and related procedures and policies regarding the preservation of historic buildings to identify “loopholes” or provisions otherwise affecting the potential for Demolition by Neglect.
2. Review laws, initiatives and strategies implemented by other cities or states that have proven effective at preventing Demolition by Neglect.
3. To identify and make recommendations for potential revisions to Code, policy, initiatives and strategies to curb the prevalence of Demolition by Neglect.
4. Consider methods to incorporate the Commission in the proactive identification of buildings or structures that may become the subject to Demolition by Neglect, and the proactive identification of buildings, structures or sites as potential landmarks and/or a potential landmark sites in the City.

Pursuant to Section 76.106(b), *Ordinance Code*, and the JHPC Rule 1, Administrative Procedures Rules 1.2-100 and 1.3-100 through 103, The Demolition by Neglect Task Force includes the following Members:

Task Force Members (3 required for quorum, Rule 1.3-101):

Bill Hoff, Historic Preservation Commissioner, Chair
Julia Epstein, Historic Preservation Commissioner, Vice-Chair
Becky Morgan, Historic Preservation Commissioner, Member
Michael Montoya, Historic Preservation Chairman, Member

The Demolition by Neglect Task recognizes and invites the participation of the following Subject Matter Experts and Advisors:

Shannon Blankinship, Riverside Avondale Preservation (RAP)
Michael Haskins, Springfield Preservation And Revitalization (SPAR)
Planning and Development Department
Municipal Code Compliance

Subject Matter Experts and Advisors are not members of the Task Force and are not required to comply with Florida Sunshine law.

⁹ Thompson, page 1.

¹⁰ Goldwyn, page 2.

I would like to thank Historic Preservation Commissioner Bill Hoff for chairing this Task Force.

Staff: All meetings of the Demolition by Neglect Task Force shall be noticed and open to the public. Meeting frequency, dates and times shall be decided by the Task Force Chair. The Director of Planning and Development Department shall designate an employee as the staff person who shall be responsible for all meeting notices and minutes for the Task Force. At the discretion of the Task Force Chair, an allotment of time for public comment (up to three minutes per person per meeting) may be provided at each meeting.

Deadline: A report describing recommendations for policy, practice or law amendments, or a request for an additional term shall be delivered to the Commission Chair on or before **January 31, 2025**.

CC: Historic Preservation Commissioners, Planning and Development Department Director;
Electronic Notice Kiosk – 1st Floor City Hall