The Transportation Energy and Utilities Committee offers the following Substitute of file no. 2016-730:

Introduced by Council Member R. Brown:

**ORDINANCE 2016-730**

AN ORDINANCE AMENDING CHAPTER 745 (ADDRESSING AND STREET NAMING REGULATIONS), PART 1 (GENERAL PROVISIONS),ORDINANCE CODE TO REPEAL SECTION 745.105, ORDINANCE CODE (CHANGING NAMES OF PUBLIC STREETS BY ORDINANCES; HONORARY STREET DESIGNATION BY ORDINANCE); TO ADOPT A NEW SECTION 745.105, ORDINANCE CODE (PUBLIC STREET NAME CHANGES); TO ADOPT “SEVENTY-FIVE PERCENT” AS THE MINIMUM REQUIRED FOR SIGNATURES OF PROPERTY OWNERS WHOSE PROPERTY HAS AN ADDRESS ASSIGNED TO THE STREET PROPOSED FOR CHANGE; TO DESIGNATE “TRAFFIC ENGINEERING” AS THE APPROPORATE AGENCY FOR INSTALLING STREET SIGNS”; ADOPTING A NEW SUBSECTION (I), ORDINANCE CODE (RE-NAMING STREETS IN HONOR OF PROMINENT INDIVIDUALS) TO REQUIRE SEVENTY-FIVE PERCENT OF PROPERTY OWNERS WHOSE PROPERTY HAS AN ADDRESS ASSIGNED TO THE STREET PROPOSED FOR CHANGE IN HONOR OF A PROMINENT INDIVIDUAL CONSENT TO HONORARY STREET NAMES; TO REQUIRE WRITTEN NOTIFICATION TO AFFECTED PROPERTY OWNERS THAT FAILURE TO RESPOND WITHIN 60 DAYS OF THE CITY’S FIRST WRITTEN NOTICE SHALL BE DEEMED ACCEPTANCE OF THE PROPOSED STREET NAME CHANGE; ADOPTING A NEW SUBSECTION (J), ORDINANCE CODE (HONORARY STREET NAME DESIGNATIONS) TO REQUIRE THAT SEVENTY-FIVE PERCENT OF PROPERTY OWNERS WHOSE PROPERTY HAS AN ADDRESS ASSIGNED TO THE STREET PROPOSED FOR HONORARY STREET DESIGNATION CONSENT TO HONORARY STREET DESIGNATIONS;TO REQUIRE WRITTEN NOTIFICATION TO AFFECTED PROPERTY OWNERS THAT FAILURE TO RESPOND WITHIN 60 DAYS OF THE CITY’S FRIST WRITTEN NOTIFICATION SHALL BE DEEMED ACCEPTANCE OF THE PROPOSED HONORARY STREET DESIGNATION; ADOPTING A NEW SUBSECTION (K), ORDINANCE CODE (FEE REQUIRED)TO REQUIRE PAYMENT OF NONREFUNDABLE APPLICATION FEE, ORDINANCE CODE; ADOPTING A NEW SUBSECTION (L), ORDINANCE CODE (PUBLIC HEARINGS REQUIRED FOR STREET NAME CHANGES AND HONORARY STREET DESIGNATIONS) TO REQUIRE THAT THE OWNER WHOSE ADDRESS IS ASSIGNED TO THE DESIGNATED STREET NAME CHANGE, PROVIDE WRITTEN CONSENT TO THE STREET NAME CHANGE AND AMENDING THE FEE PROVISION REFERENCE IN SUBSECTION (I); AMENDING CHAPTER 123 (PUBLIC FEES),ORDINANCE CODE; PART 1 (IN GENERAL), ORDINANCE CODE; AMENDING SECTION 123.102 (FEES ESTABLISHED), ORDINANCE CODE, TO INCREASE THE FEE FOR HONORARY STREET DESIGNATIONS TO $761.00; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**whereas,** the City of Jacksonville receives numerous requests for street name changes and honorary designations which seek to honor individuals who have achieved prominence, and have made significant contributions in Jacksonville; and

**WHEREAS**, among other requirements, pursuant to Section 745.105(e)(5), Ordinance Code, a street name change in honor of a prominent individual requires the consent of ninety percent of property owners on a street; and

**WHEREAS**, pursuant to Section 745.105 (h) (8), Ordinance Code, an honorary street designation requires that all property owners abutting a street consent to an honorary designation of the street; and

**WHEREAS,** because of the various property issues that arise due to vacant property ownership, foreclosures, bankruptcies and the challenge of receiving no response at all from property owners, it is extremely difficult for applicants who request honorary markers or honorary street names to obtain all or 90% consent from adjacent property owners; and

**WHEREAS,** reducing the required property owner consent from 90-100% to 75% for both honorary street names and markers would thereby eliminate the numerous waiver requests associated with the lack of the required property owner consent; and

 **WHEREAS**, the Council of the City of Jacksonville has determined that it is in the public interest to adopt the proposed street naming regulations;now therefore

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

 **Section 1. Section 745.105 repealed.** This ordinance specifically repeals and replaces Section 745.105, *Ordinance Code*, a copy of which is attached hereto as **Exhibit 1**.

 **Section 2.** **Creating a new** **Section 745.105.** A new Section 745.105 (Public street name changes), *Ordinance Code*, is created, to read as follows:

**CHAPTER 745. ADDRESSING AND STREET NAMING REGULATIONS.**

**PART 1. – GENERAL PROVISIONS**

**\* \* \***

**Sec. 745.105 – Public street name changes.**

(a) Public streets name changes shall be made by ordinance, pursuant to the procedures in this Section and in accordance with the Policy.

(b) A proposed street name change may be initiated by the City or through a street renaming application filed with the Planning and Development Department. A street renaming at the request of a citizen or citizens group requires agreement from at least seventy-five percent of the owners of property whose property has an address assigned to the street name that is proposed to be changed.

(c) The Planning and Development Department shall send two written notifications to affected property owners, which shall request the affected property owners to indicate their written consent or objection to the proposed street name change. If the affected property owners fail to respond within 60 days of the City’s first written notification, then such non-response shall be deemed as acceptance of the proposed street name change, and the City’s written notification shall include language that a non-response is deemed acceptance.

(d) Upon completion of administrative review of each City- initiated, citizen or owner-initiated applications by both the 911 Emergency Addressing Advisory Committee and the Historic Preservation Commission, the Planning and Development Department shall forward the application to the City Council for its consideration.

(e) The Historic Preservation Commission shall review all City-initiated, citizen or owner-initiated applications for renaming of City streets and provide a report and recommendation to the Planning and Development Department for attachment to the 911 Emergency Addressing Advisory Committee’s report, both of which shall be provided to the Chair of the appropriate City Council committee of reference for attachment to any proposed legislation or any legislation before the City Council for approval. The Historic Preservation Commission’s report and recommendation shall address the following criteria:

 (1) The origin of the street name;

 (2) Any historical significance of the existing street name;

 (3) Whether there are any historical structures or landmarks on the subject street;

 (4) Whether the existing street name is part of a common them of street names throughout the community where such street is located;

 (5) The age of the street name; and

 (6) Whether the street name is a duplicate street name.

(f) The Planning and Development Department is authorized and directed to establish:

 (1) An application for street name changes.

 (2) A procedure for administrative review of City initiated and citizen or owner initiated applications, including review by all impacted governmental entities, including but not limited to the 911 Emergency Addressing Advisory Committee and the Historic Preservation Commission.

 (3) Application submittal requirements.

 (4) The standards for placement, dimensions and type of signage for honorary street designations, with input from the Traffic Engineering Division or such subsequent agency as may perform such duties in the future.

(g) A proposed street name shall not exceed 30 characters in length, including directional and street type information, and shall not include special characters, hyphenation or abbreviations, and shall otherwise be in compliance with the guidelines set forth in the Policy.

(h) All street name changes shall be for the entire length of the street and not for a short segment of the street. The entire length shall be deemed as the contiguous length of the roadway.

(i) Re-naming Street Names In Honor of Prominent Individuals. Streets may only be renamed after a person if:

 (1) The person has achieved prominence as a result of his or her significant, positive contribution to the United States of America, Florida and/or the local community;

 (2) The person has been deceased for at least five years;

 (3) The person has resided in the community within five miles of the street name change for at least ten years;

 (4) Waiver of any provision of this Section shall require a vote of two-thirds of all Council Members;

 (5) At least seventy-five percent of the property owners whose address is assigned to the designated honorary street agree to the renaming of the designated street.

 (6) The Planning and Development Department shall send two written notifications to affected property owners, which shall request the affected property owners to indicate their written consent or objection to the proposed street name change. If the affected property owners fail to respond within 60 days of the City’s first written notification, then such non-response shall be deemed as acceptance of the proposed street name change, and the City’s written notification shall include language that a non-response is deemed acceptance.

(j) Honorary Street Name Designations.An honorary street name policy is hereby developed and stated that allows streets to have an honorary designation as follows:

 (1) The designation shall be established by City Council ordinance.

 (2) Streets carrying an honorary designation are not officially renamed, but carry a second honorary name.

 (3) In lieu of renaming a street, the Council may consider any application submitted pursuant to this Section as an application for designation of an honorary street name, authorizing an honorary street designation and the appropriate memorial marker to be placed along a street or segment thereof, in order to honor a deceased person.

 (4) The Council may amend any ordinance introduced pursuant to this Section as necessary to approve a memorial marker to honor a deceased person.

 (5) Such honorary designation shall not require an administrative review by the 911 Emergency Addressing Advisory Committee or the Historic Preservation Commission as the proposed honorary name does not change the original name of the street, but shall otherwise comply with all other parts of this Chapter and the Policy, including the notice and public hearing requirements, except that, a short segment of a street may carry an honorary designation.

 (6) Honorary street designation signs shall not be affixed or attached to the official street name sign or pole, but shall be placed in prominent locations along the right-of-way of the street or segment thereof carrying such honorary designation.

(7) The effect of such designations shall only be construed to require the Traffic Engineering Division to place two honorary street designation signs at the proposed location subject to approval by the Traffic Engineering Division or such subsequent agency as may perform such duties in the future.

 (8) At least seventy-five percent of the property owners whose address is assigned to the designated street must agree to the honorary designation of the street.

 (9) The Planning and Development Department shall send two written notifications to affected property owners, which shall request the affected property owners to indicate their written consent or objection to the proposed honorary street designation. If the affected property owners fail to respond within 60 days of the City’s first written notification, then such non-response shall be deemed as acceptance of the proposed honorary street designation, and the City’s written notifications shall include language that a non-response is deemed acceptance.

(k) Fee Required.

 (1) No request by any entity other than a government agency for the renaming of a street or honorary designation of a street or portion thereof shall be accepted or considered by the City until a nonrefundable application fee to cover the costs of processing such application as provided in either Section 123.102 ~~(~~c) (2) (viii) or 123.102(c) (2) (ix), as appropriate, has been paid to the Tax Collector.

 (2) Where a City Council member wishes to initiate a street renaming or honorary street designation on behalf of a private citizen or group of citizens, the funds to cover the cost of such street renaming or honorary designation shall be paid by the citizen or citizens’ group making the request.

(l) Public Hearings Required for all street name changes and honorary street designations.

 (1) Before final consideration of an ordinance changing a street name, the City shall hold two public hearings on the proposal after at least ten days written notice of both hearings, addressed to each owner whose property is assigned to the designated street, which notice shall be provided by the Planning and Development Department. One public hearing shall be before the Council and one public hearing shall be before the appropriate Committee of reference and shall be held after the Council public hearing.

 (2) In addition to the notice required by subsection (1), at least ten days prior to the Council public hearing the Planning and Development Department shall post signs advertising both public hearings at each intersection of the street being renamed or designated, and in the event the distance between the intersections exceeds approximately one-half mile, at the midpoint between such intersections along the street proposed to be renamed. For streets being renamed in accordance with Part 2, Subpart B (Duplicate Street Names) of this Chapter, posting of signs advertising the Council public hearings shall be waived since an advertised public hearing is required prior to initiation of Council action as set forth in [Section 745.231](https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXXIPUWOUT_CH745ADSTNARE_PT2ADSTNADE_SPDAD_S745.231PRNOPROWOCDUSTNAOUSEAD).

**Section 3. Amending Chapter 123 (Public Fees), *Ordinance Code,* amended.**  Chapter 123(Public Fees), *Ordinance Code,* is hereby amended to read as follows:

**CHAPTER 123. PUBLIC FEES.**

**PART 1. – IN GENERAL**

**\* \* \***

**Section 123.102 Fees Established.**

 There are hereby established for the department listed below the indicated fees for the indicated permits, materials or services: The fees contained within this Section are subject to the Annual Review of Fees provisions found in Section 123.102 ~~106.112~~, Ordinance Code.

**\*\*\***

(C) Public Works Department:

**\*\*\***

(2) Traffic Engineering:

**\*\*\***

(ix) Honorary street designation signs, ~~each~~ … 761.00 ~~200.00~~

**\*\*\***

**Section 4. Repealer.** Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict.  This ordinance specifically repeals and replaces the following ordinance(s) and regulation(s):  **Section 745.105, Ordinance Code.**

**Section 5. Inclusion into the Code of Ordinances.** It is the intent of the Council of the City of Jacksonville that the provisions of this ordinance shall become and be made a part of the City of Jacksonville Code of Ordinances, and that the sections of this ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

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

Form Approved:

\_\_/s/ Paige Hobbs Johnston

Office of General Counsel

Legislation prepared by: Cherry Shaw Pollock

G:\SHARED\LEGIS.CC\2016\Sub\2016-730 TEU Sub.docx