

### **13. DIA Code Compliance Support Program (As approved in Resolution 2023-08-13)**

The Downtown Investment Authority ("DIA") recognizes challenges faced by existing property owners and business operators within Downtown Jacksonville brought about by evolving Code Compliance requirements as promulgated by various Government offices and agencies during the period of ownership or operation. In the interest of furthering goals established in the DIA CRA Plan and their related Strategic Objectives and Benchmarks, the DIA Code Compliance Support Program is designed to offset these additional capital costs and contribute to the stabilization and growth in the occupancy and operation of Downtown properties. Further, by these efforts, demand for property ownership in Downtown will be stimulated and additional investors and operators will be attracted to the Downtown market creating opportunities for increased occupancy and utilization of spaces for the benefit of business owners and their employees, residents, and visitors to the area.

#### **Program Structure**

The DIA Code Compliance Support Program will follow the structural outline presented below:

1. Through its budget process, the DIA will establish a maximum funding limit on an annual basis to set aside dollar amounts for utilization by applicants as approved under these DIA Code Compliance Support Program guidelines to meet Code Compliance requirements as may be brought about from time to time by government's and their agencies to improve the safety and soundness of properties and their operation or as otherwise determined necessary by any such Public Body.
2. Funding for the DIA Code Compliance Support Program will be derived principally from tax increment finance revenues or, alternatively, as may be reallocated from the Downtown Economic Development Fund by the DIA in its capacity as the Downtown Economic Development Agency.
3. The maximum funding amount for each application shall be limited to not more than 50% of costs associated with a bonified Code Compliance requirement evidenced by documentation originating from a governmental entity outlining the minimum requirements to be fulfilled and the date by which requirements must be met.
4. The maximum funding amount for each application shall be further limited to not more than \$100,000, or other such lesser amount as the DIA Board determines as appropriate in its sole discretion.
5. Application for funding under the DIA Code Compliance Support Program may not be combined with any other DIA program and may only be a part of a broader rehabilitation effort if 100% of the remaining costs of rehabilitation are met by third party debt, investor equity, or any other funding sources outside of the DIA or the City of Jacksonville.
6. Funding under the DIA Code Compliance Support Program will be provided only following completion of the improvements as required to meet code compliance guidelines, and submission of supporting documentation to the satisfaction of the DIA that all legal requirements have been met and in verification of the amounts expended.
7. All work must be completed within one year of approval by the DIA Board unless otherwise extended by authority as may be provided in the Redevelopment Agreement. Applicants failing to meet the completion timeline are not eligible to reapply for funding of the same requirements.
8. Funding under the DIA Code Compliance Support Program will be made as a forgivable loan (grant) and will amortize in equal amounts over a three-year period from the date of funding, so long as there are no defaults under the executed grant agreement.
9. Applicants approved under the DIA Code Compliance Support Program are eligible for Expedited Review by the COJ Planning and Development Department, Building Inspection Division.

#### **Application and Eligibility Guidelines**

To be eligible for funding under the DIA Code Compliance Support Program, the following minimum requirements must be met:

1. Code Compliance is limited to requirements related to Life Safety, compliance with ADA, MEP behind the wall, and Environmental Remediation as noticed by a Public Body to the property owner or business owner.
2. Application may be made by either a property owner (owner occupied or landlord) or a business owner (tenant or operating entity). The entity responsible for compliance shall be the applicant.
3. All applicants must complete and submit a Project Profile Assessment form (business plan and other attachments found on the PPA form are not required), documentation that defines the Code Compliance work to be completed, and other documentation as may be required by the DIA.
4. All properties associated with the application must be determined to be current on all property tax payments (not via tax certificate) and free from any municipal fines or liens.
5. Properties eligible for the DIA Code Compliance Support Program include only those that are shown to have been on the City's tax roll for the previous three years.
6. Owners of multiple Downtown properties (as determined by common principles with greater than 20% ownership directly or indirectly) may be considered eligible for funding for only one property per twelve-month period from the date of approval by the DIA Board.
7. Properties must be located within the DIA boundary and may be located either on the Northbank or the Southbank.
8. Development applications that remove the subject property from the property tax rolls shall not be eligible for funding.
9. All development work and design features must comply with all applicable city codes, ordinances, the established Downtown Development Review Board Guidelines and the Downtown Zoning Overlay without waiver.
10. The DIA Code Compliance Support Program may not be used in the following circumstances:
  - a. Satisfaction of City liens in any manner.
  - b. Deferred maintenance.
  - c. Acquisition of new property or establishment of a new business.
  - d. Discretionary modifications or upgrades.
  - e. Change of use and therefor new code requirements.
  - f. Satisfaction of code violations brought about by work performed on the property following issuance of Certificate of use, or for any other reason.