

COMMISSION POLICY 24-05: AFFORDABLE HOUSING COUNTY-OWNED
SURPLUS PROPERTIES

I. PURPOSE

- a. Affordable Surplus property is defined as County owned parcels which are not proposed, reserved, or anticipated to be needed for a public purpose and are appropriate for affordable housing. Affordable Housing is defined as housing that cost no more than 30% of a household's gross income. This policy shall apply to all types of properties that are buildable and marketable for use as affordable housing according to Marion County Policy 11-01, Florida Statutes 125.379, 420.0004(3), 166.0451(2), and Marion County's code and regulations.
- b. The properties to be included in this program are, confirmed by the Marion County Office of the County Engineer, advertised by a Public Hearing, and a Resolution that is recorded in Commission Records at least every three years. All programs offered by Community Services are considered voluntary. Individuals or entities choose to engage in programs based on their interest.

II. POLICY

ACQUISITION OF PROPERTY

Properties that may be identified as affordable include but are not limited to:

- County owned properties previously purchased for other uses that are no longer needed
- Tax Lien Escheatment
- Municipal Lien Foreclosure
- Donated Properties
- Code Enforcement Liens
- Direct Purchase for Affordable Housing to include land exchange

IDENTIFICATION OF PROPERTY

The Florida Statute does not define what is "appropriate" for affordable housing.

Community Services and/or the Marion County Office of the County Engineer will review acquired property for consideration for affordable housing by completing an initial review that may include but is not limited to the following criteria:

Single family residential is defined as one (1) home or duplex per one parcel

- Developable/buildable lot size for residential purpose (or consolidation to create a buildable lot)
- Environmental Conditions (location to hazardous substances, proximity to railroad tracks, noise level, air quality, water quality, mold, lead, pests, wetlands, flood plain, flood prone, etc.)
- Legal access or easement to public road
- Proximity to public transportation
- Marketability (assess whether selling the parcel is more advantageous than building and the proceeds from the sale exceed the potential benefits of a new building)
- Must be within the County's Urban Growth Boundary or urbanized area as designated by the latest U.S. Census.

Multifamily residential is defined as three (3) or more units in one building and/or eight (8) or more units per acre.

- Developable/buildable lot size for residential purpose (or consolidation to create a buildable lot)
- Environmental Conditions (location to hazardous substances, proximity to railroad tracks, noise level, air quality, water quality, mold, lead, pests, wetlands, flood plain, flood prone, etc.)
- Legal access or easement to public road
- Proximity to public transportation
- Marketability (assess whether selling the parcel is more advantageous than developing and the proceeds from the sale exceed the potential benefits of a development)
- Must be within the County's Urban Growth Boundary or urbanized area as designated by the latest U.S. Census.

NOTIFICATION OF AVAILABLE PROPERTY

This list shall include the Parcel Identification Number and address (when applicable) of the Surplus Property. The notification shall also be posted on the Community Services (Department) web page and any other appropriate medium as determined by the County.

Criteria for Developers

Public outreach will be conducted to attract developers. Prospective developers must demonstrate:

- Financial solvency

- Legal entitlement to operate in Florida
- Financial capability to build homes
- Business acumen for managing construction, including permits and liability, or partnership with someone who has such skills

Additional information may be requested from developers. An “Interested Developer” is one who meets these criteria and shows capability to build compliant structures.

Selection of Developer

Developers must submit a written application via the Department's website to be considered. The application should address all Relevant Criteria:

- Experience in the neighborhood
- Expertise in building homes or a verified partner with such expertise
- Ability to start promptly and complete the project within 24 months
- Contributions to the area’s improvement
- Capacity to manage the project without impacting other work
- First-time acquisition status
- Non-profit status
- Use of local labor
- Restriction of homebuyers to a maximum of 140% of area median income

In case of multiple qualifying developers, the parcel will be awarded to the highest bidder. The Department will assess applications, determine the order of preference, and notify developers of their standing.

DISPOSITION PROCESS

Community Services reserves the right to improve identified properties prior to disposition for Marketability (including land clearing, impact fees, improving infrastructure, etc.).

- All proceeds from the sale of Affordable Surplus properties shall be deposited into the Affordable Housing Trust Fund Per Ordinance 98-11, except properties that were purchased with restricted funds.
 - Sold to a developer with a development restriction for affordable housing
 - Sold to an adjacent landowner
- Donated to non-profit housing organizations

Developers will submit applications according to Exhibit A and B for conveyance and development. Once a developer is selected, a Lease with an option to purchase will be executed within 30 days. The Lease terms include:

- A 99-year Community Land Trust (CLT) Lease
- A nominal rent of \$25-\$35 per month, payable to the County after the home is sold
- Compliance with code and laws
- Option to purchase contingent upon construction completion and transfer to a qualified homebuyer at or below 140% AMI

The lease requires:

- Transfer of the land to the CLT and sale of the completed home to an eligible buyer
- Closing costs covered by the developer and/or homebuyer
- A lien on the property for its just value, assumed at closing

This process ensures that surplus properties are effectively used for affordable housing in accordance with County policies and statutory requirements.

Proceeds from all Affordable Surplus properties sold shall be placed in the established Affordable Housing Assistance Trust Fund designated for Affordable Housing projects in accordance with Marion County Ordinance 98-11 and Chapter 420 of Florida Statutes.

Approved by: _____ Date: _____

POLICY HISTORY
Created: October 15, 2024
Replaced:
Current: October 15, 2024