

# INDIAN RIVER COUNTY, FLORIDA

## MEMORANDUM

---

**TO:** Jason E. Brown  
County Administrator

**THROUGH:** Philip J. Matson, AICP  
Community Development Director

**FROM:** John Stoll  
Chief, Long-Range Planning

**DATE:** June 8, 2022

**SUBJECT:** Consideration of the Disposition of County Owned Surplus Properties for Affordable Housing

---

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 21, 2022

### **BACKGROUND**

In 2006, the legislature passed HB 1363 relating to affordable housing. According to that bill, each county shall, by July 1, 2007, and every 3 years thereafter, prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include:

- Address of each parcel
- Legal description of each parcel (property tax I.D. number)
- Indication if the property is vacant or improved
- Indication if the property is appropriate for affordable housing

As per Section 125.379 (1), F.S., the governing body of the county must review the inventory list at a public hearing and may revise the list at the conclusion of the public hearing. The Board shall then adopt a resolution that includes an inventory list of county-owned surplus properties that are appropriate for affordable housing.

According to Florida Statutes, the properties on the list that are identified as surplus county owned properties and are appropriate for use as affordable housing may be:

- Sold to generate funds for the provision of affordable housing
- Sold with a restriction that requires the development of the property as permanent affordable housing, or
- Donated to non-profit housing organizations for the construction of permanent affordable housing

Consistent with 125.379(1), F.S., the county, in 2007, 2010, 2013, 2016, 2019 prepared an inventory of all county owned properties, identified which properties were appropriate for affordable housing, and held a public hearing to review the inventory list. At each of those past public hearings, the BCC agreed with staff's list of county owned properties that were not designated for a specific use and that were deemed appropriate for disposition for affordable housing purposes.

The Board must now consider the attached list of proposed surplus properties, determine that the properties are appropriate for affordable housing purposes, and direct staff to dispose of the properties for affordable housing purposes.

### **ANALYSIS**

Staff contacted local non-profit affordable housing organizations (Habitat for Humanity, The Housing League, Inc, and the Coalition for Attainable Homes), and inquired whether they would be interested in any of the three (3) properties identified on the 2022 County owned surplus land list. Habitat for Humanity expressed interest in the following address:

1. 840 8<sup>th</sup> Ct. SW

The Coalition for Attainable Homes expressed interest in the following addresses:

1. 4333 31<sup>st</sup> Ave
2. 4887 34<sup>th</sup> Ave

Staff will need to work with these organizations on some of the details regarding the surplus properties (code enforcement fines, legal access, etc.), and separate development agreements for each organization. Staff will return to the Board with final details once all of these issues have been resolved.

### **Alternatives**

With respect to the three (3) identified surplus properties, the BCC may identify a use for the properties and retain them or declare them surplus properties for affordable housing use. Because each of the properties is located in a residential area and is not needed for right-of-way, drainage, utilities, emergency services, parks/recreation, or conservation purposes, those three (3) properties are not conducive for any standard public use. Staff supports the BCC surplus the properties for affordable housing.

If the Board decides to surplus the subject properties, then there are four (4) options available:

1. Sell the properties and contribute the proceeds to the county's affordable housing trust fund (SHIP Trust Fund), or
2. Sell the properties with a deed restriction that requires that the properties be developed as permanent affordable housing, or
3. Donate the properties to non-profit housing organizations to construct affordable housing units with deed restrictions to ensure that the properties are maintained as permanent affordable housing, or
4. A combination of any of options 1, 2, or 3.

## **RECOMMENDATION**

Staff recommends that the Board of County Commissioners:

1. Review the attached list, make any appropriate changes, and approve the attached resolution accepting the list of County owned surplus properties that are appropriate for the provision of affordable housing, and
2. Direct Staff to work with Habitat for Humanity and the Coalition for Attainable Homes in order to finalize details for the donation of the surplus properties for the development of affordable housing.

## **Attachments**

1. Section 125.379 Florida Statute
2. List Map and Aerial
3. Draft Resolution