

RESOLUTION NO. 2025-68

A RESOLUTION OF CITY OF DELTONA, FLORIDA TO ESTABLISH A COMMUNITY LAND TRUST PROGRAM TO BE MANAGED BY A COMMUNITY LAND TRUST ORGANIZATION; TO CREATE PROGRAM GUIDELINES FOR THE PROGRAM; TO IDENTIFY FUNDS AND/OR REAL PROPERTY FOR INCLUSION IN THE COMMUNITY LAND TRUST; PROVIDING FOR IMPLEMENTATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on December 23, 2024, the City Commission of the City of Deltona, Florida adopted Resolution 2024-81, which made a contingent finding pursuant to Section 196.1978(3)(o), Florida Statutes, that the Shimberg Center for Housing Studies Annual Report, prepared pursuant to Section 420.6075, Florida Statutes (the “Report”), would confirm that Deltona-Daytona Beach-Ormond Beach, FL MSA, which includes Volusia County and the City of Deltona, has a surplus of affordable and available units for households in the “0-120 percent AMI” category relative to the number of renter households in the same category; and

WHEREAS, the Report confirmed the contingent finding made by the City of Deltona, Florida (the “City”); and

WHEREAS, notwithstanding the provisions of Resolution 2024-81, the City suffers from a shortage of attainable housing, which means housing that costs no more than 30 percent of household income, particularly for residents whose household incomes are not greater than 30 percent of the area median income (“Extremely Low Income”); and

WHEREAS, this shortage of housing also impacts households whose incomes are not greater than 80 percent of area median income (“Low Income”) and households whose incomes are not greater than 140 percent of area median income (“Moderate Income”); and

WHEREAS, this Commission desires to provide opportunities for residents whose incomes are not greater than 140 percent of area median income (“Extremely Low- to Moderate-Income Households”) to secure housing that is decent and affordable; and

WHEREAS, high land costs in the Deltona-Daytona Beach-Ormond Beach MSA drive up the cost of housing, often making decent housing too expensive for Extremely Low- to Moderate-Income Households; and

WHEREAS, a Community Land Trust (“Community Land Trust”) is a mechanism that may be used to combat the inflation of housing prices due to high land costs; and

WHEREAS, a Community Land Trust is a non-profit organization whose primary purpose is to hold legal and equitable title to and/or lease land or units, including but not limited to condominium units, for the purpose of preserving the long-term affordability of housing created for Extremely Low- to Moderate-Income Households; and

WHEREAS, when a Community Land Trust does not own the underlying land in a setting such as a condominium unit, it shall maintain the affordability of resale restricted condominiums or other forms of affordable housing by means of an affordability covenant incorporated within or otherwise made a part of the deed to one or more dwelling units within the regime; and

WHEREAS, among the Community Land Trust’s purposes may be the ability to undertake neighborhood development of a nonresidential nature that is ancillary to and complements and supports affordable housing; and

WHEREAS, a Community Land Trust separates ownership of the land from ownership of the housing units in order to bring housing costs down and permanently preserve land for use as affordable housing; and

WHEREAS, a Community Land Trust sells or rents housing units to income-eligible households at an affordable price, while retaining ownership of the land; in homeownership, the land is then made available to the homeowner/renter through a long-term lease, such as a 99-year lease; and

WHEREAS, a Community Land Trust reduces the price of the homes, making them more affordable for Extremely Low- to Moderate-Income Households and ensures that the homes remain affordable in perpetuity; and

WHEREAS, a Community Land Trust may also include among its purposes the acquisition of property for future development, as permitted by applicable law; and

WHEREAS, other housing assistance from the City, County, State, Federal Government, or other agencies and lenders may be used to further increase the affordability of the homes; and

WHEREAS, a homeowner who purchases a home from the Community Land Trust retains a long-term leasehold interest in the land and ownership of the improvements, which enables the homeowner to build equity in the home and to pass the home to heirs; and

WHEREAS, a renter who rents a home from the Community Land Trust will have access to quality, stable, affordable rental housing, which limits displacement due to rising housing costs and expands social and economic opportunity for the renters; and

WHEREAS, the structure used by the Community Land Trust is beneficial to the community because it ensures permanent affordability of rental and homeownership units, encourages investment into homes and the community, encourages maintenance by the homeowner of the property, and promotes economic opportunities for Extremely Low- to Moderate-Income Households, all of which have the effect of combating the deterioration and decline of neighborhoods; and

WHEREAS, this Commission desires to partner with a Community Land Trust Organization in Deltona in order to create a Community Land Trust Program ("Community Land Trust Program") which provides property and other support to Bright Community Land Trust; and

WHEREAS, this Commission desires to direct the City Manager or his/her designee to develop and implement the program described in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

Section 1. Recitals Adopted. The above recitals are hereby adopted as the legislative findings of the City Commission. The City Commission finds and determines that there is competent substantial evidence to support the findings and determinations made in this Resolution.

Section 2. Community Land Trust Policy Adopted. The City Commission adopts the policy that a Community Land Trust is necessary in Deltona in order to further the development of attainable housing. The Community Land Trust must be a

non-profit organization, which may be a coalition of organizations, a consortium, or an individual entity, created to hold land for the benefit of the community and preserve affordability for individuals and households within the community. The Community Land Trust that is supported by the City must maintain affordability of its properties for the benefit of the community, develop, in accordance with law, land use plans for the properties owned by the Community Land Trust to determine their best long-term uses; and identify and incorporate mixed-income and mixed-use opportunities where possible to help the Community Land Trust serve the lowest income households – those which are Extremely Low, Low, and Moderate Income – while still making the Community Land Trust feasible. Any real property conveyed by the City to the Community Land Trust shall be conveyed by a deed with restrictions and a reverter providing for the reversion, upon written notice by the City and at no cost to the City, of the property in the event it is not utilized as attainable housing.

Section 3. Implementation. The City Manager or his/her designee is further directed to recommend to this Commission an existing Community Land Trust Organization, which will participate in the Community Land Trust Program.

Section 4. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon the passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2025.**

BY: _____

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

Gemma Torcivia, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Lulli		
Santiago		
Avila		