



DETROIT LAND BANK AUTHORITY

VACANT LAND POLICY

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Definitions

For purposes of this Vacant Land Policy, the following terms have the meanings specified below or where indicated.

“Adjacent” means two parcels of property with borders that actually touch one another, meet at one or more corners, or in either case, would do so if an alley were not present.

“Accessory Structure Lot” is defined in Section II(B).

“AMI” means Area Median Income.

“Applicant’s Nearby Property” is defined in Section IV(B)(2).

“Applicant’s Occupied Property” is defined in Section I(B)(2).

“City” means the City of Detroit.

“City Project Coordination Area” is defined in Section VII(B)(3).

“City Project Hold Area” is defined in Section VII(B)(4).

“City Revitalization Offices” is defined in Section VII(B)(3).

“DLBA” means the Detroit Land Bank Authority.

“HHF” is defined in Section I(B)(9).

“Homestead Lot” is defined in Section VI(B).

“Inclusive Housing Opportunity Area” is defined in Section VII(B)(1).

“Infill Housing Lot” is defined in Section V(B).

“Jobs and Amenity Development Area” is defined in Section VII(B)(2).

“Land Review Area” is defined in Section VII(A).

“MSHDA” is defined in Section I(B)(9).

“Neighborhood Lot” is defined in Section IV(B).

“NSP” is defined in Section I(B)(9).

“Oversize Lot” is defined in Section III(B).

“Projects Procedures and Guidelines” means the DLBA Procedures Governing the Disposition of Properties to Support City of Detroit Economic Development Projects and the DLBA Staff Guidelines for the Disposition of Properties to Support City of Detroit Economic Development Projects.

“Revitalization” is defined in Section VII(A).

“Side Lot” is defined in Section I(B).

“Street Adjacent” means two parcels of property with borders that actually touch and face the same street. This excludes parcels across an alley or on the other side of a street.

Introduction

The Detroit Land Bank Authority was created to make vacant and residential public property available for sale in order to promote homeownership, neighborhood revitalization, urban agriculture and economic growth in the City of Detroit. The DLBA both develops and implements its own programs and cooperates with the departments and agencies of the City in order to carry out this mission.

Since 2014, the DLBA has implemented a series of programs to offer for sale the various types of properties that it holds. Based on this experience, the DLBA has determined that it is necessary and appropriate to implement a comprehensive policy to address the vacant land in its inventory. This new Vacant Land Policy supersedes all existing policies on the sale or lease of vacant land by the DLBA other than the Projects Procedures and Guidelines and the Community Partnership Policy. This new Vacant Land Policy is comprised of seven separate Chapters, some of which simply restate or refine existing policies or practices, while others offer newly developed programs for the purchase of vacant land from the DLBA inventory. In particular, several of these programs open new opportunities for neighbors to purchase land to improve neighborhood amenities, offer recreational opportunities or support urban agriculture.

Some chapters of this new Policy offer priority opportunities to individuals who live near the properties they want to purchase, or who can demonstrate the support of their neighbors, neighborhood organizations or block clubs. Another offers substantial discounts for those who can provide affordable housing in otherwise higher-priced neighborhoods. At the same time, purchasers who acquire vacant lots at below-market prices may be restricted under this Policy from changing their public-benefit use or selling them at a profit, unless they share those profits back with the DLBA to support additional public programs.

This new Policy should enhance both the speed and the efficiency with which the DLBA is able to sell its vacant property. One major improvement is that sales of Oversize Lots, Neighborhood Lots, Infill Housing Lots and Homestead Lots in accordance with this Policy will no longer require approval by the Land Bank Board of Directors. DLBA staff are developing the detailed rules, procedures and computerized support systems required to implement the new Policy, and the programs represented by each Chapter will each be announced on the DLBA website at buildingdetroit.org as they become available. These rules and procedures may be updated by staff periodically, and published on the website, based on the experience of administering this new Policy.

I. SIDE LOTS

A. Objective. To sell DLBA-owned vacant lots to owners of Adjacent occupied residential property to be used for residential, recreational or agricultural purposes.

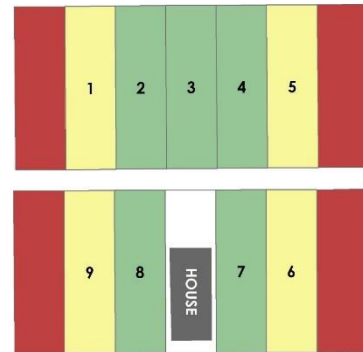
B. Definition of a Side Lot. A “Side Lot” is defined as a parcel of property in the DLBA’s inventory that meets all the following criteria.

(1) The lot must be a vacant residential property without a structure.

(2) The lot must not exceed 7,500 square feet in size and it must not measure more than 300 linear feet on any side.

(3) The lot must be Adjacent to an applicant’s property that contains an occupied residential structure of 1-4 units (the “**Applicant’s Occupied Property**”). Side Lots are (a) vacant lots Adjacent to the Applicant’s Occupied Property (left side, right side, rear or diagonally behind, even across an alley, but not across the street); or (b) at the DLBA’s discretion, vacant lots Adjacent to a Side Lot, an Accessory Structure Lot, or an Oversize Lot, in each case that is Adjacent to the Applicant’s Occupied Property.

As shown in the map, the “house” represents an Applicant’s Occupied Property, this applicant could purchase as a Side Lot (a) any of the green lots; and (b) at the DLBA’s discretion, any of the yellow lots if the green lot between the house and that yellow lot is purchased first or at the same time. None of the red lots would be eligible as Side Lots to the owner of the “house.”



(4) Parcel boundary modifications made after January 1, 2019 shall not be considered in adjacency determinations.

(5) There must be no delinquent or currently due property taxes in connection with the lot.

(6) The lot must (a) be zoned one of the following residential zoning categories R1, R1-H, R2, R2H, R3, R3H, R4, R5, R5-H, R6, or R6H; or (b) if it is not, the DLBA may choose to make it eligible as a Side Lot if the lot’s most recent previous use was as a 1-4 unit residential structure.

(7) The lot must not be selected for another DLBA disposition program.

(8) If applicable, the sale of a Side Lot must be approved by the appropriate governmental agency. Examples include approval from the Michigan State Housing Development Authority (“**MSHDA**”) for a lot that was the site of a Hardest Hit Funds (“**HHF**”)

demolition, or the City's Housing & Revitalization Department for a lot was acquired or demolished using Neighborhood Stabilization Program ("**NSP**") funds.

(9) The DLBA may choose to remove a property from Side Lot eligibility at any time and for any reason, including so that it can be sold pursuant to another DLBA Disposition Program or to otherwise support broader City strategies.

If the DLBA removes a property from Side Lot eligibility so that it can be sold pursuant to the DLBA's Projects Procedures and Guidelines, then the DLBA shall deliver a letter to owners of Adjacent lots (excluding lots across an alley) that would qualify as Applicant's Occupied Properties notifying them that the property will no longer be eligible as a Side Lot after a certain number of days.

C. Side Lot Purchaser Eligibility. To be eligible to purchase a property as a Side Lot, a prospective purchaser must meet all of the following criteria.

(1) The purchaser must hold title to the Applicant's Occupied Property, which could include being a purchaser (but not a seller) in a land contract agreement.

(2) With respect to all property owned by the purchaser located in the City, such purchaser must be current on property taxes or be in good standing with a payment plan entered into with the Wayne County Treasurer's Office.

(3) The purchaser must be in good standing with any agreements the purchaser is a party to with the DLBA.

D. Pricing. Side Lots are priced at \$100 per lot.

E. Notice and Preference. Side Lot sales shall be subject to the following notice and preference criteria.

(1) When the DLBA makes a property available for sale as a Side Lot, in addition to any other means it may or may not use, DLBA staff shall send a letter or postcard to all eligible homeowners notifying them of the availability of the Side Lot.

(2) The DLBA will hold applications to purchase a Side Lot (other than applications received at a DLBA-sponsored Side Lot Fair) for three business days from the date the first application is received before a purchaser is selected. If more than one application is received for a Side Lot, eligible applicants will be given priority in the following order:

(a) the applicant who best demonstrates a history of maintaining the Side Lot;

(b) the applicant living in a property that is Street Adjacent to the Side Lot; and

(c) the first applicant to submit a complete application.

At DLBA-sponsored Side Lot Fairs, Side Lots will be sold to the first eligible applicant to submit a complete application.

E. Compliance. Side Lots are sold without any further obligations or restrictions on the part of the purchaser, except those sold in Inclusive Housing Opportunity Areas as described in Chapter VII (Land Review Areas).

F. Tax Capture. See the DLBA's Tax Capture Waiver Policy for information regarding the DLBA's policy regarding waiving its five-year, fifty-percent tax capture with respect to Side Lots.

G. Land Review Areas. See Chapter VII (Land Review Areas) which imposes limitations on the sales of Side Lots in certain Land Review Areas.

II. ACCESSORY STRUCTURE LOTS

A. ***Objective.*** To sell DLBA-owned lots improved by only one or more accessory structures to owners of Street Adjacent occupied residential property to be used for residential, recreational or agricultural purposes.

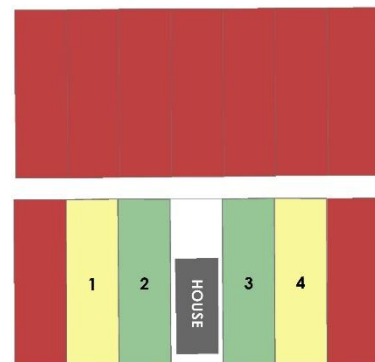
B. ***Definition of an Accessory Structure Lot.*** An “Accessory Structure Lot” is defined as a parcel of property in the DLBA’s inventory that meets all the following criteria.

(1) The lot must be vacant except for one or more accessory structures with the related principle structure on the Street Adjacent Applicant’s Occupied Property. What constitutes an accessory structure is determined by the DLBA and may include, among other structure types, garages, sheds, gazebos, or carports.

(2) The lot must not exceed 7,500 square feet in size and it must not measure more than 300 linear feet on any side.

(3) The accessory structure must not exceed 750 square feet in size.

(4) The lot must be Street Adjacent to the Applicant’s Occupied Property. Accessory Structure Lots are (a) lots with an accessory structure Street Adjacent to the Applicant’s Occupied Property (left side, right side, but not across an alley nor across the street); or (b) at the DLBA’s discretion, lots with an accessory structure Street Adjacent to a Side Lot, an Accessory Structure Lot, or an Oversize Lot, in each case that is Street Adjacent to the Applicant’s Occupied Property.



As shown in the map, the “house” represents an Applicant’s Occupied Property, this applicant could purchase as an Accessory Structure Lot (a) either of the green lots; and (b) at the DLBA’s discretion, any of the yellow lots if the green lot between the house and that yellow lot is purchased first or at the same time. None of the red lots would be eligible as Accessory Structure Lots to the owner of the “house.”

(5) Parcel boundary modifications made after January 1, 2019 shall not be considered in adjacency determinations.

(6) There must be no delinquent or currently due property taxes in connection with the lot.

(7) The lot must (a) be zoned one of the following residential zoning categories R1, R1H, R2, R2H, R3, R3H, R4, R4H, R5, R5H, R6, or R6H; or (b) if it is not, the DLBA may choose to make it eligible as an Accessory Structure Lot if the lot’s most recent previous use was as a 1-4 unit residential structure.

(8) The lot must not be selected for another DLBA disposition program.

(9) If applicable, the sale of an Accessory Structure Lot must be approved by the appropriate governmental agency. Examples include approval from MSHDA for a lot that was the site of an HHF demolition, or the City's Housing & Revitalization Department for a lot that was acquired or demolished using NSP funds.

(10) The DLBA may choose to remove a property from Accessory Structure Lot eligibility at any time and for any reason, including so that it can be sold pursuant to another DLBA Disposition Program or to otherwise support broader City strategies.

If the DLBA removes a property from Accessory Structure Lot eligibility so that it can be sold pursuant to the Projects Procedures and Guidelines, then the DLBA shall deliver a letter to owners of Street Adjacent lots that would qualify as Applicant's Occupied Properties notifying them that the property will no longer be eligible as an Accessory Structure Lot after a certain number of days.

C. Accessory Structure Lot Purchaser Eligibility. To be eligible to purchase a property as an Accessory Structure Lot, a prospective purchaser must meet all the following criteria.

(1) The purchaser must hold title to the Applicant's Occupied Property, which could include being a purchaser (but not a seller) in a land contract agreement.

(2) With respect to all property owned by the purchaser located in the City, such purchaser must be current on property taxes or be in good standing with a payment plan entered into with the Wayne County Treasurer's Office.

(3) The purchaser must be in good standing with any agreements the purchaser is a party to with the DLBA.

D. Pricing. Accessory Structure Lots are priced at \$250 per lot, unless the estimated value of the lot exceeds \$2,500 in which case the sales price shall be determined pursuant to the Projects Procedures and Guidelines.

E. Notice and Preference. Accessory Structure Lot sales shall be subject to the following notice and preference criteria.

(1) When the DLBA makes a property available for sale as an Accessory Structure Lot, in addition to any other means it may or may not use, DLBA staff shall send a letter or postcard to all eligible homeowners notifying them of the availability of the Accessory Structure Lot; provided, however, if an accessory structure is related to a specific occupied residential structure by shared wall or common driveway, the DLBA may limit initial notice of availability to the owner of the associated home.

(2) The DLBA will hold applications to purchase an Accessory Structure Lot for three business days from the date the first application is received before a purchaser is selected. If more than one application is received for an Accessory Structure Lot, applicants will be given priority in the following order:

(a) the applicant who best demonstrates a history of maintaining and/or using the accessory structure;

(b) the applicant living directly Street Adjacent to the Accessory Structure Lot; and

(c) the first applicant to submit a complete application.

F. Compliance. Accessory Structure Lots are sold without any further obligations or restrictions on the part of the purchaser, except those sold in Inclusive Housing Opportunity Areas as described in Chapter VII (Land Review Areas).

G. Tax Capture. See the DLBA's Tax Capture Waiver Policy for information regarding the DLBA's policy regarding waiving its five-year, fifty-percent tax capture with respect to Accessory Structure Lots.

H. Land Review Areas. See Chapter VII (Land Review Areas) which imposes limitations on the sales of Accessory Structure Lots in certain Land Review Areas.

III. OVERSIZE LOTS

A. **Objective.** To sell DLBA-owned vacant lots that are larger than traditional Side Lots to owners of Street Adjacent occupied residential property to be used for residential, recreational or agricultural purposes.

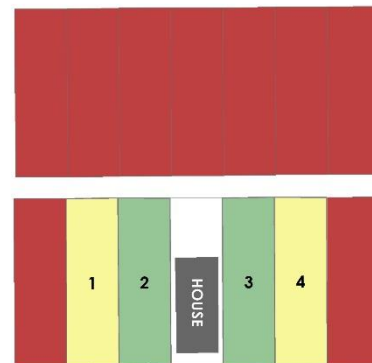
B. **Definition of an Oversize Lot.** An “Oversize Lot” is defined as a parcel of property in the DLBA’s inventory that meets all the following criteria.

(1) The lot must be a vacant residential property without a structure.

(2) The lot must be greater than 7,500 square feet and less than or equal to 15,000 square feet in size and it must not measure more than 400 linear feet on any side.

(3) The lot must be Street Adjacent to the Applicant’s Occupied Property. Oversize Lots are (a) vacant lots with an accessory structure that are Street Adjacent to the Applicant’s Occupied Property (left side, right side, but not across an alley nor across the street); or (b) at the DLBA’s discretion, vacant lots that are Street Adjacent to a Side Lot, an Accessory Structure Lot, or an Oversize Lot, in each case that is Street Adjacent to the Applicant’s Occupied Property.

As shown in the map, the “house” represents an Applicant’s Occupied Property, this applicant could purchase as an Oversize Lot (a) either of the green lots; and (b) at the DLBA’s discretion, any of the yellow lots if the green lot between the house and that yellow lot is purchased first or at the same time. None of the red lots would be eligible as Oversize Lots to the owner of the “house.”



(4) Parcel boundary modifications made after January 1, 2019 shall not be considered in adjacency determinations.

(5) There must be no delinquent or currently due property taxes in connection with the lot.

(6) The lot must be zoned one of the following residential zoning categories R1, R1-H, R2, R2H, R3, or R3H.

(7) The lot must not be selected for another DLBA disposition program.

(8) All Oversize Lot listings must be approved by staff of the appropriate City planning agencies and, if applicable, any other appropriate governmental agency. Examples include approval from MSHDA for a lot that was the site of an HHF demolition, or the City’s Housing & Revitalization Department for a lot was acquired or demolished using NSP funds.

(9) The DLBA may choose to remove a property from Oversize Lot eligibility at any time and for any reason, including so it can be sold pursuant to another DLBA Disposition Program or to otherwise support broader City strategies.

C. Oversize Lot Purchaser Eligibility. To be eligible to purchase a property as an Oversize Lot, a prospective purchaser must meet all of the following criteria.

(1) The purchaser must hold title to the Applicant's Occupied Property, which could include being a purchaser (but not a seller) in a land contract agreement.

(2) The Applicant's Occupied Property must have a current Primary Residence Exemption.

(3) With respect to all property owned by the purchaser located in the City, such purchaser must be current on property taxes or be in good standing with a payment plan entered into with the Wayne County Treasurer's Office.

(4) The purchaser must be in good standing with any agreements the purchaser is a party to with the DLBA.

(5) The purchaser understands that they must maintain the property in accordance with standards established by City and City Planning Commission laws, rules and regulations.

D. Pricing. Oversize Lots are priced at \$200 per lot, unless the estimated value of the lot exceeds \$2,500 in which case the sales price shall be determined pursuant to the Projects Procedures and Guidelines.

E. Notice and Preference. Oversize Lot sales shall be subject to the following notice and preference criteria.

(1) When the DLBA makes a property available for sale as an Oversize Lot, in addition to any other means it may or may not use, DLBA staff shall send a letter or postcard to all eligible homeowners notifying them of the availability of the Oversize Lot.

(2) The DLBA will hold applications to purchase an Oversize Lot for three business days from the date the first application is received before a purchaser is selected. If more than one application is received for an Oversize Lot, applicants will be given priority in the following order:

(a) the applicant who best demonstrates a history of maintaining the Oversize Lot;

(b) the applicant living directly Street Adjacent to the Oversize Lot;
and

(c) the first applicant to submit a complete application.

(3) No person, directly or indirectly, may ever purchase more than one Oversize Lot.

F. Compliance. Oversize Lots are sold without any further obligations or restrictions on the part of the purchaser.

G. Tax Capture. See the DLBA's Tax Capture Waiver Policy for information regarding the DLBA's policy regarding waiving its five-year, fifty-percent tax capture with respect to Oversize Lots.

H. Land Review Areas. See Chapter VII (Land Review Areas) which imposes limitations on the sales of Oversize Lots in certain Land Review Areas.

IV. NEIGHBORHOOD LOTS

A. **Objective.** To sell DLBA-owned vacant lots to owners of nearby occupied residential property to be used for residential, recreational or agricultural purposes.

B. **Definition of a Neighborhood Lot.** A “**Neighborhood Lot**” is defined as a property in the DLBA’s inventory that meets all the following criteria.

(1) The lot must be a vacant residential property without a structure.

(2) The lot must not exceed 7,500 square feet in size and it must not measure more than 300 linear feet on any side.

(3) The lot must be within 500 feet of an applicant’s property that contains an occupied residential structure of 1-2 units (the “**Applicant’s Nearby Property**”).

(4) Parcel boundary modifications made after January 1, 2019 shall not be considered in adjacency determinations.

(5) There must be no delinquent or currently due property taxes in connection with the lot.

(6) The lot must be zoned one of the following residential zoning categories R1, R1H, R2, R2H, R3, or R3H.

(7) The lot must not be selected for another DLBA disposition program.

(8) If applicable, the sale of a Neighborhood Lot must be approved from the appropriate governmental agency. Examples include approval from MSHDA for a lot that was the site of an HHF demolition, or the City’s Housing & Revitalization Department for a lot was acquired or demolished using NSP funds.

(9) The DLBA may choose to remove a property from Neighborhood Lot eligibility at any time and for any reason including (a) so it can be sold pursuant to another DLBA Disposition Program; (b) to support broader City strategies; or (c) the lot is part of a contiguous assemblage (including across alleys) of DLBA-owned land totaling 40,000 or more square feet.

C. **Neighborhood Lot Purchaser Eligibility.** To be eligible to purchase a property as a Neighborhood Lot, a prospective purchaser must meet all of the following criteria.

(1) The purchaser must hold title to the Applicant’s Nearby Property, which could include being a purchaser (but not a seller) in a land contract agreement.

(2) The Applicant’s Nearby Property must have a current Primary Residence Exemption.

(3) With respect to all property owned by the purchaser located in the City, such purchaser must be current on property taxes or be in good standing with a payment plan entered into with the Wayne County Treasurer's Office.

(4) The purchaser must be in good standing with any agreements the purchaser is a party to with the DLBA.

(5) As part of their application to purchase a lot, a prospective purchaser shall provide to the DLBA a brief plan for their proposed use of the lot which must be consistent with City ordinances and policies. Examples of acceptable uses include, but are not limited to, greenspace, outdoor recreation, urban agriculture, parking, stormwater infrastructure, and insect or bird habitats.

(6) The purchaser shall have the endorsement of at least one of the following:

(a) a local block club or a local neighborhood association, in each case registered with the City's Department of Neighborhoods;

(b) a DLBA approved Community Partners in good standing; or

(c) the local District-elected City Council Member or one of the At-Large City Council Members.

(6) No person, directly or indirectly, may ever purchase in total more than two Neighborhood Lots.

D. Pricing. Neighborhood Lots are priced at \$250 per lot, unless the estimated value of the lot exceeds \$2,500 in which case the sales price shall be determined pursuant to the Projects Procedures and Guidelines.

E. Notice and Preference.

(1) The DLBA will hold applications to purchase a Neighborhood Lot for three business days from the date the first application is received before a purchaser is selected. If more than one application is received for a Neighborhood Lot, applicants will be given priority in the following order:

(a) the applicant who best demonstrates a history of maintaining the Neighborhood Lot;

(b) the applicant living closest to the Neighborhood Lot; and

(c) the first applicant to submit a complete application.

(2) The DLBA shall deliver to all City-registered Block Clubs and Neighborhood Associations periodic notices of all lots in their service area available for sale as Neighborhood Lots. The DLBA shall also list lots available for sale as Neighborhood Lots on its website.

(3) If a Neighborhood Lot is also eligible for sale as a Side Lot, the DLBA shall offer it for sale as a Side Lot for 180 days before offering it for sale as a Neighborhood Lot.

F. Compliance. Purchasers of Neighborhood Lots must agree to maintain the property in accordance with standards established by City and City Planning Commission laws, rules and regulations for a period of three years. Should the purchaser or any future transferee be found to be in repeated violations of these standards, then the DLBA reserves the right to take back title to the property.

G. Tax Capture. See the DLBA's Tax Capture Waiver Policy for information regarding the DLBA's policy regarding waiving its five-year, fifty-percent tax capture with respect to Neighborhood Lots.

H. Land Review Areas. See Chapter VII (Land Review Areas) which imposes limitations on the sales of Neighborhood Lots in certain Land Review Areas.

V. INFILL HOUSING LOTS

A. Objective. To encourage construction of new residential housing, including affordable housing, in the City.

B. Definition of an Infill Housing Lot. An “Infill Housing Lot” is defined as a property in the DLBA’s inventory that meets all the following criteria.

- (1) The lot must be a vacant residential property without a structure.
- (2) The lot may or may not be Adjacent to an occupied residential structure.
- (3) There must be no delinquent or currently due property taxes in connection with the lot.
- (4) The lot must be zoned R1, R1-H, R2, R3, R3H, R4, R5, R5-H, R6, R6, PD, PD-H, SD1, SD2, SD2-H, or SD4.
- (5) The lot must not exceed 15,000 square feet in size.
- (6) The lot must be located within an Inclusive Housing Opportunity Area.
- (7) The appropriate City planning or economic development agencies have approved the listing of the lot as an Infill Housing Lot before being listed for sale.

C. Infill Housing Lot Purchaser Eligibility. To be eligible to purchase a property as an Infill Housing Lot, a prospective purchaser must meet all of the following criteria.

- (1) The purchaser must use the lot to support the development of new housing.
- (2) The purchaser shall provide a thorough description of the proposed development.
- (3) The purchaser must demonstrate sufficient capacity to finance and complete development and construction of a 1-4 unit residential project within a reasonable time period.
- (4) With respect to all property owned, directly or indirectly, by the purchaser located in the City, the purchaser must be current on property taxes or be in good standing with a payment plan entered into with the Wayne County Treasurer’s Office.
- (5) The purchaser, directly or indirectly, shall not have purchased three or more Infill Housing Lots in the immediately preceding twelve months.
- (6) The purchaser must be in good standing with any agreements the purchaser is a party to with the DLBA.

D. Pricing. Infill Housing Lots shall be listed for sale at fair market value as determined by an independent real estate broker provided; however, that discounts can be applied as follows.

(1) A purchaser developing rental units and willing to submit to affordability monitoring by the City's Civil Rights, Inclusion & Opportunity Department for a period of at least ten years shall receive a discount of:

(a) 50% off of the purchase price if at least 25% of the units are affordable to those earning no more than 80% of AMI; or

(b) 80% off of the purchase price if at least 25% of units are affordable to those earning no more than 50% of AMI.

(2) A purchaser may also be eligible for discounts offered through the DLBA's Projects Procedures and Guidelines provided; however, notwithstanding anything to the contrary set forth in this policy, a purchaser shall not receive a cumulative total discount of more than 90% for the purchase of any Infill Housing Lot.

E. Notice and Preference. Infill Housing Lot Sales shall be subject to the following notice and preference criteria.

(1) Infill Housing Lots shall be listed for sale with a licensed real estate agent or listed for sale on the DLBA or other City of Detroit agency website for a period of at least 15 days before an offer is selected.

(2) The DLBA shall select purchasers from among applicants through a comprehensive selection process that may weigh factors including, but not limited to, offer price, community benefit, purchaser experience and financial capability, purchaser connection to the neighborhood, proposed use of the lot, and support of neighbors and local organizations.

(3) If an Infill Housing Lot is also eligible as a Side Lot because it is Adjacent to an eligible occupied residential structure, the DLBA shall offer it for sale as a Side Lot for 30 days before listing it for sale as an Infill Housing Lot. If a lot is not eligible as a Side Lot, or if no eligible occupied residential structure is Adjacent, the DLBA may list the lot as an Infill Housing Lot without notification.

F. Compliance. A purchaser of an Infill Housing Lot must enter into a development agreement with the DLBA setting forth terms of the development including, among other things, the development's type and density, required schedules and timelines for development and construction and, if applicable, affordability monitoring. Should the purchaser violate the development agreement, DLBA reserves the right to take back title to the lot.

G. Tax Capture. See the DLBA's Tax Capture Waiver Policy for information regarding the DLBA's policy regarding waiving its five-year, fifty-percent tax capture with respect to Infill Housing Lots.

VI. HOMESTEAD LOTS

A. Objective. To sell DLBA-owned vacant lots together with DLBA-owned residential properties to be used for residential, recreational or agricultural purposes in conjunction with those residential properties. Subject to the terms and conditions in the rest of this Chapter, the vacant lots eligible to be sold as a Homestead Lot include any that are Adjacent to the subject residential property as well as others that are Adjacent to a related Homestead Lot.

B. Definition of a Homestead Lot. A “Homestead Lot” is defined as a property in the DLBA’s inventory that meets all the following criteria.

(1) The lot must be either (a) Adjacent to a DLBA-owned residential property that includes an existing residential structure of 1-4 units, or (b) part of a contiguous assemblage of Homestead Lots that are Adjacent to such a property.

(2) The DLBA elects to sell the lot(s) in a single transaction together with the DLBA-owned property that includes an existing residential structure, through one of the DLBA’s home sales programs, including but not limited to, the Auction, Own-It-Now or Rehabbed & Ready programs.

C. Homestead Lot Purchaser Eligibility. To be eligible to purchase a property as a Homestead Lot, a prospective purchaser must meet each of the following criteria.

(1) The purchaser must purchase a property that includes a residential structure through one of the DLBA’s home sales programs in the same transaction.

(2) The purchaser must meet all eligibility requirements of the applicable home sales program.

(3) The purchaser shall not purchase more than five lots pursuant to this policy in a single transaction.

D. Pricing. Homestead Lots are priced at \$100 each.

E. Compliance. The DLBA will sell each Homestead Lot pursuant to, and under the same terms as, the purchase agreement that governs the sale of the associated residential property. If the purchaser defaults under that agreement, the DLBA will have the right to take back title to any Homestead Lots along with the associated residential property.

F. Tax Capture. See the DLBA’s Tax Capture Waiver Policy for information regarding the DLBA’s policy regarding waiving its five-year, fifty-percent tax capture with respect to Homestead Lots.

G. Land Review Areas. See Chapter VII (Land Review Areas) which imposes limitations on the sales of Homestead Lots in certain Land Review Areas.

VII. LAND REVIEW AREAS

A. **Objective.** In order to support inclusive and sustainable housing, recreational, agricultural, infrastructure and job-creating economic development in the City (collectively “**Revitalization**”) that provides a broad range of opportunities for its citizens, the DLBA recognizes four types of geographic areas where greater coordination and/or more intentional sales strategies are necessary, collectively referred to as “**Land Review Areas:**” Inclusive Housing Opportunity Areas, Jobs and Amenity Development Areas, City Project Coordination Areas, and City Project Hold Areas.

B. **Definitions of Land Review Areas.** There are four types of geographic areas within the City that comprise Land Review Areas.

(1) “**Inclusive Housing Opportunity Areas**” are areas of the City where on-market home sales have averaged \$100/square foot, or more, over the last 12 months. These are areas where housing inclusivity is, or is most likely to become, a pronounced challenge.

(2) “**Jobs and Amenity Development Areas**” are areas of the City where City- and DLBA-owned vacant lots account for 33% or more of all parcels. These areas have large tracts of contiguous public ownership and consequently may create opportunity for the development of large-scale public or private Revitalization projects.

(3) “**City Project Coordination Areas**” are areas of the city where City planning, housing, infrastructure, economic development, or recreation agencies (collectively, “**City Revitalization Offices**”) have formally requested that the DLBA coordinate sales in connection with planned or ongoing Revitalization projects that are using or would use DLBA properties.

(4) “**City Project Hold Areas**” are areas of the city where City Revitalization Offices have agreements in place barring or restricting the sale of DLBA property in that geographic area.

C. **Updates of Land Review Areas.** At least once in each calendar year, the Executive Director, or his or her designee, shall prepare an updated map showing all current Land Review Areas, based on the data for on-market sales prices, City and DLBA property ownership, and current formal requests from and agreements of City Revitalization Offices. Each updated map shall be made available on the DLBA’s website and presented at a public meeting of the DLBA’s Board of Directors. If a given area falls within the definitions for more than one Land Review Area, it shall be identified on the map as being in only one Land Review Area, using the following priority.

- (1) City Project Hold Area
- (2) City Project Coordination Area
- (3) Inclusive Housing Opportunity Area

- (4) Jobs and Amenity Development Area

D. Approval of City Project Coordination or Hold Areas. In order to be identified as a City Project Coordination or City Project Hold Area, the appropriate City Revitalization Office shall provide the following information to the DLBA.

- (1) Whether the City Revitalization Office is seeking a City Coordination Area or City Hold Area. If seeking a Hold Area, the City Revitalization Office shall include a copy of relevant hold letters, agreements, or contracts.

- (2) The category(ies) of vacant land being requested and the geographic boundaries of the requested land.

- (3) The effective date of the request and the proposed expiration date.

- (4) For City Hold Areas, written details of the project, including, but not limited to, the name, purpose, boundaries, and partners.

- (5) Approval of the City Revitalization Office's director or deputy director, as well as the director or deputy director of the City's Planning & Development Department.

- (6) The name and contact information for a City project liaison who can answer questions from the DLBA and the public.

E. Impacts of Land Review Areas. Sales of DLBA-owned vacant land located within a Land Review Area will be treated differently depending on the type of Land Review Area.

- (1) **Inclusive Housing Opportunity Areas.** The sale of Neighborhood Lots, Homestead Lots and Oversize Lots is prohibited in Inclusive Housing Opportunity Areas. Side Lot and Accessory Structure Lot sales shall be limited to one lot of any type per occupied home and limited to properties immediately Street Adjacent to the Applicant's Occupied Property and shall include the following additional selection criteria.

- (a) Purchasers shall be owner-occupants of the Applicant's Occupied Property and must have held title continuously for a period of 24 months before applying for the Side Lot or the Accessory Structure Lot.

- (b) The DLBA reserves the right to sell Side Lots and Accessory Structure Lots with a deed restriction prohibiting development on the parcel for a period of up to 10 years. Upon request by a purchaser, the DLBA may waive this deed restriction, provided; however, that if the purchaser could make a profit on the development of the parcel as a result of the waiver, the DLBA may charge a fee to be used to fund programs that serve the public.

- (c) A purchaser, or their predecessor in ownership of the applicable Applicant's Occupied Property, may not previously have purchased a Side Lot or an Accessory Structure Lot from the DLBA.

(d) The Applicant’s Occupied Property shall be an owner-occupied residential dwelling of no more than two units and must have a current Primary Residence Exemption.

(e) The Side Lot or Accessory Structure Lot shall be not more than 5,000 square feet in area.

(2) **Jobs and Amenity Development Areas.** The sale of Neighborhood Lots and Oversize Lots is prohibited in Jobs and Amenity Development Areas. Side Lot and Accessory Lot sales shall be limited to properties (a) that are immediately Street Adjacent to the Applicant’s Occupied Property; and (b) where the lot is not part of a contiguous assemblage (including across alleys) of DLBA-owned land totaling 20,000 or more square feet.

(3) **City Project Coordination Areas.** The impact of these areas shall be dependent on the needs of the particular Revitalization project that justified the creation of that City Project Coordination Area. Unless otherwise requested by the applicable City Revitalization Office, the sale of Neighborhood Lots, Homestead Lots and Oversize Lots is prohibited in City Project Coordination Areas. Unless the City Revitalization Office request states differently, Side Lot and Accessory Lot sales shall be permitted but shall be limited to properties immediately Street Adjacent to the Applicant’s Occupied Property.

(4) **City Project Hold Areas.** Upon request by a City Revitalization Office and approval by the director or deputy director of the City’s Planning and Development Department and the DLBA Executive Director, the DLBA will hold specified inventory in a defined area for a specified term.

Table 1 - Which Types of Lots are Available for Sale in each of the Four Land Review Areas

Area Type	Type of Lot				
	Side	Accessory Structure	Oversize	Neighborhood	Homestead
Inclusive Housing Opportunity	Yes ²	Yes ²	No	No	No
Jobs and Amenity Development	Yes ²	Yes ²	No	No	Yes
City Project Coordination ¹	Yes ²	Yes ²	No	No	No
City Project Hold ¹	No	No	No	No	No

¹ The restrictions on lot sales apply unless otherwise requested by the City department or agency.

² Side Lot and Accessory Structure Lot sales are permitted but with certain restrictions, including sales of only Street Adjacent lots.