NEWKIRK
INVESTMENTS

FLORIDA EDITION

Florida Land for Investors and Developers

A guide to evaluating acreage, infill lots and development sites

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Inside this guide

A guide to evaluating acreage, infill lots and development sites.

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This guide is general information for people buying land in Florida. It is not legal, tax, engineering, lending or investment advice. Rules, fees and requirements differ by city and county and change over time, so confirm anything that affects your purchase with the agency or a qualified professional.

01 Start with the strategy

What you check, and how long you need to check it, depends on what you plan to do with the land.

Buy and hold
You are counting on the area changing. Focus on future land use, planned roads and utilities, and what it costs to carry the land.

Entitle and sell
You add value by getting approvals, then sell to a builder. Focus on the approval path, how long it takes and how certain it is.

Develop
You take the site through approvals and construction. Everything in this guide applies.

Assemble
You combine neighboring parcels into a larger site. Focus on each owner's timeline and what the combined site can be approved for.

This guide is general information, not legal, tax, engineering or investment advice. Your attorney, engineer and accountant should review any specific site.

WHERE WE COME IN

Tell us your strategy. We know where this area is growing and who owns what, and our relationships often surface sites before they are widely marketed.

02 Entitlements: zoning, future land use and the approval path

The gap between what a site allows today and what you need it to allow is the heart of most land deals.

Zoning
Sets the uses, density, height and setbacks allowed now.

Future land use
The designation in the local comprehensive plan sets the ceiling. A rezoning has to be consistent with it, and changing the future land use designation means amending the comprehensive plan, a separate step that usually takes longer than a rezoning alone.

The approval path
Might include a rezoning, a special exception or conditional use, a planned development, a plat or site plan approval. Each has its own steps, hearings and timeline.

WHAT TO DO

- Request a pre-application meeting with the city or county planning staff. It is the fastest way to learn what they will support.
- Ask what similar projects nearby were approved for, and how long they took.
- Check for overlay districts, corridor plans and any moratorium that affects the site.
- Read the land development code for parking, open space, buffers and stormwater. These often cut the buildable area more than setbacks do.

WHERE WE COME IN

We follow local zoning, land use and what has been approved nearby, so you get an informed first read on a site and know who to talk to next.

03 Access, frontage and traffic

Legal access and frontage

Confirm recorded access and how much frontage the site has on each road.

Driveway connections

A new connection to a state road needs a permit from the Florida Department of Transportation, and the department's access management standards can limit where a driveway goes. County and city roads have their own rules.

Traffic counts

Daily traffic volume is one of the first numbers a retail or commercial user asks for. FDOT publishes counts for state roads.

Traffic study

Local governments often ask larger projects for a traffic study, and the project may have to pay for turn lanes or signals.

Our Florida Land Research Tools page links to FDOT traffic data:
newkirk-investments.com/florida-land-research

WHERE WE COME IN

We know the corridors here, where traffic is building and where access has been a sticking point.

04 Utilities and capacity

A line at the road does not mean capacity is available for your project.

- Ask the utility for a letter confirming water and sewer availability and capacity for your intended use.
- Find out where the nearest connection points are and who pays to extend lines.
- Ask about connection and capacity fees early. They can be large on a multi-unit project.
- Ask the county about concurrency, the requirement that public facilities can serve a new development. State law requires it for water, sewer, solid waste and drainage, and many local governments also apply it to roads and schools.
- Confirm power, gas and fiber with each provider.

WHERE WE COME IN

We know the local utility providers and can point you to the right people to ask about service and capacity.

05 Environmental and site conditions

Wetlands
A delineation by an environmental consultant shows how much of the site is upland. Impacts to wetlands need a state environmental resource permit, may also need a federal permit, and may require mitigation.

Stormwater
Development that changes how water flows or creates stormwater runoff generally needs an environmental resource permit from the water management district or the Florida Department of Environmental Protection. Plan room on the site for stormwater ponds.

Flood zones
Check the FEMA map. Flood zone affects fill, finished floor heights and insurance.

Protected species
Gopher tortoises and bald eagle nests are the two that come up most. Disturbing tortoise burrows needs a state permit, and relocation adds cost and time.

Contamination
A Phase I environmental site assessment looks at the site's history for signs of contamination. Lenders commonly ask for one on commercial sites, and it is the standard way to meet the federal All Appropriate Inquiries rule.

Soils
A geotechnical report tells you what foundations and fill the site needs.

Our research page links to the flood maps, wetlands map, water management district permit searches and the state environmental map:
newkirk-investments.com/florida-land-research

WHERE WE COME IN

We know the ground in our area, and we work with local environmental consultants and engineers we can introduce you to.

06 Survey, title and encumbrances

Survey

For commercial and development sites, lenders and title companies commonly ask for an ALTA/NSPS survey, which is more detailed than a boundary survey. A topographic survey shows elevations for engineering.

Title

Review the title commitment and every recorded exception with your attorney: easements, restrictions, old plats, reverters and mineral rights.

Encumbrances that limit use

Conservation easements, utility easements, deed restrictions and development agreements run with the land and can rule out your plan.

Assemblages

Check for gaps and overlaps between the parcels, and confirm how the combined site will be described.

WHERE WE COME IN

We work closely with local surveyors, title companies and land use attorneys who know these counties.

07 The numbers: feasibility

Before due diligence ends, you want a simple model that answers one question: at this price, does the project work?

Yield
How many lots, units or square feet the site supports after wetlands, stormwater, buffers, roads and parking come out. Ask a civil engineer for a concept plan. It is the best money spent in due diligence.

Revenue
What finished lots, homes or space sell or lease for nearby, from recent comparable sales.

Costs
Land, closing, entitlement, engineering, site work, utilities, impact and connection fees, construction, financing, marketing and a contingency.

Time
How long approvals and construction take. Carrying costs and the timing of returns turn on this more than anything else.

Residual land value
Work backward from what the finished project is worth, less costs and your required return, to what the land can be worth to you.

WHERE WE COME IN

We know what land and finished product are selling for here, and we stay close to local builders and developers, so your numbers rest on this market.

08 Financing

Cash and private capital
Fund most raw land purchases.

Bank land loans
Available for some sites, usually at a lower loan-to-value than loans on improved property. Federal guidelines set the supervisory limit at 65 percent for raw land and 75 percent for land development.

Seller financing
Common on land. Terms are negotiable, including release provisions that free up portions of the site as you pay down the note.

Acquisition and development loans
Fund the land and site work together once approvals are in hand.

Talk with your lender before you set contract dates, so the due diligence and closing timeline matches what they need.

WHERE WE COME IN

We know which local lenders finance land and what they look for, and we are glad to make the introduction.

09 Structuring the contract

The contract is where you buy time and manage risk. Terms to discuss with your attorney and your agent:

Due diligence period
Long enough for the survey, environmental work, geotechnical report, utility letters and a pre-application meeting.

Extensions
The right to extend, often for an added deposit.

Approval contingencies
Closing tied to obtaining a rezoning, site plan or permits, with a clear outside date.

Deposits
When each deposit is due and the point at which it stops being refundable.

Seller cooperation
The seller's agreement to sign applications and give access for testing.

Options
An option to purchase can work when you need a long runway before committing.

Sellers weigh price against certainty and speed, so a longer timeline usually has a cost.

WHERE WE COME IN

We know what local sellers have accepted on price, timelines and terms, which helps you structure an offer that gets signed. We also keep track of the contract dates.

10 Taxes and holding costs

Property taxes

Land with an agricultural classification is taxed on its agricultural use, which can be far lower than market value. The classification depends on the land being used for agriculture, and it ends when the land is put to another use. Ask the county property appraiser how a sale or your plans would affect it.

Non-ad valorem assessments

Check the tax bill for special district assessments.

Carrying costs

Taxes, insurance, mowing or maintenance, loan interest and association dues if any.

Opportunity Zones

Some sites fall in federally designated Opportunity Zones, which carry tax incentives for investments made through a Qualified Opportunity Fund. The program's rules are being updated, so ask your tax advisor how it applies to you.

Like-kind exchanges

If you are selling other investment property, ask your tax advisor about a like-kind exchange under Section 1031 before you list or go under contract. It applies to real property held for investment or business use.

WHERE WE COME IN

We know how land is taxed in the counties we serve and can point you to the right contacts at the property appraiser's office.

11 Due diligence checklist

- [ ] Strategy and exit defined: hold, entitle, develop or assemble
- [ ] Current zoning and future land use confirmed
- [ ] Approval path, hearings and realistic timeline mapped
- [ ] Pre-application meeting held with planning staff
- [ ] Overlays, corridor plans and moratoria checked
- [ ] Legal access and frontage confirmed
- [ ] Driveway connection reviewed with FDOT or the county
- [ ] Traffic counts pulled, and traffic study need confirmed
- [ ] Water and sewer availability and capacity letter requested
- [ ] Connection, capacity and impact fees estimated
- [ ] Concurrency requirements confirmed
- [ ] Wetland delineation completed
- [ ] Stormwater permitting path confirmed
- [ ] Flood zone looked up
- [ ] Protected species survey done
- [ ] Phase I environmental site assessment ordered
- [ ] Geotechnical report ordered
- [ ] ALTA and topographic surveys ordered
- [ ] Title commitment and exceptions reviewed with an attorney
- [ ] Concept plan and yield from a civil engineer
- [ ] Comparable land and finished-product sales pulled
- [ ] Feasibility model run at the contract price
- [ ] Financing terms and lender timeline confirmed
- [ ] Property tax classification and holding costs confirmed

12 Your team

WHO	WHAT THEY HELP WITH	NAME AND NUMBER
Land use attorney	Contract terms, title exceptions, approvals and hearings	
Civil engineer	Concept plan, yield, utilities, stormwater and site costs	
Environmental consultant	Wetlands, protected species, Phase I assessment	
Geotechnical engineer	Soils and foundation recommendations	
Surveyor	ALTA, boundary and topographic surveys	
Traffic engineer	Traffic study and access design	
Planner or architect	Site layout and code compliance	
Lender	Acquisition and development financing	
Accountant or tax advisor	Entity structure, exchanges and incentives	
Your Newkirk Investments agent	Finding sites, comparable sales, the offer and the timeline	386-290-5356

13 Common questions and terms

How long should due diligence be?

Long enough to finish the slowest item on your list. That is usually the survey, the environmental work or the first meeting with the county.

Should I close before approvals?

That is a question of risk and price. Closing first usually costs less and carries more risk. A contract contingent on approvals usually costs more and takes longer.

What kills the most deals?

Wetlands that shrink the buildable area, utilities with no capacity, and access that cannot be permitted. Check those three first.

TERMS

Entitlements

The government approvals a site needs before it can be developed.

Concurrency

The requirement that public facilities can serve a development when it is built.

Yield

How many lots, units or square feet a site supports.

Residual land value

What land is worth after subtracting project costs and required return from the finished value.

ALTA survey

A detailed survey to a national standard, used for commercial transactions.

Phase I

An environmental site assessment based on records and a site visit.

Mitigation

Offsetting wetland impacts, often by buying credits from a mitigation bank.

Release provision

A loan term that frees part of the land from the lien as the loan is paid down.

14 What working with us looks like

1. **Your criteria**
   We start with your strategy, target areas, site size and intended use.

2. **Finding sites**
   We help you look for sites that fit.

3. **A first look**
   We help you run the first checks before you spend on consultants.

4. **The offer**
   We help you prepare an offer built around your due diligence plan.

5. **Due diligence**
   We help you keep the work and the contract dates on track.

6. **Closing**
   We stay with you through closing.

YOUR NEXT STEP

Start with a site review

Have a site in mind? Send us the address or parcel numbers and what you would like to build. We will pull the zoning and future land use, flood zone, traffic counts and comparable land sales, and go over them with you on a call.

You will come away with a first read on whether the site fits your plan and which questions to answer next.

Call 386-290-5356 or visit newkirk-investments.com/contact

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