Hillsborough County Florida

Community Development District

INFORMATION PACKET

Please call for an appointment to file the application
(813) 276-8366 or (813) 272-5600.

The Hillsborough County Board of County Commissioners adopted lobbying ordinance No. 93- 8, as amended. Prior to meeting privately with a Board member, county attorney, and chief assistant county attorney, county administrator, any assistant county administrator or any department head, you may be required to register as a lobbyist.

Community Development District Information Packet

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This packet has been prepared to assist you through the Community Development District Review process. Included are necessary forms, application materials, and explanations. If you need additional information or have questions, please contact the Planning and Growth Management Department at (813) 272-5600.
We will be happy to help you.

I. Hillsborough County Development Services Department Application Form for a Community Development District (CDD)

BASE INFORMATION

Application number: _____-_____
Year Number

Acreage*_____ Folio # _____ Flu*_____ Township*_____ Range*_____

Section* _____ Current Zoning*_____ Petition Number if PD/CU* _____ Atlas Page*_____

General Location* _____ PGMD Tech _____ Receipt # _____

* **This information MUST be provided**

I. Applicant _____
Petitioner, CDD development group

Address _____

City_____ State_____Zip _____

Phone (____) _____ Fax (____) _____

Property owner(s) _____

Address _____

City_____ State_____Zip _____

Phone (____) _____ Fax (____) _____

Representative_____
Contact person

Address _____

City_____ State_____Zip _____

Phone (____) _____ Fax (____) _____

II. Current Use of Property:_____

Have you been counseled by a Planning and Growth Management Department Staff Member?: ☐ YES ☐ NO

If so, by whom? _____

When? (Date) _____

Address of Property: _____

III. Utilities to be used

Water Provider: _____

Wastewater Provider: _____

Applicant's Initials: _____ Owner's Initials:_____

V. I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate to the best of my knowledge, and authorize the representative listed to act on my behalf on this petition.

By: _____
Signature of the Applicant/ (Petitioner) Type or Print Name Legibly

Date: _____

I hereby authorize the processing of this Community Development District application and recognize that the final action taken on this petition shall be binding to the property as well as to the current, and any future, owners.

By: _____
Signature of the Applicant/ (Petitioner) Type or Print Name Legibly

Date: _____

VI. Planning and Growth Management Department

VII. Official Comments

Is this application accompanied by other applications? ☐ YES ☐ NO

If so, what are the application numbers? _____

Other comments: _____

_____

_____

_____

II. Community Development District Instruction Sheet

A. COMPLETED APPLICATION

1. Type the application or use black or blue ink. All owners and applicants Must sign the application. If both husband and wife appear on the deed, they must both sign the application. **One hard copy with original signatures must be provided. A digital copy of this application and all required supplemental information must also be submitted on a compact disc (CD).**
2. Folio numbers can be obtained from property tax receipts or from the Property Appraiser's Office, County Center, 601 E. Kennedy Blvd., 16th Floor.
3. You must have the items which are marked with an asterisk in the box marked **"BASE INFORMATION"** completed before you file your application.
4. OWNER'S CONSENT. If the property owners have not signed the application, a letter granting approval for the use must be submitted. The letter must specify the exact use to be approved.

All applicants and owners listed on the deed must sign the application or consent letter. If the individual(s) signing the application or consent letter as owner are other than individual(s) listed on the deed or are signing as representative(s) of a corporate entity or partnership, an authorization for signature must be provided.

B. DOCUMENTS REQUIRED

1. PETITION. The applicant (petitioner) must submit a written statement describing, in detail, the request, and the reasons for the request. Per s. 190.005, Florida Statutes (F.S.), the petition must include the following eight items:

a) A metes and bounds description of the external boundaries of the district. Any real property within the external boundaries of the district which is to be excluded from the district shall be specifically described, and the last known address of all owners of such real property shall be listed. The petition shall also address the impact of the proposed district on any real property within the external boundaries of the district which is to be excluded from the district;

b) The written consent to the establishment of the district by all landowners whose real property is to be included in the district or documentation demonstrating that the petitioner has control by deed, trust agreement, contract, or option of 100 percent of the real property to be included in the district, and when real property to be included in the district is owned by a governmental entity and subject to a ground lease as described in s. 190.003(13), F.S., the written consent by such governmental entity;

c) A designation of five persons to be the initial members of the board of supervisors, who shall serve in that office until replaced by elected members as provided in s. 190.006, F.S.;

d) The proposed name of the district;

e) A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence;

f) Based upon available data, the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services. These estimates shall be submitted in good faith but shall not be binding and may be subject to change. This information should detail who will be responsible for financing, owning, and maintaining the facilities and services, including offsite improvements, to be provided by the CDD. A detailed description of the proposed offsite Improvements must also be included;

g) A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the effective local government comprehensive plan of which all mandatory elements have been adopted by the applicable general-purpose local government in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act;

h) A statement of estimated regulatory costs in accordance with the requirements of s. 120.541, F.S. this statement must include:

1) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule;

2) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues;

3) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. as used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting;

4) An analysis of the impact on small businesses as defined by S. 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by s. 120.52, F.S.;

5) Any additional information that the agency determines may Be useful;

6) A description of any good faith written proposal submitted under paragraph 120.541(1)(a), F.S. and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2. APPLICANT'S ACKNOWLEDGMENT that the following six criteria for granting a CDD per s. 190.005, F.S., have been met:

a) Whether all statements contained within the petition have been found to be true and correct;

b) Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan;

c) Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

d) Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district;

e) Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities;

f) Whether the area that will be served by the district is amenable to separate special-district government.

3. RECORDED DEED(S). A copy of the deed(s) must be submitted. Written consent of 100 percent of the owners of the real property included in the CDD must be documented by proof of control of deed(s), trust agreement, or contract, or option of 100 percent of the real property included in the CDD. Only original signatures will be accepted. If the individual(s) signing the application as owner are other than individual(s) listed on the deed or are signing as representative(s) of a corporate entity or partnership, an authorization for signature must be provided. If an additional page is needed for owners' signatures, the attachment must reference the action being requested.

4. LEGAL DESCRIPTION OF PROPERTY. This may be all or a portion of the property contained in the deed(s). This must be TYPED, not handwritten, and REFERENCED AS EXHIBIT "AA."

5. AERIAL PHOTOGRAPH. This may be purchased at the Engineering and Construction Services Department.

6. ZONING MAP. A map showing the current zoning categories in the proposed CDD.

7. SITE PLAN. An exact plan of the property in the CDD, with the date drawn, and a north arrow. The plan must be drawn to scale, and of sufficient size to show the following:

a) Boundaries of the project, any existing streets, buildings, water courses, conservation or preservation areas, or easements.

b) Exact location of all buildings and structures.

c) Access points, driveways, and sidewalks.

d) Off-street parking and off-street loading areas.

e) If site plan is larger then 8½ x 14", three (3) copies are required, and one 8½ x 11" reduction is required.

8. ZONING SITE PLAN with final conditions of approval.

9. DEVELOPMENT ORDER. If this CDD is located within a Development of Regional Impact (DRI), a copy of the Development Order for the DRI must be included.

10. APPROVED OR FILED PRELIMINARY PLAT OR CONSTRUCTION PLAN showing future general distribution, location, and extent of public And private uses of land per adopted County constructing CDD services and estimated cost.

11. FINANCIAL REVIEW provided with petition and to Debt Management Department. The petitioner should schedule a meeting with Debt Management to discuss the Financial Review. Information required for the Financial Review is detailed below.

12. DRAFT NOTICE OF PUBLIC HEARING to be approved by the County Attorney's Office prior to Applicant publishing the notice.

13. ONE HARD COPY AND ONE DIGITAL COPY OF PETITION to establish CDD. Preceding requirements relate solely to the petition that must fully document and address all requirements of Chapter 190, F.S., and Chapter 42-1, Florida Administrative Code, except for submittal of a copy of the entire currently adopted local government comprehensive plans. Citation of applicable text with source documentation shall suffice. A petition to reestablish an existing CDD shall include a certified copy of the resolution adopted by the governing board of the existing CDD requesting reestablishment of the CDD.

14. FILING FEE. Please make check or money order in the amount of $10,000 payable to the Hillsborough County Board Of County Commissioners.

15. COMPLETED CHECKLIST of Submittal Requirements.

C. INFORMATION REQUIRED FOR FINANCIAL REVIEW

Note: for the purpose of providing the information requested below, the term "CDD Applicant" includes the Petitioner as defined under Florida Statutes, Chapter 190, and any individual, corporation, partner or partnership having an ownership in, or other rights or obligations with respect to, the proposed community development district.

OUTLINE FORMAT FOR FINANCIAL REVIEW

I. Plan of Finance

A. Detailed description of the plan of finance, including:

1. A detailed discussion of the capital structure of the project financing, including: equity; subordinated, convertible and senior debt; leases, etc.
2. With respect to tax-exempt bonds to be issued by the CDD, a description of the purpose of the bond issue and statement of the sources and uses of bond proceeds, including a detailed breakdown of the following: construction and development costs; costs incurred and to be reimbursed to the CDD Applicant; bond issuance costs, management/developer fees and underwriter's gross spread.
3. A description of bonds to be refunded, if any.
4. A projected debt service schedule.
5. Names, addresses and phone numbers of the following parties to the financing (as applicable):
   a) Bond counsel, disclosure counsel, financial advisor, managing and co-managing underwriters, underwriter's counsel, feasibility consultant, bond insurer, trustee, letter-of-credit banks.
6. Regarding outstanding bonds/debt of the CDD or debt to be assumed by the CDD, if any, supply the following:
   a) Rating agency credit reports, if rated.
   b) Written advice from the trustee/lender stating that there has been no default; or, if there has been a default, the nature of the default and the status.

II. Project/Bond Cash Flows

A. Provide detailed projections of cash flows showing CDD project revenues, unit sales/buildout assumptions, operating and capital expenditures, management and administrative fees, debt service and debt service coverage; the projection period should be through the maturity of the bonds or 15 years, whichever period is shorter.

B. Provide complete assumptions to the cash flow projections, and/or a feasibility study prepared by a qualified financial consultant.

III. Market Analysis

A. Provide a description of the target market for the sale of units in the proposed CDD, competition and position in the marketplace.

IV. Corporate Structure

A. Provide a description of the ownership/legal structure of CDD Applicant:

1. Corporate Applicant - name and address of applicant, and the Corporate officers and board of directors of each; also, list any parent, affiliated or subsidiary corporations which are in any way involved in the financing, construction or guarantee of the debt of the CDD and describe their interests.
2. Partnership Applicant - names and addresses of the general and limited partners of the partnership; partnership interests of each partner; if a partner is a corporation, then also provide information listed above.

B. Provide banking references.

V. Financial statements

A. For each corporate or partnership entity which is described in the response to Section IV above the CDD Applicant or which guarantees or is responsible for the repayment of debt service on bonds issued by the CDD:

1. Provide copies of 5 years of audited financial statements (or, unaudited if audited statements not available; or, federal tax returns if financial statements are not available). Include an interim financial statement for the most current fiscal year through the most recently completed quarter.
2. For publicly-held corporations, provide copies of 5 years of Form 10K and the most recent Form 10Q as required to be filed with the Securities and Exchange Commission.

VI. Management of the CDD Applicant

A. Description and strengths of key management; experience in the Industry and with the CDD applicant.

B. Complete a sworn statement under Section 287.133 (3) (A), Florida Statutes, on Public Entity Crimes.

VII. Litigation

A. Description of past, pending or threatened litigation to which the CDD Applicant is a party and which relates to the business, goods or services which the CDD Applicant will provide in connection with the establishment and operation of the CDD.

B. Indicate whether the CDD Applicant has ever filed for bankruptcy and describe the circumstances.

C. Indicate whether the CDD Applicant or any principals thereof have In the past been, or currently are, principles in a CDD anywhere in the United States, and whether there have been any defaults on bonds issued by those CDDs. Describe the circumstances and status of such defaults.

III. Filing the Application

After you have assembled all the necessary materials, you need to file your request with the Planning and Growth Management Department, County Center, 601 E. Kennedy Blvd., 20th Floor. The best way is to call for an appointment with a Zoning Technician at 272-5920. If you are unable to do so, however, you may bring the application to the Planning and Growth Management Department during normal business hours.

The technician will review the application for completeness, verify the fee, assign you a petition number and answer any questions you have. **Please note that applications will not be accepted after 4:00 p.m. ONCE ACCEPTED, your application may be routed to other County Departments for review and comments.**

IV. Counseling Phase

1. Submit the petition to Planning & Growth Management Department staff For a preliminary determination of the sufficiency of the proposal prior to formally filing a petition. Attach Pre-Submittal Meeting Application form.
2. Staff will schedule a meeting with you and the appropriate County departments and agencies to discuss and clarify the petition.

V. Planning and Growth Management Department Manager's Action

1. The Manager shall make a written determination as to sufficiency of the application and establish a filing date.
   a) The Manager of the Planning and Growth Management Department has the authority to attach conditions and safeguards as necessary in each particular case.
   b) Such conditions and safeguards shall be based upon and consistent with considerations and standards set out in Hillsborough County Land Development Code (LDC).
   c) Failure to comply with <u>all</u> conditions of approval will render the CDD null and void.
   d) Any persons aggrieved with the determination may appeal that decision in accordance with the Hillsborough County Land Development Code.

VI. Applicant's Acknowledgment of the Criteria for Granting a Permit for a Community Development District

I, the applicant, for Community Development District application number:

_____, do hereby acknowledge I have read and been made aware of the criteria and conditions of approval for the granting of approval for a CDD.

_____

Applicant's Signature

_____

Type or Print Legibly Applicant's Name

VII. Checklist of Submittal Requirements for a Community Development District

Applicant's Initials	Technician's Initials	
		A) Completed and Signed Application Form
		B1) Petition including 8 items as described in II.B.1 of the CDD Instruction Sheet:
		a) Metes and bounds description
		b) Written consent of all landowners
		c) Names of five persons to be initial members on board of supervisors
		d) Proposed name of district
		e) Map of district showing major trunk water mains and sewer interceptors and outfalls
		f) Estimated timetable and costs for construction of district services
		g) Designation of Future Land Uses within the district
		h) Statement of Estimated Regulatory Costs
		B2) Applicant's Acknowledgement of the 6 Criteria for Establishing a CDD
		B3) Recorded Deed(s)
		B4) Legal Description of Property
		B5) Aerial Photograph
		B6) Zoning Map
		B7) a) Site Plan (3 copies, if larger than 8½" X 14")
		b) Reduced copy of site plan (where applicable)
		B8) Zoning Site Plan with Final Conditions of Approval
		B9) Development Order (as applicable)
		B10) Approved or Filed Preliminary Plat or Construction Plan
		B11) Financial Review as described in II.C
		B12) Draft Notice of Public Hearing
		B13) One Hard and One Digital Copy of Petition
		B14) Filing Fee (or Proof of Non-Profit Status)
		B15) Completed Checklist of Submittal Requirements

NOTE: If any of the required documents or fees are not included with your application, the application will not be accepted for processing.

VIII. Verification

REVISIONS TO THE LAND DEVELOPMENT CODE (LDC)
I have been informed by the below signed agent of the Planning and Growth Management Department of recent LDC changes that will or may affect my application. I have been informed that it is my responsibility to acquire copies of the specific wording of these code changes, if needed.

_____	_____
Print Applicant/Representative Name	Date
_____	_____
Applicant/Representative Signature	Date
_____	_____
Department Agent Name	Date