

COMMUNITY DEVELOPMENT DISTRICT INFORMATION PACKET

Please call the Planning and Zoning Division for
an appointment to file the application, 352-728-9760.



LEESBURG
The Lakefront City

COMMUNITY DEVELOPMENT DISTRICT 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 Zoning Division at 352-728-9760. We will be happy to help you.

**I. CITY OF LEESBURG OFFICIAL PLANNING AND ZONING DIVISION
APPLICATION FORM FOR A COMMUNITY DEVELOPMENT DISTRICT (CDD)**

OFFICIAL USE ONLY	
APPLICATION NUMBER: _____ - _____	YEAR NUMBER _____
ACREAGE* _____	ALTERNATE KEY # _____ COMP PLAN* _____
SECTION* _____	TOWNSHIP* _____ RANGE* _____
CURRENT ZONING* _____	PETITION NUMBER IF PD/CU* _____
GENERAL LOCATION* _____	
PLANNER TECH _____	GZ TECH* _____ RECEIPT # _____
* TO BE COMPLETED BY PLANNER	

A. APPLICANT _____
(PETITIONER, CDD DEVELOPMENT GROUP)

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE (_____) _____

E-MAIL ADDRESS: _____

PROPERTY OWNER(S) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE (_____) _____ FAX (_____) _____

E-MAIL ADDRESS: _____

REPRESENTATIVE _____
(CONTACT PERSON)

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE (_____) _____ FAX (_____) _____

E-MAIL ADDRESS: _____

Note: For corporations, a copy of the Registered Agent information will be required.

B. Current Use of Property: _____

A Pre-submittal Conference with a Planning and Zoning Division Planner is required?

Planner, (name)? _____

When? (Date of meeting) _____

General location, address and alternate key # of Property: _____

C. CITY OF LEESBURG UTILITIES TO BE USED

Water

Gas

Wastewater

Electric

Interim Treatment Plant

Reuse Water

D. EXISTING CDD

Is any or all of CDD in zoning violation? Yes No

Any or all of CDD issued a citation? Yes No

If so, when and who cited? (Date) _____, 20_____

(Who) _____

Anyone scheduled for the Code Enforcement Hearing? Yes No

If so, date of hearing: _____, 20_____

E. 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 ABOVE 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: _____

Jurat

State of _____

County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____,
20_____, by _____.

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public

Notary Seal:

Personally Known

Produced Identification

Type of Identification _____

FG. PLANNING & ZONING DIVISION COMMENTS

Is this application accompanied by other applications? Yes No

If yes, specify. _____

Other Comments: _____

II. COMMUNITY DEVELOPMENT DISTRICT INSTRUCTION SHEET

A. COMPLETED APPLICATION

1. Type the application or use black ink. All owners and applicants must sign the application. If both husband and wife appear on the deed, they must both sign the application. Only original signatures will be accepted. No faxed or copied signatures will be accepted.
2. Alternate Key numbers can be obtained from property tax receipts or from the Property Appraiser's Office, 317 West Main Street, Tavares, Florida.
3. You must have the items which are marked with an asterisk in the box marked "OFFICIAL USE ONLY" completed by a Planner in the Planning and Zoning Division, 1300 Citizens Boulevard, Suite 160, Leesburg, Florida, before you file your application.
4. OWNER'S CONSENT. If the property owners have not signed the application, an Owner' Affidavit granting approval for the use must be submitted. The Owner' Affidavit must specify the exact use to be approved.

All applicants and owners listed on the deed must sign the application or Owner' Affidavit. Only original signatures will be accepted. Faxed or copied signatures will not be accepted. If the individual(s) signing the application or Owner' Affidavit 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. CDD BOARD OF SUPERVISORS LIST: List Names, addresses, and phone and fax numbers and e-mail addresses for the Five Initial Board of Supervisors of the CDD.
2. 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. Faxed or copied signatures will not 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. (Electronic copy of deed required.)

3. LEGAL DESCRIPTION OF PROPERTY: This may be all or a portion of the property contained in the deed. This must be TYPED and not handwritten AND REFERENCED AS EXHIBIT "AA."
(Electronic copy of legal with number of acres and alternate key numbers.)
4. STATEMENT: The applicant (petitioner) must submit a written statement describing, in detail, the request, and the reasons for the request.
5. SITE PLAN: An exact plan of the property in the CDD, with the date drawn, and a north arrow must be submitted. The plan must be drawn to scale, and of sufficient size to show the following: (Electronic copy required.)
 - 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 (a total number and type of parking spaces must be given).
 - e. All fences, walls, and hedges.
 - f. Refuse collection areas.
 - g. Conceptual Master Development Plan (bubble plans are not acceptable), drawn to an appropriate scale, on a maximum size 11" x 17" reproducible sheet and a 24" x 36" blue-print, showing the following information (electronic copy is also required):
6. ONE AERIAL PHOTOGRAPH: One 11"x17" photo must be provided.
7. FILING FEE: Please make check or money order payable to the City of Leesburg.
8. METES AND BOUNDS DESCRIPTION of the external boundaries of the CDD.
9. MAP MATCHING METES AND BOUNDS DESCRIPTION showing the external boundaries and current major trunk lines, gas, water mains and sewer interceptors and outfalls existing and proposed (indicate which) at time of application. Identify on the map any real property to be excluded from the CDD and attach a list of folio numbers, ownership, and last known addresses.
10. APPROVED CONSTRUCTION PLAN showing future general distribution, location, and extent of public and private uses of land per adopted City

Comprehensive Plan and a time table for constructing CDD services and estimated cost. Estimated costs may be accompanied by a signed and dated statement by the Director of Environmental Services affirming that applicant has met with staff to determine costs and requirements.

11. ECONOMIC IMPACT STATEMENT in accordance with Section 120.54(2), Florida Statutes, and Chapter 42-1, Florida Administrative Code.
12. DRAFT NOTICE OF PUBLIC HEARING to be approved by the City Attorney's Office prior to applicant publishing the notice.
13. TWELVE COPIES OF PETITION to establish CDD. Preceding requirements relate solely to the petition that must fully document and address all requirements of Chapter 190, Florida Statutes, 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. 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.

Following is the outline format to be used for presentation of the information:

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, phone numbers and email address of the following parties to the financing (as applicable):
 - (a) Bond counsel,
 - (b) disclosure counsel,
 - (c) financial advisor,
 - (d) managing and co-managing underwriters,
 - (e) underwriter’s counsel,
 - (f) feasibility consultant,
 - (g) bond insurer,
 - (h) trustee,
 - (i) 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, principals in a CDD anywhere in the United States, and whether there have been any defaults on bonds issued by those CDD's. 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 Zoning Division, 1300 Citizens Boulevard, Suite 160, Leesburg, Florida. You will need to call for an appointment with a Planner at 352-728-9760.

The Planner will review the application for completeness, verify the fee, assign you a case number and answer any questions you have. Please note that applications will not be accepted without an appointment. ONCE ACCEPTED, your application will be routed to other City Departments for review and comments.

IV. PLANNING AND ZONING DIVISION MANAGER'S ACTION

- A. 1. The Manager shall make a written determination as to acceptance of the application and establish a filing date.
 - a. The Manager of the Planning and Zoning Division 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 City of Leesburg Code of Ordinances.
 - c. Failure to comply with all 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 City of Leesburg Code of Ordinances.

V. 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

Date

VI. CHECKLIST OF SUBMITTAL REQUIREMENTS FOR A COMMUNITY DEVELOPMENT DISTRICT

Applicant's Initials	Planner's Initials	
_____	_____	1) Aerial Photograph
_____	_____	2) List of Five Initial Board of Supervisors of CDD with names, addresses, phone and fax numbers and e-mail addresses for each
_____	_____	3) Recorded Deed (Electronic copy required.)
_____	_____	4) Legal Description (Electronic copy required.)
_____	_____	5) Detailed Statement
_____	_____	6) Conceptual Master Development Plan (bubble plans are not acceptable), drawn to an <u>appropriate scale</u> , on a maximum size 11" x 17" reproducible sheet <u>and</u> a 24" x 36" blue-print, showing the following information (electronic copy is also required):
_____	_____	7) Pre-application conference with Planning & Zoning Division. Date: _____. With Planner _____.
_____	_____	8) Filing Fee (Please make check payable to CITY OF LEESBURG)
_____	_____	9) Written Consent of Owner (Owner' Affidavit if owner does not sign application)
_____	_____	10) Applicant's Acknowledgment of the Criteria for Granting a CDD.
_____	_____	11) Metes and Bounds Description
_____	_____	12) Map showing general location of the site.
_____	_____	13) Approved Construction Plan
_____	_____	14) Economic Impact Statement
_____	_____	15) Draft Notice of Public Hearing
_____	_____	16) Twelve Copies of Petition

- 17) Completed Checklist of Submittal Requirements.
- 18) Financial Review Information
- 19) Verification of LDC Revisions

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

VII. VERIFICATION

REVISIONS TO THE LAND DEVELOPMENT CODE (LDC)

I have been informed by the below signed agent of the Planning and Zoning Division 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.

Applicant/Representative Name (Print)

Date

Applicant/Representative Signature

Date

Department Agent Name (Print)

Date

PROPERTY OWNER & AGENT AFFIDAVIT*

DATE: _____

Before me, the undersigned authority personally appeared _____
(property owner's name), who being by me duly sworn on oath, deposes and says:

- 1. That said authority is the fee-simple owner of the property legally described in this application.
- 2. The said authority desires a Community Development District with a _____ zoning district.
- 3. That said authority (property owner) has appointed _____
(agent's name) to act in his behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:
 - A. That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Leesburg, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the City of Leesburg, Florida, and are not returnable.
 - B. That the submittal requirements for the application have been completed and attached hereto as part of that application.
 - C. That the Community Development District sign will be posted, in accordance with Section 2.6 (A) of the City of Leesburg Land Development Code, at least ten (10) days prior to the scheduled meeting date at which the case will be considered by the Planning Commission and will remain posted until final determination by the City Commission.

PROPERTY OWNER'S SIGNATURE

AGENT'S SIGNATURE

STATE OF FLORIDA
COUNTY OF LAKE

STATE OF FLORIDA
COUNTY OF LAKE

Subscribed and sworn to (or affirmed) before
affirmed) before
me on _____ (date) by
_____ (date) by

Subscribed and sworn to (or
me and sworn to (or
me on

(name of affiant, deponent, or other signer).
signer).

He/she is personally known to me or has
me or has
presented _____

as identification.

(name of affiant, deponent, or other

He/she is personally known to
presented

as identification.

NOTARY PUBLIC

SEAL:

NOTARY PUBLIC

SEAL:

*NOTE: PROPERTY OWNER MUST SIGN AFFIDAVIT. WHEN AGENT IS REPRESENTING CASE, BOTH AGENT AND PROPERTY OWNER MUST SIGN AFFIDAVIT.