



**DESOTO COUNTY DEVELOPMENT DEPARTMENT
STAFF REPORT**

REQUEST: Community Development District (CDD)

PROPERTY OWNER: Oak Stone, LLC
2502 N. Rocky Point Drive, Suite 1050
Tampa, Florida 33607

APPLICANT: Oak Stone, LLC
2502 N. Rocky Point Drive, Suite 1050
Tampa, Florida 33607

ATTORNEY: Vivek K. Babbar, Esq.
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1510 W. Cleveland Street
Tampa, Florida 33606

TOTAL PARCEL SIZE: 343.90 ±acres

DEVELOPMENT REVIEW REPORT

The agenda request before the Board of County Commissioners is a proposed Ordinance establishing the Oak Stone Community Development District (CDD). The agenda request is before the Board because Florida Statutes Section 190.005(2) grants the Board of County Commissioners the authority to establish at a duly noticed public hearing a Community Development District by ordinance.

On January 22, 2019, the Board of County Commissioners (Board) adopted Ordinance 2019-3, which established a 330.01 acres Oak Stone East Community Development District, which allowed the district to exercise additional powers to “finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for security, including, but not limited to,

guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars.” Dissolution of the 2019 CDD (USE-0230-2026) was filed simultaneously with the subject application. Approval of the new CDD (USE-0231-2026) is contingent on the Board’s approval of the dissolution of the current CDD (USE-0230-2026).

Without this step, the subject application cannot be considered by the Board.

I. BACKGROUND

Since 1980, community development districts (CDDs or “districts”) have been used throughout Florida as cost-effective tools to develop, finance, and manage the infrastructure systems and services needed to support the development of new communities.

A CDD is governed by a Board of Supervisors which is elected initially by the landowners, then begins transitioning to residents of the CDD after six years of operation and there are 250 qualified electors residing within the CDD boundaries. Like all municipal, county, state, and national elections, the Office of the Supervisor of Elections oversees the vote, and CDD Supervisors are subject to state ethics and financial disclosure laws. They basically serve as publicly elected officials. The CDD’s business must be conducted in the “Sunshine,” which means all meetings and records are open to the public. Public hearings are held on CDD assessments, and the CDD’s budget is subject to annual independent audit.

Florida Statutes Section 190.011 provides for the general powers of a CDD. It is a legal entity that has the power and right to enter into contracts; own both real and personal property; adopt by-laws, rules and regulations and orders; sue and be sued; obtain funds by borrowing; issue bonds; and impose assessments and levy taxes on property within the district. Actions against a CDD are subject to the sovereign immunity provisions of section 768.28, Florida Statutes. Section 190.012, Florida Statutes gives special powers of the CDD to a defined set of services and facilities. They are permitted to finance, fund, plan, establish, construct or operate any and all of the following within the district:

- Water management and control;
- Water supply, sewerage, and wastewater management;
- Bridges and culverts;
- District roads and street lights;
- Public transportation and parking;
- Investigation and remediation of environmental contamination;

- Conservation areas, parks and recreational facilities;
- Fire prevention and control;
- School buildings and related structures;
- Security, but not the exercise of any police power;
- Waste collection & disposal; and
- Mosquito control

The cost of operating a CDD is borne by those who benefit from its services. A CDD allows the developer to finance the costs of construction with a CDD bond through tax-free municipal bonds. The property owners in the CDD are then subject to a non-ad valorem assessment, which appears on their annual property tax bill from the county tax collector and may consist of two parts: (1) an annual assessment for operations and maintenance, which can fluctuate up and down from year to year based on the budget adopted for that fiscal year; and (2) an annual capital assessment to repay bonds sold by the CDD to finance community infrastructure and facilities. The bond repayment portion is generally fixed for the term of the bonds.

On July 26th, 2005, the Board adopted Ordinance No. 2005-24, which ordinance established the procedures governing the creation of a CDD. This Development Review Report addresses the petition to establish the Oak Stone Community Development District.

II. PROPOSED ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, ESTABLISHING THE OAK STONE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; GRANTING SPECIAL POWERS; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

III. DATA & ANALYSIS

Ordinance No. 2005-24 and Florida Statutes Chapter 190 identifies the requirements for establishing a CDD. Florida Statutes Section 190.004(1) states that this act constitutes the sole authorization for the future establishment of independent community development districts which have any specialized functions and powers provided by this act. Further, Florida Statutes Section 190.005(2) provides the exclusive and uniform

method for the establishment of a community development district of less than 2,500 acres in size. The Development Director finds the size of the proposed Oak Stone CDD is 343.90 ± acres.

A. Pre-filing requirements. Florida Statutes Section 190.005(1)(b)1 provides that prior to filing the petition, the petitioner shall pay a filing fee of \$15,000 to the county, if located within an unincorporated area, or to the municipality, if located within an incorporated area, and to each municipality the boundaries of which are contiguous with or contain all or a portion of the land within, the external boundaries of the district. County Ordinance 2005-24, Section 2 requires the same filing fee.

The Development Director finds that a check for the establishment filing fee of \$15,000.00 was processed by the Development Department on February 10, 2026. Thus, the Development Director concludes the petition is in **conformance** with the pre-filing requirements.

B. Staff review. The Florida Statutes Chapter 190.005(2)(c) provides that the county commission shall consider the record of the public hearing and the factors set forth in paragraph (1)(e) in making its determination to grant or deny a petition for the establishment of a community development district.

The above-described laws fail to establish guidelines on how the Development Department should internally process such petitions. Consequently, this petition is being processed in a manner similar to other applications.

1. *The LDR requires an application be made in writing by the owner of the property or by the owner's designated agent and be filed with the Development Department.*

The Development Director finds the petition was filed in writing with the Development Department by the owner Oak Stone, LLC and received on February 3, 2026, and it includes the following Exhibits:

- Exhibit A to the Petition, a Location Map/Aerial Map;
- Exhibit B to the Petition, a metes and bounds legal description of the external boundaries of the district (3 pages);
- Exhibit C to the Petition, the written consent to the establishment of the district by the landowner, i.e., Oak Stone, LLC (7 pages);

- Exhibit D to the Petition, Initial Board of Supervisors
- Exhibit E to the Petition, Existing Utilities Map
- Exhibit F to the Petition, Oak Stone CDD list of improvements, estimated costs, financing entity, and operations and maintenance entity list.
- Exhibit G to the Petition, Statement of Estimated Regulatory Costs (15 pages)
- Exhibit H to the Petition, Future Land Use Map

The reference to the petition in this report includes the petition and its exhibits. Based on the above, it is concluded the petition is in **conformance** with the petition filing requirements.

2. *The LDR requires the Development Department to determine if the application/petition is complete. If the application is complete, it shall be accepted and processed for review. The LDR also grants the Department five working days of receipt of an application to determine whether the application is complete.*

The Development Director finds the petition was received February 3, 2026, to the Development Department. Based on the above, it is concluded the application was processed in **conformance** with this requirement.

3. *The LDR has been interpreted to require the Development Department to prepare a draft staff report and inform the developer of any deficiencies.*

The Development Director finds that this Development Review Report with attachments is the required staff report. Thus, it is concluded the application was processed in **conformance** with this requirement.

4. *The LDR has been interpreted to require a duly noticed Board public hearing be held.*

The Board public hearing date is held on the fourth Tuesday of each month and scheduled for June 23, 2026.

C. Petition filing requirements. Section 4 of Ordinance No. 2005-24 and Florida Statutes Section 190.005(2)(a) establish the contents of the petition. Florida Statutes Section 190.005(2)(a) provides a petition for the establishment of a

community development district shall be filed by the petitioner with the county commission and shall contain the same information as required in paragraph (1)(a). That paragraph requires the following:

1. *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.*

The Development Director finds the petition includes a one (1) page metes and bounds accompanied by a one (1) page sketch and one (1) page of line and curve tables. The metes and bounds description states the property contains 343.90 ± acres.

Based on the above, it is concluded the petition is in **conformance** with the district boundary and impacts requirement.

2. *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(14), the written consent by such governmental entity.*

The Development Director finds written consent to establish the Oak Stone CDD has been provided by Oak Stone, LLC, the sole landowner of lands within the proposed CDD. Thus, the petition is in **conformance** with this requirement.

3. *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.*

The Development Director finds that Exhibit D to the petition includes the names of five persons who will serve as the initial Board of Supervisors. Thus, it is concluded the petition is in **conformance** with this requirement.

4. *The proposed name of the district.*

The Development Director finds the petition identifies the name of the district as the **Oak Stone Community Development District**. Thus, the petition is in **conformance** with this requirement.

5. *A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence.*

The Development Director finds the petition includes a map of the proposed district showing existing water and sewer facilities. Based on the above findings, it is concluded the petition is in **conformance** with this requirement.

6. *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 are not binding and may be subject to change.*

The Development Director finds the petition's proposed improvements are estimated to be made, acquired, constructed and installed in five (5) phases over an estimated four (4) year period from 2026 – 2030 and a cumulative cost of \$59,684,100. Notwithstanding the above, the Petitioner notes the statute only requires a good faith estimate and those estimates are not binding and are subject to change. Further, the timetable is based on the best available data.

A good faith estimate, as required, of the construction timing and costs is included in the Statement of Estimated Regulatory Costs ("SERC") based on similar developments in Florida with similar product mixes and unit counts. The timetable is only required by statute to be a good faith estimate. The timetable included in the petition is a good faith estimate based upon the developer's plans at this time, which is subject to change.

Thus, based on the above it is concluded the petition is in **conformance** with the timetable and construction costs estimate requirements.

7. *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 Community Planning Act.*

The Development Director finds the petition includes a map displaying the Interim 2040 Future Land Use Map (FLUM) designation for the proposed Oak Stone CDD and the surrounding areas. Thus, based on the above, it is concluded the petition is in **conformance** with the future general distribution requirements.

8. *A statement of estimated regulatory costs in accordance with the requirements of s. 120.541.*

The Development Director finds the petition includes a statement of estimated regulatory costs in accordance with the requirements of Florida Statutes Section. 120.541. Florida Statutes Section 120.541(2) provides the statement of estimated regulatory costs shall include:

- a. *An economic analysis showing whether the rule directly or indirectly:*
 - 1) *Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;*
 - 2) *Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or*
 - 3) *Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.*

- a) Economic growth. The District establishment will likely have no adverse impact above \$1 million. On the contrary, it will likely encourage economic growth over the next 5 years by facilitating the development of the District as a functionally connected community and promoting the compact and financial enhancement of formerly unimproved land. The increase in costs associated with providing additional public infrastructure and services for development will be matched by a comparable increase in revenues. These revenues will be generated by levying assessments against benefited land within the District, of which the relative ratio of revenues to expenditures will change little over time. The District is structured to be self-sufficient in acquiring revenues necessary to fund budgeted expenditures and will positively impact economic growth.

In addition, the option to establish a Community Development District provides a financing mechanism to (i) fund public Infrastructure at a low cost of capital, and (ii) on a timely, self-sufficient basis. The District will be used to finance basic public infrastructure and services. Owners of property within the District agree to a lien on their property, which will be reduced over time through the annual payment of a special assessment. The assessment is used to pay debt service on bonds and/or annual maintenance and District operating expenditures, secured further by the assessed property as collateral. Assessment liens are superior to private liens, such as construction or mortgage loans. This structure results in a lower cost of capital than is otherwise available to fund public infrastructure and supports community development. New development leads to increased property values, a broader tax base, and higher tax revenues for the community. It also creates an immediate demand for new streets, water

and sewer capacity, and other infrastructure necessities. The District will fund, construct, and/or acquire the public infrastructure serving lands within the District. New growth can "pay for itself" instead of burdening an entire community with its costs. Based on the above, the petition is in **conformance** with this requirement because it is unlikely to have an adverse impact on economic growth.

b) Job creation. Compared to the existing land use of the property, the development of the District and subsequent residential improvements would trigger private job creation. In general, volatility in the number of home-building projects in a region can have considerable ramifications for the productivity levels of many other local industries. A jump in residential construction drives the demand for steel, wood, electricity, glass, plastic, wiring, piping, and concrete. The need for skilled construction workers, such as bricklayers, carpenters, and electricians, also soars. By one estimate, some 1,500 full-time jobs are created for every 500 single-family homes under construction. In 2012, the National Association of Home Builders (NAHB) estimated that the impacts of increased home building included the creation of three new jobs and \$23,000 in state and local taxes from constructing one average new single-family home. In April of 2020, the NAHB released its estimates of the economic impact that residential construction has on the economy, which included the following:

- Building an average single-family home: 2.90 jobs, \$129,647 in taxes
- Building an average rental apartment: 1.25 jobs, \$55,909 in taxes
- \$100,000 spent on remodeling: 0.75 jobs, \$29,797 in taxes

Based on the above, the petition is in **conformance** with this requirement because it is unlikely to have an adverse impact on job creation.

c) Transactional Costs and Competitiveness. In the aggregate, transactional costs exceeding \$1 million are unlikely to occur within 5 years after the establishment and development of the District are completed. Any transactional costs are covered by the assessments described above. The establishment of the District is unlikely to harm business competitiveness, including the ability of persons or entities to conduct trade with businesses located in other states and/or domestic business partners, productivity, or innovation, above \$1 million in aggregate, within 5 years. Home building will increase the property tax base, which is responsible for generating revenues that support local schools and community infrastructure, ultimately leading to a more competitive County. Based on the above, the petition is in **conformance** with this requirement because it is unlikely to have an adverse impact on private sector investment.

b. *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.*

The petition identifies state and county governments and current and future property owners as affected individuals. The petition response notes that the State and the County will not be adversely affected. Thus, the petition is in **conformance** with this requirement.

c. *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.*

The petition identifies the state, county, and CDD as entities implementing and enforcing the proposed CDD and states that any

administrative impacts caused by the creation to the County and state are addressed through the County filing fee and the state reporting requirements fee. The petition notes the District will submit, for informational purposes, its annual budget to the County. Since there are no legislative requirements for review or action, the County should not incur any costs.

The CDD will not have any adverse effect on state and local revenues. There is potential for an increase in state sales tax revenue resulting from the establishment and subsequent development of the subject land. It is not possible to estimate this increase with unconditional certainty. In addition, local ad valorem tax revenues may be increased due to long-lasting increases in property values resulting from the District's construction of infrastructure and on-going maintenance services.

Similarly, private development within the District, which will be facilitated by the District's activities, should have a positive impact on property values and therefore ad valorem taxes. In addition, development permit revenue is expected to be generated by private development within the District and, accordingly, should also increase local revenues. Transactional costs are addressed elsewhere in this report. Based on the above, the petition is in **conformance** with this requirement.

- d. *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 section, "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, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.*

The transactional costs associated with adoption of an ordinance to establish the District are primarily related to the infrastructure improvements. The District will determine what infrastructure it

considers prudent. The revenue generated by payment of these assessments will be used to repay any bonds.

To fund the cost of maintaining infrastructure that the District maintains, operation and maintenance assessments will be imposed on the District property owners.

All persons choosing to acquire property in the District will be responsible for such assessments in addition to the taxes or assessments imposed by State, County, and other taxing authorities.

In exchange for the payment of these special assessments, there are substantial benefits to be derived by the future property owners. Specifically, these persons can expect to receive a higher level of services because they will elect the members of the District's Board of Supervisors. Further, the District is limited in jurisdiction and responsibility to this single development. Therefore, the District should be extremely responsive to the needs of the property owners within the District.

Based on the above, the petition is in **conformance** with this requirement.

- e. *An analysis of the impact on small businesses as defined by s. [288.703](#), and an analysis of the impact on small counties and small cities as defined in s. [120.52](#). The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.*

DeSoto County has a population of 33,976 according to the Census 2020 conducted by the United States Census Bureau and is therefore defined as a "small" county according to Section 120.52, F.S. The petition states the establishment of the District should not have any negative impact on small businesses and small counties. The District must operate according to Florida's Sunshine law and must follow certain competitive bidding requirements for certain goods and services it will purchase. As a result, small businesses should be better able to compete for District business serving the lands to be included within the District, and County revenues are not diverted to

finance District infrastructure. A District does not discriminate in terms of the size of businesses that can be located within the boundaries or transact business with the District. Based on the above, it is concluded that the petition is in **conformance** with this requirement because it is unlikely to have an adverse impact on small businesses or DeSoto County.

- f. *Any additional information that the agency determines may be useful.*

The petition has provided the following additional information:

This Statement of Estimated Regulatory Costs was prepared for the proposed establishment of the Oak Stone Community Development District and represents the best cost estimate at this time. Kai Connected, LLC prepared this report and in its preparation certain data utilized in this report was provided by the Petitioner and other associated professionals and to our knowledge represents the best information available to date.

- g. *In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.*

In the Analysis of Alternatives for Delivering Community Development Services and Facilities to be served by the Oak Stone Community Development District, there are several additional factors which bear importance.

The County could be responsible for financing the cost of construction and maintenance of the roadways and related infrastructure. Regardless of the specific mechanism (i.e., MSTU, MSBU, Dependent District), the County would incur costs associated with financing and management of the construction. The source of necessary construction funds would be the County's general revenue fund or issuance of additional debt. Therefore, these costs and annual maintenance costs will be borne by County

residents, not just property owners within the District. The County, however, may already have a policy prohibiting the construction of "Subdivision level" infrastructure, as do many other general-purpose local governments.

Another alternative to a CDD would be private conventional financing. Private financing is difficult to obtain and, when available, very expensive. This may result in less affordable housing and/or a decrease in the level of service(s) provided. In addition, annual maintenance would likely be delegated to a Homeowner's Association (HOA/POA), which does not have the same legal backing to enforce dues and assessments as does the CDD.

A CDD is superior to an HOA/POA for a variety of reasons. First, unlike an HOA/POA, a CDD can obtain low-cost funds from the municipal capital market. Second, as a government entity, a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is an HOA/POA. Third, the proposed CDD is a unit of local government. This provides a higher level of transparency, oversight, and accountability and the CDD has the ability to enter into interlocal agreements with other units of government. The CDD will incur the cost of issuing Bonds necessary to finance the construction of the necessary infrastructure, will oversee and manage all phases of construction, and will be responsible for the maintenance and management of the common areas on an ongoing basis. All costs associated with these activities will be borne only by those property owners within the District that benefit from the improvements. No County general funds will be used and no County residents outside of the District will incur costs.

- D. Petition determination factors.** Florida Statutes Chapter 190 provides the Board shall consider the entire record of the local hearing, the transcript of the hearing, resolutions adopted by local general-purpose governments as provided in paragraph (c), and the following factors and make a determination to grant or deny a petition for the establishment of a community development district:

1. *Whether all statements contained within the petition have been found to be true and correct.*

The Development Director finds the petition statements are true and correct. Thus, the petition is in **conformance** with this requirement.

2. *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.*

The Development Director finds the petition addresses the Comprehensive Plan consistency. Thus, the petition is in **conformance** with this requirement.

3. *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.*

The Development Director finds the proposed CDD consists of a single area with a size of 343.90 ± acres. Thus, the CDD has a size sufficient to allow significant residential development.

The petition displays that the CDD is an area that is not separated by a publicly owned county park; a right-of-way for a highway, road, railroad, canal, or utility; or a body of water, watercourse, or other minor geographical division of a similar nature that prevents the area from being treated as a unified whole with respect to municipal services or prevent the CDD inhabitants from fully associating and trading with each other, socially and economically. Based on that finding, it is concluded the CDD is sufficiently contiguous to be developable as one functional interrelated community. In summation, it is concluded that the petition is in **conformance** with this requirement because the boundaries are of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. *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.*

In relation to the question of whether the establishment of the District is the best alternative for delivering services than other special districts, the establishment of an independent special district CDD in this case is preferable over a dependent special district or any other type of development mechanism. A dependent special district is less advantageous than an independent special district such as this CDD, because the County would be responsible for providing the improvements and services of the dependent special district. Likewise, the costs for the services and facilities would be spread throughout the county, rather than being assessed on the land directly benefiting from those improvements. In short, the finance and accounting of the dependent special district would impact the overall finances of the County and could do so negatively if the dependent special district suffered financial problems. In contrast, a CDD is responsible for its own debt.

An independent CDD is a better alternative because it has higher accountability requirements and transparency standards than that of a dependent special district. Based on the above, it is concluded the petition is in **conformance** with this requirement.

5. *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.*

Community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities. There is no duplication or overlap of facilities or services, because no other entity or unit of government is presently funding or providing the improvements proposed by the District. Furthermore, the proposed District is an efficient method to maintain and manage the necessary infrastructure improvements within the proposed District without overburdening the County and its taxpayers. Thus, the petition is in **conformance** with this requirement because community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

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

The area within the proposed District is of sufficient size, compactness, and contiguity. The purpose of this statutory requirement is to ensure successful and efficient delivery of services and facilities to the property. From a management and land development perspective, the area to be included within the proposed District is of sufficient size, compactness and is sufficiently contiguous to be developable as one functional, interrelated community, which is amenable to a separate CDD government.

Also, the proposed District is limited in purpose and the infrastructure improvements to be provided by the proposed District are limited in scope. For these reasons, the proposed District is a logical mechanism to oversee the installation of capital infrastructure improvements necessary for community development. The lands within the proposed District have sufficient infrastructure needs and maintenance obligations to warrant a separate special district government. Local governments provide developments with the criteria for the elements of infrastructure to provide for the facilities and services, including stormwater drainage, water, sewer, and other facilities and services. The proposed District is functionally interrelated when each provided facility and service has a mutual reinforcing relationship to one another, with each facility and service designed to contribute to the development and maintenance of the District as a whole. Each facility and service must meet the growth and development of the community, so a management capability and a funding source are required for each service and facility.

Against that background, the lands to be included within the proposed District have sufficient significant infrastructure needs to be developable as a functionally interrelated community. This necessary infrastructure can be provided by the proposed District in a cost-effective manner based upon the specific design of the community. The lands within the proposed District consist of approximately 343.90 ± acres of land. The purpose of this statutory requirement is to ensure successful and efficient delivery of services and facilities to the property. Therefore, the proposed District is suitably configured to maximize the timely and cost-efficient delivery of the necessary services and facilities for a functionally interrelated District. Based on the above, the petition is in **conformance** with this requirement.

E. **Optional powers.** Florida Statutes Section 190.005(2)(d) provides the county commission may not adopt any ordinance which would expand, modify, or delete any provision of the uniform community development district charter as set forth in ss. 190.006-190.041. An ordinance establishing a community development district shall only include the general and special powers provided for in Chapter 190 (excluding the special powers in Section 190.012(2)), unless the commission consents to any of the optional special powers under Section 190.012(2) at the request of the petitioner. Those optional powers include the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

1. *Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.*

The petition requests the special power for parks and facilities for indoor and outdoor recreational, cultural, and educational uses. The proposed infrastructure plan provides for landscaping, irrigation, hardscape, trails and recreational facilities, which will be owned, operated, and maintained by the CDD and the estimated budget for these facilities is over \$4 million. The Development Director finds that no opposition has been raised to granting this power.

2. *Fire prevention and control, including fire stations, water mains and plugs, fire trucks, and other vehicles and equipment.*

The petition does not request this power and, therefore, is **inapplicable**.

3. *School buildings and related structures and site improvements, which may be leased, sold, or donated to the school district, for use in the educational system when authorized by the district school board.*

The petition does not request this power and, therefore, is **inapplicable**.

4. *Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries. However, this paragraph does not prohibit a district*

from contracting with a towing operator to remove a vehicle or vessel from a district-owned facility or property if the district follows the authorization and notice and procedural requirements in s. 715.07 for an owner or lessee of private property. The district's selection of a towing operator is not subject to public bidding if the towing operator is included in an approved list of towing operators maintained by the local government that has jurisdiction over the district's facility or property.

The petition requests the special power for security. It is likely the development will include fences and gates. The Development Director finds that no opposition has been raised to granting this power.

5. *Control and elimination of mosquitoes and other arthropods of public health importance.*

The petition does not request this power and, therefore, is **inapplicable**.

6. *Waste collection and disposal.*

The petition does not request this power and, therefore, is **inapplicable**.

- F. **Public hearing requirements.** LDR Section 20-1502 requires notice of the Board of County Commissioner's meeting to be published in a newspaper of general circulation at least 10 days before the public hearing. The proof of publication included with the Board of County Commissioner's agenda shows the notice was duly published as required.

In addition to the LDR notice, Florida Statute 190.005(1)(d) imposes additional requirements. It provides a public hearing on the petition shall be conducted by the county commission in accordance with the requirements and procedures of the Administrative Procedure Act, which provides, in relevant part:

The hearing shall include oral and written comments on the petition pertinent to the factors specified in paragraph 190.005(1)(e). The hearing shall be held at an accessible location in the county in which the community development district is to be located. The petitioner shall cause a notice of the hearing to be published for 4 successive weeks on a newspaper's website and the statewide legal notice website provided in s. 50.0311 or, if published in print, in a

newspaper at least once a week for the 4 successive weeks immediately prior to the hearing as provided in chapter 50. Such notice shall give the time and place for the hearing, a description of the area to be included in the district, which description shall include a map showing clearly the area to be covered by the district, and any other relevant information which the establishing governing bodies may require. If published in the print edition of a newspaper, the advertisement may not be placed in the portion of the newspaper where legal notices and classified advertisements appear. The advertisement must be published in a newspaper in the county and of general interest and readership in the community pursuant to chapter 50. Whenever possible, the advertisement shall appear in a newspaper that is published at least weekly, unless the only newspaper in the community is published less than weekly. If the notice is published in the print edition of the newspaper, the map must also be included in any online advertisement pursuant to s. 50.0211. All affected units of general-purpose local government and the general public shall be given an opportunity to appear at the hearing and present oral or written comments on the petition.

The Development Director finds the public hearing will be heard by the Board of County Commissioners and the hearing will be conducted in conformance with the applicable County and statutory requirements and procedures. The hearing will be held in the County Administration building, which the building is within an accessible location in the county in which the community development district is to be located. This Development Review Report represents written comments on the petition and other written comments can be provided to the Department for inclusion in the record prior to the hearing. Oral comments on the petition pertinent to the factors specified in paragraph (e) can be provided at either public hearing. The four notices of public hearings will be provided to the Department as they become available and will be included herein.

IV. ATTACHMENTS

Attachment A: Petition, including Exhibits A through H

Attachment B: Ordinance establishing the Oak Stone CDD

V. FINDINGS AND CONCLUSIONS

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

1. State law and County ordinance require the applicable CDD filing fee be paid and the Development Director concludes these requirements have been satisfied because the required fee has been paid.
2. The LDR requires the petition be complete and a staff report be prepared. The Development Director finds the application is technically complete and therefore concludes the petition has been processed in conformance with County requirements.
3. Section 190.005(2) and county ordinance require the petition contain eight items and the Development Director concludes that the petition adequately contains those items.
4. State law requires the petition make its determination to grant or deny the petition based upon six factors and the Development Director concludes the application provides sufficient data and analysis to allow a recommendation to be made on the petition.
5. State law allows six optional powers to be granted to the CDD and the petition requests that the ordinance establishing the District also consent to the exercise by the District the powers to finance, fund, plan, establish, acquire, construct, or reconstruct, enlarge or extend, equip, operate and maintain additional systems, facilities and basic infrastructure for the following:
 - (i) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses;
 - (ii) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; provided, however, the District may not exercise any police power, but may contract with the appropriate local

general purpose government agencies for an increased level of such services within the District's boundaries.

6. The State and County due public notice requirements have been satisfied.

VI. ALTERNATIVE ACTIONS

The Board has one of the following alternative actions at its disposal:

- A. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and adopt the proposed Ordinance.
- B. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, amend the findings and conclusions contained herein and deny that the proposed Ordinance.
- C. Enter into the record the Development Review Report and all other substantial competent evidence presented at the hearing, and table the hearing to allow time to receive additional information needed to render a decision.

VII. RECOMMENDED ACTION

- A. Board of County Commissioners action. The proposed Ordinance is scheduled for the June 23, 2026, public hearing.