

# **TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA**

**AGENDA ITEM TITLE**

Ordinance 2023-03 – Second and Final Reading - Amending the Hammock Oaks Community Development District (CDD) pursuant to Florida Statutes 190.046 and 190.005, encompassing portions of land in Sections 19 And 30, Township 18 South, Range 24 East, Lake County, Florida; Incorporating an additional 271.847 acres, totaling an amended CDD Boundary of 649.655 acres.

**AGENDA ITEM ID**

2023059

**DEPARTMENT**

Growth Management

**STAFF RECOMMENDED MOTION**

Staff recommends approval of Ordinance 2023-03, Second and Final Reading - Amending the Hammock Oaks Community Development District (CDD).

**SUMMARY**

On Monday, April 4, 2022, the Town of Lady Lake adopted Ordinance 2021-30, establishing the Hammock Oaks Community Development District (CDD) pursuant to Florida Statute 190.005. Since that time, Kolter Land Partners LLC has acquired additional property that they wish to incorporate into the CDD.

The CDD at present is approximately 378 acres; the commercial properties along Highway 466 and the multi-family component of the development are not included. On March 13, 2023, Jere Earlywine of Kutak Rock LLP, filed a petition to add an additional 271.847 acres into the district, bringing the total land area of the CDD to 649.655 acres.

The applicant’s overview statement contends that, “The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 2,142 residential dwelling units following the amendment of the District’s boundaries.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain

community-wide infrastructure in planned community developments. CDDs provide a solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the Town or County in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining public infrastructure for developments, such as Hammock Oaks.”

The petitioner for the proposed CDD has obtained written consent to amend the District from all owners of the real property located within the proposed District in accordance with Section 190.005 of the Florida Statutes.

**PAST ACTIONS**

On Monday, April 4, 2022, the Town of Lady Lake adopted Ordinance 2021-30, establishing the Hammock Oaks Community Development District (CDD) of 378.076 acres.

The Planning and Zoning Board does not make recommendations regarding the establishment or boundary amendments to Community Development Districts.

At the April 17, 2023 meeting, the Town Commission voted 5-0 to approve Ordinance 2023-03 upon first reading.

**FISCAL IMPACT**

Not applicable.

**SOURCE OF FUNDING**

Not applicable.

**FUNDING ACCOUNT**

Not applicable.