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**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**

Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

5/18/2021

BCC MEETING DATE

TO: Hunter S. Conrad, County Administrator

DATE: April 23, 2021

FROM: Valerie Stukes, Senior Planner

PHONE: 904 209-0693

SUBJECT OR TITLE: CDD 2021-02 Petition to establish the Bridgewater North CDD.

AGENDA TYPE: Business Item, Ordinance, Public Hearing, Report

BACKGROUND INFORMATION:

Petition to establish the Bridgewater North Community Development District (CDD), comprised of approximately 143.89 acres of land, located southeast of County Road 210 West, north of Linda Lake Lane, east of Interstate 95 and west of undeveloped lands.

1. IS FUNDING REQUIRED? No

2. IF YES, INDICATE IF BUDGETED. No

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

Motion to enact Ordinance 2021- _____, establishing the Bridgewater North Community Development District (CDD), based upon three (3) findings of fact, as provided in the Staff Report.
Motion to deny Petition to Establish the Bridgewater North CDD, based upon three (3) findings of fact, as provided in the Staff Report.

For Administration Use Only:

Legal: Christine Valliere 4/26/2021

OMB: DC 4/26/2021

Admin: Joy Andrews 4/26/2021



Growth Management Department
PLANNING DIVISION REPORT
Petition to Establish the Bridgewater North CDD
CDD 2021-02

To: Board of County Commissioners

From: Valerie Voigt Stukes, Senior Planner

Date: April 21, 2021

Subject: Petition to establish the Bridgewater North Community Development District (CDD), comprised of approximately 143.89 acres of land, located southeast of County Road 210 West, north of Linda Lake Lane, east of Interstate 95 and west of undeveloped lands.

Applicant/Petitioner: Forestar (USA) Real Estate Group, Inc.

Representative: Katie S. Buchanan, Esq.
Hopping Green and Sams, P.A.

Hearing dates: Board of County Commissioners – May 18, 2021

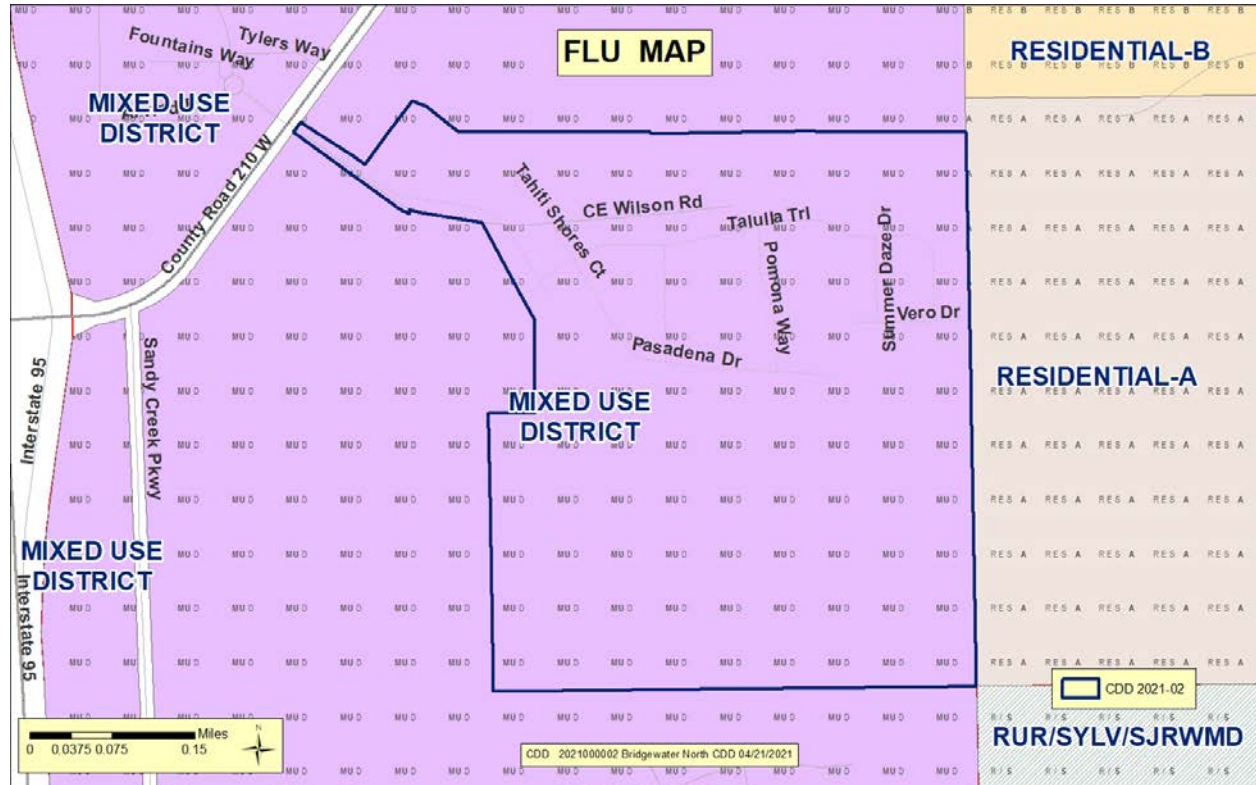
Commissioner District: District 1

MAP SERIES

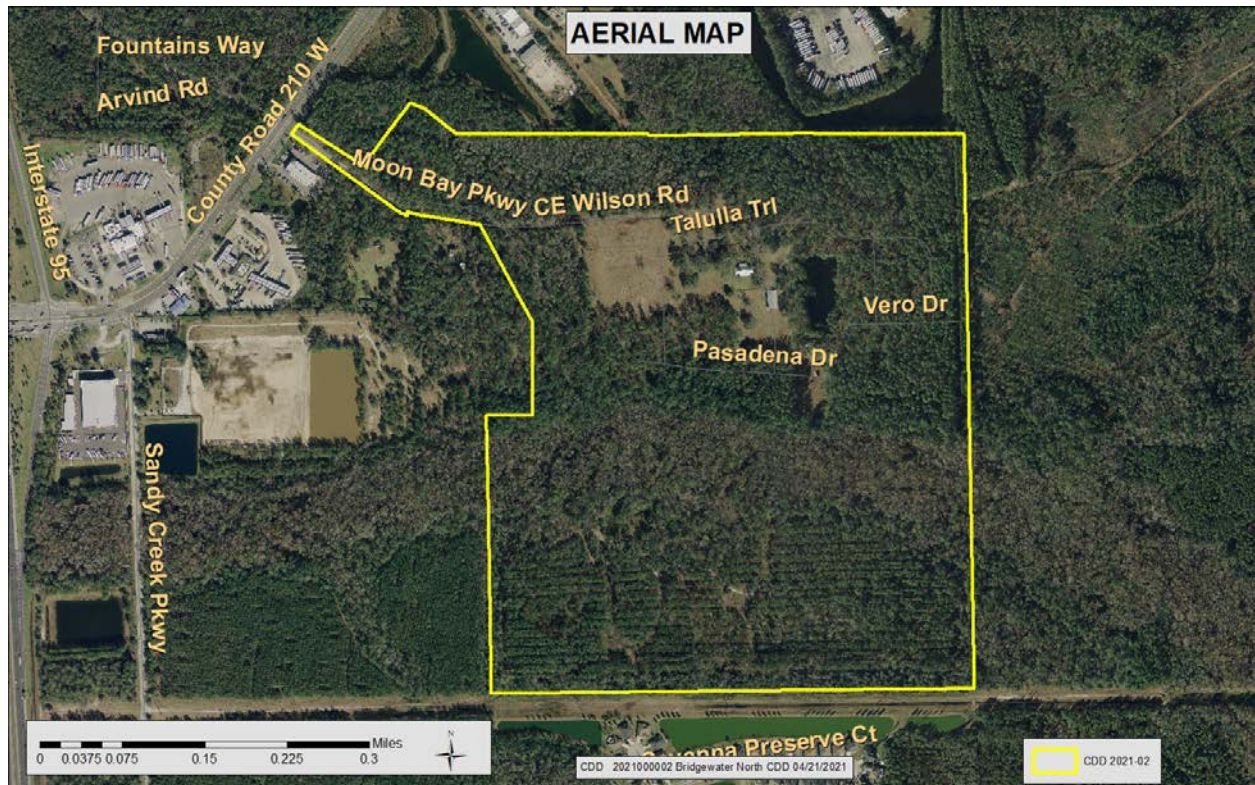
Location: The proposed Bridgewater North CDD is located southeast of County Road 210 West, north of Linda Lake Lane, east of Interstate 95 and west of undeveloped lands.



Future Land Use: The Future Land Use Designation of the subject CDD property is Mixed Use. Surrounding land use designations are Mixed Use or Residential.



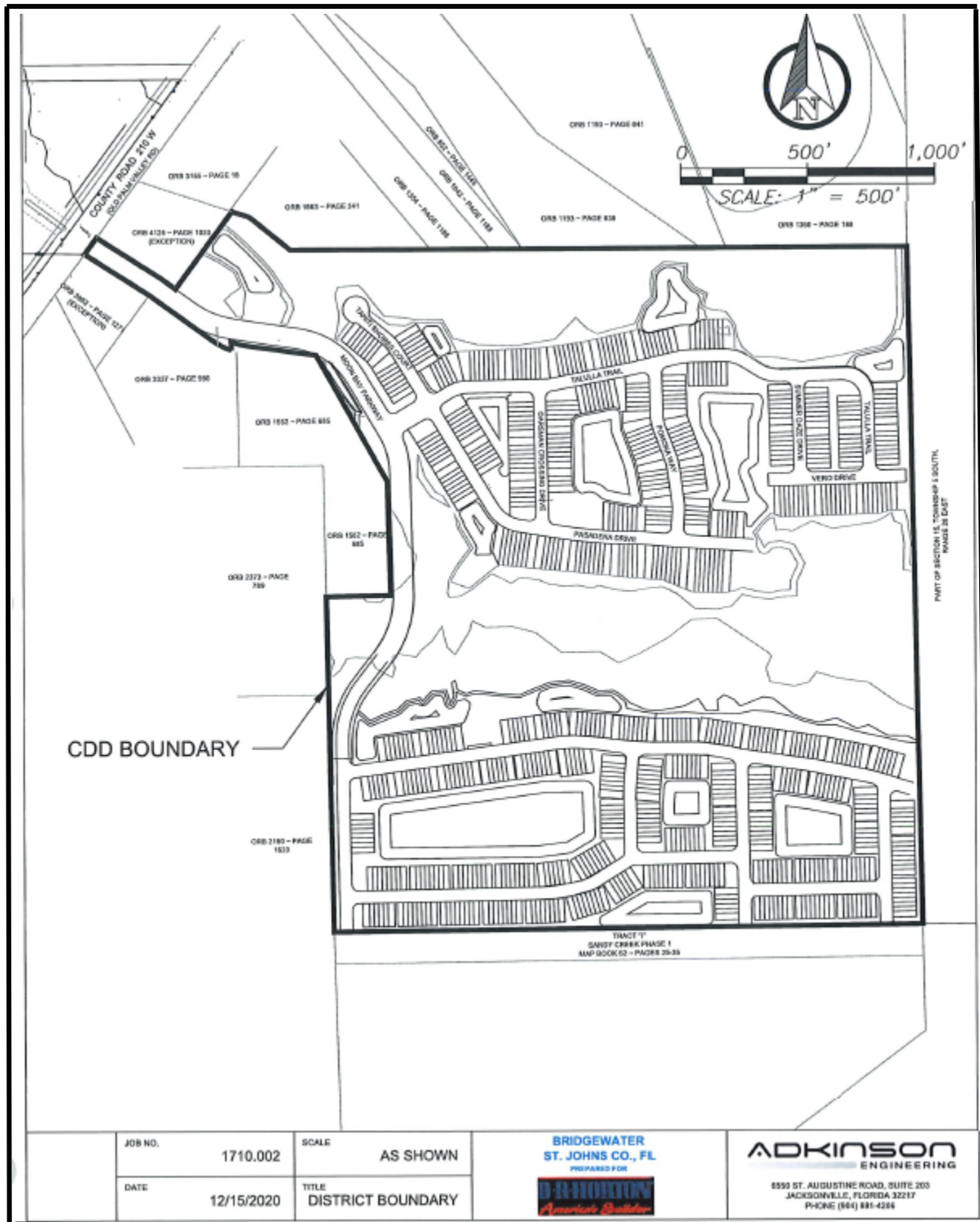
Aerial Imagery: The CDD is the entirety of the Bridgewater PUD. The majority of the surrounding areas outside of the PUD are residential or mixed use.



PETITION SUMMARY/DEPARTMENT REVIEW

St. Johns County received a Petition to establish the Bridgewater Community Development District (CDD) on February 11, 2021. The CDD comprises approximately 143.89 acres of land and will serve all of the Bridgewater Planned Unit Development (PUD). The Bridgewater PUD was approved in 2019 for a maximum of 816 multi-family town home units. This PUD was last modified in October 2020 with a small adjustment to Phase 1, decreasing the number of townhomes from 378 units to 364 units. A more recent modification is under review with small changes to the landscape and hardscape areas including the club house area, the recreational areas and ponds.

Bridgewater has continually developed since its approval. Phase 1 has been approved through Subdivision Construction Plans. The map below shows the CDD and the CDD boundaries. The map also includes the unit count per development phasing for the Bridgewater PUD.



Florida Statutes, Chapter 190 and Part 5.06.00 of the St. Johns County Land Development Code govern the procedures, approval and implementation of a CDD. Section 5.06.01 of the Land Development Code provides the intent of a CDD within St. Johns County is to encourage a strong commitment to capital facilities planning, management and financing to ensure the provision of adequate capital infrastructure to serve projected growth without overburdening the general taxpayer. The intent of Chapter 190 is similar.

The Bridgewater CDD proposes to fund the construction, operation and maintenance of stormwater systems, roadways, entry signage, landscaping, electric and street lighting, parks and recreational improvements and engineering, surveying and planning. Petitioner estimates approximately \$21,088,691.26 in costs. The establishment of the CDD does not obligate the County to ownership, operation or maintenance of any infrastructure. Specifically, the Petition provides that any acceptance of any offer of dedication to the County shall be at the sole discretion of the Board of County Commissioners and nothing in the Petition shall be construed as an affirmative acceptance by the Board of County Commissioners of improvements or acceptance of operation and maintenance obligations.

According to Chapter 190, Florida Statutes, the establishment of a CDD, less than 2,500 acres, may be approved by the Board of County Commissioners and provides six factors which the Board of County Commissioners shall consider in their review of the CDD. According to law, the Petition included an analysis of the six factors and staff review is listed below:

- 1. Whether all statements contained within the petition have been found to be true and correct.** Staff finds the statements contained in the Petition correct and true.
- 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 subject property CDD district is designated Mixed Use on the Future Land Use Map. Bridgewater is a residential development planned with recreation areas, amenities and associated infrastructure to serve community residents. Staff finds the proposed Petition consistent with the State and St. Johns County Comprehensive Plans.
- 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.** Bridgewater North CDD contains approximately 143.89 acres serving the entirety of the Bridgewater Planned Unit Development (PUD). The Bridgewater PUD contains approximately 144 acres of land, planned as a mixed use development. As the majority of the surrounding area is also Mixed Use, the subject property and surrounding properties are compatible and each have uses that will benefit each other. Staff finds this development of sufficient size, scale and sufficiently compact to serve as a 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.** Staff finds the CDD is an alternative available to provide facilities and services to this interrelated community, which consists of residential uses preparing to be a housing option to the many individuals working in that CR 210 W and I-95 area. Further, staff finds the CDD will prevent the general body of tax payers from bearing the burden

for installation of infrastructure and maintenance of certain facilities and services within the PUD, resulting in an efficient use of infrastructure and resources within the developing PUD.

- 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.** Staff does not find incompatibilities with the capacity and uses of existing local and regional facilities and services. The Petition contends the CDD remains will provide a perpetual entity capable of making reasonable provisions for the provision and operation and maintenance of facilities and services.
- 6. Whether the area that will be served by the district is amenable to separate special-district government.** Bridgewater North CDD will encompass and serve approximately 143.89 acres of the Bridgewater Planned Unit Development (PUD). The Bridgewater PUD contains approximately 144 acres of land, designated as a mixed use development and planned as a multi-family residential development. The CDD will provide facilities and service to the planned development and will be an amenable separate special district within the County.

CORRESPONDENCE

At this writing, staff has not received correspondence on this item.

ACTION

Staff finds CDD 2021-02 Bridgewater North Petition meets the standards established in Part 5.06.00 of the Land Development Code and Florida Statutes Chapter 190. There are three findings of fact for either approval or denial

ATTACHMENTS

- I. Recorded Documents
 - Ordinance
 - Exhibit A Legal
 - Exhibit B Petition

FINDINGS OF FACT

CDD 2021-02 Bridgewater North CDD

APPROVE	DENY
1. The Petition has been fully considered after public hearing with legal duly published notice as required by law.	1. The Petition has been fully considered after public hearing with legal duly published notice as required by law.
2. The Petition meets the applicable standards and criteria of Part 5.06.00 of the Land Development Code with respect to the provisions of the CDD.	2. The Petition does not meet the applicable standards and criteria of Part 5.06.00 of the Land Development Code with respect to the provisions of the CDD.
3. The Board of County Commissioners has reviewed the six factors as provided in Chapter 190, Florida Statutes and determined the request complies with these factors.	3. The Board of County Commissioners has reviewed the six factors as provided in Chapter 190, Florida Statutes and determined the request does not comply with these factors.

ATTACHMENT 1
RECORDED DOCUMENTS SECTION

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE BRIDGEWATER NORTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2020); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

RECITALS

WHEREAS, Forestar (USA) Real Estate Group, Inc. ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent (100%) of the real property, described in attached **Exhibit A**, to be included in the District, petitioned the St. Johns County Board of Commissioners ("County") to adopt an ordinance establishing the Bridgewater North Community Development District ("District"), with petition attached as **Exhibit B**, pursuant to Chapter 190, Florida Statutes (2020); and

WHEREAS, Petitioner is a Delaware corporation, authorized to conduct business in the State of Florida; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on May 18, 2021; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that: the statements within the Petition were true and correct; the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan; the land within the District is of sufficient size, is sufficiently compact and sufficiently contiguous to be developable as a functionally interrelated community; the District is the best alternative available for delivering community development services and facilities to the area served by the District; the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and the area to be served by the District is amenable to separate special district governance; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

SECTION 1. The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2020).

SECTION 3. DISTRICT NAME. There is hereby established a Community Development District situated entirely within the unincorporated limits of St. Johns County, Florida, which District shall be known as the “Bridgewater North Community Development District”.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in Exhibit A attached hereto and incorporated by reference. The proposed District covers approximately 143.89 acres of land. The site is generally located southeast of County Road 210 W, north of Linda Lake Lane, east of Interstate 95 and west of undeveloped lands , in unincorporated St. Johns County, Florida.

SECTION 5. FUNCTIONS AND POWERS. The general powers and functions of the District are described in Chapter 190, Florida Statutes (2020). The District is also authorized to exercise additional special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and security, including but not limited to guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, as authorized and described in Section 190.012(2), Florida Statutes.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Sarah Wicker, Bradley England, Christopher Williams, Robert Porter and James Teagle. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE. Nothing in this Ordinance shall be deemed as affirmative acceptance by St. Johns County of any financial, operational, maintenance, or any other responsibilities of the District, nor be deemed as affirmative acceptance of any proposed improvement.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or the application thereof is formally determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect pursuant to Florida general law.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS ____ DAY OF _____, 2021.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

BY: _____
Jeremiah R. Blocker, Chair

Rendition Date

**ATTEST: Brandon J. Patty, CLERK OF THE
CIRCUIT COURT & COMPTROLLER**

BY: _____
Deputy Clerk

EFFECTIVE DATE: _____

EXHIBIT A BOUNDARIES OF DISTRICT

LEGAL DESCRIPTION:

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 16, THENCE S89°21'11"W, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2319.38 FEET TO THE WEST LINE OF SAID SECTION 16; THENCE N01°05'33"W, ALONG SAID WEST LINE, A DISTANCE OF 1315.78 FEET; THENCE N89°03'24"E, DEPARTING SAID WEST LINE, A DISTANCE OF 254.98 FEET TO A POINT ON A LINE BEING DESCRIBED IN A BOUNDARY LINE AGREEMENT, RECORDED IN OFFICIAL RECORDS BOOK 837, PAGE 599 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG SAID LINE DESCRIBED IN SAID BOUNDARY LINE AGREEMENT, THE FOLLOWING FIVE (5) COURSES: COURSE ONE (1): N01°23'57"W, 446.68 FEET; COURSE TWO (2): N29°31'47"W, 568.90 FEET; COURSE THREE (3): N82°10'13"W, 272.28 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 270.30 FEET; COURSE FOUR (4): NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 66.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N75°07'06"W, 66.37 FEET; COURSE FIVE (5): S02°37'36"E, DEPARTING SAID CURVE, A DISTANCE OF 33.90 FEET TO A POINT ON THE SOUTH LINE OF C.E. WILSON ROAD (A PRIVATE 50' RIGHT OF WAY AS SHOWN ON A MAP BY RICARDO EDRALIN, REGISTERED LAND SURVEYOR NUMBER 3274, DATED 6-1986), SAID POINT LYING ON A CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 295.30 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 84.45 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N62°35'12"W, 84.16 FEET TO A POINT OF TANGENCY OF LAST SAID CURVE; THENCE N54°23'38"W, ALONG SAID SOUTH LINE OF C.E. WILSON, A DISTANCE OF 305.47 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3962, PAGE 1271 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N57°41'05"W, ALONG THE NORTHEASTERLY LINE OF LAST SAID LANDS, A DISTANCE OF 301.05 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210 (A 100' RIGHT OF WAY AS NOW ESTABLISHED); THENCE N36°29'44"E, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 80.21 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4126, PAGE 1020 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE S57°41'05"E, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 297.50 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE; THENCE S54°23'38"E, CONTINUING ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 72.61 FEET TO THE EAST LINE OF LAST SAID LANDS; THENCE N36°29'44"E, ALONG SAID EAST LINE, A DISTANCE OF 376.20 FEET TO THE NORTHEAST CORNER OF LAST SAID LANDS, SAID NORTHEAST CORNER BEING ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1863, PAGE 241 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE S71°52'01"E, ALONG LAST SAID SOUTH LINE, A DISTANCE OF 72.40 FEET TO AN ANGLE POINT IN LAST SAID SOUTH LINE; THENCE S51°18'07"E, CONTINUING ALONG LAST SAID SOUTH LINE, A DISTANCE OF 204.27 FEET TO THE NORTH LINE OF THE SOUTHEAST ¼ SAID SECTION 16; THENCE N89°50'03"E, ALONG SAID NORTH LINE, A DISTANCE OF 2428.89 FEET TO THE EAST LINE OF SAID SECTION 16; THENCE S01°06'39"E, ALONG LAST SAID EAST LINE, A DISTANCE OF 2655.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 143.89 ACRES, MORE OR LESS.

JOB NO.	1710.002	SCALE	AS SHOWN		 <small>6650 ST. AUGUSTINE ROAD, SUITE 203 JACKSONVILLE, FLORIDA 32217 PHONE (904) 961-6206</small>
DATE	12/15/2020	TITLE	LEGAL DESCRIPTION		

EXHIBIT B
PETITION

PETITION TO ESTABLISH BRIDGEWATER NORTH COMMUNITY DEVELOPMENT DISTRICT

Submitted By: Katie S. Buchanan

Florida Bar No. 14196

katieb@hgslaw.com

Michelle Rigoni

Florida Bar No. 0124758

micheller@hgslaw.com

119 South Monroe Street, Suite 300 (32301)

Post Office Box 6526

Tallahassee, Florida 32314

(850) 222-7500

(850) 224-8551 (fax)

Attorney for Petitioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

**PETITION TO ESTABLISH THE
BRIDGEWATER NORTH COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Forestar (USA) Real Estate Group, Inc. (“Petitioner”), hereby petitions the St. Johns County Board of County Commissioners pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, to establish a community development district (“District”) with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within St. Johns County, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 143.89 acres of land. The site is generally located southeast of County Road 210 W, north of Linda Lake Lane, east of Interstate 95 and west of undeveloped lands. The metes and bounds description of the proposed external boundaries of the District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the boundaries of the proposed District, in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 3**.

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Sarah Wicker
Address: 4220 Race Track Road
St. Johns, Florida 32259

Name: Bradley England
Address: 4220 Race Track Road
St. Johns, Florida 32259

Name: Christopher Williams
Address: 4220 Race Track Road
St. Johns, Florida 32259

Name: Robert Porter
Address: 4220 Race Track Road
St. Johns, Florida 32259

Name: James Teagle
Address: 4220 Race Track Road
St. Johns, Florida 32259

All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is Bridgewater North Community Development District.

6. Future Land Uses. The general distribution, location, and extent of the public and private existing and future land uses for the proposed District, in accordance with the future land use plan element of the County's Future Land Use Plan, is identified in **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the approved St. Johns County Future Land Use Plan.

7. Major Water and Wastewater Facilities. **Composite Exhibit 5** shows the existing and proposed major trunk water mains, sewer connections and drainage serving the lands within and around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install¹. The estimated costs of constructing the infrastructure serving land within the proposed District, as well as the anticipated entity responsible for ownership and maintenance, are identified in **Exhibit 7**. At present, these improvements are estimated to be made, acquired, constructed and/or installed from 2021 to 2022. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions. These estimates contemplate the exercise of the only two (2) special powers requested by the Petitioner at this time: (i) Section 190.012(2)(a), *Florida Statutes*, parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (ii) Section 190.012(2)(d), *Florida Statutes*, security, including but not limited to guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars. Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements or acceptance of any operating and maintenance obligations of the District.

9. Statement of Estimated Regulatory Costs. **Exhibit 8** is the statement of estimated regulatory costs (“SERC”) prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

¹ The proposed District expects to finance, fund, construct, acquire and/or install the following facilities: clearing & earthwork, storm drainage, roadways & sidewalks, wastewater collection, potable water, Moon Bay Parkway improvements, Moon Bay Parkway Extension improvements, landscaping, entry signage, fencing & fountains, amenity, tree mitigation, wetland mitigation, CR 210 & Moon Bay Parkway Traffic Signal and County Road 210 improvements.

10. Authorized Agent. The Petitioner is authorized to do business in Florida.

Exhibit 9 identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Katie S. Buchanan (katieb@hgslaw.com)
Michelle Rigoni (micheller@hgslaw.com)
HOPPING GREEN & SAMS, P.A.
P.O. Box 6526
Tallahassee, Florida 32314

11. This petition to establish the Bridgewater North Community Development District should be granted because it meets the six (6) factors set forth in Section 190.005(1)(e), *Florida Statutes*. The factors, and evidence submitted in support of the same, are as follows:

a. The statements contained within this Petition have been found to be true and correct. Section 190.005(1)(e)1., *Florida Statutes*.

b. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the St. Johns County Comprehensive Plan. Section 190.005(1)(e)2., *Florida Statutes*.

c. The area of land within the proposed District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community. Section 190.005(1)(e)3., *Florida Statutes*.

d. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed District. Section 190.005(1)(e)4., *Florida Statutes*.

e. The community development services and facilities of the proposed District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. Section 190.005(1)(e)5., *Florida Statutes*.

f. The area to be served by the proposed District is amenable to separate special-district government. Section 190.005(1)(e)6., *Florida Statutes*.

WHEREFORE, Petitioner respectfully requests the County Commission of St. Johns County, Florida to:

a. hold a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes*;

b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*;

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), *Florida Statutes*; and

d. grant such other relief as appropriate.

[CONTINUED ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED, on the 9th day of February, 2021.

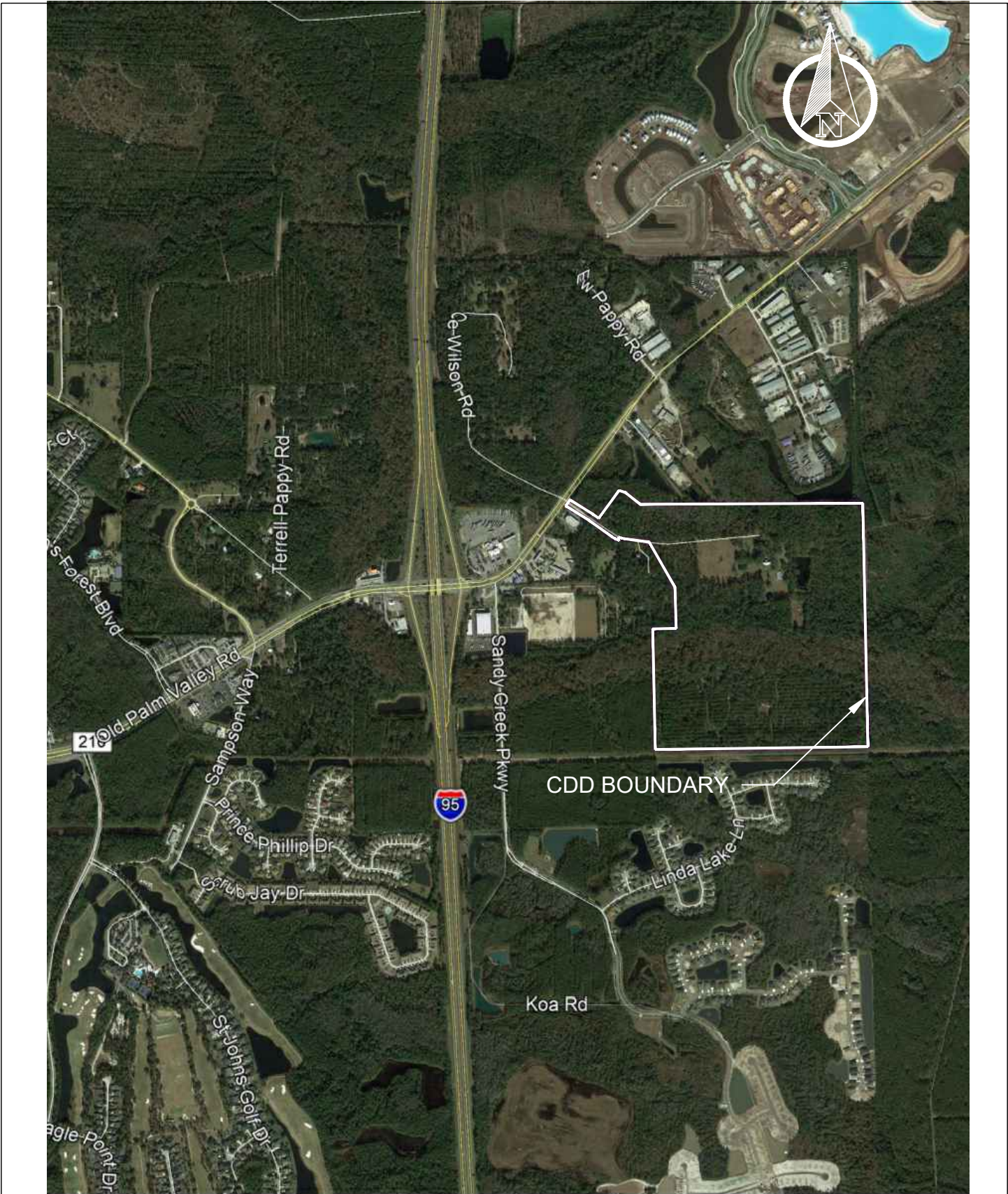
HOPPING GREEN & SAMS, P.A.



BY: _____

Katie S. Buchanan
Florida Bar No. 14196
katieb@hgslaw.com
Michelle Rigoni
Florida Bar No. 0124758
micheller@hgslaw.com
119 South Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314
(850) 222-7500
(850) 224-8551 (fax)
Attorney for Petitioner

EXHIBIT 1




	JOB NO.	1710.002	SCALE	NOT TO SCALE	BRIDGEWATER ST. JOHNS CO., FL PREPARED FOR 	ADKINSON ENGINEERING 6550 ST. AUGUSTINE ROAD, SUITE 203 JACKSONVILLE, FLORIDA 32217 PHONE (904) 881-4206
	DATE	12/15/2020	TITLE	LOCATION MAP		

EXHIBIT 2

LEGAL DESCRIPTION:

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 16, THENCE S89°21'11"W, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2319.38 FEET TO THE WEST LINE OF SAID SECTION 16; THENCE N01°05'33"W, ALONG SAID WEST LINE, A DISTANCE OF 1315.78 FEET; THENCE N89°03'24"E, DEPARTING SAID WEST LINE, A DISTANCE OF 254.98 FEET TO A POINT ON A LINE BEING DESCRIBED IN A BOUNDARY LINE AGREEMENT, RECORDED IN OFFICIAL RECORDS BOOK 837, PAGE 599 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG SAID LINE DESCRIBED IN SAID BOUNDARY LINE AGREEMENT, THE FOLLOWING FIVE (5) COURSES: COURSE ONE (1): N01°23'57"W, 446.68 FEET; COURSE TWO (2): N29°31'47"W, 568.90 FEET; COURSE THREE (3): N82°10'13"W, 272.28 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 270.30 FEET; COURSE FOUR (4): NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 66.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N75°07'06"W, 66.37 FEET; COURSE FIVE (5): S02°37'36"E, DEPARTING SAID CURVE, A DISTANCE OF 33.90 FEET TO A POINT ON THE SOUTH LINE OF C.E. WILSON ROAD (A PRIVATE 50' RIGHT OF WAY AS SHOWN ON A MAP BY RICARDO EDRALIN, REGISTERED LAND SURVEYOR NUMBER 3274, DATED 6-1986), SAID POINT LYING ON A CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 295.30 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 84.45 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N62°35'12"W, 84.16 FEET TO A POINT OF TANGENCY OF LAST SAID CURVE; THENCE N54°23'38"W, ALONG SAID SOUTH LINE OF C.E. WILSON, A DISTANCE OF 305.47 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3962, PAGE 1271 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N57°41'05"W, ALONG THE NORTHEASTERLY LINE OF LAST SAID LANDS, A DISTANCE OF 301.05 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210 (A 100' RIGHT OF WAY AS NOW ESTABLISHED); THENCE N36°29'44"E, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 80.21 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4126, PAGE 1020 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE S57°41'05"E, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 297.50 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE; THENCE S54°23'38"E, CONTINUING ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 72.61 FEET TO THE EAST LINE OF LAST SAID LANDS; THENCE N36°29'44"E, ALONG SAID EAST LINE, A DISTANCE OF 376.20 FEET TO THE NORTHEAST CORNER OF LAST SAID LANDS, SAID NORTHEAST CORNER BEING ON THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1863, PAGE 241 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE S71°52'01"E, ALONG LAST SAID SOUTH LINE, A DISTANCE OF 72.40 FEET TO AN ANGLE POINT IN LAST SAID SOUTH LINE; THENCE S51°18'07"E, CONTINUING ALONG LAST SAID SOUTH LINE, A DISTANCE OF 204.27 FEET TO THE NORTH LINE OF THE SOUTHEAST ¼ SAID SECTION 16; THENCE N89°50'03"E, ALONG SAID NORTH LINE, A DISTANCE OF 2428.89 FEET TO THE EAST LINE OF SAID SECTION 16; THENCE S01°06'39"E, ALONG LAST SAID EAST LINE, A DISTANCE OF 2655.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 143.89 ACRES, MORE OR LESS.



	JOB NO.	1710.002	SCALE	AS SHOWN	 	
	DATE	12/15/2020	TITLE	LEGAL DESCRIPTION		

EXHIBIT 3

This instrument was prepared by and upon recording should be returned to:

(This space reserved for Clerk)

Katie S. Buchanan, Esq.
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof (“Property”).

The undersigned understands and acknowledges that Forestar (USA) Real Estate Group, Inc. (“Petitioner”), intends to submit an application to establish a community development district in accordance with the provisions of Chapter 190, Florida Statutes.

As the owner of lands which are intended to constitute the community development district, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, Florida Statutes, the Petitioner is required to include the written consent to the establishment of the community development district of one hundred percent (100%) of the owners of the lands to be included within the community development district.

The undersigned hereby consents to the establishment of the community development district which will include the Property within the lands to be a part of the community development district and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the community development district.

The undersigned acknowledges that the consent will remain in full force and effect until the community development district is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petition, a consent to establishment of the community development district in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

Executed this 6th day of January, 2020.

WITNESS

FORESTAR (USA) REAL ESTATE GROUP, INC.

By: *Deborah McClure*
Name: Deborah McClure

By: *Sarah Wicker*
Name: Sarah Wicker
Title: Vice President

By: *Anthony Sharp*
Name: Anthony Sharp

STATE OF FLORIDA
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 6 day of Jan, 2020, by Sarah Wicker, as Vice President of Forestar (USA) Real Estate Group, Inc., who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.



DEBORAH E. MCCLURE
Commission # GG 967814
Expires July 10, 2024
Bonded Thru Budget Notary Services

(NOTARY SEAL)

Deborah E. McClure
NOTARY PUBLIC, STATE OF FLORIDA

Name: Deborah E. McClure
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

EXHIBIT A

LEGAL DESCRIPTION:

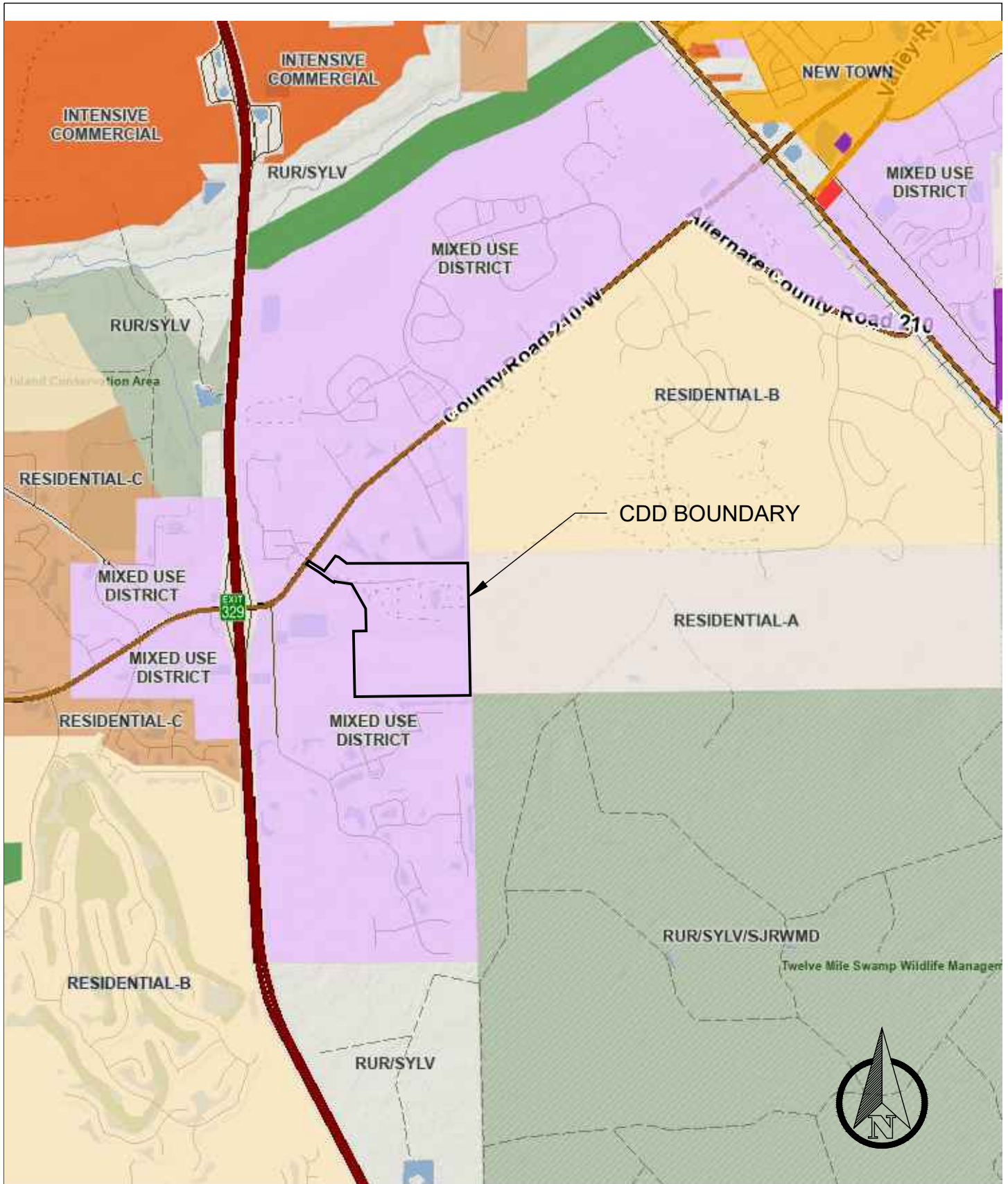
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CONTAINING 143.89 ACRES, MORE OR LESS.

	JOB NO.	1710.002	SCALE	AS SHOWN	BRIDGEWATER ST. JOHNS CO., FL <small>PREPARED FOR</small> 	 6222 ST. AUGUSTINE ROAD, SUITE 202 JACKSONVILLE, FLORIDA 32217 PHONE (904) 981-0208
	DATE	12/15/2020	TITLE	LEGAL DESCRIPTION		

EXHIBIT 4




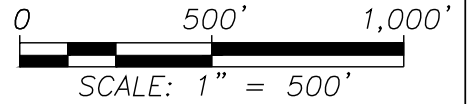
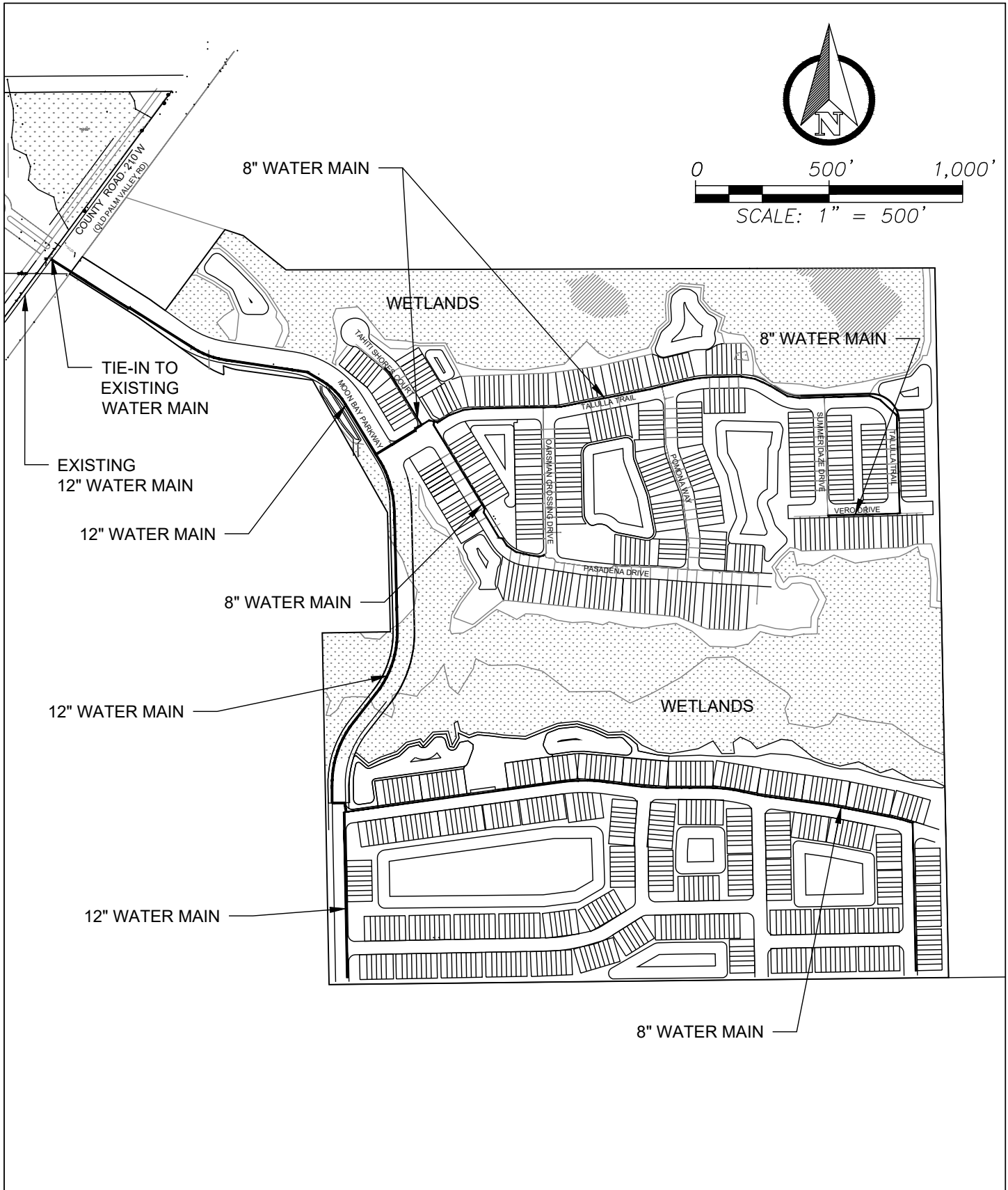

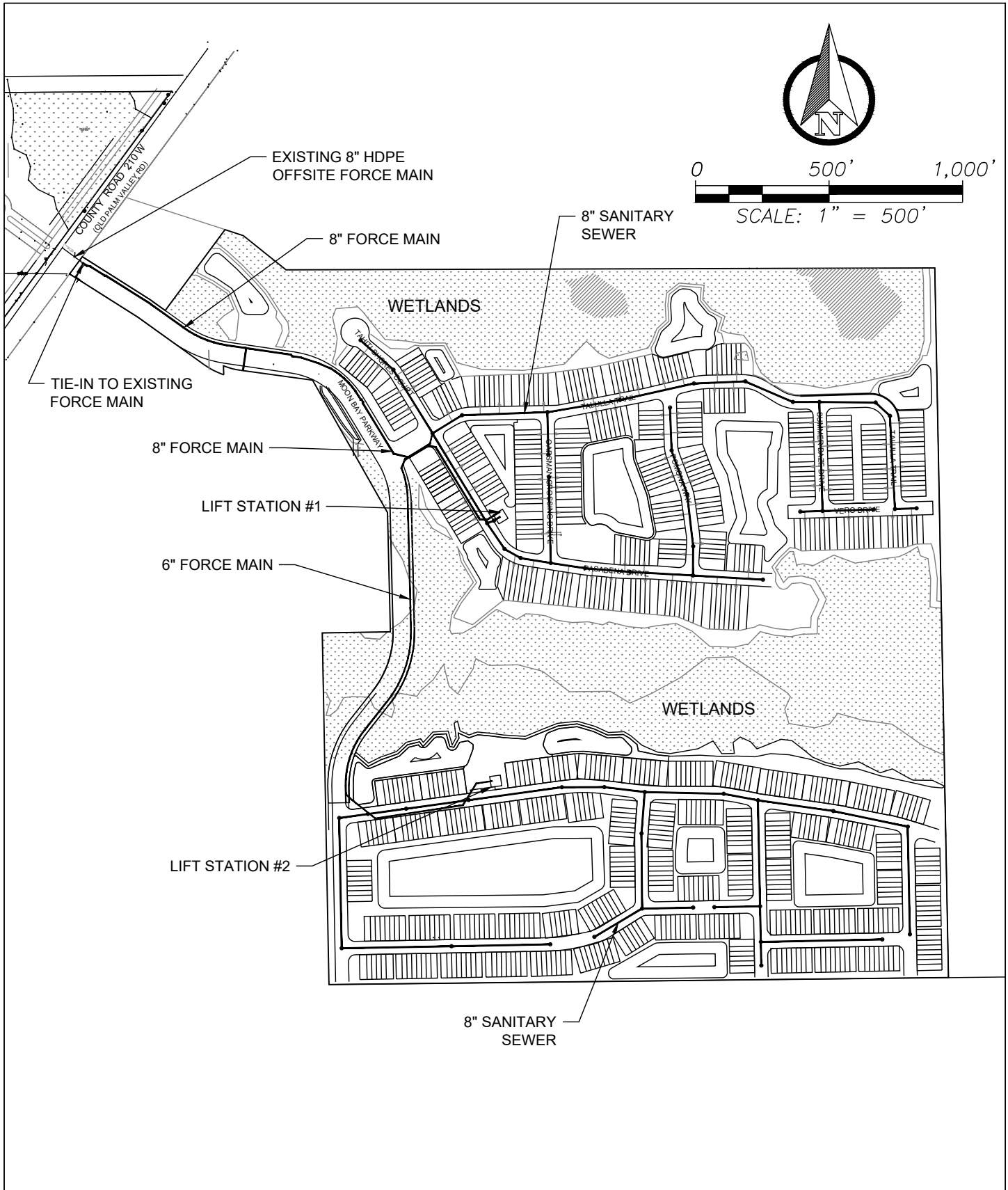
JOB NO.	1710.002	SCALE	NOT TO SCALE	BRIDGEWATER ST. JOHNS CO., FL PREPARED FOR 	ADKINSON ENGINEERING 6550 ST. AUGUSTINE ROAD, SUITE 203 JACKSONVILLE, FLORIDA 32217 PHONE (904) 881-4206
DATE	12/15/2020	SHEET	FUTURE LAND USE		

EXHIBIT 5



	JOB NO.	1710.002	SCALE	AS SHOWN	BRIDGEWATER ST. JOHNS CO., FL <small>PREPARED FOR</small> 	ADKINSON <small>ENGINEERING</small> 6550 ST. AUGUSTINE ROAD, SUITE 203 JACKSONVILLE, FLORIDA 32217 PHONE (904) 881-4206
	DATE	12/15/2020	TITLE	MASTER WATER PLAN		



JOB NO.	1710.002	SCALE	AS SHOWN	BRIDGEWATER ST. JOHNS CO., FL PREPARED FOR 	ADKINSON ENGINEERING 6550 ST. AUGUSTINE ROAD, SUITE 203 JACKSONVILLE, FLORIDA 32217 PHONE (904) 881-4206
DATE	12/15/2020	SHEET	MASTER SEWER PLAN		

EXHIBIT 6

EXHIBIT 6

ESTIMATED INFRASTRUCTURE CONSTRUCTION TIMETABLE

PHASE 1

Improvement Category	State Date	Completion Date
Clearing & Earthwork	October 2020	April 2021
Storm Drainage	January 2021	November 2021
Roadways and Sidewalks	January 2021	November 2021
Sanitary Sewer	January 2021	November 2021
Potable Water	January 2021	November 2021
Reclaimed Water	January 2021	November 2021
Landscaping	March 2021	March 2022
Entry Signage, Fence and Fountains	September 2021	February 2022
Amenity	September 2021	March 2022
Moon Bay Parkway	January 2021	June 2021
County Road 210 Roadway	January 2021	October 2021
County Road 210 & Moon Bay Parkway Traffic Signal	December 2021	April 2022

PHASE 2

Improvement Category	State Date	Completion Date
Clearing & Earthwork	July 2021	May 2022
Storm Drainage	September 2021	January 2022
Roadways and Sidewalks	November 2021	December 2022
Sanitary Sewer	September 2021	December 2022
Potable Water	September 2021	December 2022
Reclaimed Water	September 2021	December 2022
Landscaping	February 2022	January 2023
Moon Bay Parkway Ext.	July 2021	March 2022

EXHIBIT 7

EXHIBIT 7

CONSTRUCTION COST ESTIMATES AND DESIGNATION OF ENTITY/ENTITIES RESPONSIBLE FOR FUNDING/OWNERSHIP/OPERATION AND MAINTENANCE

Improvement Category	Total Cost	Funded By	Owned By	Operated/ Maintained By
Clearing & Earthwork	\$3,410,603.24	CDD	CDD	CDD
Storm Drainage	\$2,893,652.32	CDD	CDD	CDD
Roadways and Sidewalks	\$2,004,421.89	CDD	CDD	CDD
Wastewater Collection	\$1,953,828.12	CDD	JEA	JEA
Potable Water	\$1,477,632.16	CDD	JEA	JEA
Moon Bay Parkway	\$791,808.39	CDD	SJC	SJC
Moon Bay Parkway Ext.	\$547,200.00	CDD	SJC	SJC
Landscaping	\$2,239,560.58	CDD	CDD	CDD
Entry Signage, Fencing & Fountains	\$697,080.00	CDD	CDD	CDD
Amenity	\$2,910,000.00	CDD	CDD	CDD
Tree mitigation	\$632,735.00	CDD	CDD	CDD
Wetland Mitigation	\$563,832.00	CDD	CDD	CDD
CR 210 & Moon Bay Parkway Traffic Signal	\$678,325.00	CDD	SJC	SJC
County Road 210 Roadway	\$288,012.56	CDD	SJC	SJC
Total	\$21,088,691.26			

Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements or any operation and maintenance obligation of the District.

These estimates contemplate the exercise of the only two (2) special powers requested by the Petitioner at this time: Section 190.012(2)(a), Florida Statutes: Parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and Section 190.012(2)(d): Security, including but not limited to guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars.

EXHIBIT 8



Rizzetta & Company



STATEMENT OF ESTIMATED REGULATORY COSTS

FOR

THE PETITION TO ESTABLISH BRIDGEWATER NORTH COMMUNITY DEVELOPMENT DISTRICT

January 27, 2021

Prepared by:

Rizzetta & Company
12750 Citrus Park Lane
Suite 115
Tampa, FL 33625
rizzetta.com

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I. INTRODUCTION

1. PURPOSE AND SCOPE

This Statement of Estimated Regulatory Costs has been prepared as a component of the petition filed with the Board of County Commissioners of St. Johns County, Florida, to establish the Bridgewater North Community Development District ("District") in accordance with Chapter 190.005, Florida Statutes ("F.S."). Specifically, Section 190.005(1)(a)8, F.S., requires that, as part of the petition, a Statement of Estimated Regulatory Costs be prepared pursuant to Section 120.541, F.S.

A community development district ("CDD") is established under the Uniform Community Development District Act of 1980, Chapter 190 of the Florida Statutes, as amended (the "Act"). A CDD is a local unit of special-purpose government that is limited to the performance of those specialized functions authorized by the Act. Those specialized functions consist of planning, financing, constructing and maintaining certain public infrastructure improvements and community development services. As an independent special district, the CDD's governing body establishes its own budget and, within the scope of its authorized powers, operates independently of the local general-purpose governmental entity (i.e., the county or the city) whose boundaries include the CDD.

However, a CDD cannot regulate land use or issue development orders; those powers reside with the local general-purpose government. The Legislature has, in Section 190.004(3), F.S., made this clear by stating:

The establishment of an independent community development district as provided in this act is not a development order within the meaning of chapter 380. All governmental planning, environmental, and land development laws, regulations, and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Community Planning Act. A district shall take no action which is inconsistent with applicable comprehensive plans, ordinances, or regulations of the applicable local general-purpose government.



In addition, the parameters for the review and evaluation of community development district petitions are clearly set forth in Section 190.002(2)(d), F.S., as follows:

That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.

Therefore, the scope of this Statement of Estimated Regulatory Costs is limited to an evaluation of those factors pertinent to the establishment of a CDD as defined by the Legislature and outlined in Section 120.541(2), F.S.

The purpose of Chapter 190, F.S., is to provide another tool to government and private landowners in their efforts to comply with comprehensive plans which require adequate public facilities and services as pre-conditions for future development.

The CDD is a special purpose unit of local government that is established for the purpose of providing an alternative mechanism for financing the construction of public infrastructure. A CDD must be structured to be financially independent as intended by the Legislature. The cost of any additional public improvements to be constructed or any additional services to be provided by St. Johns County (the "County") as a result of this development will be incurred whether the infrastructure is financed through a CDD or any other alternative financing method. The annual operations and administrative costs of the District will be borne entirely by the District and will not require any subsidy from the State of Florida or the County, nor will it place any additional economic burden on those persons not residing within the District.

2. BRIDGEWATER NORTH COMMUNITY DEVELOPMENT DISTRICT

The proposed District will encompass approximately 143.89 +/- acres on which Forestar (USA) Real Estate Group, Inc. (the "Petitioner") plans to develop a project ("Project"), which currently contemplates approximately 800 residential units.

The Petitioner is seeking authority, as outlined in Section 190.012, F.S., to establish the District in order to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain



systems, facilities and basic infrastructure that includes, but is not limited to: storm drainage, roadways and sidewalks, wastewater collection, potable water, landscaping, amenities or any other project, within or outside the boundaries of the District, required by a development order issued by a local government or the subject of an agreement between the District and a governmental entity.

If approved, the District will be authorized to finance these types of infrastructure improvements through special assessment revenue bonds. Repayment of these bonds will be through non-ad valorem assessments levied against all benefited properties within the District. Ongoing operation and maintenance for District-owned facilities is expected to be funded through maintenance assessments levied against all benefited properties within the District.

II. STATUTORY ITEMS:

Section 120.541(2), F.S. (2020), in pertinent part, provides that the elements a Statement of Estimated Regulatory Costs must contain the following:

(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.*



(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.*

(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.*

(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.*

(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.*

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

(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.*

The estimated regulatory impact of establishing the District is summarized below. Statutory requirements are **SHOWN IN BOLD CAPS**.



1. AN ECONOMIC ANALYSIS SHOWING WHETHER THE ORDINANCE DIRECTLY OR INDIRECTLY:

A. 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;

Practically, the District, as a “special purpose” entity, does not have the legal authority or operational ability to adversely impact economic growth, job creation, or investment. The Project and its related permits and entitlements exist independently of the proposed District. The improvements and services proposed to be provided by the District will be required for successful implementation of the Project regardless of whether or not the District is established. However, it is expected that any economic impact would be positive in nature, particularly in the short term. Establishment of the District will enable the anticipated construction of public infrastructure improvements, which will yield a demand for construction labor and professional consultants. Additionally, the District may choose to finance improvements by the issue of special assessment revenue bonds, which may be an attractive investment for investors. Furthermore, establishment would be expected to have a positive impact on property values and local real estate sales. See generally Sections 3(b) and 5 below. Thus, there will be no adverse impact on economic growth, private sector job creation or employment, or private sector investment as a result of the establishment of the District.

B. 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;

Any impact on overall business competitiveness and/or innovation resulting from District establishment will presumably be positive in nature. All professional contributors to creation of the District and anticipated resulting developmental efforts are expected to be either locally or state-based. Once complete, the Project would likely create opportunities for the local real estate industry. Thus, there will be no adverse impact on business competitiveness because of the formation of the proposed District. See generally Section 5 below.



C. OR 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 dramatic increase in overall regulatory or transactional costs is highly unlikely. As will be stated in further detail below, the County may incur incidental administrative costs in reviewing the documents germane to the establishment of the District, although these will be recouped by the establishment fee paid to the County.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDD's due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

See generally Sections 3 and 4 below.

2. A GOOD FAITH ESTIMATE OF THE NUMBER OF INDIVIDUALS AND ENTITIES LIKELY TO BE REQUIRED TO COMPLY WITH THE ORDINANCE, TOGETHER WITH A GENERAL DESCRIPTION OF THE TYPES OF INDIVIDUALS LIKELY TO BE AFFECTED BY THE ORDINANCE:

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) the County and its residents, 3) current property owners, and 4) future property owners.



a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined in Section 3(a)(2) below. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. St. Johns County

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined in Section 3(a)(1) below. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.



3. A GOOD FAITH ESTIMATE OF THE COST TO THE AGENCY, AND TO ANY OTHER STATE AND LOCAL ENTITIES, OF IMPLEMENTING AND ENFORCING THE PROPOSED ORDINANCE, AND ANY ANTICIPATED EFFECT ON STATE AND LOCAL REVENUES:

a. Costs to Governmental Agencies of Implementing and Enforcing the Ordinance

1. St. Johns County ("Agency")

Because the District encompasses less than 2,500 acres, this petition is being submitted to St. Johns County (i.e., the "Agency" under Section 120.541(2), F.S.) for approval in accordance with Section 190.005(2), F.S. The Agency may incur certain one-time administrative costs involved with the review of this petition, although this will be offset by the Petitioner's payment of a one-time filing fee.

Once the District has been established, the County will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the CDD operates independently from the County and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District. The District will submit, for informational purposes, its annual budget, financial report, audit and public financing disclosures to the County. Since there are no legislative requirements for review or action, the County should not incur any costs. The Agency may, however, choose to review these documents.

2. State of Florida

Once the District has been established, the State of Florida will incur only nominal administrative costs to review the periodic reports required pursuant to Chapters 190 and 189, F.S. These reports include the annual financial report, annual audit and public financing disclosures. To offset these costs, the Legislature has established a maximum fee of \$175 per District per year to pay the costs incurred by the Department of Economic Opportunity to administer the reporting requirements of Chapter 189, F.S. This amount would be funded by District revenues. Because the District, as defined in Chapter 190, F.S., is designed to function as a self-sufficient special-purpose



governmental entity, it is responsible for its own management. Therefore, except for the reporting requirements outlined above, or later established by law, no additional burden is placed on the State once the District has been established.

3. The District

The District will incur costs for operations and maintenance of its facilities and for its administration. These costs will be completely paid for from annual assessments levied against all properties within the District benefiting from its facilities and its services.

b. Impact on State and Local Revenues

It is anticipated that approval of this petition will not have any negative effect on state or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the Project. It has its own sources of revenue. No State or local subsidies are required or expected. There is however, the potential for an increase in State sales tax revenue resulting from a stimulated economy although it is not possible to estimate this increase with any degree of 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, impact fee and development permit revenue is expected to be generated by private development within the District and, accordingly, should also increase local revenues.

Lastly, some express a concern that a CDD obligation could become a State, County or City obligation thereby negatively affecting State or local revenues. This cannot occur, as Chapter 190 specifically addresses this issue and expressly states: "It is further the purpose and intent of the Legislature that no debt or obligation of a district constitutes a burden on any local general-purpose government without its consent." Section 190.002(3), F.S. "A default on the bonds or obligations of a



district shall not constitute a debt or obligation of a local general-purpose government or the state." Section 190.016(15), F.S.

In summary, establishing the District will not create any significant economic costs for the State of Florida or for the County.

4. 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 ORDINANCE:

The transactional costs associated with adoption of an ordinance to establish the District are primarily related to the financing of infrastructure improvements. The District will determine what infrastructure it considers prudent to finance through the sale of bonds. The District plans to provide various community facilities and services to serve the properties within the District. An estimate of these facilities and services, along with their estimated costs, are provided below.

Summary of Estimated Construction Costs for District Public Infrastructure Improvements

Improvement	Total
Clearing & Earthwork	\$3,410,603.24
Storm Drainage	\$2,893,652.32
Roadways and Sidewalks	\$2,004,421.89
Wastewater Collection	\$1,953,828.12
Potable Water	\$1,477,632.16
Moon Bay Parkway	\$791,808.39
Moon Bay Parkway Extension	\$547,200.00
Landscaping	\$2,239,560.58
Entry Signage, Fencing & Fountains	\$697,080.00
Amenity	\$2,910,000.00
Tree Mitigation	\$632,735.00
Wetland Mitigation	\$563,832.00
CR 210 & Moon Bay Parkway Traffic Signal	\$678,325.00
Country Road 210	\$288,012.56
Total:	\$21,088,691.26

It is important to note that the various costs are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing estimates for the infrastructure. These costs are not in addition to normal Project costs.

Once the decision is made to issue bonds, it is expected that assessments will be levied against benefited property owners within the proposed District.



The revenue generated by payment of these assessments will be used to repay the bonds. The obligation to pay the assessments will "run with the land" and will be transferred to new property owners upon sale of any portions of the property. It should be noted that the District may not fund all of its planned public infrastructure improvements via the issuance of long-term bonds.

To fund the cost of maintaining infrastructure that the District maintains, operation and maintenance assessments may be imposed on the District property owners. As with the special assessments for infrastructure acquisition and construction, the property owner will be responsible for payment of these assessments on the basis of the amount of benefited property owned.

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

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

5. 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:

Establishing the District should not have any negative impact on small businesses. Any business, large or small, has the option of locating itself in a CDD provided the local governmental authority has issued the appropriate land use approvals. Those that choose this option will be subject to the financial obligations imposed by the District and will accrue the benefits resulting from being in the District.

Furthermore, the District must operate according to Florida's "Sunshine" laws 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.



A CDD does not discriminate in terms of the size of businesses that can be located within the boundaries or transact business with the CDD.

Establishment of the District should have a positive impact on the small businesses of the local economy. As outlined above, success of the Project should generate increased employment and stimulate economic activity in the area through increased construction expenditures related to infrastructure and private development, thus providing enhanced opportunity for small businesses.

St. Johns County is not defined as a small county, for purposes of this requirement.

In addition, establishment of a District should not have a negative impact on small cities or counties, because the cost to construct the infrastructure is borne entirely by the property owners within the District.

6. ANY ADDITIONAL INFORMATION THAT THE AGENCY DETERMINES MAY BE USEFUL:

Certain data utilized in this report was provided by the Petitioner and represents the best information available at this time. Other data was provided by Rizzetta & Company and was based on observations, analysis and experience with private development and other CDD's in various stages of existence.

Finally, it is useful to reflect upon the question of whether the proposed formation of the District is the best alternative to provide community facilities and services to the Project. As an alternative to the District, the County could finance the public infrastructure improvements, either directly or through the use of a County-controlled special taxing or assessment district. However, the County undertaking the implementation of the improvements would naturally have an impact on the finances of the County. Unlike the District, this alternative would require the County to continue to administer the Project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. Additionally, the financing of the Project through the issuance of debt by a County-created district could impact the County's credit rating.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association ("POA") for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA, a District



can impose and collect its assessments in the same manner as ad valorem property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government and so must operate pursuant to Florida's Government-in-the-Sunshine laws and other regulations applicable to public entities. Finally, the District has the ability to issue tax exempt municipal-grade bonds to finance the construction of infrastructure improvements providing for a mechanism to lower the impact of costs

A District also is preferable to these alternatives from a government accountability perspective. With a District as proposed, property owners within the District would have a focused unit of government under their direct control. The District can then be more responsive to property owner needs without disrupting other County responsibilities.

7. A DESCRIPTION OF ANY REGULATORY ALTERNATIVES SUBMITTED AND A STATEMENT ADOPTING THE ALTERNATIVE OR A STATEMENT OF THE REASONS FOR REJECTING THE ALTERNATIVE IN FAVOR OF THE PROPOSED RULE:

Not applicable.



EXHIBIT 9

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Katie S. Buchanan of Hopping Green & Sams, P.A., whose address is 119 S. Monroe Street, Suite 300, Tallahassee, Florida 32301, to act as agent for Forestar (USA) Real Estate Group, Inc., with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of St. Johns, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

WITNESS

FORESTAR (USA) REAL ESTATE GROUP, INC.

By: Deborah McClure
Name: Deborah McClure

By: Sarah Wicker
Name: Sarah Wicker
Title: Vice President

By: [Signature]
Name: Bob England

STATE OF FLORIDA
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of December 2020, by Sarah Wicker, as Vice President of Forestar (USA) Real Estate Group, Inc., who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.



DEBORAH E. MCCLURE
Commission # GG 967814
Expires July 10, 2024
Bonded Thru Budget Notary Services

(NOTARY SEAL)

Deborah E. McClure
NOTARY PUBLIC, STATE OF FLORIDA

Name: Deborah E. McClure
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

**END OF RECORDED DOCUMENTS
SECTION**