

Interoffice Memorandum

DATE: September 30, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Jon V. Weiss, P.E. Deputy County Administrator
Infrastructure, Community, and Development Services (407) 836-5393

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DIVISION: County Administration

ACTION REQUESTED:

Adoption of an ordinance pertaining to the “Shingle Creek Transit and Utility Community Development District” pursuant to Chapter 190, Florida Statutes; providing for findings of fact; providing for amendments to the District’s boundaries; providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; and providing for an effective date. District 6

PROJECT: Ordinance pertaining to an amendment to the Boundaries of the Shingle Creek Transit and Utility Community Development District

PURPOSE: On October 10, 2023, the Board approved Ordinance 2023-40 regarding the establishment of the Shingle Creek Transit and Utility Community Development District (the District). In conjunction with the adoption of Ordinance 2023-40, the District and the County entered into an *Interlocal Agreement Regarding the Exercise of Powers and Cooperation on Various Projects* (“Agreement”) on November 14, 2023. The Agreement includes terms and conditions which the District accepts and acknowledges, such as the condition of waiving the right of the District to impose any taxes or assessment on residentially zoned or used properties for the District operations or to pay or retire District debt. The Agreement also sets forth the respective responsibilities and obligations of the County and the District for certain infrastructure and services serving the area.

On June 2, 2025, Orange County received the *Petition to Amend the Boundaries of the Shingle Creek Transit and Utility Community Development District* (Petition) from Shingle Creek Transit and Utility Community Development District (the Petitioner). The District is petitioning the Board to amend the District’s boundaries to add approximately 3.373 acres to the District’s boundaries and remove approximately 0.378 acres from the District’s boundaries. The land that is being added to the District’s boundaries is part of acquisition of Epic Boulevard. The 0.378 acres that is being removed from the boundary relates to an easement near the transit station. The District currently covers approximately 719.185

acres of land. Upon adoption of the amendment, the District will encompass a total of approximately 722.18 acres. The existing terms of the agreement will not be affected by the request to amend the boundary.

Community Development Districts (CDDs) are independent special districts created pursuant to Chapter 190, *Florida Statutes*. These districts typically provide developers with a mechanism to fund certain infrastructure via tax-exempt bonds and special assessments. The proposed primary use of the tax revenue generated and bond proceeds collected for this project would be to fund public infrastructure to be owned, operated, and maintained by the District or, by agreement other public entities, to include major transit improvements such as a station and tracks related to Lynx and the Sunshine Corridor, and certain improvements related to Destination Parkway, Epic Boulevard, and the Orange County Utilities South Water Reclamation Facility (SWRF) for odor control. CDDs do not have zoning or permitting power.

Section 190.005, *Florida Statutes*, provides the criteria under which an existing CDD may be expanded. These criteria include:

1. The landowner or the CDD Board submits a petition to the county commission.
 - a. The petitioner submitted the petition to amend the district boundaries on June 2, 2025.
2. The petitioner shall pay a filing fee of \$1,500 to the County.
 - a. This fee was paid at the same time the petition was submitted.
3. A public hearing is held in the same manner and with the same public notice as other ordinance amendments.
 - a. Staff requested notice of the public hearing to be advertised 10-days prior to the public hearing through the Clerk of the BCC's Office. Proof of publication is found in the public record file for this agenda item.
4. The county commission shall consider the record of the public hearing and the factors set forth in Section 190.005(1)(e) in making its determination to grant or deny the petition for ordinance amendment.
 - a. The factors are listed in the section below.

Section 190.005(1)(e), *Florida Statutes*, provides the following factors that the Board is required to consider in determining whether to grant a CDD petition:

1. Are all statements contained within the petition true and correct?
2. Is the establishment of the CDD consistent with any applicable element or portion of the County's effective comprehensive plan?
3. Is the area of land within the proposed CDD of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functional interrelated community?
4. Is the CDD the best alternative available for delivering community development services and facilities to the area that will be served by the CDD?

5. Will the community services and infrastructure/facilities of the CDD be compatible with the capacity and uses of existing local and regional community development services and facilities?
6. Is the area that will be served by the CDD amenable to separate special-district government?

When adopting Ordinance 2023-40, the Board made findings of fact affirming all of the above-referenced factors for the petition to amend the boundaries of the District.

Should the Board decide to approve the petition, the following three actions are required for the Board to amend the boundaries of the District:

1. Adoption of an ordinance pertaining to the "Shingle Creek Transit and Utility Community Development District" pursuant to Chapter 190, Florida Statutes; providing for findings of fact; providing for amendments to the District's boundaries; providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; and providing for an effective date.
2. Approval and execution of the associated Consent Item regarding the First Amendment to Interlocal Agreement between Orange County, Florida and Shingle Creek Transit and Utility Community Development District Regarding the Exercise of Powers and Cooperation on Various Projects.
3. Allow staff or the comptroller to fill in the ordinance number in the Interlocal Agreement once available.

BUDGET: N/A