

July 30, 2025

Via Certified Mail and Electronic Mail

Trina Gilliam, Planning and Zoning Manager
Department of Planning and Development
E-Mail: Trina.Gilliam@brevardfl.gov
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

**Re: *Response to Brevard County Comments to Petition to Establish SunTerra Lakes
Community Development District – Application 25ZM00001***

Dear Ms. Gilliam:

As you are aware, my firm serves as counsel for the petitioner, Jen Florida 48, LLC (the “Petitioner”), in connection with the Petition to Establish (the “Petition”) the proposed SunTerra Community Development District (the “Proposed District”). We are in receipt of your letter dated June 19, 2025, containing Brevard County’s comments to the Petition (the “Letter”). Please allow this correspondence to serve as a response to each of the substantive comments detailed in the Letter which have been transcribed below.

Additionally, at the time of the filing of the Petition, the Statement of Estimated Regulatory Costs (“SERC”) submitted with the Petition as Exhibit 7 was in compliance with the requirements of Chapter 120, *Florida Statutes*. However, following the filing of the Petition, the Governor signed SB 108 into law which revised the information required to be included in all SERCs as of July 1, 2025. Enclosed herein, please find a revised SERC which comports with these new requirements.

Brevard County Comments and Petitioner Responses

Fire Marshal, Doug Carter:

“Document does not include Brevard County’s cost for a new fire station and fire apparatus. This is estimated to be \$7.3 million in today’s dollars. This does not include land for the station which is being provided by Sun Terra.”

PETITIONER RESPONSE:

Section 190.005(a), *Florida Statutes*, sets forth the required information to be provided in a petition to establish a community development district. With respect to

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costs, the petition is required to set forth “the proposed timetable for construction of the district services and the estimated cost of constructing the proposed services.” Accordingly, the cost of the fire station and fire apparatus were not included in the List of Facilities, O&M Responsibility, and Estimated Costs set forth in Exhibit 6 to the Petition as those improvements are not associated with services to be provided by the Proposed District. Further, the Petitioner intentionally excluded the lands upon which the fire station is proposed to be located from the Proposed District boundaries. The current proposed location of the fire station is within the area identified on Exhibit 4 as “Community Commercial,” which is being excluded from the Proposed District boundaries.

Finally, the stated legislative intent at the time of enactment of Chapter 190, *Florida Statutes* (which governs the establishment of community development districts throughout the State), was to provide for an alternative method to manage and finance basic services of community development. The Florida Legislature was explicit that a community development district once established does NOT have, nor can it exercise, ANY zoning or development permitting power and that the creation of a community development district is NOT a development order. Rather, the underlying development within the boundaries of the Proposed District is, and will continue to be, subject to all applicable planning and permitting laws, rules, regulations and policies controlling the development of the land to be serviced by the Proposed District.

Planning Comments – Trina Gilliam, Planning and Zoning Manager:

“A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district. – Location of Fire Station as a private use is not designated in the plan as noted in F.S. 190.005. Establishment of district.”

PETITIONER RESPONSE:

See response to comments received from Fire Marshal, Doug Carter, above.

“The CDD refers to roadways being owned by and maintained by the County. How was it determined that the County would own and maintain the roadways?”

PETITIONER RESPONSE:

The reference to County ownership and maintenance of the roadways in Exhibit 6 to the Petition stems from Note 20 to the Land Use Tables, Waivers and Details sheet from the Planned Unit Development for Sun Terra Lakes (“PDP”) approved by the County. Note 20 (the excerpt of which is enclosed herein) provided for “Right-of-Way Design” and states that Rights-of-Way shall be public. While no gated roadways were proposed along the spine road, the Note further provides that “[i]f any gates are to be

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proposed off of spine roads, they will be subject to staff approval and will be private rights-of-way.” As of the date of this response, the Petitioner is not proposing any gates off of the spine roads.

“How were the estimated costs of construction determined?”

PETITIONER RESPONSE:

As previously stated herein, the estimated costs of the facilities identified in the List of Facilities, O&M Responsibility, and Estimated Costs set forth in Exhibit 6 to the Petition represent only those public facilities that may be provided by the Proposed District that serve the underlying development. Facilities and services to be provided by other entities are not included in the estimated costs.

The estimated costs are based upon input from Poulos & Bennett, LLC, stemming from its opinion and interpretation of best available information related to both the underlying development and current market conditions in the construction industry; however, costs will vary based on final site planning, final engineering, approvals from regulatory agencies and economic factors. In establishing the Proposed District, the County is not approving or authorizing the construction of the listed facilities at the costs identified.

Public Works Engineering – Rachel Gerena, Engineering Manager:

“This project design is not far enough along for staff to access the cost associated with required improvements.

The County has not yet approved any plat committing the internal roads as publicly dedicated to the County.”

PETITIONER RESPONSE:

As previously stated, the reference to County ownership and maintenance of the roadways in Exhibit 6 to the Petition stems from Note 20 to the Land Use Tables, Waivers and Details sheet from the PDP approved by the County. The Petitioner sought to maintain consistency between the PDP and the Petition, however ultimate County acceptance of any roadways within the Proposed District for ownership, operation and maintenance will be subject to all applicable planning and permitting laws, rules, regulations and policies controlling the development of the land to be serviced by the Proposed District, including those specific to platting.

Traffic Engineering William Johnson, Engineer III:

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“Traffic Engineering do not have enough information to properly comment on impacts and mitigation to the transportation network system. Therefore, Traffic cannot comment on costs at the time. The system cost to the infrastructure have not been specifically addressed for the transportation network system.”

PETITIONER RESPONSE:

See response to comments received from Public Works Engineering, Rachel Gerena, above.

The Petitioner hopes this response adequately responds to the comments detailed in the Letter. If you have any questions regarding any response above, or any other questions regarding the Petition or Proposed District, please do not hesitate to reach out to me at the number and email address written above. If there are no additional questions, please let us know how we can facilitate the scheduling of the public hearing on the Petition before the Board of County Commissioners.

Sincerely,

Tucker F. Mackie

cc: Richard Jerrman, Jen Florida 48, LLC
Dan Edwards, Jen Florida 48, LLC
J. Andrew Ivey, Poulos & Bennett, LLC
Daniel Rom, Wrathell, Hunt & Associates, LLC

Enclosures:

Revised SERC
Excerpt from PDP

Sun Terra Lakes

COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

Jul 24, 2025



Provided by

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STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Sun Terra Lakes Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 1,082.242 +/- acres of land located within Brevard County, Florida (the "County") and is projected to contain approximately 3,241 residential dwelling units, which will make up the Sun Terra Lakes development (the "Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the District establishment) 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 (emphasis added)."

1.2 Overview of the Sun Terra Lakes Community Development District

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 3,241 residential dwelling units. Tables 1 and 2 under Section 5.0 detail the improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

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 city 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 Sun Terra Lakes.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

(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 (as defined herein), 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 SERC, "Transactional Costs" are direct costs that are readily ascertainable based upon standard business practices, and include:

1. Filing fees.
2. Expenses to obtain a license.
3. Necessary equipment.
4. Installation, utilities for, and maintenance of necessary equipment.
5. Necessary operations or procedures.
6. Accounting, financial, information management, and other administrative processes.
7. Labor, based on relevant wages, salaries, and benefits.
8. Materials and supplies.
9. Capital expenditures, including financing costs.
10. Professional and technical services, including contracted services necessary to implement and maintain compliance.
11. Monitoring and reporting.
12. Qualifying and recurring education, training, and testing.
13. Travel.
14. Insurance and surety requirements.
15. A fair and reasonable allocation of administrative costs and other overhead.
16. Reduced sales or other revenue.
17. Other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative

(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. (Brevard County, according to the Census 2020, has a population of 606,612; therefore, it is not defined as a small county for the purposes of this requirement.)

(f) In evaluating the impacts described in paragraphs (a) and (e), the County must include, if applicable, the market impacts likely to result from compliance with the proposed rule, including:

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods or services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to

understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

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

(h) 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.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

2.0 An economic analysis showing whether the ordinance 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 ordinance;**
- 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 ordinance; 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 ordinance.**

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in Transactional Costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

Further, the ordinance establishing the District is not likely to result in market impacts such as customer charges, changes to the market value of goods or services produced, provided or sold, changes to costs resulting from the purchase of substitute or alternative goods or services or incur additional time be spent by State of Florida or Brevard County governments staff to understand and comply with the proposed ordinance, including, but not limited to, time to be spent completing requiring education, training, or testing, as the proposed District will be one of many already existing CDDs in Florida and Brevard County and the marginal impact of one more CDD will be negligible if any.

2.1 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 ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the

approximately 1,082.242 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 3,241 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

2.2 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 ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly 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, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any Transactional Costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the County to offset any

expenses that the County may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in Transactional Costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation 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 CDDs, due to the tax-exempt nature of CDD 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 nor can the District debt be a debt of the County or the State.

3.0 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) Brevard 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 herein. 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. Brevard County, Florida

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 herein, which will be offset by the filing fee submitted to the County. 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 the District 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.

The proposed District will serve land that comprises an approximately 1,082.242 +/- acre master planned residential development currently anticipated to contain a total of approximately 3,241 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 11,344 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 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 ordinance, and any anticipated effect on state or local revenues.

The County is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of Brevard County. Therefore, the County (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate

strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

Brevard County, Florida

The proposed land for the District is located within Brevard County, Florida and consists of less than 2,500 acres. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the County will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. A CDD is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

5.0 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 review of the petition to establish the District will be funded by a payment of a filing fee of \$26,000 to the County. This payment will be made voluntarily by the Petitioner, who is the same as/affiliated with the owners of land proposed to be included within the boundaries of the District and subject to the ordinance establishing the District. Once the filing fee is paid, an annual Special District fee of \$175 will also be paid by the District to the State per provisions of Section 189.018,

Florida Statutes. With regard to capital equipment necessary for the provision of public infrastructure and services, Table 1 below outlines the good faith estimates of same, while Table 2 below outlines the entities responsible for the ownership and maintenance of different categories of public infrastructure and services. Please note that while the Transactional Costs of the public infrastructure and services are not readily identifiable at this time, they are reasonably expected to be similar to those that would be needed under an alternative public infrastructure and services (such as those discussed in Section 7.0) or should the infrastructure and services be provided under a fully private alternative delivery mechanism in absence of a public option.

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$134,970,000.00 in Infrastructure Costs. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1

**Sun Terra Lakes COMMUNITY DEVELOPMENT DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management System	CDD	CDD	CDD
Roadways	CDD	County	County
Water, Wastewater, and Reuse Systems		City and/or County	City and/or County
Undergrounding of Conduit (Electric, Gas, Street Lights)	CDD	CDD	CDD
Hardscaping, Landscape, Irrigation	CDD	CDD	CDD
Recreational Amenities	CDD	CDD	CDD
Conservation Areas	CDD	CDD	CDD

Offsite Improvements	CDD	County (Int. Improvements City (Utilities)	County (Int. Improvements City (Utilities)
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A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the Transactional Costs incurred by landowners as a result of the establishment of the District. Such Transactional Costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, the County or its dependent districts, or county management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

Table 2

**Sun Terra Lakes COMMUNITY DEVELOPMENT DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Stormwater Management System	\$24,900,000.00
Roadways	\$32,200,000.00
Water, Wastewater, and Reuse Systems	\$37,500,000.00
Undergrounding of Conduit (Electric, Gas, Street Lights)	\$2,600,000.00
Hardscaping, Landscape, Irrigation	\$7,500,000.00
Recreational Amenities	\$10,000,000.00
Conservation Areas	-
Offsite Improvements	\$4,000,000.00
Professional Services	\$4,000,000.00
Contingency (10%)	\$12,270,000.00
Total	\$134,970,000.00

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as counties, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower Transactional Costs to enhance the quality of infrastructure and services.

In considering Transactional Costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide CDD landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

Further, the ordinance establishing the District is not likely to result in market impacts such as customer charges, changes to the market value of goods or services produced, provided or sold, changes to costs resulting from the purchase of substitute or alternative goods or services or incur additional time be spent by owners, officers, operators, and managers of small businesses to understand and comply with the proposed ordinance, including, but not limited to, time to be spent completing requiring education, training, or testing, as the proposed District will be one of many already existing CDDs in Florida and Brevard County and small businesses will be able to bid on District work, not unlike bidding on work for communities which are not CDDs, thus making the marginal impact negligible if any.

Brevard County has a population of 606,612 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Sun Terra Lakes development will not produce any marginal effects that would be different from those that would have occurred if the Project was developed without a community development district established for it by the County. This conclusion extends to the reasonable expectation that the ordinance establishing the District is not likely to result in market impacts such as customer charges, changes to the market value of goods or services produced, provided or sold, changes to costs

resulting from the purchase of substitute or alternative goods or services or incur additional time be spent by Brevard County government staff to understand and comply with the proposed ordinance, including, but not limited to, time to be spent completing requiring education, training, or testing, as the proposed District will be one of many already existing CDDs in Brevard County and the marginal impact of one more CDD will be negligible if any.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed Sun Terra Lakes Community Development District is the best possible alternative to provide public facilities and services to the Project, there are several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Project. First, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Project is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other county responsibilities. By contrast, if the County were to establish and administer a dependent special district, then the residents and landowners of the Sun Terra Lakes development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost financing 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 a POA. Third, the proposed District 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.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the

alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Sun Terra Lakes Community Development District.

APPENDIX A
LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUTE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the County after financing

Planned Unit Development
for
Sun Terra Lakes
Brevard County, FL

Legal Description:

BEING A PORTION OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 30 SOUTH, RANGE 37 EAST LYING IN BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE-QUARTER CORNER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SECTION 16, SOUTH 89°35'24" WEST, 50.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG SAID SOUTH LINE OF THE NORTH ONE-HALF OF SECTION 16, SOUTH 89°35'24" WEST, 5372.81 FEET TO THE WEST ONE-QUARTER OF SAID SECTION 16; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 30 SOUTH, RANGE 37 EAST, SOUTH 89°35'24" WEST, 2711.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17; THENCE NORTHERLY ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17, NORTH 00°11'21" EAST, 2642.10 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 17; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 8, TOWNSHIP 30 SOUTH, RANGE 37 EAST, SOUTH 89°31'23" WEST, 2642.79 FEET TO THE WEST LINE OF SAID SECTION 8; THENCE NORTHERLY ALONG SAID WEST LINE OF SECTION 8, NORTH 00°40'15" EAST, 2511.48 FEET TO A POINT 100.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 8; THENCE EASTERLY ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 8, NORTH 89°29'13" EAST, 2650.82 FEET; THENCE CONTINUE EASTERLY ALONG SAID PARALLEL LINE, NORTH 89°23'59" EAST, 2658.46 FEET TO A POINT 100.00 FEET SOUTH OF THE WEST ONE-QUARTER CORNER OF SECTION 9, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE EASTERLY ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SECTION 9, NORTH 89°23'59" EAST, 3415.39 FEET; THENCE SOUTH 89°04'27" EAST, 1941.19 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BABCOCK STREET AS DESCRIBED IN OFFICIAL RECORDS BOOK 423, PAGE 262 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 01°08'35" EAST, 2368.17 FEET; THENCE NORTH 90°00'00" WEST, 918.01 FEET; THENCE SOUTH 01°31'07" EAST, 1315.56 FEET; THENCE SOUTH 88°26'54" EAST, 873.58 FEET TO THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF BABCOCK STREET; THENCE SOUTHERLY ALONG SAID SAID WEST RIGHT OF WAY LINE, SOUTH 00°34'06" WEST, 1423.17 TO THE POINT OF BEGINNING.

SAID LANDS LYING IN BREVARD COUNTY, FLORIDA AND CONTAINING 1082.242 ACRES, MORE OR LESS.

DESCRIPTION: BEING A PORTION OF LAND LYING IN SECTIONS 9 AND 16, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 9, SOUTH 89°32'36" WEST, 50.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF BABCOCK STREET AS DESCRIBED IN O.R.B. 423, PAGE 262 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE OF BABCOCK STREET, SOUTH 00°34'06" WEST, 1225.02 FEET; THENCE NORTH 88°26'54" WEST, 873.58 FEET; THENCE NORTH 01°31'07" WEST, 1315.56 FEET; THENCE NORTH 90°00'00" EAST, 918.01 FEET TO THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF BABCOCK STREET; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE OF BABCOCK STREET, SOUTH 01°08'35" EAST, 113.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN BREVARD COUNTY, FLORIDA AND CONTAINING 27.33 ACRES (MORE OR LESS).

Parcel Id. No.:

30-37-08-HF-500

30-37-16-00-1

30-37-09-00-500

30-37-17-HF-1

Sheet Index		Subm./Rev.						
Sheet Id.	Sheet Title	-	1	2	3	4	5	6 7
C0.00	Cover Sheet	■	■	■				
C1.00	Existing Conditions Plan	■	■	■				
C2.00	Land Use Plan	■	■	■				
C3.00	Open Space And Phasing Plan	■	■	■				
C4.00	Land Use Tables, Waivers & Details	■	■	■				

Date	Description
- 10/20/2023	Submit to Brevard County
1 5/14/2024	Submit to Brevard County
2 5/20/2024	Submit to Brevard County
3 7/25/2024	Submit to Brevard County

Owner:

JEN Florida 48 LLC

1750 W. Broadway, Suite 111

Oviedo, FL 32765

Developer:

SunTerra Communities, Inc.

1750 W. Broadway, Suite 111

Oviedo, FL 32765

407.542.4909

Applicant:

Poulos & Bennett, LLC

2602 E. Livingston Street

Orlando, FL 32803

407.487.2594

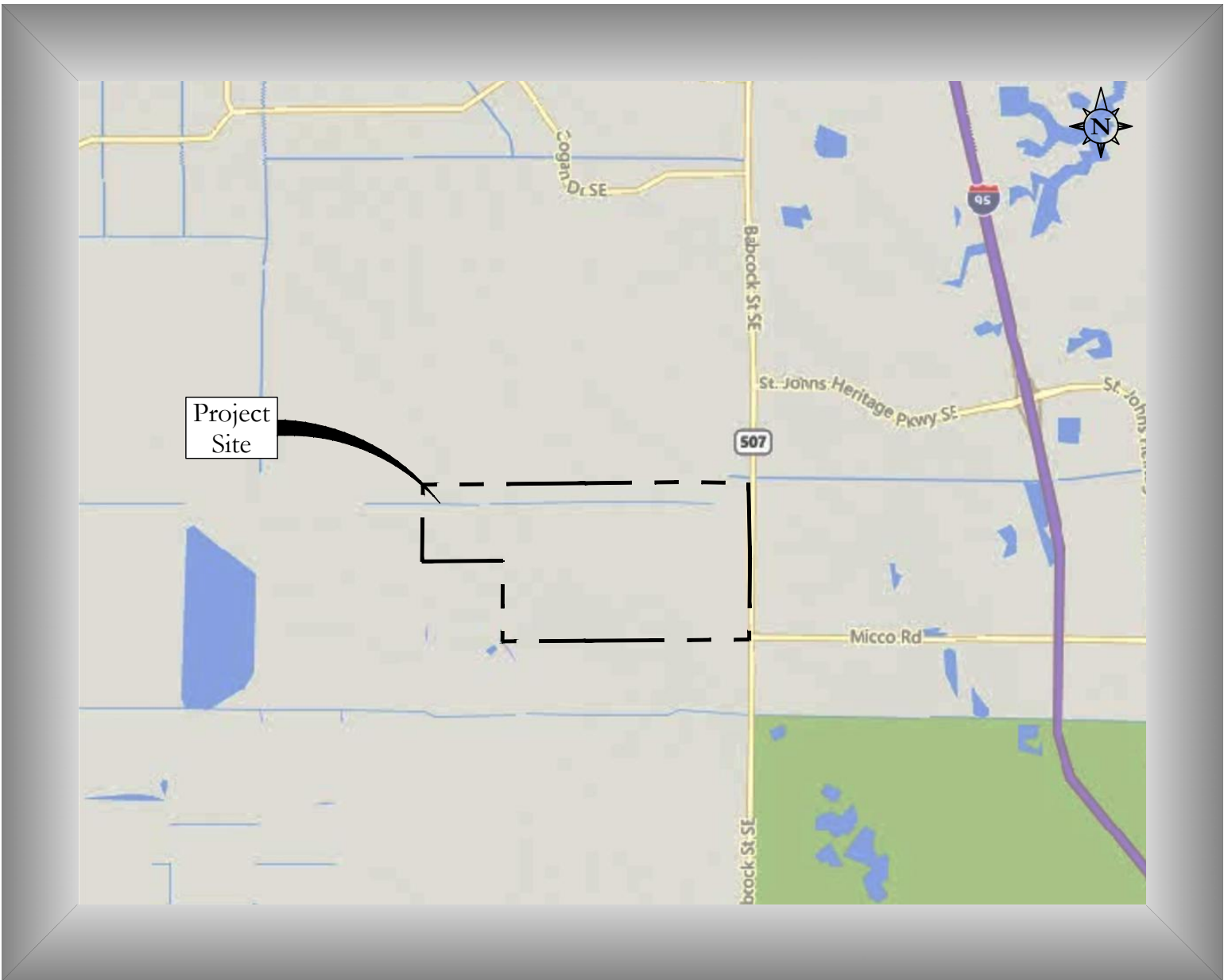
Utility Providers

Electric: Florida Power & Light Company 9001 Ellis Rd Melbourne, FL 32904 800.778.9140	Telephone: AT & T Distribution 6021 Rio Grande Ave Orlando, FL 32809 561.683.2729	Water, Sewer and Reuse: City of Palm Bay Utilities Department 120 Malabar Rd Palm Bay, FL 32907 321.952.3420
CATV: Charter Communications 2551 Lucien Way Maitland, FL 32751 800.778.9140	Fiber: Uniti Fiber LLC 805 Executive Center Dr W St. Petersburg, FL 33702 877.652.2321	

Consultants

Civil Engineer: Poulos & Bennett, LLC 2602 E. Livingston Street Orlando, FL 32803 407.487.2594	Surveyor: Caulfield & Wheeler, Inc. 7900 Glades Road Suite 100 Boca Raton, FL 33432 561.392.1991	Environmental: Bio-Tech Consulting Inc. 3025 E. South Street Orlando, FL 32803 407.894.5969
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Geotechnical Engineer: Yovaish Engineering Services, Inc. 953 Sunshine Lane Altamonte Springs, FL 32714 407.774.9383	Transportation: Kimley-Horn 200 S. Orange Avenue, Suite 600 Orlando, FL 32801 407.409.7006
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Vicinity Map

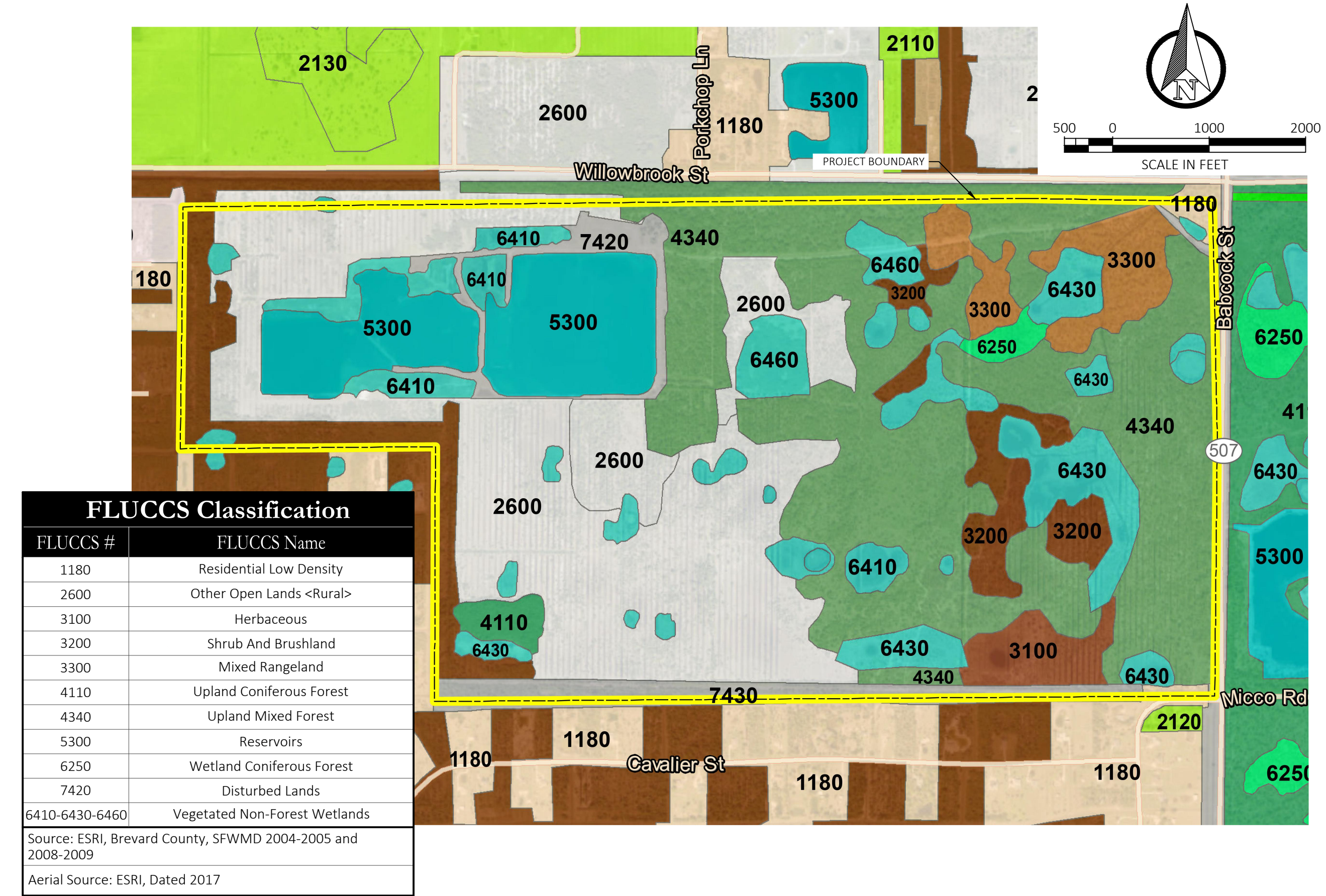
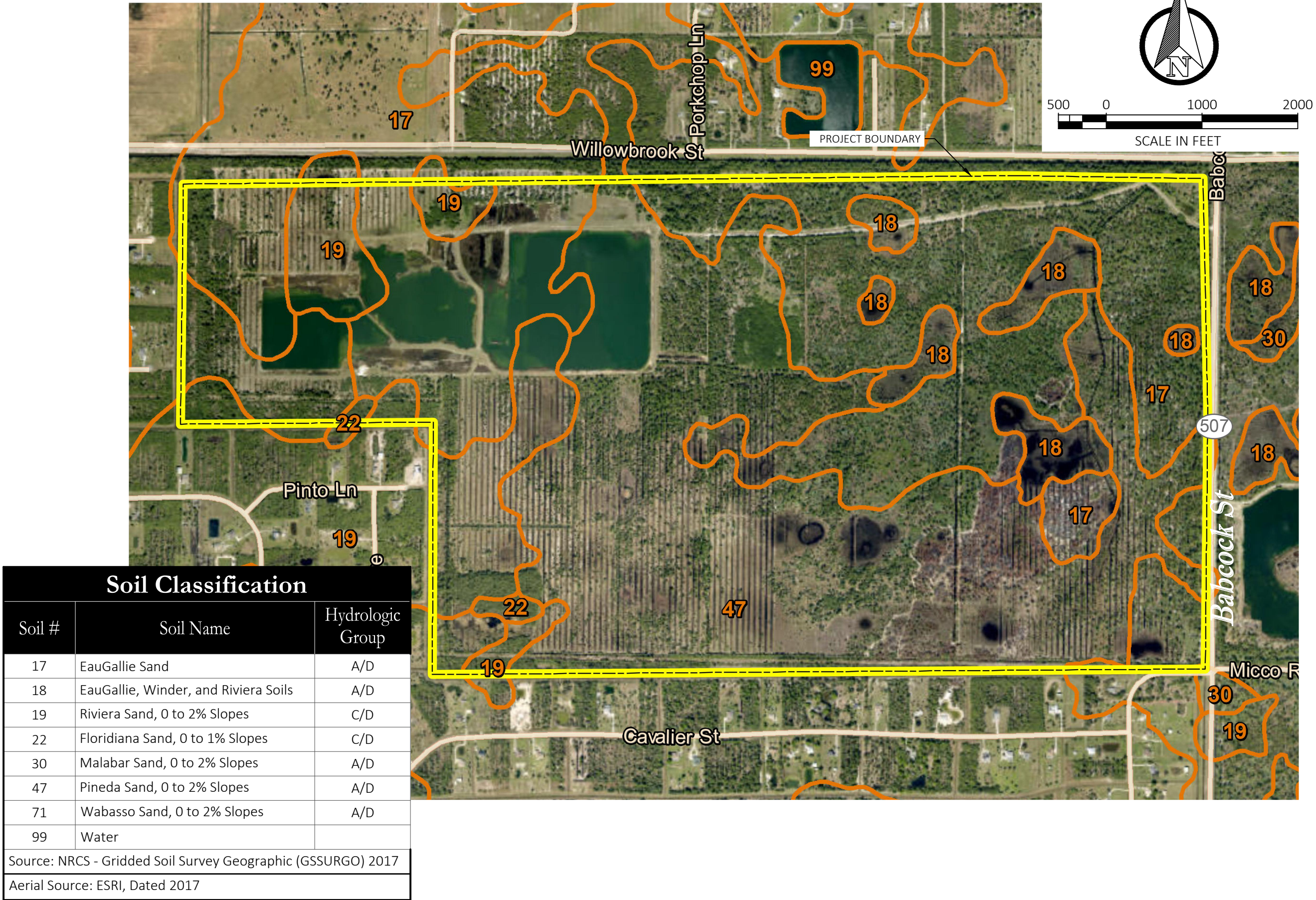
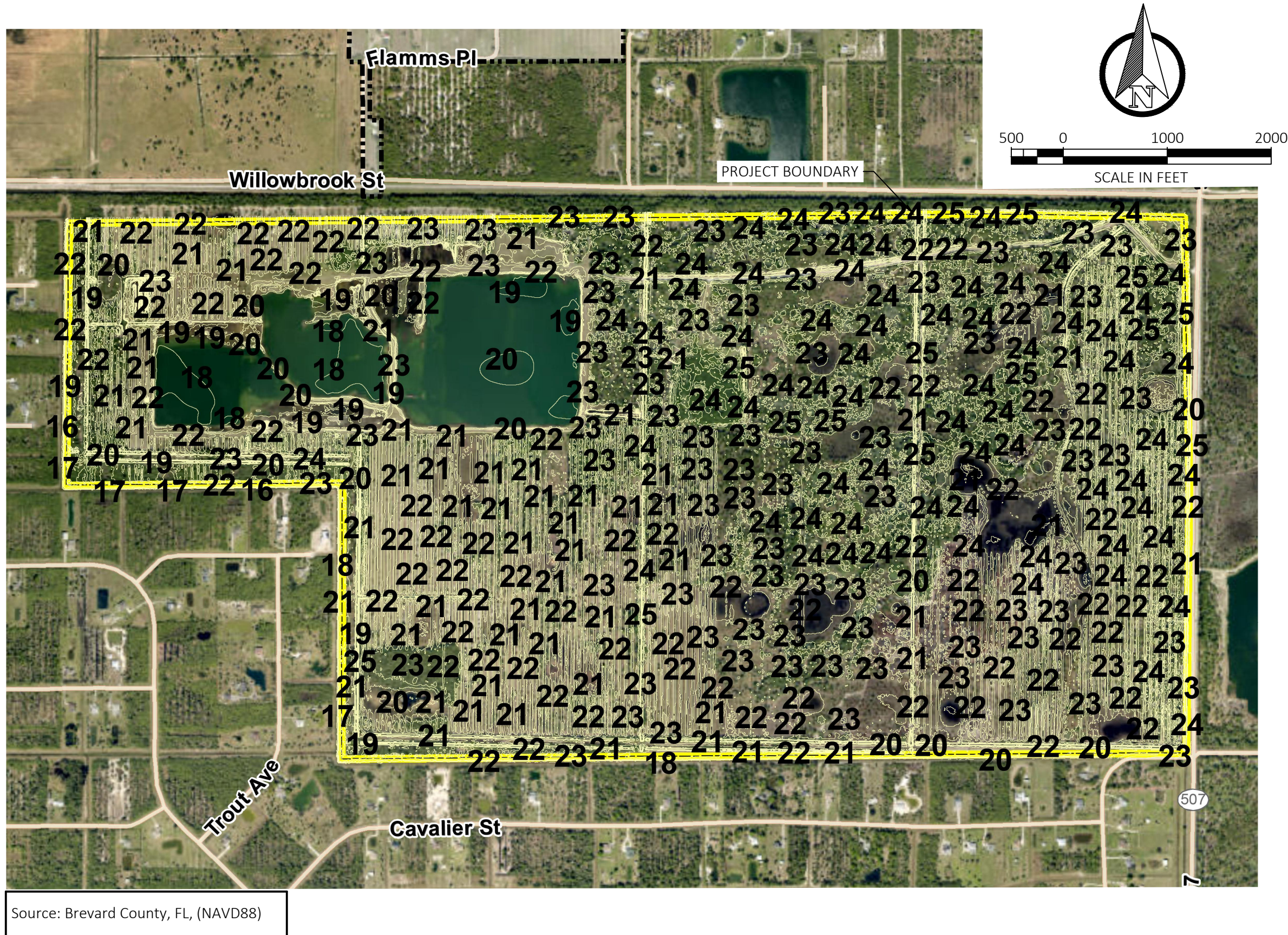
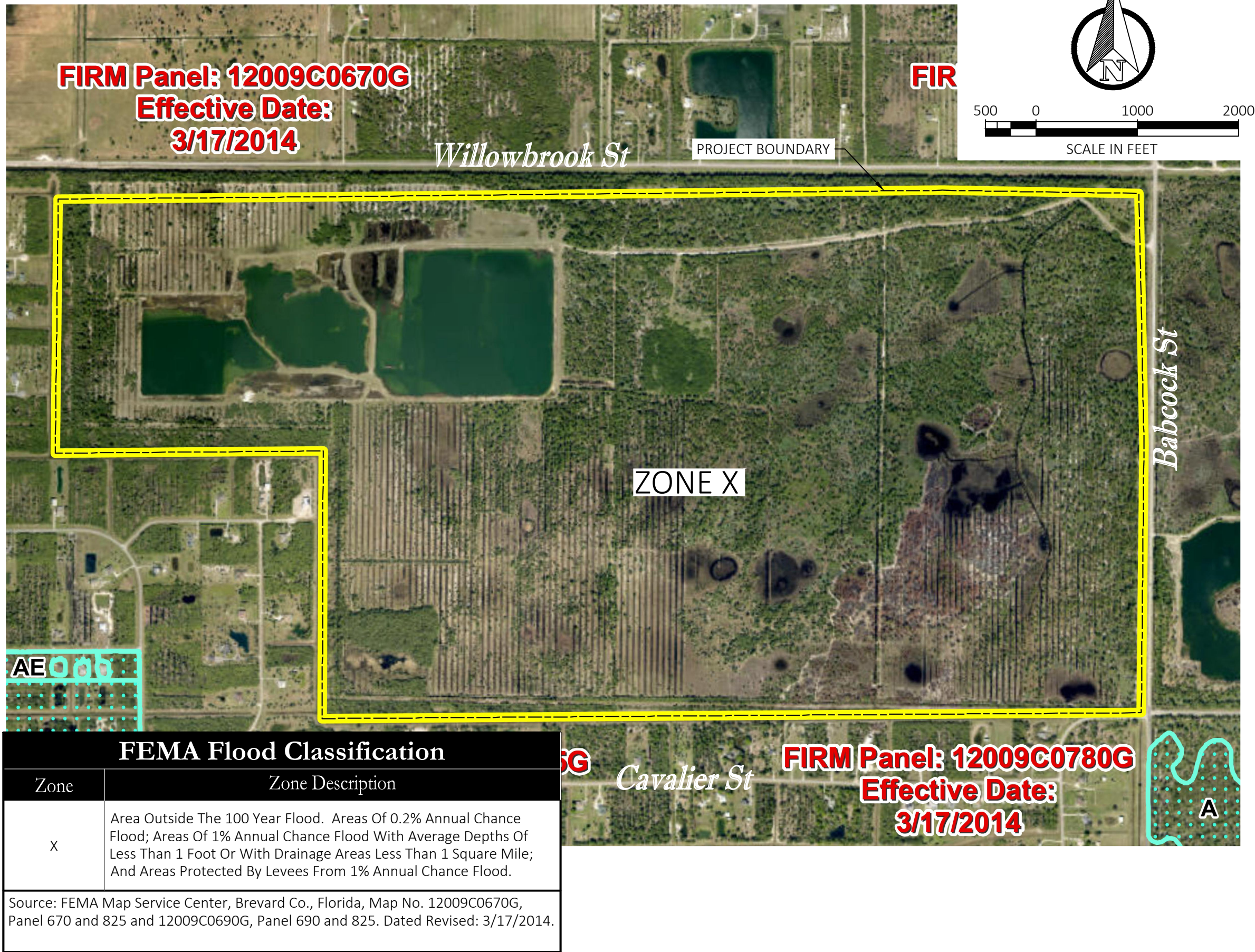
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Tel. 407.487.2594 www.poulosandbennett.com
Eng. Bus. No. 28567
P&B Job No.: 23-081



Key Map:

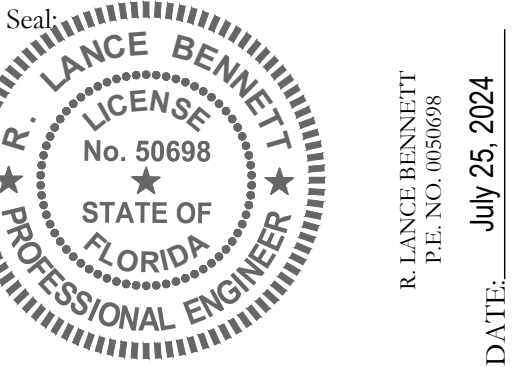
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2	05/30/2024	Submit to Brevard County
1	05/14/2024	Submit to Brevard County
-	10/27/23	Submit to Brevard County
NO.	DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS		
VERTICAL DATUM:		NAVD 88
JOB NO.:		23-081
DESIGNED BY:		DG
DRAWN BY:		DG
CHECKED BY:		J.A.
APPROVED BY:		RLB
SCALE IN FEET:		1" = 1000'
Project Name:		

Sun Terra Lakes

Jurisdiction:
Brevard County, FL

Sheet Title:
**EXISTING
CONDITIONS PLAN**

Sheet No.:
C1.00

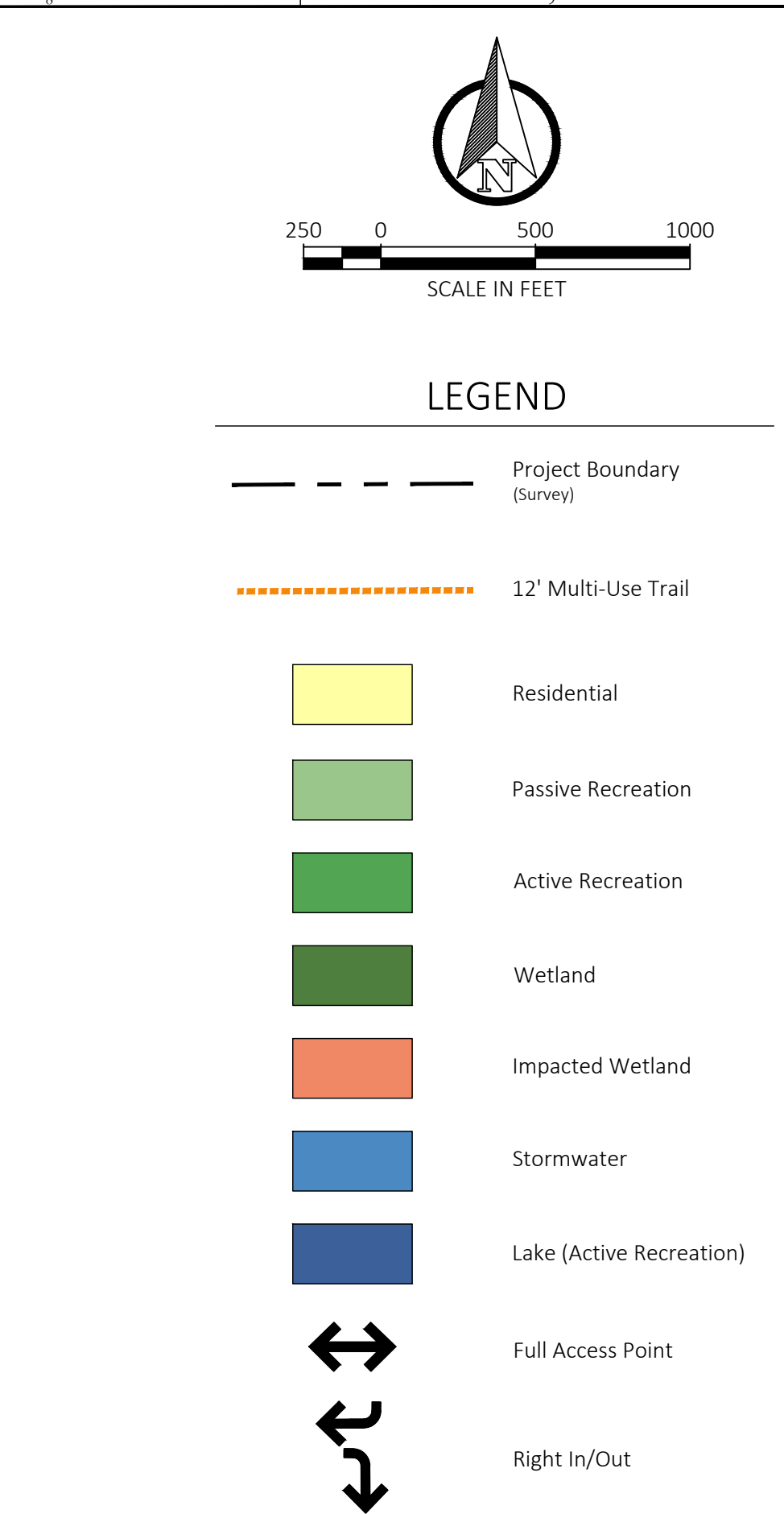
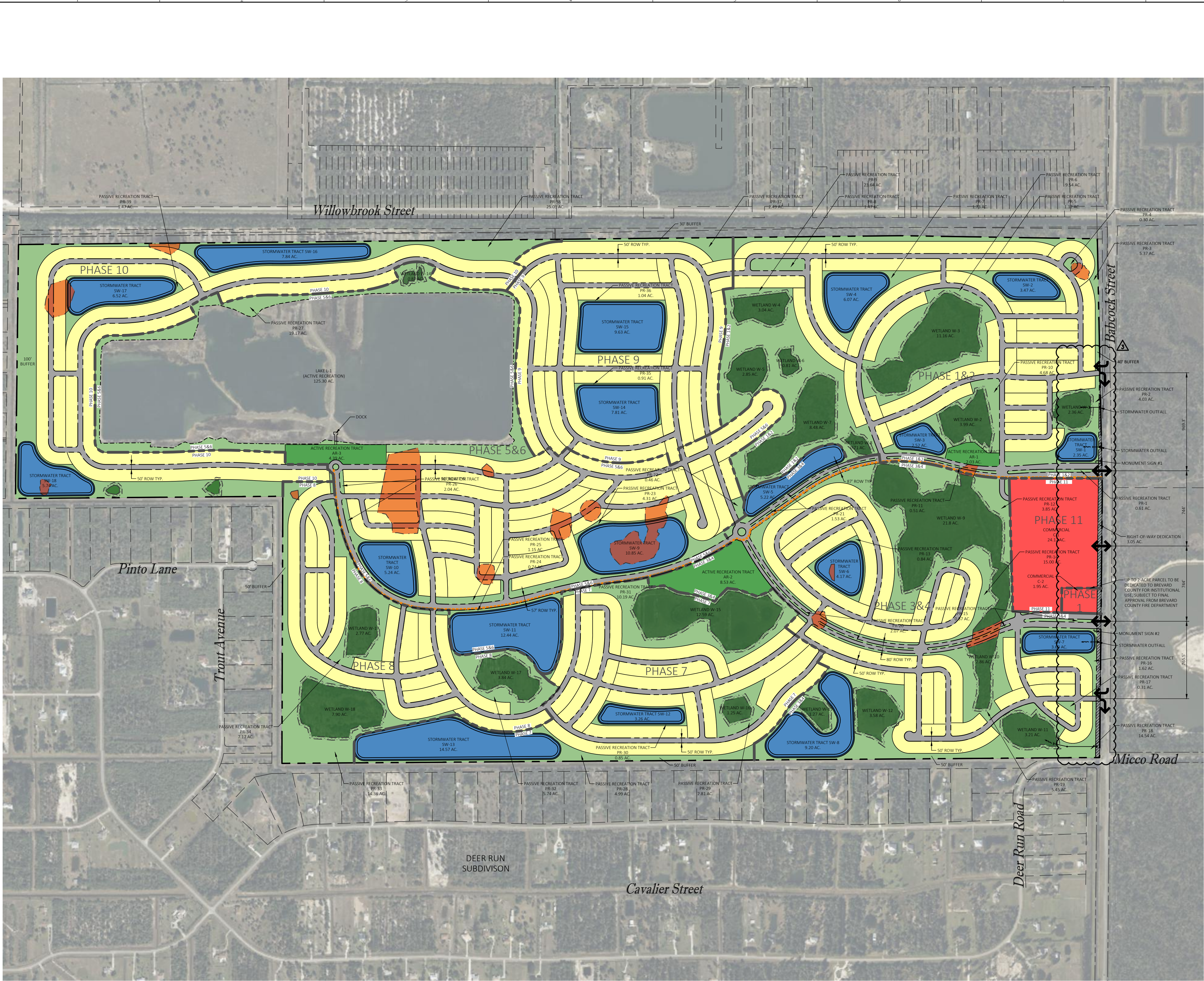


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Z:\2023\23-081 SUN TERRA - BREVARD CO MIXED USE\CAD\PRELIMINARY\PD\23-081-PD-LUP



Development Data	
Jurisdiction	Unincorporated Brevard County
Future Land Use	Residential (1,080.42 acres) & Community Commercial (26.1 acres)
Zoning (Proposed)	PUD
Site Details ^{4,5}	
Gross Site Area	1109.57 Acres
Gross Residential Area	1080.42 Acres
Gross Commercial Area	26.10 Acres
ROW Dedication	3.05 Acres
Total Impacted Wetlands*	19.90 Acres
Developable Area	1024.23 Acres
Developable Residential Area	985.08 Acres
Developable Commercial Area	26.10 Acres
Common Recreation & Open Space Required (10% of Gross Residential Area)	108.04 Acres
Common Recreation & Open Space Provided ¹¹	475.06 Acres
Active Recreation Required ¹¹ (1.5 acres per 100 units)	48.62 Acres
3,241 (200)*1.5 = 48.69 acres	
Active Recreation Provided ¹¹	140.07 Acres
Passive Recreation Provided ¹¹	334.99 Acres
Stormwater Provided ¹¹	35.65 Acres
Wetlands ¹¹	95.34 Acres
Passive Recreation Tracts ¹¹	204.00 Acres
Proposed Residential Development	
Maximum Allowable Dwelling Units	3241 Units
Maximum Allowable Gross Residential Density	3.00 DU/Ac
Proposed Commercial Development	
Maximum allowable commercial square feet in Commercial Tract C-1	398,000 Sq. ft

Notes

- See waiver # 5, requesting lake acreage to be included as active recreation.
- Stormwater provides only 1/3 of the required Common Recreation & Open Space acreage. Any stormwater tracts included in the required Common Recreation & Open Space acreage will be improved with amenities, such as central recreation centers with pools, walking trails, fitness equipment, viewing docks, benches, or similar improvements. If used for passive or active recreation, the recreational facilities in stormwater tracts shall not conflict with the regulatory requirements of the drainage system including the operation and maintenance of the drainage facility. Additionally, they shall comply with ADA and FHA requirements, including but not limited to providing accessible routes to site amenities.
- Wetlands are included in the Total Provided Passive Recreation, in accordance with LDR Sec. 62-1102.
- The developer shall dedicate a 2-acre parcel to the County.
- Any alternative development standards not addressed in this Preliminary Development Plan shall revert back to the PUD standards.
- Common Open Space is integrated throughout the planned development providing a linked recreational and open space system. Sidewalks are depicted on typical ROW sections and are throughout the development.

*The provided acreages are subject to change and will be determined on the Final Development Plan. The Final Development Plan shall adhere to the minimum required acreages for Common Recreation & Open Space set forth in LDR sections 62-1446 and 62-1102.

**The required active and passive recreation acreages are calculated by the maximum allowable 3,241 dwelling units (3 dwelling units per gross residential acre). The required active and passive recreation acreages are subject to change, per the actual amount of residential units developed. The required active and passive recreation acreages shall adhere to the minimum required acreages for Common Recreation & Open Space set forth in LDR sections 62-1446 and 62-1102. Any change which decreases the amount of common open space or decreases the amount of buffer areas from adjacent property or increases density or intensity of the project will be considered a substantial change requiring a PUD amendment approval by the Board of County Commissioners.

Key Map:

NO.	DATE	DESCRIPTIONS
3	07/25/2024	Submit to Brevard County
2	05/30/2024	Submit to Brevard County
1	05/14/2024	Submit to Brevard County
-	10/27/23	Submit to Brevard County
SUBMISSIONS/REVISIONS		
VERTICAL DATUM:		NAVD 88
JOB NO.:		23-081
DESIGNED BY:		DG
DRAWN BY:		DG
CHECKED BY:		JA
APPROVED BY:		RLB
SCALE IN FEET:		1" = 500'

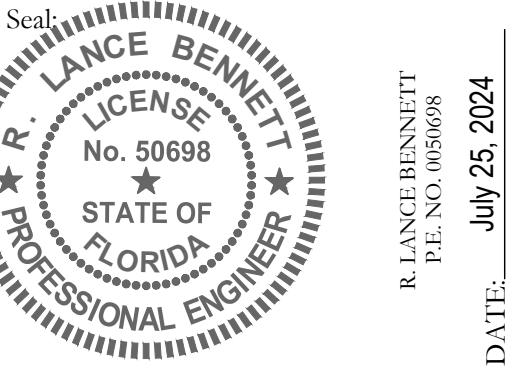
Project Name:

Sun Terra Lakes

Jurisdiction:
Brevard County, FL

Sheet Title:
LAND USE PLAN

Sheet No.:
C2.00

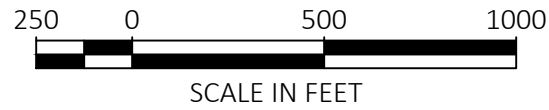
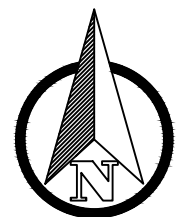


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POULOS & BENNETT

Poulos & Bennett, LLC
2602 E. Livingston St., Orlando, FL 32803
Tel. 407.487.2594 www.poulosandbennett.com
Eng. Bus. No. 28567

Key Map:



LEGEND

- Project Boundary (Survey)
- 12' Multi-Use Trail
- 40'-50'-60'X120'+ Lots Allowed
- 60'X120'+ Lots Allowed

- Passive Recreation
- Active Recreation
- Wetland
- Impacted Wetland
- Stormwater
- Lake (Active Recreation)



- Full Access Point
- Right In/Out
- Ingress / Egress onto Spine Roads

Phasing Plan*

Phase	Units
PHASE 1&2	
Number of Units	515 Lots
Passive Recreation	53.00 AC
Stormwater	14.41 AC
Active Recreation	2.03 AC
Wetlands	33.40 AC
Impacted Wetlands	0.93 AC
PHASE 3&4	
Number of Units	447 Lots
Passive Recreation	46.28 AC
Stormwater	22.19 AC
Active Recreation	8.35 AC
Wetlands	31.69 AC
Impacted Wetlands	2.49 AC
PHASE 5&6	
Number of Units	513 Lots
Passive Recreation	27.87 AC
Stormwater	28.53 AC
Active Recreation	4.39 AC
Wetlands	0.37 AC
Impacted Wetlands	13.24 AC
Lake (Active Rec)	125.30 AC
PHASE 7	
Number of Units	404 Lots
Passive Recreation	18.84 AC
Stormwater	17.83 AC
Wetlands	13.84 AC
PHASE 8	
Number of Units	271 Lots
Passive Recreation	27.18 AC
Wetlands	14.39 AC
PHASE 9	
Number of Units	516 Lots
Passive Recreation	4.44 AC
Stormwater	17.44 AC
PHASE 10	
Number of Units	462 Lots
Passive Recreation	26.50 AC
Stormwater	20.10 AC
Impacted Wetlands	3.24 AC

*Phase lot counts are estimates. Final number of lots per phase will be determined through final construction plans provided the number of lots does not exceed the maximum 3,241.

3 07/25/2024 Submit to Brevard County

2 05/30/2024 Submit to Brevard County

1 05/14/2024 Submit to Brevard County

- 10/27/23 Submit to Brevard County

NO. DATE DESCRIPTIONS

SUBMISSIONS/REVISIONS

VERTICAL DATUM: NAVD 88

JOB NO.: 23-081

DESIGNED BY: DG

DRAWN BY: DG

CHECKED BY: JA

APPROVED BY: RLB

SCALE IN FEET: 1" = 500'

Project Name:

Sun Terra Lakes

Jurisdiction:

Brevard County, FL

Sheet Title:

OPEN SPACE AND PHASING PLAN

Sheet No.:

C3.00



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POULOS & BENNETT

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Z:\2025\23-081 SUN TERRA - BREVARD CO MIXED USE\DAO\PRELIMINARY\PD-23-081-PO-TYPICAL DETAILS AND NOTES

Land Use Table

1. Development Acreage Summary

Total Site Area: 1,109.57 acres

Residential Land Use Summary

Residential Acreage	Units Allowed (per Residential 4 Future Land Use Density, 4 units per gross acre)		Units Allowed (per PUD maximum allowable density, 3 units per gross acre)	
	Future Land Use Designation	Total Allowed Units	Maximum Allowable Density, Per PUD	Maximum Allowable Dwelling Units
Gross Residential Area: 1,080.42 acres	4.0 du/ac	4322	3.00 du/ac	3241

Commercial Land Use Summary

Commercial Acreage	Commercial Sq. Ft. Allowed (Per Community Commercial Future Land Use, 1.0 FAR)		Commercial Sq. Ft. Allowed (Per PUD maximum allowable intensity, 0.25 FAR)	
	Future Land Use Designation	Total Allowable Commercial Sq. Ft.	Proposed Density	Proposed Allowable Commercial Sq.
Gross Commercial Area: 26.1 acres	1.00 FAR	1,136,916	0.35 FAR	398,000

2. Proposed Future Land Use

Residential 4 (1,080.42 acres) & Community Commercial (26.1 acres)

3. Existing Zoning

General Use (GU) & Agricultural Residential (AU)

4. Proposed Zoning

Planned Unit Development (PUD)

5. Residential Standards

Detached Single-Family Lots			
	40' SF Lots ¹	50' SF Lots	60' SF Lots
Minimum Lot Area (sq. ft.)	4,400	5,500	6,600
Minimum Floor Area (sq. ft.)	1,100	1,100	1,100
Minimum Lot Width (ft.)	40	50	60
Minimum Lot Depth (ft.)	110	110	110
Front Yard ² (ft.)	20	20	20
Side Yard (ft.)	5	5	5
Accessory Structure Side Yard (ft.)	5	5	5
Rear Yard ^{3,6} (ft.)	15	15	15
Accessory Structure Rear Yard (ft.)	5	5	5
Corner Yard ⁴ (ft.)	15	15	15
Accessory Structure Corner Yard (ft.)	15	15	15
Minimum Building Separation ⁵ (ft.)	10	10	10
Maximum Height (ft.)	35	35	35
Maximum Impervious Surface Ratio (%)	75	75	75

Residential Standards Notes

- See waiver # 1 for the 40' lots.
- A 10 ft. setback shall apply to front porches.
- Screened porches may be set back not less than 10 ft. from the rear property line.
- Waiver # 3 is requested for the minimum building seperation for residential structures, from 15' for structures two stories or less to 10' for structures two stories or less.
- Waiver # 6 is requested for the minimum required rear yard setback from 20' to 15'.
- Residential driveways shall accommodate 2 vehicles.

6. Permitted Uses & Use Standards in the Residential Area

Permitted Uses: Single-Family Detached Dwelling Units, Group Homes (Level 1), Accessory Structures, Recreational Amenities and Accessory Structures, Home Occupations.

7. Commercial Standards¹

Minimum Floor Area (sq. ft.)	300
Minimum Lot Area (sq. ft.)	7,500
Minimum Lot Width (ft.)	75
Minimum Lot Depth (ft.)	100
Front Yard (ft.)	25
Side Yard (ft.)	5
Rear Yard ² (ft.)	15/5
Maximum Height ^{3,4} (ft.)	45
Corner Yard (ft.)	15
Minimum Building Separation ⁵ (ft.)	15
Maximum Impervious Surface Ratio (%)	90

Commercial Standards Notes

- The maximum allowable commercial square feet permitted in Commercial Tract C-1 is 398,000 sq. ft. (0.35 FAR).

8. Permitted Uses & Use Standards in Commercial Tract C-1

Permitted uses, permitted uses with conditions, and conditional uses shall be in accordance with the BU-2 Zoning District and LDR Division 5 - Specific Criteria for Permitted Uses with Conditions and Conditional Uses, except for the following deviations.

- Fire Stations shall be permitted

9. Phasing Plan

See anticipated phasing on sheet C3.00. Phases shall be developed in sequential order. However, phase numbers may be adjusted or reassigned at any time through minor amendments.

10. Daily Trips

Land Use Description / ITE Code	Quantity	Daily Rate Trips Per Unit	Total Generated Daily Trips	Basis of Data
Single Family Detached (210)	3,241	7.64	24,799	ITE Trip Generation, 11 th Edition
Shopping Centers > 150k (820)	298k	37.01	11,030	
Mini-Warehouse (151)	100k	1.45	146	

11. Recreation

Recreation facilities shall be private for the use of community residents and owned and maintained by Home Owner's Association. Recreational amenities will be determined at Final Development Plan design.

12. Proposed Parking

Parking shall be provided per LDR Section 62-3206, with the exception of waiver # 2.

13. Water Service

City of Palm Bay Utilities

14. Wastewater Service

City of Palm Bay Utilities

15. Reclaimed Water Service

City of Palm Bay Utilities

16. Stormwater

The PUD will meet the requirements of Brevard County and the St. Johns River Water Management District for stormwater management.

17. Commercial Signage

Commercial Signage shall be in accordance with Article IX Signs.

18. Individual Lot Fences

Individual lot fences shall be constructed in accordance with LDR Sec. 62-2109 and LRD Article VIII.

19. Landscaping and Buffers

The PUD will provide an average 15' perimeter lot buffer around the residential area, with the exception of areas where residential lots abut the western and southern PUD perimeter, where a 50' lot buffer will be provided. A 15' wide Type B buffer will be provided along Babcock Street, including inside the Commercial Tract C-1.

20. Right-of-Way Design

Rights-of-Way shall be public

The minimum centerline radius for local roads shall be 50 feet.

The maximum dead-end street length for cul-de-sacs shall be 1,000 feet.

No gated roadways are proposed along the spine roads. If any gates are to be proposed off of spine roads, they will be subject to staff approval and will be private rights-of-way.

21. Stockpiling of Fill Material

Stockpiling of fill materials shall be in accordance with LDR Section 62-2101. For the purposes of LDR Section 62-2101, covered shall be defined as "stabilized by sod material or seed and mulch in such a manner as to prevent the distribution, by wind, of the fill material".

22. Access Management

Waiver # 4 is requested to reduce the amount of required access points.

23. Description of Drainage Design

Runoff will sheet flow off of the residential lots to the right-of-way, where it will be directed via curb and gutter to the gravity storm sewer system. The gravity storm sewer system conveys the stormwater runoff to the proposed wet detention ponds. At the Final Development Plan stage, it will be determined whether the ponds will be interconnected, cascading, or independent of each other. The discharge rate will be controlled via control structures. The ultimate outfall for the development will be the roadside swale on the west side of Babcock Street and the Sottile Canal.

24. Open Space Tracts

Stormwater Tracts		Passive Recreation		Active Recreation		Wetlands		Impacted Wetlands	
Tract #	AC	Tract #	AC	Tract #	AC	Tract #	AC	Tract #	AC
SW-1	2.35	PR-1	0.61	AR-1	2.03	W-1	2.36	IW-1	0.93
SW-2	3.47	PR-2	4.03	AR-2	8.35	W-2	3.99	IW-2	2.49
SW-3	2.52	PR-3	5.37	AR-3	4.39	W-3	11.16	IW-3	13.24
SW-4	6.07	PR-4	0.3	L-1	125.3	W-4	3.04	IW-4	0.7
SW-5	5.22	PR-5	1.12	Total	140.07	W-5	2.85	IW-5	2.54
SW-6	4.17	PR-6	9.54			W-6	0.81	Total	19.2
SW-7	3.6	PR-7	1.73			W-7	8.48		
SW-8	9.2	PR-8	1.47			W-8	0.71		
SW-9	10.85	PR-9	23.64			W-9	21.8		
SW-10	5.24	PR-10	4.68			W-10	2.86		
SW-11	12.44	PR-11	0.51			W-11	3.21		
SW-12	3.26	PR-12	3.85			W-12	3.58		
SW-13	14.57	PR-13	0.84			W-13	1.27		
SW-14	7.81	PR-14	15			W-14	0.87		
SW-15	9.63	PR-15	0.87			W-15	1.25		
SW-16	7.84	PR-16	1.62			W-16	12.59		
SW-17	6.52	PR-17	0.31			W-17	3.84		
SW-18	5.74	PR-18	14.54			W-18	7.9		
Total	120.5	PR-19	5.45			W-19	2.77		
		PR-20	2.07			Total	95.34		
		PR-21	1.53						
		PR-22	0.46						
		PR-23	4.31						
		PR-24	0.74						
		PR-25	1.15						
		PR-26	2.04						
		PR-27	19.17						
		PR-28	4.99						
		PR-29	2.81						
		PR-30	0.85						
		PR-31	10.19						
		PR-32	5.74						
		PR-33	14.36						
		PR-34	7.17						
		PR-35	0.91						
		PR-36	1.04						
		PR-37	2.49						
		PR-38	25.03						
		PR-39	1.47						
		Total	204						

WAIVERS

- A waiver from LDR Section 62-1446. (d). (1) to permit lots smaller than 5,000 square feet and less than 50 feet in width.

Justification for waiver #1: The Preliminary Development Plan depicts 40' wide lots, with a minimum lot area of 4,400 sq. ft. The Preliminary Development Plan exceeds the required common recreation and open space. While a buffer is not required along the northern, western, and southern property lines, the Preliminary Development Plan provides an average 15' perimeter lot buffer around the residential area, with the exception of areas where residential lots abut the western and southern PUD perimeter, where a 50' lot buffer will be provided. The smaller lot sizes allow the Preliminary Development Plan to exceed the common recreation and open space and buffer standards. In addition, the minimum floor area required in the PUD zoning is 900 sq. ft. for single-family detached units. The Preliminary Development Plan provides a minimum floor area of 1,100 sq. ft. for single-family detached units.
- A waiver to be exempt from LDR Section 62-1446. (g), requiring the designation of an outdoor parking area for campers, travel trailers, recreational trailers and vehicles, boats and boat trailers, and other similar vehicles.

Justification for waiver # 2: The Preliminary Development Plan is exceeding the requirements for common recreation and open space standards. Allocating space for the parking of campers, travel trailers, recreation vehicles, boats and boat trailers will decrease the provided amount of open space and recreation. In addition, outdoor parking of such vehicles and trailers is aesthetically unappealing.
- A waiver is requested from LDR Section 62-1446 (d) (3) (b) to allow residential structures, two stories or less, a minimum building seperation of 10', rather than 15', provided that proposed structures do not abut utility easements or otherwise affect the ability to provide and maintain utility service to each lot.

Justification for Waiver # 3: LDR Section 62-1446 (d) (3) (a) requires single-family lots, with less than 75' lot widths, to have a minimum 5' side setback. Where two lots, without side street setbacks, abut each other, the minimum required distance between the two lots will be 10'. In addition, the required minimum building seperation of 10' for structures two stories or less is consistent with the RPUD Zoning District.
- A waiver from LDR Section 62-2957 (c) (1) to permit ingresses/egresses connecting to spine roads from internal subdivisions within the development to count toward qualifying entrances.

Justification for Waiver # 4: The two spine roads that stem throughout the central portion of the property from Babcock westward provide for local road access for future subdivisions of this property. The PUD itself is not a subdivision. Each subdivision within this development will either have direct access to one of these two spine roads (which will be Public ROWs) or to Babcock Street. There are 17 full ingresses/egresses to the spine roads from the different phases of the development, providing connectivity throughout the project, which are demonstrated on Sheet C3.00. Additionally, there are two four-lane segments connecting to Babcock with full access, and another two right-in, right-outs onto
- A waiver from LDR Section 62-1102, Open Space, usable common (5) to include the lake acreage, Tract L-1, as active recreation.

Justification for Waiver # 5: A dock shall be provided on the south-adjacent active recreation tract, AR-3. The lake tract, L-1, shall be accessible to residents to use non-motorized watercraft, providing various opportunities for active recreation.
- A waiver from LDR Section 62-1446 (d) (3) (a) to reduce the minimum required rear yard setback from 20' to 15'.

Justification for Waiver # 6: The minimum floor area, per unit, for this PUD is 1,100 sq. ft., exceeding the code requirement of 900 sq. ft. Reduced setbacks permit larger housing products.

Key Map:

3	07/25/2024	Submit to Brevard County
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1	05/14/2024	Submit to Brevard County
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NO.	DATE:	DESCRIPTIONS:
SUBMISSIONS/REVISIONS		
VERTICAL DATUM:		NAVD 88
JOB NO.:		23-081
DESIGNED BY:		DG
DRAWN BY:		DG
CHECKED BY:		JA
APPROVED BY:		RLB
SCALE IN FEET:		N/A
Project Name:		

Sun Terra Lakes

Jurisdiction:

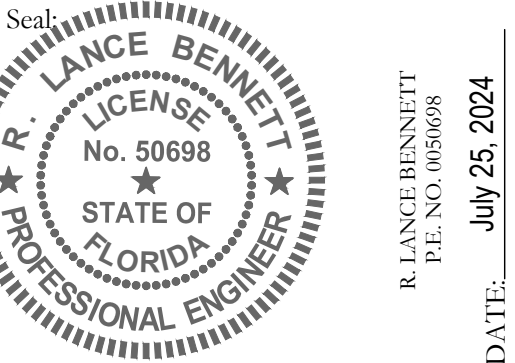
Brevard County, FL

Sheet Title:

LAND USE TABLES, WAIVERS, & DETAILS

Sheet No.:

C4.00

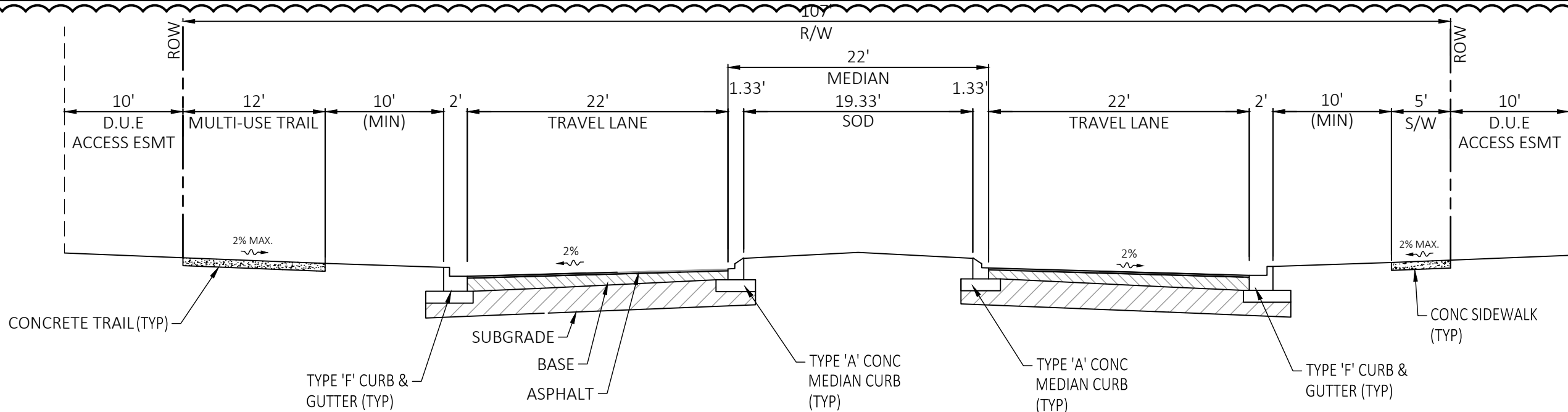
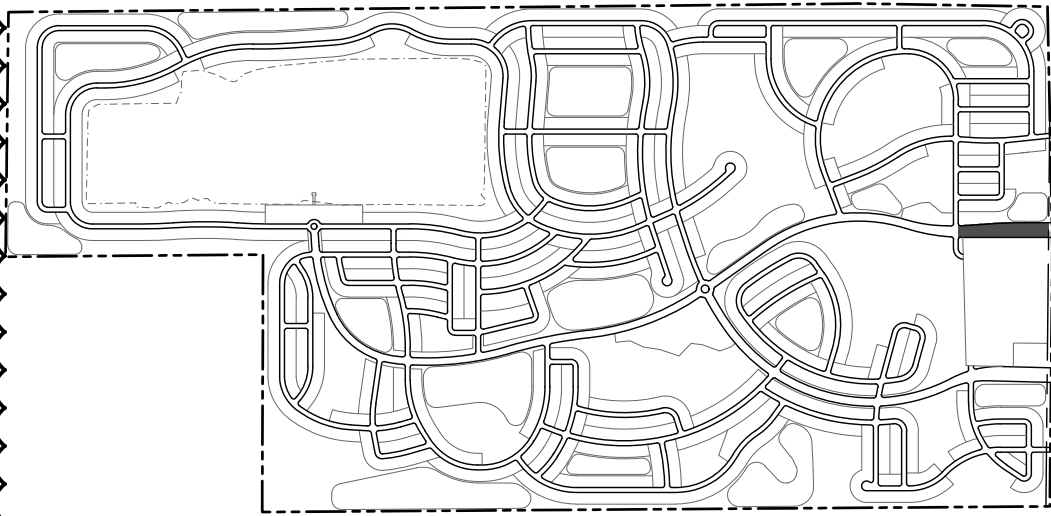


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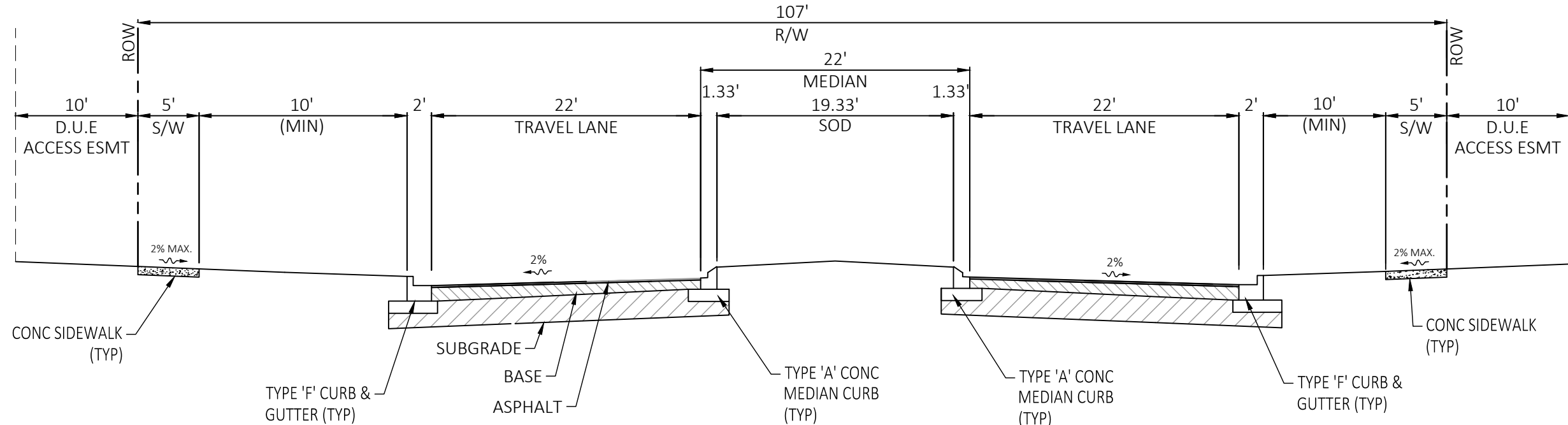
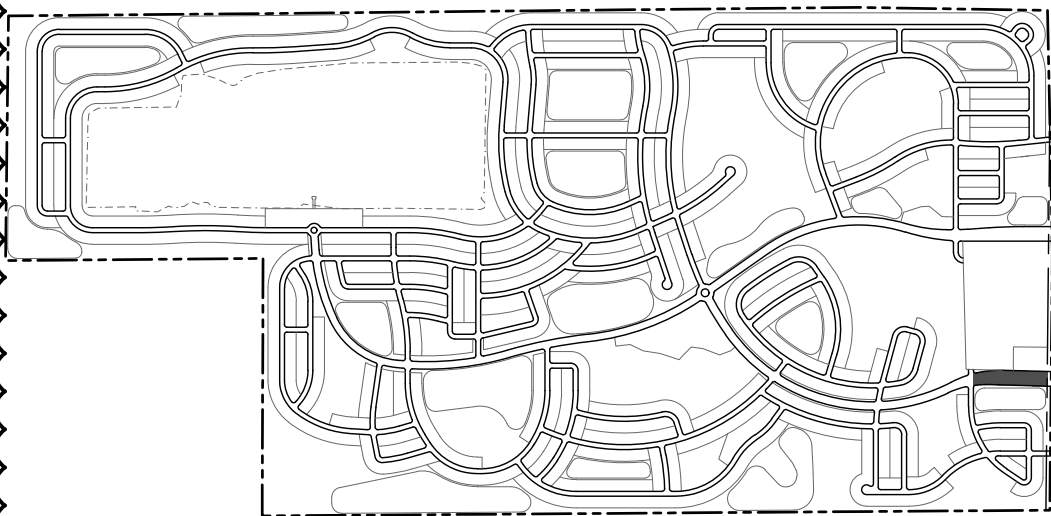


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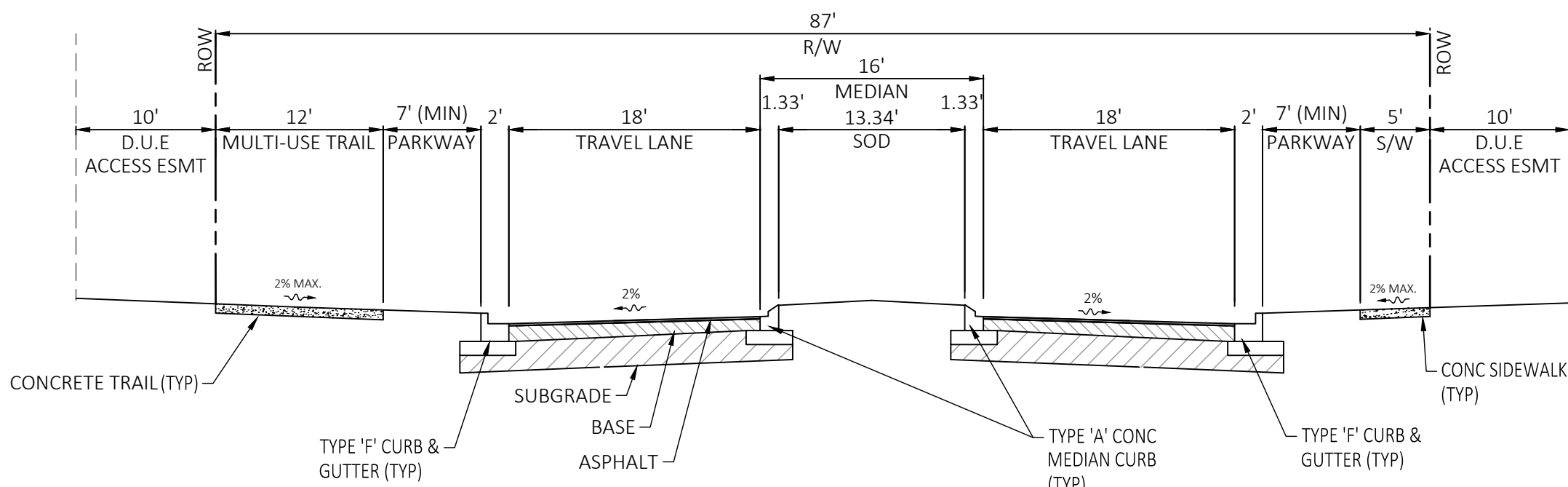
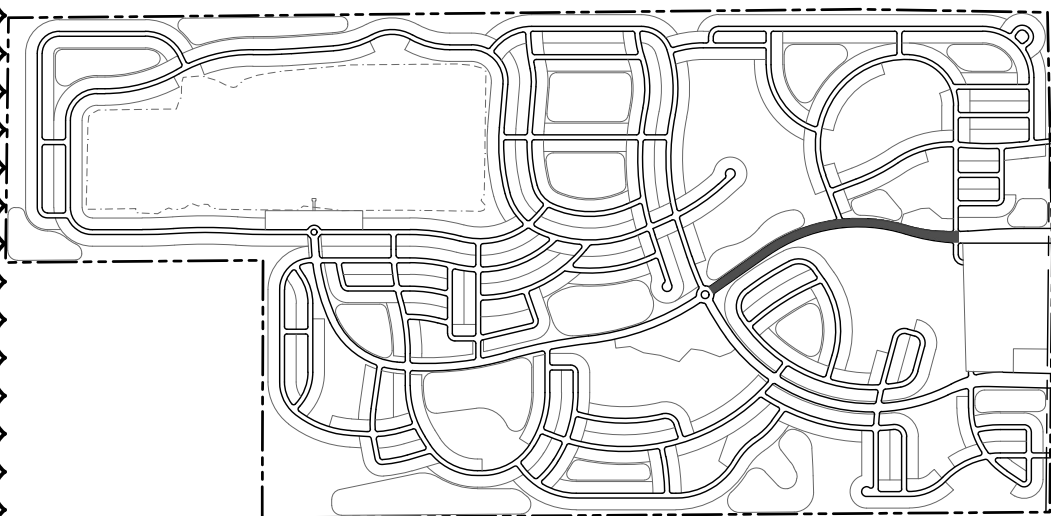
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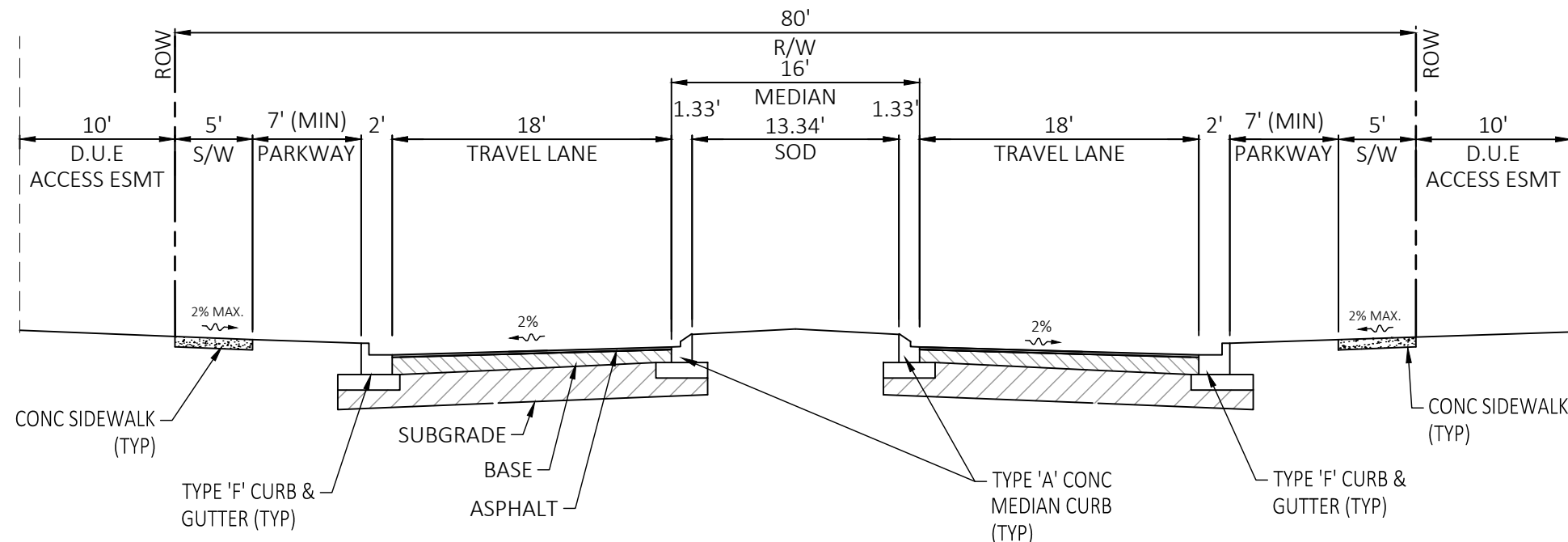
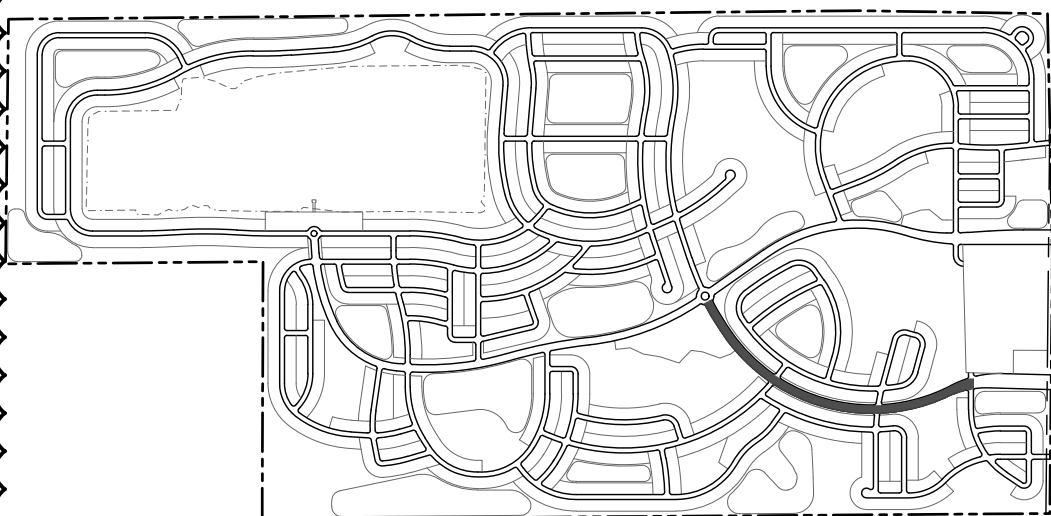
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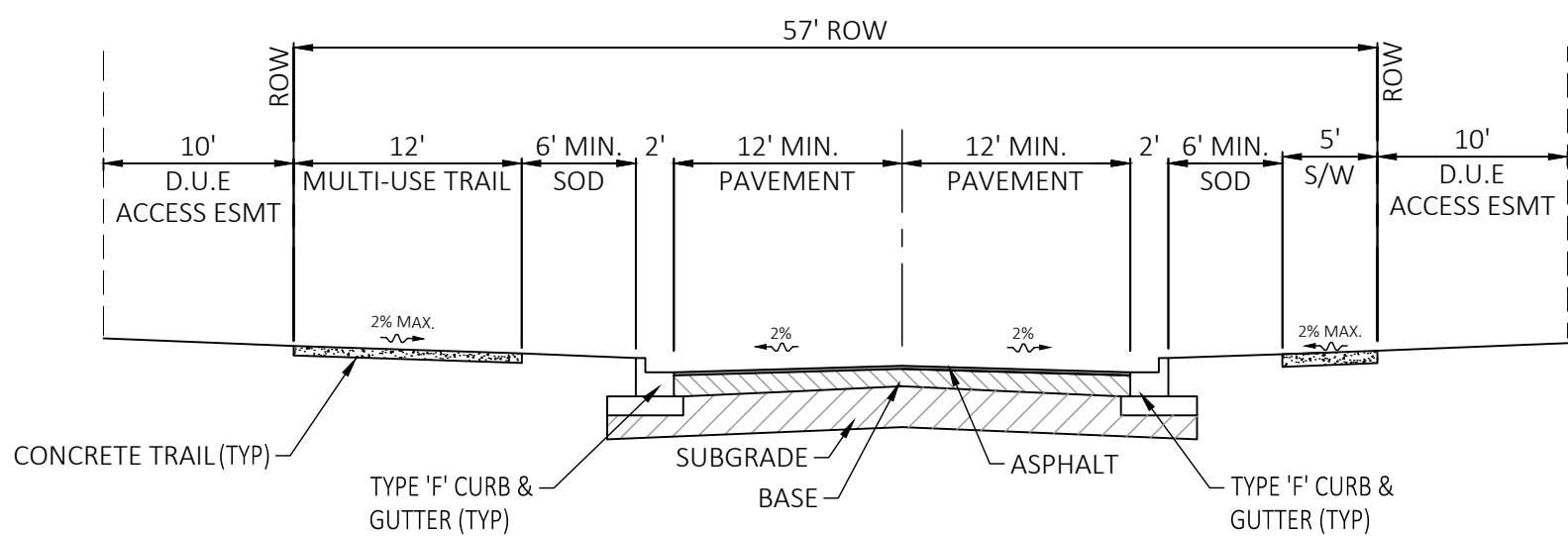
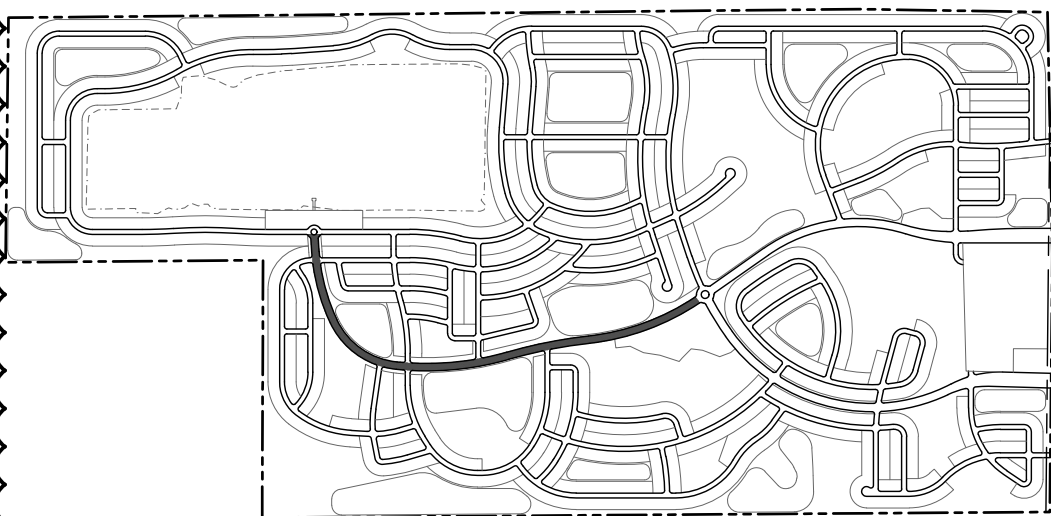
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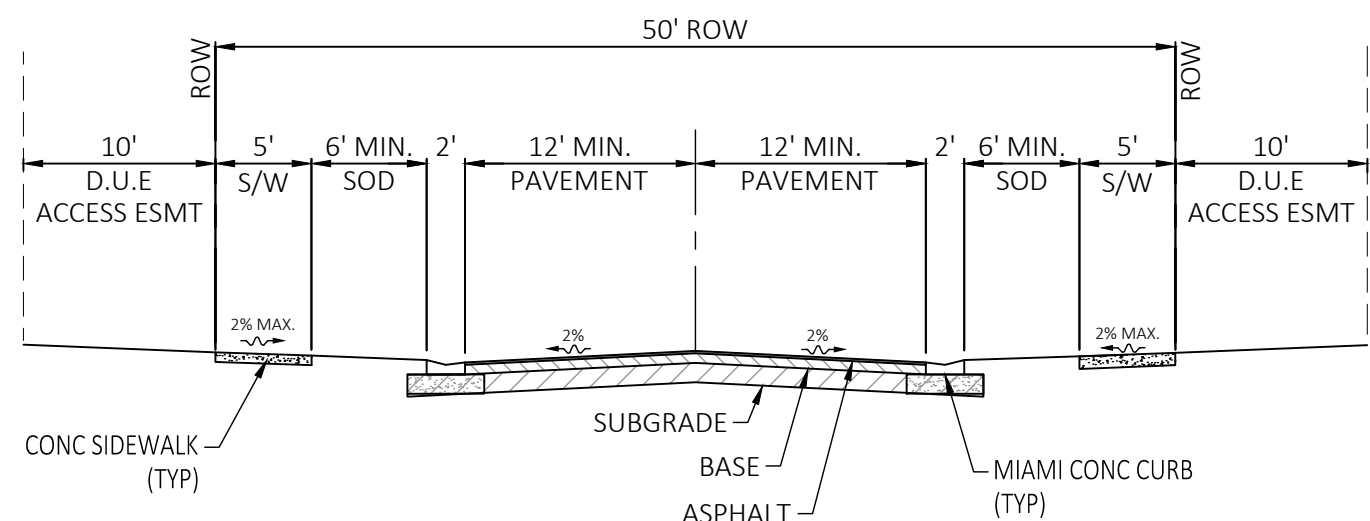
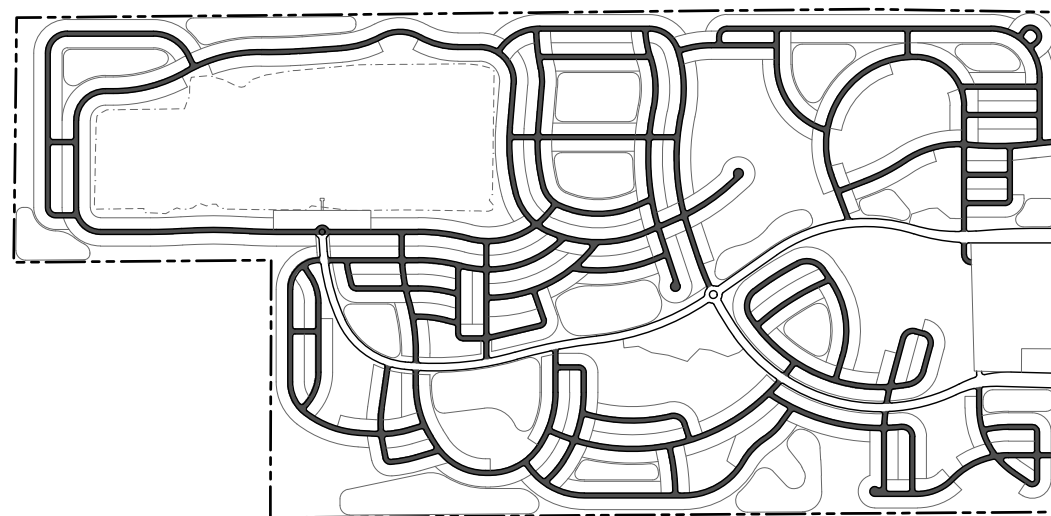
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TYPICAL 80' R.O.W.
N.T.S.



TYPICAL 57' R.O.W.
N.T.S.



TYPICAL 50' R.O.W.
N.T.S.

NOTE: ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO MODIFICATION DURING THE APPROVAL OF FINAL CONSTRUCTION PLANS.

Key Map:

3 07/25/2024 Submit to Brevard County

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NO. DATE DESCRIPTIONS

SUBMISSIONS/REVISIONS

VERTICAL DATUM: NAVD 88

JOB NO.: 23-081

DESIGNED BY: DG

DRAWN BY: DG

CHECKED BY: JA

APPROVED BY: RLB

SCALE IN FEET: N.T.S.

Project Name:

Sun Terra Lakes

Jurisdiction:

Brevard County, FL

Sheet Title:

LAND USE TABLES,
WAIVERS, & DETAILS

Sheet No.:

C4.01

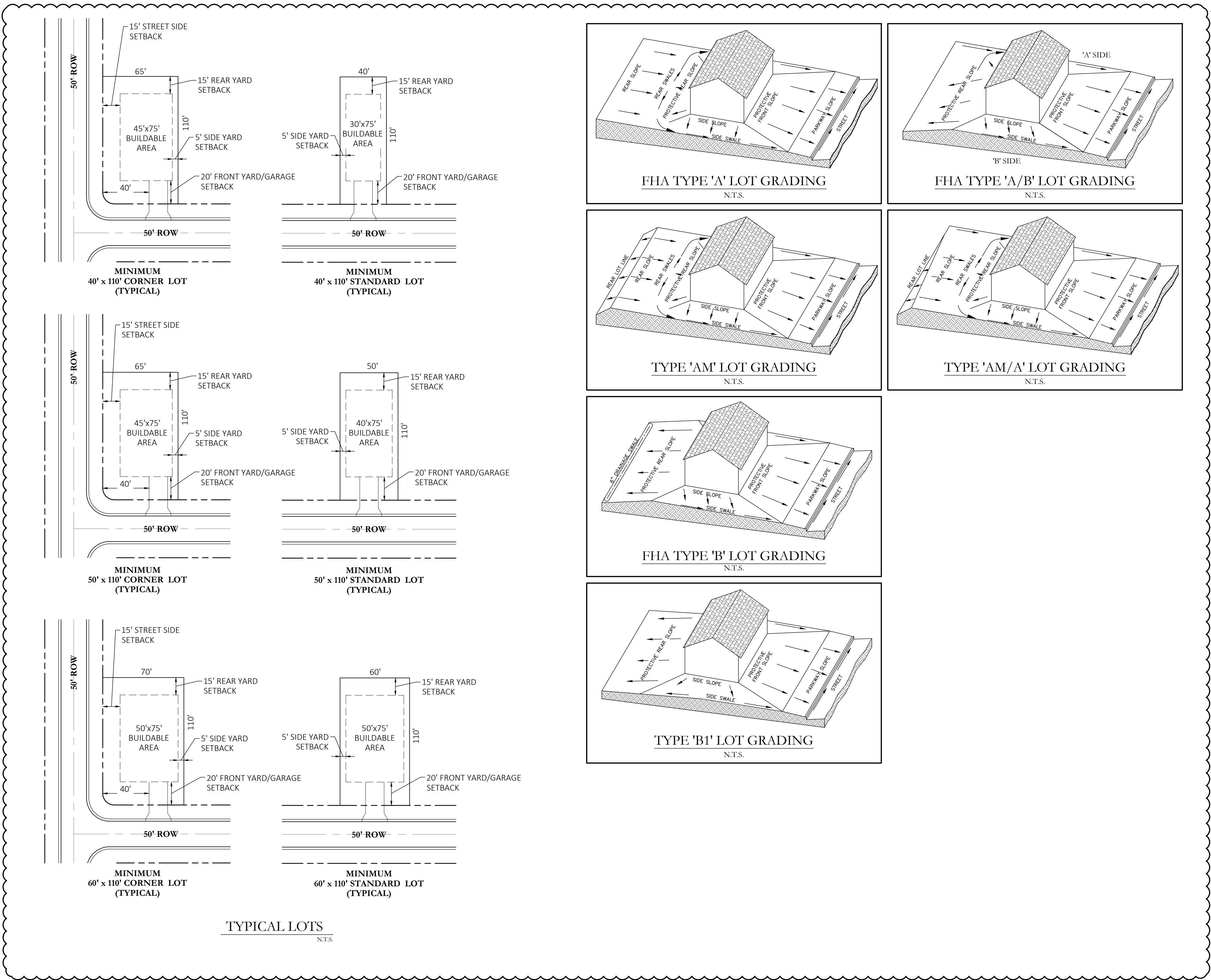


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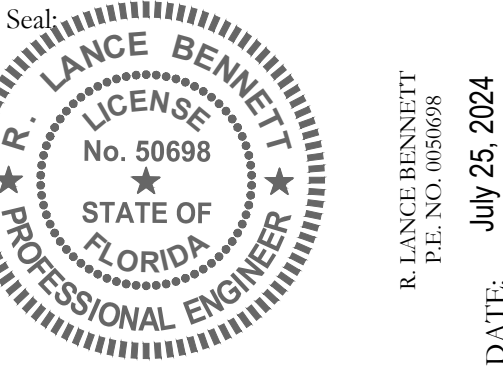
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Sun Terra Lakes

Jurisdiction:
Brevard County, FL

Sheet Title:
LAND USE TABLES,
WAIVERS, & DETAILS

Sheet No.:
C4.02



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