

Condominium Development Planning Checklist

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This check list includes items that should be assembled and considered during the planning for the development of a new condominium project. Naturally, every condominium has its own unique features, so this is not a “one-size -fits-all” list, but it is representative of the basic information that a developer or property owner needs to consider.

General Information for Condominium

Desired name	
Street address (or other location)	
County in which development is located	

Developer Entity

Name of developer entity (including type of business—corporation, LLC, etc.)	
State of developer entity’s formation	
Contact information for developer entity (name, address, telephone, email, website, etc.)	
Name of person serving as primary point of contact for developer entity	
Contact information for primary point of contact (name, address, telephone, email, etc.)	
Brief summary of primary point of contact’s development experience	
Name of authorized signatory for developer documents	
Official title of authorized signatory	
County in which documents will be executed	

Consultants to be Utilized

Name of surveying firm	
Contact person	
Surveying firm's mailing address	
Email address	
Telephone Number	
Name of Engineering Firm:	
Contact person	
Engineering firm's mailing address:	
Email address	
Telephone Number	
Are preliminary drawings, plats, or other plans available at this time?	

Overall Development Plan for the Condominium

Which of the following apply to the condominium?	<input type="checkbox"/> Residential units <input type="checkbox"/> Commercial units <input type="checkbox"/> Retail units <input type="checkbox"/> Office units <input type="checkbox"/> Hotel/rental units <input type="checkbox"/> Restaurant or bar <input type="checkbox"/> Entertainment complex <input type="checkbox"/> Health club or spa <input type="checkbox"/> Other: _____
What will the project look like, generally?	<input type="checkbox"/> Multi-story building containing residential units <input type="checkbox"/> Multi-family attached units (duplex/triplex/quadruplex) <input type="checkbox"/> Single-family detached units (looks like a subdivision) <input type="checkbox"/> Hotel condominium (operates like a hotel; units purchased for income generation) <input type="checkbox"/> "Dockominium" (wet slips or dry dock

	<p>racks)</p> <p><input type="checkbox"/> Land condominium (each unit is an unimproved plot of land)</p> <p><input type="checkbox"/> Leasehold condominium (land is held under lease rather than owned outright)</p>

Development Considerations and Features

Is there a recent title search available to show all instruments of record?	
What unrecorded documents might affect development of the property?	<p><input type="checkbox"/> Lease restrictions</p> <p><input type="checkbox"/> Management agreement</p> <p><input type="checkbox"/> License agreement</p> <p><input type="checkbox"/> Use agreement</p> <p><input type="checkbox"/> Private lighting agreement</p> <p><input type="checkbox"/> Private garbage or recycling pickup</p> <p><input type="checkbox"/> Assignment of developer rights</p> <p><input type="checkbox"/> Development order/agreement</p> <p><input type="checkbox"/> Other: _____</p>
What local government related restrictions exist?	
Is the property contained within a Development of Regional Impact ("DRI")?	
Is the property a Planned Unit Development ("PUD") under local development/zoning codes?	
Is the community part of a community development district (CDD)?	
If so, what duties and obligations will be imposed upon the CDD?	
Are there any other local	

government restrictions imposed on the property? If so, a copy of the instrument creating the restriction will be required.	
Are there any environmental concerns?	
Is the property subject to any environmental restrictions or covenants?	
Has any portion of the property contained contamination that has been or will be remediated?	
Are there any special requirements related to the community water management system?	
Are there any special conditions or issues pertaining to the underlying lands or businesses in close proximity to the property that may need to be disclosed to purchasers?	<p>Examples of such conditions or issues are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Gas pipeline <input type="checkbox"/> Sewage or wastewater treatment plant <input type="checkbox"/> Air traffic corridor <input type="checkbox"/> Significant potential of occurrence of natural disaster (e.g., earthquakes, hurricanes, floods, landslides, tornados) <input type="checkbox"/> Location within Coastal Barrier Resources System (i.e., a "COBRA Zone"), preventing purchase of federal flood insurance
Is there any language required by the county for platting, dedication, or other purposes?	
Are any special reservations or easements required for this development?	
Are there any master or umbrella associations that govern or will govern the community?	
Are any sub-associations or lower-level associations contemplated?	
Is there a marina or boating facility	

to be developed in connection with the condominium?	
If so, is there a state submerged lands lease, or are the underlying lands owned?	
Will any condominium units be subject to a ground lease?	
If so, does the lease have an escalation clause tied to a nationally recognized price index?	
Is the developer obligated under any mortgage encumbering the condominium property?	
If so, the following information will be required:	
Mortgagee's name	
Mortgagee's address	
Mortgagee's telephone number	
Recording information for the mortgage and any assignments, modifications, etc.	

Timesharing or Interval Ownership

Should timesharing estates be set up at the outset?	
If not, should the rights to create timesharing estates be reserved for the future?	
If yes, the following information will be needed:	
Length of the time share period	
Number of time share periods set aside for maintenance	
Participation in exchange program or network	

Condominium Units

How many units will exist?	<input type="checkbox"/> Residential _____
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	<input type="checkbox"/> Commercial _____ <input type="checkbox"/> Retail _____ <input type="checkbox"/> Office _____ <input type="checkbox"/> Hotel/rental _____ <input type="checkbox"/> Other _____
<p>How should the unit boundary and maintenance obligations for a unit be defined?</p>	<input type="checkbox"/> the unit is a volume of space lying vertically between the unfinished interior surfaces of the ceiling and floor and horizontally between the unfinished interior surfaces of the exterior boundary walls of the unit - the unit shall include all interior non-load bearing walls - the unit owner shall be responsible for maintaining all unfinished interior surfaces of the walls, floor and ceiling, all piping, lines and wiring located within the unit boundaries and all air-conditioning equipment relating to the unit (the "cube of air" concept, meaning the unit owner owns everything within the defined cube of air) <input type="checkbox"/> the unit is a volume of space that includes all portions of the structure, including the roof, foundation and all walls - the unit is bounded by the vertical projections of the unit boundaries as shown on the condominium drawings - the unit owner is solely responsible for maintenance of the building (the "column of air" concept, meaning the unit owner owns everything within the defined column of air)
<p>For <i>each</i> residential floor plan, the following information is required:</p>	
<p>Name (or other designation) for the floor plan</p>	
<p>Number of units using the floor plan</p>	
<p>Engineered (as opposed to architectural) square footage</p>	
<p>Number of bedrooms</p>	
<p>Number of bathrooms</p>	
<p>Whether a den exists</p>	

Whether a balcony exists	
Are there any “lockoff” units in which a larger space is comprised of two smaller spaces that can be occupied separately if desired?	
If so, should each smaller space be considered a separate legal unit?	

Condominium Phasing

Will this development occur in phases?	
If so, the following information will be needed:	
How many units and what type of units will be included in each phase?	
What is the anticipated completion date for all improvements in the first phase being submitted?	

Limited Common Elements

Which of the following describes the limited common elements that are intended to be appurtenant to a unit?	<input type="checkbox"/> Any area on the condominium drawings that surrounds a unit, directly touches the boundary of that unit, and is designated as a limited common element <input type="checkbox"/> A porch, balcony, terrace, lanai, deck, or similar structure that is constructed on the common elements and connected or adjacent to a unit and for the use of that unit <input type="checkbox"/> Light and electrical fixtures outside the unit or attached to the exterior walls of the structure <input type="checkbox"/> A parking space or garage area labeled as a limited common element on the condominium drawings as being appurtenant to a specific unit <input type="checkbox"/> Any storage area labeled as a limited common element on the condominium drawings as being appurtenant to a specific unit
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	<input type="checkbox"/> The structure(s) located on or adjacent to the exterior of the building on which is located any air conditioning equipment which serves the unit <input type="checkbox"/> Any and all hurricane shutters that are attached to the exterior of the unit and that are designed and constructed solely for the benefit and protection of such unit <input type="checkbox"/> A mailbox that exclusively serves a unit <input type="checkbox"/> A security installation that serves one unit
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Insulation Disclosure Requirements

If <i>residential</i> units are included, the following information is required for all types of insulation used in the condominium (federal law requirement):	
Type (blown, batt, etc.)	
Thickness	
R-value	
Location (if multiple types are used)	

Conversion of Existing Improvements for Residential Use

Is this a conversion of existing, previously occupied improvements? If so, the following must be considered:	
Will unit owners be displaced from their units during the work?	
If so, what compensation will be received?	
Has a Notice of Intended Conversion been delivered previously to the existing tenants?	
Has the letter notifying the local municipality of the conversion been requested?	

Condominium Recreational or Commonly Used Facilities

For any swimming pool or spa located within the condominium, the following information will be needed:	
General location	
Approximate size of pool/spa	
Approximate minimum and maximum depths of pool/spa	
Approximate capacity of pool/spa (number of people)	
Approximate size of decking	
Approximate capacity of decking (number of people)	
For any other recreational or commonly used facility located within the condominium, the following information will be needed:	
General location	
Intended purpose	
Approximate floor area	
Approximate capacity (number of people)	
The minimum amount of money that will be spent on personal property to furnish the recreational facilities or, in the alternative, a list of all the items of personal property that will be provided for that purpose	
Will any facilities available for use to unit owners be located outside the condominium property? If so, the following information will be required:	
A copy of any lease, easement, or other agreement through which access is granted	
The name of any master association through which access is provided	
A description of the facilities provided, including the specific information listed above for facilities within the condominium	

Is there a mandatory membership program associated with the project? If so, the relevant documentation will be needed.	
Will any property be deeded to the condominium association?	

Association Formation

What is the desired name of the association?	
What is the mailing address of the association?	
Will the association manage this condominium only or multiple condominiums?	
As to the board of directors:	
How many directors will there be initially (at least three are required)	
What is the maximum number of directors that may exist?	
Who will serve as the initial directors of the association?	
Name	
Address	
Name	
Address	
Name	
Address	
Who will serve as the initial officers of the association?	
President	
Vice President	
Secretary	
Treasurer	
Who will be the registered agent for the association?	
Name	

Address	
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Association Management

Will there be a professional community management firm that is hired by the association?	
If a professional management company is hired, the following information is needed:	
Name and contact information	
Copy of the written management contract	
Is the manager affiliated with the developer?	
Copy of the Community Association Manager (CAM) license for the management company	
Will there be a resident manager?	

Voting

Will each unit have one vote?	
If not, what voting system is planned?	

Association Budget and Financial Issues

How will assessments be allocated among the units?	<input type="checkbox"/> Each unit pays an equal share <input type="checkbox"/> Each unit pays a proportionate amount according to square footage
How frequently will assessments be collected?	<input type="checkbox"/> Monthly _____ <input type="checkbox"/> Quarterly _____
Will the association's board of directors have the ability to change the frequency of collecting assessments?	
Who will provide accounting services for purposes of preparing the budget and any annual financial reporting	

obligations?	
Will the developer guarantee the level of assessments through deficit-funding? If so, the following must be considered:	
What is the desired level of the guarantee?	
When should the initial period expire?	
What renewal periods are desired?	
Will a working capital charge be collected at closing?	
Should the charge be collected upon the initial purchase from the developer or upon every sale of the property (i.e., an initial charge and a resale charge)?	
If so, what amount should be collected?	<input type="checkbox"/> One month's assessment <input type="checkbox"/> Two months' assessments <input type="checkbox"/> Three months' assessments <input type="checkbox"/> Some fixed amount
Who will collect the charge?	<input type="checkbox"/> developer or <input type="checkbox"/> the association

Condominium Services

Who will provide each of the following services, and how will the costs be allocated to the unit owners?	<input type="checkbox"/> Sewage and waste disposal <input type="checkbox"/> Wa ter <input type="checkbox"/> S torm drainage <input type="checkbox"/> Electricity <input type="checkbox"/> Cable/internet <input type="checkbox"/> Natural gas / propane gas <input type="checkbox"/> Other: _____
Will access control and alarm-monitoring be provided?	<input type="checkbox"/> An affiliate of the developer will provide these services <input type="checkbox"/> No alarms will be installed by the developer <input type="checkbox"/> Other _____

Parking

<p>Will each unit be provided a parking space?</p>	<p><input type="checkbox"/> Each unit has its own garage</p> <p><input type="checkbox"/> Some units have garages, and some homes do not</p> <p><input type="checkbox"/> The developer will assign to each unit a certain number of parking spaces located in the common areas</p> <p><input type="checkbox"/> The developer will assign a certain number of parking spaces located in the common areas to some units but not others.</p>
<p>If a specific parking space is assigned to a unit can it be subsequently assigned to another unit?</p>	
<p>Will guest parking spaces be provided in the common areas?</p>	
<p>May an owner park in a guest parking space?</p>	
<p>Will parking for commercial uses need to be provided?</p>	
<p>Are there any other parking-specific concerns?</p>	

Use Restrictions

<p>Whether use restrictions should be imposed on any of the following?</p>	<p><input type="checkbox"/> Age—for residents</p> <p><input type="checkbox"/> Age—for use of common areas</p> <p><input type="checkbox"/> Pets</p> <p><input type="checkbox"/> Vehicles</p> <p><input type="checkbox"/> Fences</p> <p><input type="checkbox"/> Signs</p> <p><input type="checkbox"/> Satellite dishes</p> <p><input type="checkbox"/> Television antennas</p> <p><input type="checkbox"/> Solar panels</p> <p><input type="checkbox"/> (Other roof structures)</p>
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	<input type="checkbox"/> Awnings, shutters, or other window coverings <input type="checkbox"/> Door coverings <input type="checkbox"/> Landscaping <input type="checkbox"/> Sales and leasing <input type="checkbox"/> Sound barriers <input type="checkbox"/> Maximum duration of residency for owner (and the basis for this restriction). <input type="checkbox"/> Other _____
<p>Whether any of the following rights should be reserved for the developer:</p>	<input type="checkbox"/> Right to use common elements for sales and marketing purposes <input type="checkbox"/> Right to use unsold units for models, sales offices and other business purposes <input type="checkbox"/> Right to market other developer-owned properties on-site <input type="checkbox"/> Right to conduct tours through the common elements <input type="checkbox"/> Right to restrict portions of the common elements for limited periods of time to enable marketing events to occur <input type="checkbox"/> Right to assign limited common elements in exchange for payment <input type="checkbox"/> Right to construct additional recreational facilities or expand existing facilities <input type="checkbox"/> Right to operate a rental program on the property if desired <input type="checkbox"/> Right to place signs on the property to advertise units for sale or lease <input type="checkbox"/> Right to install cell phone tower or other telecommunications devices on the property <input type="checkbox"/> Right to be exempt from specified use restrictions imposed upon other owners

Sales Process

Is a reservation program desired or already in existence?	
When are sales scheduled to commence?	
Whether there will be a sales broker or salesperson involved on behalf of the developer. If so, the name of and contact information for the company or person will be needed.	
For the escrow agent being used to hold purchaser deposits, the following information will be needed:	
Name	
Address	
Email	
Telephone number	
Copy of the escrow agreement	
Whether the escrow agent will also be issuing title insurance	
If the escrow agent is not issuing title insurance, the following information will be needed:	
Name	
Address	
Email	
Telephone number	
Does the developer intends to file an alternative assurance with the Division of Florida Condominiums, Timeshares, and Mobile Homes to permit the use of deposited funds during the construction period?	
Will any financing programs be available?	<input type="checkbox"/> HUD/V A <input type="checkbox"/> FHA <input type="checkbox"/> FNMA <input type="checkbox"/> Other _____

Specific Provisions if the Unit Contains a Backyard

Is there a backyard area contained within the condominium unit boundaries?	
If so, the following should be considered:	
Are pools or spas permitted in the backyard?	
Will the area be fenced in? If so, who will maintain the fence?	
Are any other backyard-specific use restrictions desired?	