Introduced by the Transportation; Energy and Utilities Committee pursuant to Section 92.09, Ordinance Code:

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# ORDINANCE 2022-861-E

AN ORDINANCE ESTABLISHING THE COPE'S LANDING COMMUNITY DEVELOPMENT DISTRICT ("COPE'S LANDING CDD"), PURSUANT TO SECTION 190.005, FLORIDA STATUTES. 92, ANDCHAPTER ORDINANCE INCLUDING THE GRANT OF SPECIAL POWERS; NAMING THE COPE'S LANDING CDD; DESCRIBING THE EXTERNAL BOUNDARIES OF THE COPE'S LANDING CDD; NAMING THE INITIAL COPE'S LANDING CDD BOARD OF SUPERVISORS; COMMUNITY AMENDING SECTION 92.22 (EXISTING DEVELOPMENT DISTRICTS), CHAPTER 92 (UNIFORM DEVELOPMENT DISTRICTS), ORDINANCE CODE, INCLUDE THE COPE'S LANDING CDD; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, D.R. Horton, Inc. Jacksonville, а Delaware corporation authorized to conduct business in the State of Florida, petitioned the City Council to establish a community development district named the "Cope's Landing Community Development District" (the "Cope's Landing CDD") on approximately 293.48± acres lying wholly within the boundaries of the City, pursuant to Section 190.005(2), Florida Statutes, and Chapter 92, Ordinance Code, a copy of the Petition to Establish Cope's Landing Community Development District, dated October 14, 2022, (the "Petition") is On File with the Legislative Services Division; and

WHEREAS, as required by Section 92.07, Ordinance Code,

Office of General Counsel ("Counsel") has reviewed the Petition, and finding that it was sufficient and complete to permit the fair and informed consideration of the matter by the Council, has prepared and submitted its Final Report of Counsel, dated November 9, 2022, attached hereto as **Exhibit 1**; and

WHEREAS, the Planning and Development Department has provided its report and recommendation regarding the Petition to the Transportation, Energy and Utilities Committee; and

WHEREAS, Petitioner acknowledges that nothing about the adoption of this Ordinance shall in any way waive any of the City's, or any other governing or regulatory entities', rights to grant or not grant entitlements for the development to be serviced by the Cope's Landing CDD (the "Development"), or otherwise prejudice the City's, or any other governing or regulatory entities', ability to govern or regulate the planning or permitting of the Development; and

WHEREAS, Counsel has determined the Petition adequately meets the requirements of Section 190.005, Florida Statutes, and Section 92.04, Ordinance Code, and is therefore complete and sufficient to permit fair and informed review thereof; and

WHEREAS, all notice requirements of Chapter 190, Florida Statutes, Section 92.11, Ordinance Code, and other applicable laws were complied with, complete notice was timely given, and a public hearing held on the date and time noticed and conducted thereafter in compliance with Chapter 190, Florida Statutes, and all applicable laws; and

WHEREAS, in making its fair and informed determination whether to grant or deny the Petition, the Council has considered the Petition in light of the record developed at the public hearing and in relation to the six factors set forth in Section 190.005(1)(e), Florida Statutes, now, therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Name. A community development district is hereby established within the City to be known hereafter as the "Cope's Landing Community Development District".

Section 2. Boundaries. The boundaries of the Cope's Landing Community Development District established by this Ordinance are as set forth in the legal description contained in the Petition to Establish Cope's Landing Community Development District (the "Petition"), which is On File with the Legislative Services Division. The legal description and boundary sketch, dated October 5, 2022, as described within the Petition, is attached hereto as Exhibit 2.

Section 3. Board of Supervisors. The following five persons, as set forth in the Petition, are designated to be the initial members of the governing Board of Supervisors ("Board") of the Cope's Landing Community Development District:

- a. Robert S. Porter
- b. Anthony Sharp

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- c. Mark Dearing
- d. John Gislason
- e. James Teagle

Grant of Special Powers. Consent is hereby Section 4. granted to the Cope's Landing Community Development District, pursuant to Section 190.012(2)(a) and (d), Florida Statutes, exercise the power to plan, establish, acquire, construct reconstruct, enlarge or extend, equip, operate and additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses security; including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems and patrol cars, all to be exercised only in compliance and consistent with all applicable laws including the City's 2030 Comprehensive Plan and City's land development regulations.

Section 5. Amending Section 92.22 (Existing Community Development Districts), Chapter 92 (Uniform Community Development Districts), Ordinance Code. Section 92.22, (Existing Community Development Districts), Chapter 92 (Uniform Community Development Districts), Ordinance Code, is hereby amended to read as follows:

### CHAPTER 92 - UNIFORM COMMUNITY DEVELOPMENT DISTRICTS

Sec. 92.22. - Existing Community Development Districts.

The following CDDs have been established in the City:

\* \*

Landing Community Development District. The Cope's
Landing Community Development District was established by
Ordinance 2022-861-E and was granted consent to exercise
special powers to plan, establish, acquire, construct or
reconstruct, enlarge or extend, equip, operate and maintain
additional systems and facilities for parks and facilities
for indoor and outdoor recreational, cultural, and
educational uses and security; including, but not limited
to, guardhouses, fences and gates, electronic intrusion
detection systems, and patrol cars.

Section 6. Conflict and Severability. Any portion of this Ordinance determined by a court of competent jurisdiction to be in conflict with prevailing law shall not be effective to the extent of such conflict and shall be deemed severable and the remainder shall continue in full force and effect to the extent legally possible.

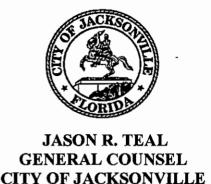
Section 7. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming law without the Mayor's signature.

Legislation Prepared By: Sharon M. Wyskiel

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#### OFFICE OF GENERAL COUNSEL

#### SHARON M. WYSKIEL

Assistant General Counsel

117 W. Duval Street, Suite 480 | Jacksonville, FL 32202 Direct: (904) 255-5055 | Fax: (904) 255-5119 SWyskiel@coj.net

November 9, 2022

Katie S. Buchanan, Esq. Kutak Rock LLP 107 West College Avenue Tallahassee, Florida 32301

RE: Office of General Counsel Final Report

On the Petition to Establish the Cope's Landing Community Development District

Dear Ms. Buchanan:

The Office of General Counsel ("Counsel"), pursuant to Section 92.07, Ordinance Code, has completed its review of the Petition to Establish the Cope's Landing Community Development District (the "Petition"), submitted October 14, 2022. Counsel has determined that the Petition is sufficient and complete to permit the fair and informed consideration of the matter by the City Council.

This Final Report will be forwarded to the Planning and Development Department for their use in drafting a Department report and recommendation. All the statements contained in the Petition not intended to be disposed of by the Department report and recommendation are true and correct, and the Petition is not contrary to any provision of applicable general or special law or the City Charter.

We note that you have requested consent for the Cope's Landing Community Development District to exercise special powers regarding recreational facilities and security. This request will be included in the legislation regarding the Petition.

We anticipate that the legislation to move this Petition forward will be introduced at the City Council meeting on November 22, 2022. In your notice regarding the Petition, the public hearing required before the full council should be noticed as **January 10**, 2023, which, pursuant to Sec. 92.11, *Ordinance Code*, is the full Council meeting held after the Council committee(s) report their findings to the Council. Barring any deferrals or postponements, it is at this third reading of Council that the vote will be taken on the bill. As, this is an establishment petition, Sec. 92.11, *Ordinance Code*, requires a four-week newspaper advertisement to give notice of the public hearing.

The committee of reference that will be introducing the bill is the Transportation, Energy & Utilities ("TEU") Committee which will take up the bill on **January 4, 2023**, as part of its public meeting. You are not required to include this committee public meeting in your notice, but you are encouraged to attend the meeting to answer any questions of the committee members. After reviewing and approving your form of notice, I will insert the ordinance number and provide the draft to the Legislative Services Division for publication. Please provide that office with the proof of publication.

Sincerely,

SHARON M. WYSKIEL Assistant General Counsel

Morion Nysil

cc: Kristen Reed, Chief of Community Planning, Planning and Development Department Helena Parola, Planning and Development Department Mary Staffopoulos, Deputy General Counsel

GC-#1535934 v1 Cope s Landing Final Report of Counsel.docx

COPE'S LANDING COD PARCEL

A PORTION OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 24 EAST AND A PORTION OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 25 EAST, DUNAL COUNTY, FLORIDA AND BEING WORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 30, TOWNSHIP 1 SOUTH, RANGE 25 EAST, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 24 EAST; THENCE, S OUT14'07" N. 281.05 FEET TO THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 27 EAST, THENCE, S OUT14'07" N. 281.05 FEET TO THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 28 EAST, THENCE, S OUT14'07" N. 281.05 FEET TO THE

FROM THE POINT OF BETEPHING RUN THENCE, THE FOLLOWING SEVENTY-THREE (73) COURSE NO. 8: THENCE, S 47'46'09' E. 81.99 FEET; COURSE NO. 2: THENCE, S 47'36'31' E. 83.18 FEET; COURSE NO. 5: THENCE, S 31'31'37' E. 99.18 FEET; COURSE NO. 6: THENCE, S 47'46'09' E. 81.99 FEET; COURSE NO. 12: THENCE, S 24'25'49' E. 72.03 FEET; COURSE NO. 0: THENCE, S 27'21'55' E. 98.07 FEET; COURSE NO. 13: THENCE, S 66'749' E. 87.17 FEET; COURSE NO. 15: THENCE, S 86'749' E. 73.05 FEET; COURSE NO. 12: THENCE, S 75'39'43' E. 95.06 FEET; COURSE NO. 15: THENCE, S 75'40' E. 73.05 FEET; COURSE NO. 15: THENCE, S 75'40' E. 74.05' E. COMMUNIC ALDRE SAID LADS, S 67:30-04", E 59:30 FEET TO A POINT OF CLINVAINEE ON THE WESTERLY RAY U.M. A POINT OF CLINVAINEE SON THE SAID LANDS, S 67:30-04", W. 273-35" FEET, THENCE SUMMINISTRY ALONG, THE WESTERLY RAY U.M. A POINT OF INTERSECTION WITH LANDS DESCRIBED ON ARE. 18:20 AQ. OF SAID CURRENT PUBLIC RECORDS, THENCE, ALONG SAID LANDS, N B7-40" Y, 358-18. FEET TO A POINT ON A LINE OF LANDS DESCRIBED ON O.R. B. 18:30, OF SAID CURRENT PUBLIC RECORDS, THENCE, ALONG SAID LANDS, S 17:40" Y, 358-18. FEET TO A POINT ON A LINE OF LANDS DESCRIBED ON O.R. B. 18:20 APOINT OF INTERSECTION WITH LANDS DESCRIBED ON O.R. B. 18:20 APOINT OF RECORDS, THENCE, ALONG SAID LANDS, S 17:40" Y, 39:20 FEET TO A POINT OF INTERSECTION WITH LANDS DESCRIBED ON O.R. B. 18:20 APOINT OF RECORDS, THENCE, S 99:37"14" W, 24:20 FEET; THENCE, S 37:19"45" E, 25.32 FEET TO A POINT OF REVERENCE CONCENTRATION, AND LANDS, S 17:40" Y, 24:20 FEET; THENCE, S 37:19"45" E, 25.32 FEET TO A POINT OF REVERENCE CONCENTRATION, AND ARRIVED APOINT OF THE REPORT OF A POINT OF CURRATURE CONCENT NOTITION, AND REINE SUBTEMBED BY A CHORD BEARING AND DISTANCE OF S 37:20" Y, 27:20. S 39:20" Y, 11:03.55 FEET TO A POINT OF CURRATURE CONCENT SUBTEMBED BY A CHORD BEARING AND DISTANCE OF S 39:20" Y, 11:03.55 FEET TO A POINT OF CURRATURE CONCENT SUMMED AND DISTANCE OF S 39:20" Y, 11:03.55 FEET THE THE SOUTHWESTERLY ALONG THE ARC OF SAID CURRY, AN ARC LENGTH OF SAID CURRY, AN OS MASS TELT: HERCE, IN 8558 40" W, 240-22 TELT: HERCE, IN 77.4 "W, 65.75" LET. HERCE, S 355 40" W, 15.22 FELT: HERCE, S 047.01 20" W, 25.05 FELT TO A POINT OF REVERSE CURRANDER CONDARS ROUTE OF \$21.00 FELT, A CENTRAL ANGLE OF \$27.72" AND BEING SUBTEMBED BY A CHORD BEARING AND DISTANCE OF \$ 3.20 FELT TO A POINT OF REVERSE CURRANDER CONDARS ROUTE OF \$77.00 FELT, A CENTRAL ANGLE OF \$27.72" AND BEING SUBTEMBED BY A CHORD BEARING AND DISTANCE OF \$2.20 FELT THENCE SUBTEMBED BY A CHORD BEARING AND DISTANCE OF \$2.20 FELT THENCE SUBTEMBED BY A CHORD BEARING AND DISTANCE OF \$2.20 FELT THENCE SUBTEMBED BY A CHORD BEARING AND DISTANCE OF \$2.20 FELT THENCE SUBTEMBED BY A CHORD BEARING AND BEARD AND BEARING AND BEARIN S 0024177 E. 256.72 FERT; THENCE, IN 8990287 E. 33.40 FEET TO A POINT OF INTERSECTION OF ADDITURNATS CORNER OF JUNDS
DESCRIBED IN O.R.B. 1939, PAGE 1819, OF SAD CURRENT PUBLIC RECORDS; THENCE, ADDITURN OF SAD LANDS, S 0735187 W, 187.25 FEET TO THE NORTHEAST LAND.
DESCRIBED IN O.R.B. 1939, PAGE 1819, PAGE 1819, PAGE 1819, PAGE 2009, OF SAD CURRENT PUBLIC RECORDS; THENCE, ALONG THE NORTHEAST LINE OF SAD LANDS, S 0735187 W, 187.25 FEET TO THE NORTHEAST LINE OF SAD LANDS, S 0735322 W, 232.00 FEET
TO THE SOUTH-ASTERYL COPINER OF LANDS DESCRIBED IN O.R.B. 1319, PAGE 1819, FAGE 1819, OF SAD LANDS, S 073532 W, 232.00 FEET
TO THE SOUTH-ASTERYL COPINER OF LANDS DESCRIBED IN O.R.B. 1319, PAGE 1819, FAGE 18

THE ABOVE DESCRIBED LANDS CONTAIN 297.49 ACRES, MORE OR LESS.

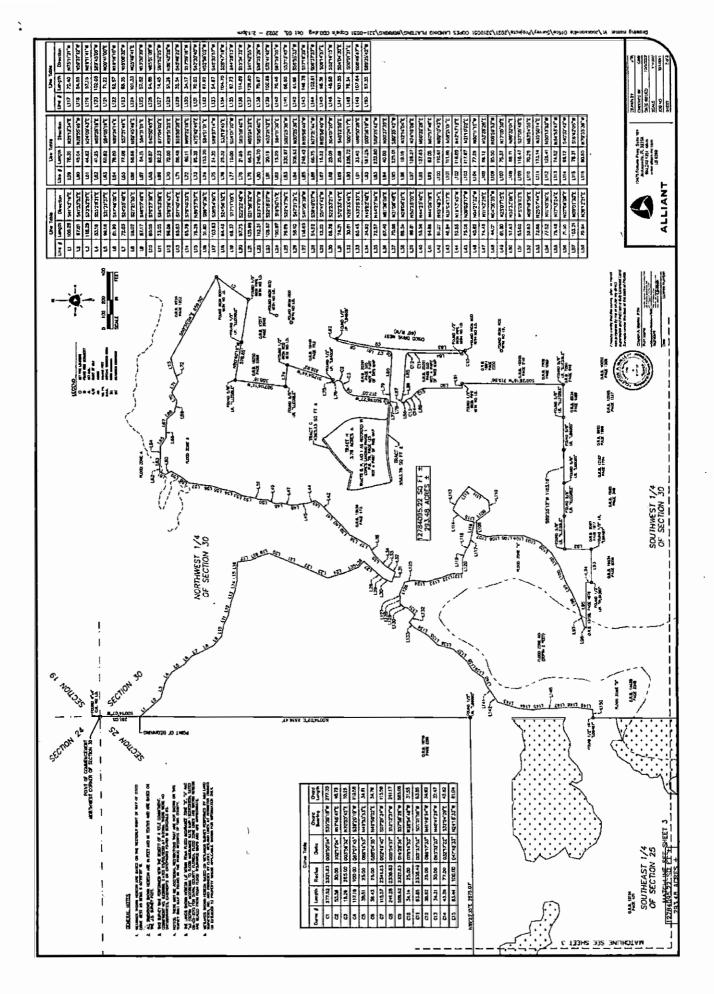
LESS AND EXCEPT 4.01 ACRES, MORE OR LESS FOR TRACTS G, H AND I OF COPE'S LANDRING PHASE 1 AS RECORDED IN PLAT BOOK 79, PAGE 125 OF THE OFFICIAL RECORDS OF OUVAL COUNTY, FLORIDA.

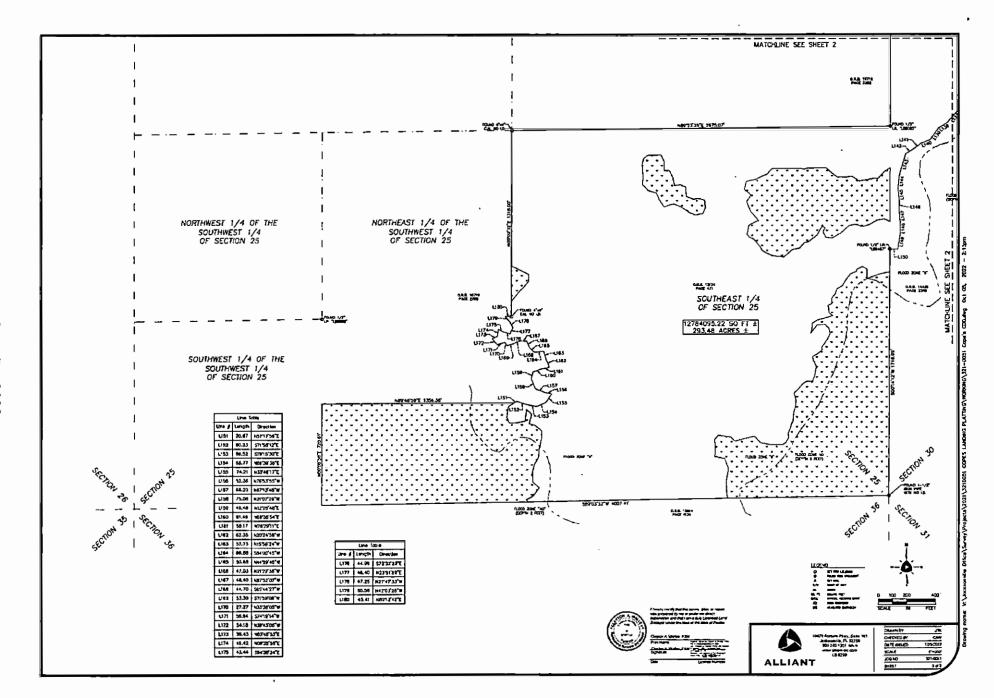




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## ORDINANCE 2022-861-E

# CERTIFICATE OF AUTHENTICATION

### **ENACTED BY THE COUNCIL**

January 10, 2023

TERRANCE FREEMAN COUNCIL PRESIDENT

ATTEST:

June

MARGARET M. SIDMAN COUNCIL DIRECTOR/SECRETARY APPROVED:

JAN 1 1 2023

LENNY CURRY, MAYOR

