

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

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4
5 **ORDINANCE 2022-861**

6 AN ORDINANCE ESTABLISHING THE COPE'S LANDING
7 COMMUNITY DEVELOPMENT DISTRICT ("COPE'S LANDING
8 CDD"), PURSUANT TO SECTION 190.005, *FLORIDA*
9 *STATUTES*, AND CHAPTER 92, *ORDINANCE CODE*,
10 INCLUDING THE GRANT OF SPECIAL POWERS; NAMING
11 THE COPE'S LANDING CDD; DESCRIBING THE EXTERNAL
12 BOUNDARIES OF THE COPE'S LANDING CDD; NAMING THE
13 INITIAL COPE'S LANDING CDD BOARD OF SUPERVISORS;
14 AMENDING SECTION 92.22 (EXISTING COMMUNITY
15 DEVELOPMENT DISTRICTS), CHAPTER 92 (UNIFORM
16 DEVELOPMENT DISTRICTS), *ORDINANCE CODE*, TO
17 INCLUDE THE COPE'S LANDING CDD; PROVIDING FOR
18 CONFLICT AND SEVERABILITY; PROVIDING AN
19 EFFECTIVE DATE.

20
21 **WHEREAS**, D.R. Horton, Inc. - Jacksonville, a Delaware
22 corporation authorized to conduct business in the State of Florida,
23 petitioned the City Council to establish a community development
24 district named the "Cope's Landing Community Development District"
25 (the "Cope's Landing CDD") on approximately 293.48± acres lying wholly
26 within the boundaries of the City, pursuant to Section 190.005(2),
27 *Florida Statutes*, and Chapter 92, *Ordinance Code*, a copy of the
28 Petition to Establish Cope's Landing Community Development District,
29 dated October 14, 2022, (the "Petition") is **On File** with the
30 Legislative Services Division; and

31 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the

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

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

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

16 **WHEREAS**, Counsel has determined the Petition adequately meets
17 the requirements of Section 190.005, *Florida Statutes*, and Section
18 92.04, *Ordinance Code*, and is therefore complete and sufficient to
19 permit fair and informed review thereof; and

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

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

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

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

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

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

- 15 a. Robert S. Porter
- 16 b. Anthony Sharp
- 17 c. Mark Dearing
- 18 d. John Gislason
- 19 e. James Teagle

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

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

6 **CHAPTER 92 - UNIFORM COMMUNITY DEVELOPMENT DISTRICTS**

7 *** * ***

8 **Sec. 92.22. - Existing Community Development Districts.**

9 The following CDDs have been established in the City:

10 *** * ***

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

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

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

1 Form Approved:

2

3 /s/ Sharon M. Wyskiel

4 Office of General Counsel

5 Legislation Prepared By: Sharon M. Wyskiel

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