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

ORDINANCE 2026-662

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

WHEREAS, 301 South Property Holdings, LLC, a Florida limited liability company (the "Petitioner"), petitioned the City Council to establish a community development district ("CDD") named "Deep Creek Community Development District" (the "Deep Creek CDD") on approximately 2,091.18± acres, lying wholly within the boundaries of the City, in District 12, pursuant to Section 190.005(2)(e), *Florida Statutes*, and Chapter 92, *Ordinance Code*. A copy of the Petition to Establish Deep Creek Community Development District (the "Petition") is **On File** with the Legislative Services Division; and

WHEREAS, if established as proposed in the Petition, the Deep Creek Community Development District would thereafter exist and

operate as an independent special district as set forth in Chapter 190, *Florida Statutes*; and

WHEREAS, Petitioner acknowledges that the adoption of this Ordinance shall not constitute a waiver 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 Deep Creek CDD, and further that the adoption of this ordinance shall not 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, as required by Section 92.07, *Ordinance Code*, the Office of General 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 August 18, 2026, attached hereto as **Exhibit 1**; and

WHEREAS, the Office of General 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 by the City Council; 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, 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 was 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 City 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. Establishment and Name. A community development district is hereby established within the City to be known hereafter as the "Deep Creek Community Development District".

Section 2. Boundaries. The boundaries of the Deep Creek Community Development District established by this Ordinance are as set forth in the legal description contained in the Petition to Establish Deep Creek Community Development District (the "Petition"), which is **On File** with the Legislative Services Division. The legal description, dated January 15, 2026, and revised March 12, 2026, 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 Deep Creek Community Development District:

a. Noah Breakstone

b. Shira Fertel

c. Kevin Kramer

d. Joshua Breakstone

e. Aharon Benyowitz

Section 4. Grant of Special Powers. Consent is hereby granted to Deep Creek Community Development District pursuant to Section 190.012(2)(a), *Florida Statutes*, to exercise the power 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, as described in Section

190.012(2)(a), *Florida Statutes*, to be exercised only in compliance and consistent with all applicable laws, including the City of Jacksonville *2045 Comprehensive Plan* and the 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:

*** * ***

(32) *Deep Creek Community Development District.* Deep Creek Community Development District was established in Ordinance 2026-622-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.

Section 6. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any other changes necessary to make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

Section 7. 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 8. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming law without the Mayor's signature.

Form Approved:

/S/ Christopher N. Loy, Jr.
Office of General Counsel
Legislation Prepared By: Christopher N. Loy, Jr.
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