

1 Introduced by the Transportation, Energy and Utilities Committee:
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4 **ORDINANCE 2021-451**

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

19 **WHEREAS**, Pecan Enterprises, LLC, a Florida limited liability
20 corporation, petitioned the City Council to establish a community
21 development district named Seaton Creek Reserve Community
22 Development District ("Seaton Creek Reserve CDD") on approximately
23 345 acres lying wholly within the boundaries of the City pursuant
24 to Section 190.005(2), F.S., and Chapter 92, *Ordinance Code*, a copy
25 of the Petition to Establish Seaton Creek Community Development
26 District ("Petition") is **on file** with the Legislative Services
27 Division; and

28 **WHEREAS**, Seaton Creek Reserve CDD contains approximately 345
29 acres lying wholly within the boundaries of the City; and

30 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the
31 Office of General Counsel reviewed the Petition and finding it

1 sufficient and complete to permit the fair and informed
2 consideration of the matter by the Council prepared and submitted
3 its Final Report of Counsel, attached hereto as **Exhibit 1**; and

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

7 **WHEREAS**, Petitioner acknowledges that the adoption of this
8 Ordinance shall not in any way waive any of the City's, or any
9 other governing or regulatory entities' rights to grant or not
10 grant entitlements for the development to be serviced by Seaton
11 Creek Reserve CDD (the "Development"), or otherwise prejudice the
12 City's, or any other governing or regulatory entities', ability to
13 govern or regulate the planning or permitting of the Development;
14 and

15 **WHEREAS**, the Petition adequately meets the requirements of
16 Section 190.005, F.S. and Section 92.04, *Ordinance Code* and is
17 therefore complete and sufficient to permit fair and informed
18 review thereof; and

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

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

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

30 **Section 1. Name.** A community development district is
31 hereby established within the City to be known hereafter as Seaton

1 Creek Reserve Community Development District.

2 **Section 2. Boundaries.** The boundaries of Seaton Creek
3 Reserve Community Development District established by this
4 ordinance are as set forth in the legal description contained in
5 the Petition to Establish Seaton Creek Reserve Community
6 Development District ("Petition") which is **on file** with the
7 Legislative Services Division. The legal description and boundary
8 sketch found within the Petition are attached hereto as **Exhibit 2.**

9 **Section 3. Board of Supervisors.** The following five
10 persons, as set forth in the Petition, are designated to be the
11 initial members of the governing Board of Supervisors ("Board") of
12 Seaton Creek Reserve Community Development District:

- 13 a. Ross Puzzitiello
- 14 b. Rick Puzzitiello
- 15 c. Ward Huntley
- 16 d. Amy Dewey
- 17 e. Zenzi Rogers

18 **Section 4. Grant of Special Powers.** Consent is hereby
19 granted to Seaton Creek Reserve Community Development District,
20 pursuant to Section 190.012(2)(a), F.S., to exercise the power to
21 plan, establish, acquire, construct or reconstruct, enlarge or
22 extend, equip, operate and maintain additional systems and
23 facilities for parks and facilities for indoor and outdoor
24 recreational, cultural, and educational uses, all to be exercised
25 only in compliance and consistent with all applicable laws
26 including the City's 2030 Comprehensive Plan and City's land
27 development regulations.

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

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

2 The following CDDs have been established in the City:

- 3 (1) *Bainebridge Community Development District.* The
4 Bainebridge Community Development District was
5 established in Ordinance 2005-1417-E. The City granted
6 consent to the Bainebridge Community Development District
7 to exercise special powers related to parks and
8 facilities for indoor and outdoor recreational, cultural
9 and educational uses in Ordinance 2006-592-E.

10 * * *

- 11 (20) *Seaton Creek Reserve Community Development District.* The
12 Seaton Creek Reserve Community Development District was
13 established in Ordinance 2021- -E and was granted
14 consent to exercise special powers to plan, establish,
15 acquire, construct or reconstruct, enlarge or extend,
16 equip, operate and maintain additional systems and
17 facilities for parks and facilities for indoor and
18 outdoor recreational, cultural, and educational uses.

19 **Section 5. Conflict and Severability.** Any portion of this
20 ordinance determined by a court of competent jurisdiction to be in
21 conflict with prevailing law shall not be effective to the extent
22 of such conflict and shall be deemed severable and the remainder
23 shall continue in full force and effect to the extent legally
24 possible.

25 **Section 6. Effective Date.** This ordinance shall become
26 effective upon signature by the Mayor or upon becoming law without
27 the Mayor's signature.

1 Form Approved:

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3 /s/ Kealy West

4 Office of General Counsel

5 Legislation Prepared By: Kealey A. West

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