

ORDINANCE NO. 21-2024

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PLANT CITY, FLORIDA, ESTABLISHING THE VARREA NORTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS AND FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* ("Act"), sets forth the exclusive and uniform method for establishing a community development district; and

WHEREAS, Section 190.005(2) of the Act requires that a Petition for the Establishment of a Community Development District of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located; and

WHEREAS, Section 190.005(1)(a) of the Act requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Plant City, Florida (the "City"); and

WHEREAS, D.R. Horton, Inc. (the "Petitioner"), having obtained written consent the establishment of the Varrea North Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the

District, has petitioned the City to adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the Petitioner is a Delaware corporation authorized to conduct business in the State of Florida and whose principal place of business is 3501 Riga Boulevard, Suite 100, Tampa, Florida 33619; and

WHEREAS, the Petition was submitted to the City on or around January 24, 2024, and has been determined to contain the requisite information as mandated by Section 190.005(1)(a) of the Act; and

WHEREAS, all interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conduct by the City on April 22, 2024; and

WHEREAS, on April 22, 2024, the City considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, and upon such review, has determined that granting the Petition to Establish the Varrea North Community Development District is in the best interest of the City; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to delivery community development services in the area described in the Petition.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF PLANT CITY, FLORIDA:

SECTION 1: RECITALS INCORPORATED. The above Recitals are adopted as Findings

of Fact in support of this Ordinance.

SECTION 2: AUTHORITY. This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

SECTION 3: FINDINGS OF FACT. The City hereby finds and determines, pursuant to Section 190.005(2) of the Act, based on the testimony and evidence presented before the City, and the record established at the public hearing that:

- A. All statements within the Petition are true and correct.
- B. Establishment of the District and all land uses and services planned within the District are not inconsistent with applicable elements or portions of the state comprehensive plan, or the City of Plant City Comprehensive Plan.
- C. The area of land within the District, as described in **Exhibit A**, which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.
- E. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- F. The area to be served by the District is amenable to separate special-district government.

SECTION 4: ESTABLISHMENT AND DISTRICT NAME. There is hereby created a community development district situated entirely within the incorporated limits of the City of

Plant City, Florida, which District shall be known as the “Varrea North Community Development District”, and which shall be referred to in this Ordinance as the “District”.

SECTION 5: EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in Exhibit A, and said boundaries encompass 415.238 acres, more or less.

SECTION 6: DISTRICT POWERS AND FUNCTIONS. The powers and functions of the District are described in Chapter 190, *Florida Statutes*. The District shall have all powers and functions granted by the Act pursuant to Sections 190.011 and 190.012(1) and (2)(a) and (d), *Florida Statutes*, as amended from time to time.

SECTION 7: BOARD OF SUPERVISORS. The five persons serving members of the District’s Board of Supervisors are:

Name: Ryan Zook
Address: 3501 Riga Blvd., Suite 100
Tampa, Florida 33619

Name: John Snyder
Address: 3501 Riga Blvd., Suite 100
Tampa, Florida 33619

Name: Cody Sieng You
Address: 3501 Riga Blvd., Suite 100
Tampa, Florida 33619

Name: Rick Harcrow
Address: 4042 Park Oaks Blvd., Suite 430
Tampa, Florida 33610

Name: Shane Doherty
Address: 4042 Park Oaks Blvd., Suite 430
Tampa, Florida 33610

SECTION 8: NOTICE REQUIREMENTS. Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper at least once a week for four consecutive weeks immediately prior to such hearing in compliance with the provisions

of Section 190.005(1)(d), *Florida Statutes*.

SECTION 9: COMPLIANCE WITH ALL REMAINING PROVISIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE PROVISIONS OF LAW. Petitioner has complied with all remaining provisions of Chapter 190, *Florida Statutes* and other provisions of law necessary for the establishment of the District.

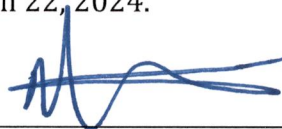
SECTION 10: SEVERABILITY. If any provision of this ordinance or the application thereof is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 11: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

Read for first reading on April 8, 2024.

Read for second reading on April 22, 2024.

Adopted and certified as to passage on April 22, 2024.



Nathan A. Kilton
Mayor-Commissioner



ATTEST:

Kerri J. Miller
City Clerk

Approved as to form and correctness:



Kenneth W. Buchman
City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD INSTRUMENT NUMBER 2020239118, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 2 AND SECTION 11, TOWNSHIP 28 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA; THENCE, ALONG THE EAST LINE OF SAID SECTION 11, NORTH 00°08'49" EAST, A DISTANCE OF 35.30 FEET; THENCE, LEAVING SAID EAST LINE, NORTH 89°51'11" WEST, A DISTANCE OF 24.75 FEET TO THE MONUMENTED WEST RIGHT-OF-WAY LINE OF CHARLIE TAYLOR ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 00°13'13" WEST, A DISTANCE OF 519.17 FEET; THENCE NORTH 00°23'00" EAST, A DISTANCE OF 760.80 FEET; THENCE NORTH 00°02'13" WEST, A DISTANCE OF 643.91 FEET; THENCE NORTH 00°03'02" EAST, A DISTANCE OF 675.21 FEET; THENCE NORTH 00°15'59" EAST, A DISTANCE OF 523.67 FEET TO THE POINT OF BEGINNING; THENCE, LEAVING SAID WEST RIGHT-OF-WAY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 238.64 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE WESTERLY 38.30 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 33°45'22", AND A CHORD BEARING AND DISTANCE OF SOUTH 73°07'19" WEST 37.74 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 33.74 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 97.92 FEET, A CENTRAL ANGLE OF 19°44'20", AND A CHORD BEARING AND DISTANCE OF SOUTH 66°06'48" WEST 33.57 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY 64.52 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 46°12'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 52°52'07" WEST 62.79 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 29°45'16" WEST, A DISTANCE OF 24.96 FEET; THENCE NORTH 66°25'31" WEST, A DISTANCE OF 56.80 FEET; THENCE NORTH 17°20'43" EAST, A DISTANCE OF 40.12 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE NORTHERLY 44.75 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 53.00 FEET, A CENTRAL ANGLE OF 48°22'41", AND A CHORD BEARING AND DISTANCE OF NORTH 06°50'37" WEST 43.43 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT; THENCE NORTHERLY 53.68 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 98.00 FEET, A CENTRAL ANGLE OF 31°22'55", AND A CHORD BEARING AND DISTANCE OF NORTH 15°20'30" WEST 53.01 FEET TO A POINT OF REVERSE CURVE TO THE LEFT; THENCE NORTHERLY 31.87 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 42.00 FEET, A CENTRAL ANGLE OF 43°28'52", AND A CHORD BEARING AND DISTANCE OF NORTH 21°23'28" WEST 31.11 FEET; THENCE NORTH 43°07'54" WEST, A DISTANCE OF 74.34 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE NORTHWESTERLY 62.46 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 11°00'40", AND A CHORD BEARING AND DISTANCE OF NORTH 37°37'34" WEST 62.36 FEET; THENCE NORTH 32°07'14" WEST, A DISTANCE OF 8.29 FEET; THENCE SOUTH 62°30'00" WEST, A DISTANCE OF 339.10 FEET; THENCE SOUTH 61°28'38" WEST, A DISTANCE OF 80.01 FEET; THENCE SOUTH 05°55'28" EAST, A DISTANCE OF 150.28 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHERLY 662.88 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 4,006.00 FEET, A CENTRAL ANGLE OF 09°28'51", AND A CHORD BEARING AND DISTANCE OF SOUTH 01°19'49" WEST 662.12 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 83°55'46" EAST, A DISTANCE OF 81.96 FEET; THENCE SOUTH 00°07'02" EAST, A DISTANCE OF 334.69 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY 417.26 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 369.35 FEET, A CENTRAL ANGLE OF 64°43'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 35°06'49" EAST 395.43 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 73.96 FEET ALONG THE ARC OF

SAID CURVE, HAVING A RADIUS OF 63.82 FEET, A CENTRAL ANGLE OF 66°23'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 34°16'49" EAST 69.89 FEET; THENCE SOUTH 01°04'57" EAST, A DISTANCE OF 374.34 FEET; THENCE SOUTH 72°41'37" WEST, A DISTANCE OF 74.83 FEET; THENCE SOUTH 25°40'28" WEST, A DISTANCE OF 495.55 FEET; THENCE SOUTH 65°00'00" EAST, A DISTANCE OF 128.61 FEET; THENCE SOUTH 44°59'49" WEST, A DISTANCE OF 578.01 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 286.60 FEET; THENCE SOUTH 89°52'40" WEST, A DISTANCE OF 579.47 FEET; THENCE NORTH 87°58'00" WEST, A DISTANCE OF 320.22 FEET; THENCE SOUTH 89°53'09" WEST, A DISTANCE OF 494.31 FEET; THENCE SOUTH 87°00'53" WEST, A DISTANCE OF 61.72 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 659.76 FEET; THENCE NORTH 16°02'15" WEST, A DISTANCE OF 158.08 FEET; THENCE NORTH 84°55'27" WEST, A DISTANCE OF 438.39 FEET; THENCE SOUTH 14°56'15" WEST, A DISTANCE OF 226.21 FEET; THENCE SOUTH 89°52'36" WEST, A DISTANCE OF 807.96 FEET; THENCE NORTH 00°21'57" EAST, A DISTANCE OF 638.13 FEET TO THE NORTH LINE OF SAID SECTION 11; THENCE, ALONG SAID NORTH LINE, NORTH 89°56'19" WEST, A DISTANCE OF 445.21 FEET; THENCE, LEAVING SAID NORTH LINE, NORTH 00°10'33" WEST, A DISTANCE OF 211.97 FEET; THENCE NORTH 89°59'32" WEST, A DISTANCE OF 212.00 FEET; THENCE NORTH 00°02'21" EAST, A DISTANCE OF 1,103.54 FEET; THENCE NORTH 89°57'49" WEST, A DISTANCE OF 656.85 FEET TO THE WEST LINE OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 22 EAST; THENCE, ALONG SAID WEST LINE, NORTH 00°04'09" EAST, A DISTANCE OF 1,287.65 FEET TO THE MONUMENTED EAST RIGHT-OF-WAY LINE OF FRAZIER LANE; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 88°30'02" EAST, A DISTANCE OF 20.38 FEET; THENCE NORTH 00°04'12" EAST, A DISTANCE OF 436.97 FEET; THENCE NORTH 00°04'15" WEST, A DISTANCE OF 408.67 FEET; THENCE NORTH 00°12'32" WEST, A DISTANCE OF 430.10 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST KNIGHTS GRIFFIN ROAD AS DEPICTED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPPING, MAP SECTION 10620-2153; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°59'54" EAST, A DISTANCE OF 896.30 FEET; THENCE NORTH 00°51'33" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 89°59'04" EAST, A DISTANCE OF 1,148.43 FEET; THENCE, LEAVING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 00°06'18" EAST, A DISTANCE OF 357.41 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 136.89 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 382.00 FEET, A CENTRAL ANGLE OF 20°31'55", AND A CHORD BEARING AND DISTANCE OF SOUTH 10°09'40" WEST 136.16 FEET TO A POINT OF REVERSE CURVE TO THE LEFT; THENCE SOUTHEASTERLY 60.91 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 38.00 FEET, A CENTRAL ANGLE OF 91°49'56", AND A CHORD BEARING AND DISTANCE OF SOUTH 25°29'20" EAST 54.59 FEET; THENCE SOUTH 71°24'18" EAST, A DISTANCE OF 2.16 FEET; THENCE SOUTH 18°35'42" WEST, A DISTANCE OF 62.00 FEET; THENCE NORTH 71°24'18" WEST, A DISTANCE OF 11.28 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE SOUTHWESTERLY 60.08 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 38.00 FEET, A CENTRAL ANGLE OF 90°35'22", AND A CHORD BEARING AND DISTANCE OF SOUTH 63°18'01" WEST 54.02 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT; THENCE SOUTHERLY 184.87 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 382.00 FEET, A CENTRAL ANGLE OF 27°43'42", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°08'29" WEST 183.07 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 55°06'57" EAST, A DISTANCE OF 491.23 FEET; THENCE NORTH 81°50'59" EAST, A DISTANCE OF 302.12 FEET; THENCE SOUTH 52°01'20" EAST, A DISTANCE OF 269.78 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY 517.55 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,905.00 FEET, A CENTRAL ANGLE OF 15°33'58", AND A CHORD BEARING AND DISTANCE OF NORTH 53°39'17" EAST 515.96 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 17°36'23" EAST, A DISTANCE OF 76.77 FEET; THENCE NORTH 38°11'19" EAST, A DISTANCE OF 504.18 FEET; THENCE NORTH 89°49'51" EAST, A DISTANCE OF 281.05 FEET; THENCE SOUTH 77°23'02" EAST, A DISTANCE OF 247.65 FEET; THENCE SOUTH 04°26'42" EAST, A DISTANCE OF 440.68 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1,045.77 FEET TO THE SAID WEST RIGHT-OF-WAY LINE OF CHARLIE TAYLOR ROAD; THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH

00°52'20" WEST, A DISTANCE OF 325.89 FEET; THENCE SOUTH 00°04'31" WEST, A DISTANCE OF 699.92 FEET; THENCE SOUTH 00°15'59" WEST, A DISTANCE OF 94.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 415.238 ACRES.