

ORDINANCE NO. 22-030

AN ORDINANCE AMENDING CHAPTER 14 "COMMUNITY DEVELOPMENT" OF THE ST. LUCIE COUNTY CODE: ESTABLISHING THE SOLAERIS COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING THE BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING POWERS; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND SETTING FORTH THE VOTE ON ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, ("Board") based on the testimony and evidence at the public hearing referenced below, including, but not limited to the County staff report, has made the following determinations:

1. The Board is authorized, pursuant to Sections 125.01 and 190.005, Florida Statutes, to establish community development districts that are less than 2,500 acres in size and located within the unincorporated areas of the County.

2. Oak Ridge Ranches, LLC, has filed with the Board a petition for the establishment of a community development district of less than 2,500 acres in size located within the unincorporated area of the County (the "District"), pursuant to Section 190.005(2), Florida Statutes ("Petition"), which Petition contains the information required by Section 190.005(2)(a) and Section 190.005(1)(a), Florida Statutes, and evidences the consent of 100% of the owners of the subject real property to the establishment of the District.

3. In accordance with Section 190.005(1)(d) and 2(b), Florida Statutes, the Board held a public hearing on November 1, 2022, after publishing notice of such hearing in the Tribune on October 4, 2022, October 11, 2022, October 18, 2022 and October 25, 2022; and:

(a) The Board has reviewed the Petition and considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Florida Statutes, and has found that:

(b) All statements contained within the petition are true and correct;

(c) The creation of this District is consistent with all applicable elements and portions of the state comprehensive plan and the effective County comprehensive plan;

(d) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

(e) The District is the best alternative available for delivering the community development services and facilities district to the area that will be served by the District;

(f) The community development services and facilities for the District will be compatible with the capacity and uses of the existing local and regional community development services and facilities; and,

(g) The area that will be served by the District is amenable to separate special district government.

(h) This Ordinance is not a development order and adoption of this Ordinance does not grant any developments rights.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

PART A. ARTICLE XVIII OF CHAPTER 14 "COMMUNITY DEVELOPMENT" OF THE ST. LUCIE COUNTY CODE, IS CREATED TO READ:

ARTICLE XVIII "SOLAERIS" COMMUNITY DEVELOPMENT DISTRICT:

Section 14-360. Established: name

Based on the above findings and consideration, the Board grants the Petition and establishes the Solaeris Community Development District.

Section 14-361. Boundaries

The external boundaries of the Solaeris Community Development District are as set forth in the legal description below being located entirely within the unincorporated boundaries of the County. No real property within the external boundaries of the District is to be excluded.

Solaeris CDD - Legal Description

See Exhibit "A" attached hereto and incorporated herein.

Section 14-362. Initial Board of Supervisors

The Board designates and appoints the following five persons as the initial members of the Board of Supervisors of the Solaeris Community Development District: John Csapo, Scott Morton, Jon Seifel, Michael Caputo and James Harvey to serve until a new Board of Supervisors will be elected by law.

Section 14-363. Powers

The Solaeris Community Development District shall be governed by Chapter 190, Florida Statutes, and shall have, and the District Board of Supervisors may exercise, all those general powers granted pursuant to Section 190.011, and those special powers granted pursuant to Section 190.012 (1)(3) and (4), together with those powers relating to Recreation and Security contained in Section 190.012 (2)(a) and (d), and may exercise all other special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities and basic infrastructure within, and outside the boundaries of the District as authorized under Section 190.012, subject to the following limitations.

1. The Solaeris Community Development District shall obtain and secure water, wastewater and reclaimed water service for the lands within the District from the St. Lucie County Water and Sewer District, and will not provide water, wastewater or reclaimed water service to the lands located within or outside the boundaries of the District, but may finance the cost of securing and maintaining such service for the benefit of the lands within the District.

2. The Solaeris Community Development District shall not be authorized to construct fire stations or provide for fire trucks or other vehicles and equipment related thereto.

3. The Solaeris Community Development District shall not be authorized to provide mosquito control services within or without the boundaries of the District.

4. The Solaeris Community Development District shall not be authorized to provide solid waste collection or disposal services within or without the boundaries of the District.

5. The Solaeris Community Development District shall not condemn property outside the boundaries of the District.

Section 14-364. Special Conditions

1. The Solaeris Community Development District will use its best efforts to develop in an integrated fashion the traffic circulation and utility facilities on the district property as one functional interrelated community.

2. The Solaeris Community Development District shall take no action which is inconsistent with the comprehensive plan, ordinances or regulations of St. Lucie County.

3. No publicly owned property that may be located or acquired within the legal description of the Solaeris Community Development District shall be assessed for, or obligated in any way to pay for the infrastructure constructed, maintained, financed or operated by the Community Development District described in section 14-361 above.

4. The Solaeris Community Development District shall take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by the district. Such information shall be made available to all existing residents, and to all prospective residents of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of that information to provide each prospective initial purchaser of property in that development with a copy, and any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of improvements in the public offering statement.

5. Following the establishment of the Solaeris Community Development District, each contract for the initial sale of a parcel of real property and each contract for the initial sale of a residential unit within the District shall include, immediately prior to the space reserved in the contract for the signature of the purchaser, the following disclosure statement in boldfaced and conspicuous type which is larger than the type in the remaining text of the

contract: "THE SOLAERIS COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

PART B. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART D. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout St. Lucie County's jurisdiction.

PART E. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS.

The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Attorney or designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Courts.

PART F. FILING WITH THE DEPARTMENT OF STATE.

The Clerk is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART G. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Department of State.

PART H. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

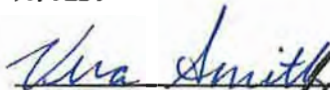
Chair Sean Mitchell	AYE
Vice Chair Frannie Hutchinson	AYE
Commissioner Linda Bartz	ABSENT
Commissioner Chris Dzadovsky	AYE
Commissioner Cathy Townsend	AYE

PART I. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through H shall not be codified.

PASSED AND DULY ADOPTED this 1st day of November, 2022.

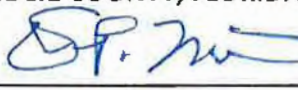
ATTEST



DEPUTY CLERK



**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: 

CHAIR

**APPROVED AS TO FORM AND
CORRECTNESS:**

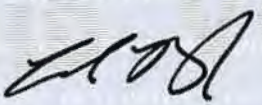

COUNTY ATTORNEY

STATE OF FLORIDA DEPARTMENT OF STATE

I, Cord Byrd, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of St. Lucie County Ordinance No. 22-030, The Solaeris CDD, which was filed in this office on November 16, 2022, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.



Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
16th day of November, A.D., 2022.


Secretary of State

LEGAL DESCRIPTION

CDD PARCEL

THENCE NORTH 51°06'24" WEST, A DISTANCE OF 150.09 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 390.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°27'34", A DISTANCE OF 193.72 FEET TO A POINT OF TANGENCY; THENCE NORTH 79°33'58" WEST, A DISTANCE OF 94.11 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54°19'24", A DISTANCE OF 47.41 FEET TO A POINT OF TANGENCY; THENCE NORTH 25°14'34" WEST, A DISTANCE OF 61.10 FEET; THENCE NORTH 75°37'40" EAST, A DISTANCE OF 11.69 FEET; THENCE NORTH 14°22'20" WEST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 75°37'40" WEST, A DISTANCE OF 319.37 FEET; THENCE NORTH 04°00'24" WEST, A DISTANCE OF 252.90 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1160.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'13", A DISTANCE OF 662.79 FEET TO A POINT OF TANGENCY; THENCE NORTH 36°44'37" WEST, A DISTANCE OF 297.61 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 340.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°42'10", A DISTANCE OF 116.92 FEET TO A POINT OF TANGENCY; THENCE NORTH 17°02'27" WEST, A DISTANCE OF 130.91 FEET; THENCE NORTH 43°53'27" EAST, A DISTANCE OF 210.42 FEET; THENCE NORTH 54°47'44" EAST, A DISTANCE OF 347.26 FEET; THENCE NORTH 68°57'39" EAST, A DISTANCE OF 422.81 FEET; THENCE NORTH 77°54'32" EAST, 424.50 FEET; THENCE NORTH 61°13'04" EAST, A DISTANCE OF 51.50 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 925.00 FEET AND A CHORD BEARING OF NORTH 17°46'18" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°26'58", A DISTANCE OF 71.83 FEET TO THE POINT OF TANGENCY; THENCE NORTH 19°59'47" WEST, A DISTANCE OF 389.13 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1075.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°51'42", A DISTANCE OF 335.12 FEET TO THE END POINT OF SAID CURVE, SAID POINT HAVING A RADIAL BEARING OF NORTH 87°51'55" EAST; THENCE SOUTH 87°51'55" WEST, A DISTANCE OF 67.80 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 310.00 FEET AND A CHORD BEARING OF NORTH 45°12'39" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°34'45", A DISTANCE OF 484.67 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°59'58" WEST, A DISTANCE OF 32.19 FEET; THENCE NORTH 00°24'32" WEST, A DISTANCE OF 652.43 FEET; THENCE NORTH 77°19'49" EAST, A DISTANCE OF 50.12 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 471.81 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°24'48", A DISTANCE OF 250.44 FEET TO THE POINT OF TANGENCY; THENCE NORTH 46°55'01" EAST, A DISTANCE OF 266.43 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2075.00 FEET AND A CHORD BEARING OF NORTH 18°37'14" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°25'52", A DISTANCE OF 450.20 FEET TO THE POINT OF TANGENCY; THENCE NORTH 24°50'10" EAST, A DISTANCE OF 341.18 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE

SOUTHEASTERLY, HAVING A RADIUS OF 2075.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $02^{\circ}53'58''$, A DISTANCE OF 105.00 FEET TO THE END POINT OF SAID CURVE, SAID POINT HAVING A RADIAL BEARING OF SOUTH $62^{\circ}15'53''$ EAST; THENCE NORTH $46^{\circ}47'44''$ WEST, A DISTANCE OF 231.03 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1012.90 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $43^{\circ}12'16''$, A DISTANCE OF 763.79 FEET TO THE POINT OF TANGENCY AND THE POINT OF BEGINNING OF C.D.D. PARCEL;

CONTAINING 94713412.97 SQUARE FEET (2,174.32 ACRES)± MORE OR LESS.