

ORDINANCE NO. 1354

AN ORDINANCE OF THE CITY OF DAVENPORT, FLORIDA; ESTABLISHING THE SAND & SILICA 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 A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* (hereinafter referred to as the "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(2)(e) 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 Davenport, Florida (the "City"); and,

WHEREAS, Pulte Home Company, LLC (the "Petitioner"), having obtained written consent to the establishment of the Sand & Silica 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 such documents, has petitioned (the "Petition") the City to adopt an ordinance establishing the District pursuant to the Act; and,

WHEREAS, the Petitioner is a Michigan limited liability company authorized to conduct business in the state of Florida and whose principal place of business is 3350 Peachtree Road Northeast Suite 150, Atlanta, Georgia 30326; and,

WHEREAS, the Petition which was submitted to the City on or around August 4, 2025, 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 have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on October 6, 2025; and,

WHEREAS, on October 6, 2025, the City considered the record of the public hearing including testimony and evidence presented before the City and the factors set forth in Section 190.005(1)(e) of the Act, and, upon such review, determined that granting the Petition to establish the Sand & Silica Community Development District is in the best interest of the City, and the following in adoption of this Ordinance:

- (1) All statements within the Petition are true and correct,
- (2) 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 Davenport Comprehensive Plan,
- (3) The area of land within the District described in Exhibit "A" (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,
- (4) 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,
- (5) 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,
- (6) The area to be served by the District is amenable to separate special-district government; 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, the City has performed a business impact estimate pursuant to § 166.041(4)(c), and determined that adoption of this ordinance:

- (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City,
- (2) has no direct negative economic impact on private, for-profit businesses in the city,
- (3) will not result in direct compliance costs by businesses,
- (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible,
- (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City; and,

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

WHEREAS, all other procedural and notice requirements mandated by State law and the City's Charter and Code of Ordinances have been followed and satisfied.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS. The recitals set forth above are hereby adopted as the legislative findings of the City Commission of the City of Davenport, Florida, and incorporated into this Ordinance.

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

SECTION 3. ESTABLISHMENT AND DISTRICT NAME. There is hereby created a community development district situated entirely within the incorporated limits of the City of Davenport, Florida, which district shall be known as the "Sand & Silica Community Development District", and which shall be referred to as the "District" in this Ordinance.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in Exhibit "A", and said boundaries encompass 287.90 acres, more or less.

SECTION 5. DISTRICT POWERS AND FUNCTIONS. The District is limited to the performance of those powers and functions as described in Chapter 190, *Florida Statutes*. Specifically, the District shall have all powers and functions granted by the Act pursuant to Sections 190.011 and 190.012(1) and (3), *Florida Statutes*, as amended from time to time. In addition, pursuant to Section 190.012(2), *Florida Statutes*, the City's consent is hereby given to the District to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for (i) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and (ii) security, so long as such systems and facilities are in accordance with the code and land development regulations of the City and approved by the City, if required. Pursuant to Section 190.002(3), *Florida Statutes*, the District shall not have or exercise any zoning or development permitting powers governing land development or the use of land. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all City of Davenport ordinances and policies governing land development or the use of land. Bonds to be issued by the District shall not constitute a debt, liability or general obligation of the District, the City, the County or of the State of Florida, or of any political subdivision thereof, but shall be payable solely from the pledged revenues designated for the bonds. This ordinance is not intended nor shall it be construed to expand, modify, or delete any provision of the Act, nor shall it be intended to modify, restrict, or expand any current prospective development or utility agreements.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District Board of Supervisors are as follows: Jessa Anderson, Serena Turke, Mary Burns, Bernard Sullivan, and Charlie Meyer. All initial members of

the District's Board of Supervisors are residents of the State of Florida and citizens of the United States of America.

SECTION 7. NOTICE REQUIREMENTS. Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper once a week for four successive weeks immediately prior to such hearing in compliance with the provisions of Section 190.005(1)(d), *Florida Statutes*.

SECTION 8. 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 9. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), *Florida Statutes*, the City of Davenport is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance creates a community development district upon those lands described in Exhibit "A" hereof within the City of Davenport. The creation of this community development district upon the lands described within the City (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

SECTION 10. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 11. CONFLICTS. That portion of any ordinance which may conflict with this Ordinance, if any, is hereby repealed with this adoption of this Ordinance.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect upon its approval and publication as required by law.

[The remainder of this page is left intentionally blank.]

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session this 18th day of September 2025.

(SEAL)

CITY OF DAVENPORT, FLORIDA

By: 
Brynn Summerlin, Mayor

Attest:


Raquel Castillo, City Clerk

INTRODUCED, PASSED AND ENACTED ON SECOND READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session, this 6th day of October 2025.

(SEAL)

CITY OF DAVENPORT, FLORIDA

By: 
Brynn Summerlin, Mayor

Attest:


Raquel Castillo, City Clerk

Approved as to form and legality by:


Thomas Cloud, City Attorney


EXHIBIT "A" SAND & SILICA CDD LEGAL DESCRIPTION

SKETCH OF DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 23, 24, 25, AND 26, TOWNSHIP 25 SOUTH, RANGE 27, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE RUN S00°15'17"E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25, A DISTANCE OF 1,574.31 FEET; THENCE DEPARTING SAID EAST LINE RUN N90°00'00"W, A DISTANCE OF 977.97 FEET; THENCE RUN N00°00'00"E, A DISTANCE OF 137.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N06°59'57"E, A DISTANCE OF 172.11 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 223.00 FEET AND A CENTRAL ANGLE OF 24°41'48"; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 86.12 FEET (CHORD BEARING = N05°20'57"W, CHORD = 95.38 FEET); THENCE RUN N17°41'52"W, A DISTANCE OF 226.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 737.06 FEET AND A CENTRAL ANGLE OF 41°48'40"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 537.89 FEET (CHORD BEARING = N38°36'12"W, CHORD = 526.02 FEET); THENCE RUN N30°29'28"E, A DISTANCE OF 226.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 243.00 FEET AND A CENTRAL ANGLE OF 135°33'57"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 579.20 FEET (CHORD BEARING = N37°47'30"W, CHORD = 451.50 FEET); THENCE RUN S52°43'39"W, A DISTANCE OF 73.42 FEET; THENCE RUN S50°39'33"W, A DISTANCE OF 79.46 FEET; THENCE RUN S55°27'37"W, A DISTANCE OF 54.78 FEET; THENCE RUN S55°11'36"W, A DISTANCE OF 89.19 FEET; THENCE RUN S48°46'48"W, A DISTANCE OF 78.76 FEET; THENCE RUN S81°04'20"W, A DISTANCE OF 68.49 FEET; THENCE RUN S56°51'03"W, A DISTANCE OF 60.77 FEET; THENCE RUN S55°38'17"W, A DISTANCE OF 93.78 FEET; THENCE RUN S45°47'45"W, A DISTANCE OF 77.09 FEET; THENCE RUN S59°34'26"W, A DISTANCE OF 67.37 FEET; THENCE RUN S85°03'20"W, A DISTANCE OF 29.39 FEET; THENCE RUN N50°25'12"W, A DISTANCE OF 53.25 FEET; THENCE RUN N48°43'15"W, A DISTANCE OF 43.10 FEET; THENCE RUN N47°37'16"W, A DISTANCE OF 52.88 FEET; THENCE RUN N33°25'34"W, A DISTANCE OF 43.73 FEET; THENCE RUN N32°10'22"W, A DISTANCE OF 72.31 FEET; THENCE RUN N45°12'48"W, A DISTANCE OF 76.60 FEET; THENCE RUN N38°05'26"W, A DISTANCE OF 83.77 FEET; THENCE RUN N27°42'49"W, A DISTANCE OF 71.72 FEET; THENCE RUN N29°21'59"W, A DISTANCE OF 35.98 FEET; THENCE RUN N53°55'01"W, A DISTANCE OF 50.46 FEET; THENCE RUN N55°09'33"W, A DISTANCE OF 73.20 FEET; THENCE RUN N20°58'39"W, A DISTANCE OF 38.48 FEET; THENCE RUN N08°02'04"E, A DISTANCE OF 34.61 FEET; THENCE RUN N20°19'41"E, A DISTANCE OF 25.94 FEET; THENCE RUN N04°13'36"E, A DISTANCE OF 23.19 FEET; THENCE RUN N05°27'07"W, A DISTANCE OF 39.12 FEET; THENCE RUN N34°27'41"W, A DISTANCE OF 29.45 FEET; THENCE RUN N42°07'26"W, A DISTANCE OF 43.87 FEET; THENCE RUN N40°26'29"W, A DISTANCE OF 44.70 FEET; THENCE RUN N13°14'08"W, A DISTANCE OF 36.66 FEET; THENCE RUN N08°59'55"E, A DISTANCE OF 30.92 FEET; THENCE RUN N11°11'00"E, A DISTANCE OF 10.87 FEET; THENCE RUN N63°15'08"W, A DISTANCE OF 0.44 FEET; THENCE RUN N77°08'21"W, A DISTANCE OF 51.55 FEET; THENCE RUN N81°27'02"W, A DISTANCE OF 39.80 FEET; THENCE RUN N85°58'49"W, A DISTANCE OF 37.12 FEET; THENCE RUN N88°03'51"W, A DISTANCE OF 50.00 FEET; THENCE RUN N50°28'38"W, A DISTANCE OF 78.57 FEET; THENCE RUN N53°18'37"W, A DISTANCE OF 74.05 FEET; THENCE RUN N58°34'12"W, A DISTANCE OF 68.10 FEET; THENCE RUN N45°23'19"W, A DISTANCE OF 47.48 FEET; THENCE RUN N40°16'10"W, A DISTANCE OF 51.82 FEET; THENCE RUN N49°09'54"W, A DISTANCE OF 39.62 FEET; THENCE RUN N25°06'36"W, A DISTANCE OF 21.84 FEET; THENCE RUN N30°26'27"W, A DISTANCE OF 38.43 FEET; THENCE RUN N42°20'17"W, A DISTANCE OF 65.33 FEET; THENCE RUN N03°54'47"E, A DISTANCE OF 50.91 FEET; THENCE RUN N45°55'55"E, A DISTANCE OF 48.91 FEET; THENCE RUN N62°58'25"E, A DISTANCE OF 42.23 FEET; THENCE RUN N70°00'36"E, A DISTANCE OF 77.84 FEET; THENCE RUN N78°33'21"E, A DISTANCE OF 81.24 FEET; THENCE RUN N75°48'48"E, A DISTANCE OF 74.10 FEET; THENCE RUN N89°44'44"E, A DISTANCE OF 43.05 FEET; THENCE RUN N59°42'58"E, A DISTANCE OF 40.69 FEET; THENCE RUN N53°34'27"E, A DISTANCE OF 13.49 FEET; THENCE RUN N00°24'23"W, A DISTANCE OF 282.30 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 24; THENCE RUN S89°35'09"W ALONG SAID NORTH LINE, A DISTANCE OF 2,520.20 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23; THENCE RUN S89°37'45"W ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, A DISTANCE OF 1,309.78 FEET; THENCE DEPARTING SAID NORTH LINE RUN S00°07'31"W, A DISTANCE OF 2,852.34 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 715.00 FEET AND A CENTRAL ANGLE OF 23°37'44"; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 284.87 FEET (CHORD BEARING = S78°11'08"E, CHORD = 292.78 FEET); THENCE RUN N90°00'00"E, A DISTANCE OF 5,359.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 287.90 ACRES, MORE OR LESS.

NOTES

*BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, (NAD 83, 2007 ADJUSTMENT).
*THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS.
*THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY, NO CORNERS WERE SET AS A PART OF THIS SKETCH.

ABBREVIATIONS/LEGEND
SEC. SECTION
O.R.B. OFFICIAL RECORDS BOOK
PGS. PAGES
TEMP. TEMPORARY
R. RADIUS
L. LENGTH
CB. CHORD BEARING
CD. CHORD DISTANCE
A. CENTRAL ANGLE
O. DESCRIPTIVE POINT

REQUESTED BY: PULTE GROUP

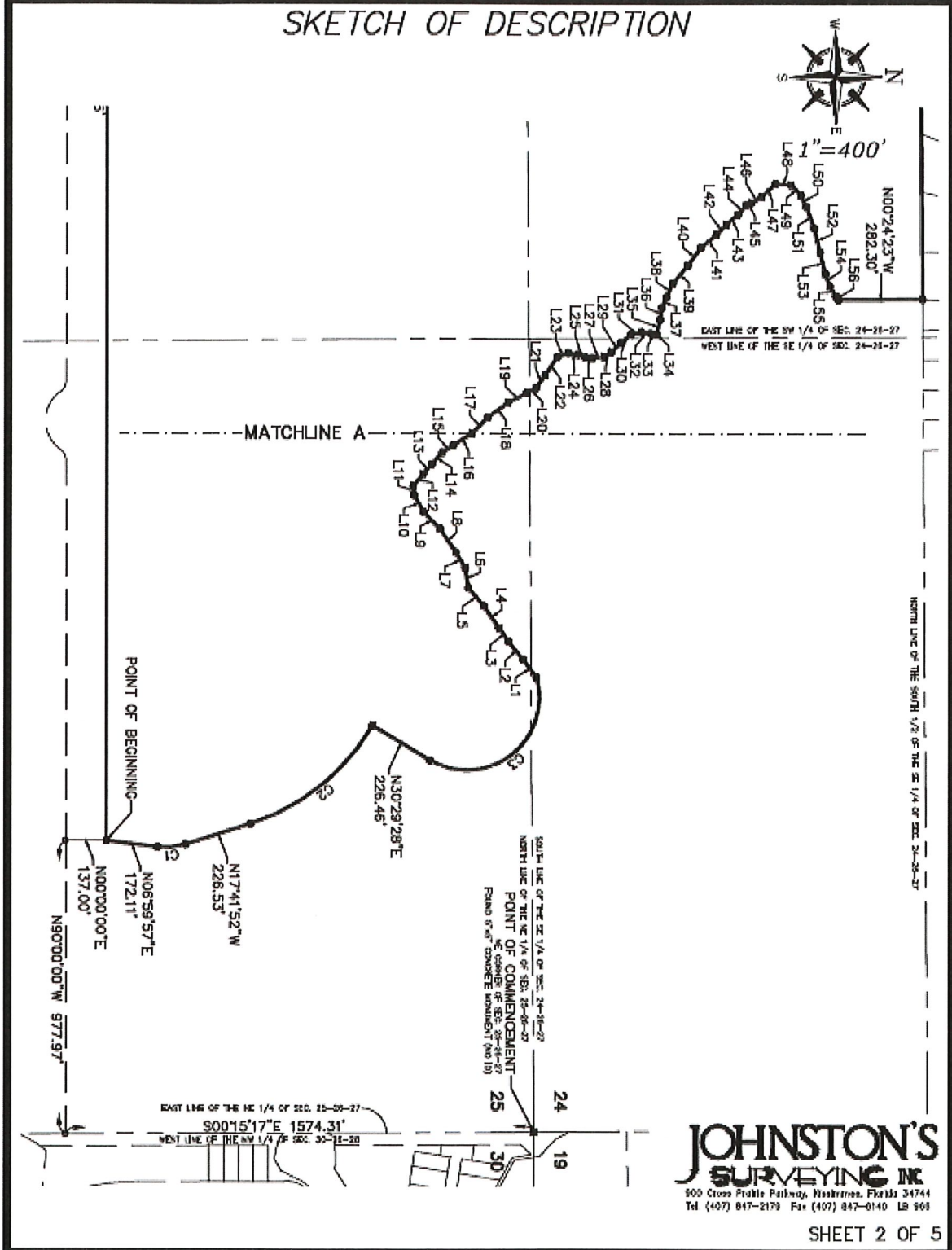
DATE OF SKETCH	12/3/2024	REVISIONS	
SCALE	1" = 400'		
F.B.	PAGE		
SECTION	23/24/25/26		
TWP.	25 S., RND. 27 E.		
JOB NO.	23-461	SHEET 1 OF 5	



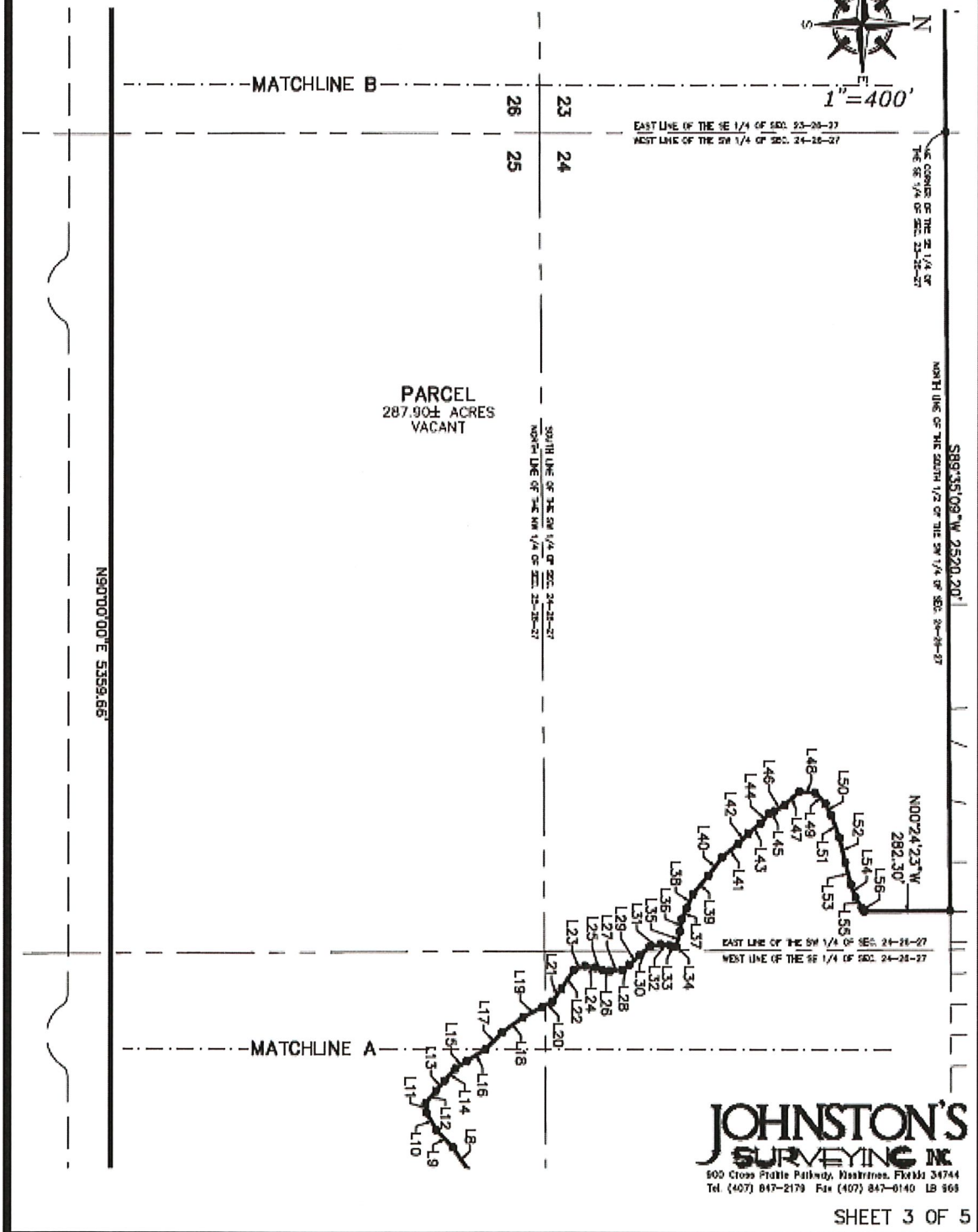
900 Cross Fiddle Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-8140 LD 998

[Signature] 12/4/2024
RICHARD D. BROWN, P.S.M. #5700 (DATE)
NOTE: NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND SEAL.

SKETCH OF DESCRIPTION



SKETCH OF DESCRIPTION



SKETCH OF DESCRIPTION

1" = 400'

ERNE CALDWELL BOULEVARD
PUBLIC RIGHT OF WAY VARIES
PER O.R.B. D.B. 8508 PAGE 2114

U.S. HIGHWAY 17-92
PUBLIC RIGHT OF WAY VARIES

EAST R/W LINE

EAST LINE OF THE NW 1/4 OF SEC. 23-24-27
WEST LINE OF THE NE 1/4 OF SEC. 20-25-27

EAST LINE OF THE SW 1/4 OF SEC. 23-26-27
WEST LINE OF THE SE 1/4 OF SEC. 23-25-27

UNPLATTED

UNPLATTED

UNPLATTED

S00°07'31"W 2852.34'

C4

EAST LINE OF THE SE 1/4 OF SEC. 23-26-27
WEST LINE OF THE SW 1/4 OF SEC. 24-26-27

NORTH LINE OF THE NE 1/4 OF SEC. 23-26-27
SOUTH LINE OF THE NE 1/4 OF SEC. 24-26-27

MATCHLINE B

26 23 25 24

JOHNSTON'S SURVEYING INC.
800 Cross Fiddle Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2170 Fax (407) 847-0140 LB 968

SHEET 4 OF 5

SKETCH OF DESCRIPTION

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S52°43'39"W	73.42'
L2	S50°39'33"W	79.46'
L3	S55°27'37"W	54.78'
L4	S55°11'36"W	89.19'
L5	S48°48'48"W	79.76'
L6	S81°04'20"W	88.49'
L7	S58°51'03"W	60.77'
L8	S55°38'17"W	93.78'
L9	S45°47'45"W	77.08'
L10	S59°34'25"W	67.37'
L11	S85°03'20"W	29.39'
L12	N50°25'12"W	53.25'
L13	N48°43'15"W	43.19'
L14	N47°37'16"W	52.88'
L15	N33°25'34"W	43.73'
L16	N32°10'22"W	72.31'
L17	N45°12'48"W	76.60'
L18	N36°05'26"W	83.77'
L19	N27°42'48"W	71.72'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L20	N29°21'59"W	35.95'
L21	N53°55'01"W	50.45'
L22	N56°09'33"W	73.20'
L23	N20°56'39"W	36.48'
L24	N08°02'04"E	34.61'
L25	N20°19'41"E	25.94'
L26	N04°13'36"E	23.19'
L27	N05°27'07"W	39.12'
L28	N34°27'41"W	29.45'
L29	N42°07'26"W	43.87'
L30	N40°26'29"W	44.70'
L31	N13°14'08"W	36.65'
L32	N08°59'55"E	30.92'
L33	N11°11'00"E	19.87'
L34	N63°15'06"W	0.44'
L35	N77°08'21"W	51.55'
L36	N81°27'02"W	39.80'
L37	N85°56'49"W	37.12'
L38	N58°03'51"W	50.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L39	N50°28'38"W	78.57'
L40	N53°16'37"W	74.05'
L41	N39°34'12"W	68.18'
L42	N45°23'19"W	47.46'
L43	N40°16'10"W	51.82'
L44	N48°09'54"W	39.62'
L45	N25°06'36"W	21.84'
L46	N30°26'27"W	38.43'
L47	N42°20'17"W	65.33'
L48	N03°54'47"E	50.91'
L49	N45°56'55"E	48.91'
L50	N62°58'25"E	42.23'
L51	N70°00'36"E	77.94'
L52	N76°33'21"E	61.24'
L53	N75°48'48"E	74.10'
L54	N68°44'44"E	43.05'
L55	N58°42'58"E	40.69'
L56	N53°34'27"E	13.48'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHD. BEARING	CHORD LENGTH
C1	223.00'	24°41'48"	98.12'	N05°20'57"W	95.38'
C2	737.08'	41°48'40"	537.86'	N38°36'12"W	526.02'
C3	243.00'	136°33'57"	578.20'	N37°47'30"W	451.50'
C4	715.00'	23°37'44"	294.87'	S78°11'08"E	282.78'

JOHNSTON'S
SURVEYING INC.
 500 Cross Profile Parkway, Neesham, Florida 34744
 Tel: (407) 847-2179 Fax: (407) 847-6140 LB 565

SHEET 5 OF 5



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Davenport's website by the time notice of the proposed ordinance is published.

AN ORDINANCE OF THE CITY OF DAVENPORT, FLORIDA; ESTABLISHING THE SAND & SILICA 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 A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Davenport is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Davenport is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

¹ See Section 166.041(4)(c), Florida Statutes.

- ☐ The proposed ordinance is enacted to implement the following:
- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Davenport hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This proposed ordinance will provide City services for the applicant and will expand the City boundaries, thus serving the public health safety, morals and welfare.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Davenport, if any:
- (a) An estimate of direct compliance costs that businesses may reasonably incur;
 - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
 - (c) An estimate of the City of Davenport's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Annexation does not lessen or remove any private resident or commercial business. Thus, it is estimated that neither residents nor any business will incur additional costs. The city does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: Zero (0)

4. Additional information the governing body deems useful (if any):
- City of Davenport staff solicited comments from businesses and residents in the City of Davenport as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Davenport's website, public workshop, etc. The proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect residents or businesses.*