

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

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4
5 **ORDINANCE 2022-642**

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

18
19 **WHEREAS**, Forestar (USA) Real Estate Group, Inc., a Delaware
20 limited liability company, petitioned the City Council to establish
21 a community development district named Arbors Community Development
22 District (the "Arbors CDD") on approximately 187.33 acres lying wholly
23 within the boundaries of the City pursuant to Section 190.005(2),
24 *Florida Statutes*, and Chapter 92, *Ordinance Code*, a copy of the
25 Amended and Restated Petition to Establish Arbors CDD, dated August
26 4, 2022, ("Petition") is **On File** with the Legislative Services
27 Division; and

28 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the
29 Office of General Counsel ("Counsel") has reviewed the Petition, and
30 finding that it was sufficient and complete to permit the fair and
31 informed consideration of the matter by the Council, has prepared and

1 submitted its Final Report of Counsel, attached hereto as **Exhibit 1**;
2 and

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

6 **WHEREAS**, Petitioner acknowledges that nothing about the adoption
7 of this Ordinance shall in any way waive any of the City's, or any
8 other governing or regulatory entities' rights to grant or not grant
9 entitlements for the development to be serviced by Arbors CDD (the
10 "Development"), or otherwise prejudice the City's, or any other
11 governing or regulatory entities', ability to govern or regulate the
12 planning or permitting of the Development; and

13 **WHEREAS**, Counsel has determined the Petition adequately meets
14 the requirements of Section 190.005, *Florida Statutes*, and Section
15 92.04, *Ordinance Code*, and is therefore complete and sufficient to
16 permit fair and informed review thereof; and

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

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

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

28 **Section 1. Name.** A community development district is
29 hereby established within the City to be known hereafter as Arbors
30 Community Development District.

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

8 **Section 3. Expansion Parcels.** Consent is hereby granted to
9 Arbors Community Development District, pursuant to Section
10 190.046(1)(h), *Florida Statutes*, to add to the boundaries of the
11 Arbors Community Development District within ten (10) years after the
12 effective date of the ordinance certain areas of sufficiently
13 contiguous lands as depicted in **Exhibit 3.**

14 **Section 4. Board of Supervisors.** The following five
15 persons, as set forth in the Petition, are designated to be the
16 initial members of the governing Board of Supervisors ("Board") of
17 Arbors Community Development District:

- 18 a. Sarah Wicker
- 19 b. Heather Allen
- 20 c. Christopher Williams
- 21 d. Robert Porter
- 22 e. James Teagle

23 **Section 5. Grant of Special Powers.** Consent is hereby
24 granted to Arbors Community Development District, pursuant to Section
25 190.012(2)(a), *Florida Statutes*, to exercise the power to plan,
26 establish, acquire, construct or reconstruct, enlarge or extend,
27 equip, operate and maintain additional systems and facilities for
28 parks and facilities for indoor and outdoor recreational, cultural,
29 and educational uses and security, including but not limited to,
30 guardhouses, fences and gates, electronic intrusion detection
31 systems, and patrol cars, all to be exercised only in compliance and

1 legally possible.

2 **Section 8. Effective Date.** This ordinance shall become
3 effective upon signature by the Mayor or upon becoming law without
4 the Mayor's signature.

5

6 Form Approved:

7

8 _____ /s/ Sharon M. Wyskiel _____

9 Office of General Counsel

10 Legislation Prepared By: Sharon M. Wyskiel

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