

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

3
4
5 **ORDINANCE 2024-417-E**

6 AN ORDINANCE AMENDING THE BOUNDARIES OF THE
7 ARBORS COMMUNITY DEVELOPMENT DISTRICT (THE
8 "ARBORS CDD") PURSUANT TO SECTION 190.046,
9 *FLORIDA STATUTES*, AND CHAPTER 92, *ORDINANCE*
10 *CODE*, TO AMEND THE BOUNDARIES OF THE ARBORS
11 CDD TO EXPAND THE REGIONAL TERRITORY BY AN
12 ADDITIONAL 169.84± ACRES; AMENDING SECTION
13 92.22 (EXISTING COMMUNITY DEVELOPMENT
14 DISTRICTS), CHAPTER 92 (UNIFORM COMMUNITY
15 DEVELOPMENT DISTRICTS), *ORDINANCE CODE*, TO
16 MEMORIALIZE THE EXPANSION OF THE ARBORS CDD;
17 PROVIDING FOR CONFLICT AND SEVERABILITY;
18 PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS**, the Arbors Community Development District (the
21 "Arbors CDD") was established by Ordinance 2022-642-E; and

22 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Section
23 190.046, *Florida Statutes*, the Arbors CDD petitioned the City of
24 Jacksonville (the "City") to amend the Arbors CDD boundaries to
25 expand the regional territory by an additional 169.84± acres; and

26 **WHEREAS**, the Arbors CDD is not required to pay a filing fee
27 to defray the City's cost of review and consideration related to
28 the Amended and Restated Petition to Amend the Boundaries of the
29 Arbors Community Development District, dated May 7, 2024 (the
30 "Amended Petition"), a copy of which Amended Petition together with
31 its attendant attachments is **On File** with the City Council

1 Legislative Services Division; and

2 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the
3 Office of General Counsel has reviewed the Amended Petition, and
4 finding that it was sufficient and complete to permit the fair and
5 informed consideration of the matter by Council, has prepared and
6 submitted its Final Report of Counsel, attached hereto as **Exhibit**
7 **1**; and

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

16 **WHEREAS**, Counsel has determined the Petition adequately meets
17 the requirements of Section 190.046, *Florida Statutes*, and Section
18 92.04, *Ordinance Code*, and is therefore complete and sufficient to
19 permit fair and informed review thereof; and

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

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

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

1 **Section 1. Amending the Arbors Community Development**
2 **District Boundaries to Include an Additional 169.84± Acres.** In
3 accordance with Section 190.046, *Florida Statutes*, and Chapter 92,
4 *Ordinance Code*, the City hereby grants the Amended Petition to
5 expand the territory of land comprising the Arbors CDD by an
6 additional 169.84± acres as set forth in the legal description
7 contained in the Amended Petition, which is **On File** with the City
8 Council Legislative Services Division. The legal description and
9 boundary sketch of the proposed amended boundary of the Arbors CDD
10 found within the Amended Petition are attached hereto as **Exhibit 2.**

11 **Section 2. Amending Section 92.22 (Existing Community**
12 **Development Districts), Chapter 92 (Uniform Community Development**
13 **Districts), Ordinance Code.** Section 92.22 (Existing Community
14 Development Districts), Chapter 92 (Uniform Community Development
15 Districts), *Ordinance Code*, is hereby amended to read as follows:

16 **CHAPTER 92 - UNIFORM COMMUNITY DEVELOPMENT DISTRICTS**

17 * * *

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

19 The following CDDs have been established in the City:

20 * * *

21 (23) *Arbors Community Development District.* The
22 Arbors Community Development District was
23 established in Ordinance 2022-642-E and was
24 granted consent to exercise special powers to
25 plan, establish, acquire, construct or
26 reconstruct, enlarge or extend, equip, operate
27 and maintain additional systems and facilities
28 for indoor and outdoor recreational, cultural,
29 and educational uses and security including
30 but not limited to, guardhouses, fences and
31 gates, electronic intrusion detection systems,

1 and patrol cars. The City granted an addition
2 in size of the Arbors Community Development
3 District by approximately 169.84± acres
4 pursuant to Ordinance 2024-417-E.

5 **Section 3. Conflict and Severability.** Any portion of
6 this Ordinance determined by a court of competent jurisdiction to
7 be in conflict with prevailing law shall not be effective to the
8 extent of such conflict and shall be deemed severable and the
9 remainder shall continue in full force and effect to the extent
10 legally possible.

11 **Section 4. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

14
15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Shannon MacGillis

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