

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

3  
4  
5 **ORDINANCE 2022-796**

6 AN ORDINANCE AMENDING THE BOUNDARIES OF RYALS  
7 CREEK COMMUNITY DEVELOPMENT DISTRICT ("RYALS  
8 CREEK CDD"), PURSUANT TO SECTION 190.046,  
9 *FLORIDA STATUTES*, AND CHAPTER 92, *ORDINANCE*  
10 *CODE*, TO CORRECT A SCRIVENER'S ERROR IN THE  
11 ORIGINAL RYALS CREEK CDD LEGAL DESCRIPTION;  
12 AMENDING THE BOUNDARIES OF RYALS CREEK CDD TO  
13 EXPAND THE REGIONAL TERRITORY BY AN ADDITIONAL  
14 77.08± ACRES; AMENDING SECTION 92.22 (EXISTING  
15 COMMUNITY DEVELOPMENT DISTRICTS), CHAPTER 92  
16 (UNIFORM COMMUNITY DEVELOPMENT DISTRICTS),  
17 *ORDINANCE CODE*, TO MEMORIALIZE THE CORRECT LEGAL  
18 DESCRIPTION AND ADDITION IN ACREAGE; PROVIDING  
19 FOR CONFLICT AND SEVERABILITY; PROVIDING AN  
20 EFFECTIVE DATE.

21  
22 **WHEREAS**, Ryals Creek Community Development District ("Ryals  
23 Creek CDD") was established by Ordinance 2019-490-E; and

24 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Section  
25 190.046, *Florida Statutes*, Ryals Creek CDD petitioned the City of  
26 Jacksonville (the "City") to amend the Ryals Creek CDD boundaries to  
27 correct a scrivener's error in the original legal description, setting  
28 forth the initial area of Ryals Creek CDD as approximately 417.58±  
29 acres, instead of 417.68± acres as reflected in the original legal  
30 description; and

31 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Section

1 190.046, *Florida Statutes*, Ryals Creek CDD petitioned the City to  
2 amend the Ryal Creek CDD boundaries to expand the regional territory  
3 by an additional 77.08± acres; and

4 **WHEREAS**, Ryals Creek CDD has paid the required fee to defray the  
5 City's cost of review and consideration related to the Amended  
6 Petition to Amend the Boundaries of the Ryals Creek Community  
7 Development District, dated October 3, 2022 (the "Amended Petition"),  
8 a copy of which Amended Petition together with its attendant  
9 attachments is **On File** with the City Council Legislative Services  
10 Division; and

11 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the  
12 Office of General Counsel has reviewed the Amended Petition, and  
13 finding that it was sufficient and complete to permit the fair and  
14 informed consideration of the matter by Council, has prepared and  
15 submitted its Final Report of Counsel, attached hereto as **Exhibit 1**;  
16 and

17 **WHEREAS**, Petitioner acknowledges that nothing about the adoption  
18 of this Ordinance shall in any way waive any of the City's, or any  
19 other governing or regulatory entities', rights to grant or not grant  
20 entitlements for the development to be serviced by Ryals Creek CDD  
21 (the "Development"), or otherwise prejudice the City's, or any other  
22 governing or regulatory entities', ability to govern or regulate the  
23 planning or permitting of the Development; and

24 **WHEREAS**, Counsel has determined the Amended Petition adequately  
25 meets the requirements of Section 190.005, *Florida Statutes*, and  
26 Section 92.04, *Ordinance Code*, and is therefore complete and  
27 sufficient to permit fair and informed review thereof; and

28 **WHEREAS**, all notice requirements of Chapter 190, *Florida*  
29 *Statutes*, Section 92.11, *Ordinance Code*, and other applicable laws  
30 were complied with, complete notice was timely given, and a public  
31 hearing held on the date and time noticed and conducted thereafter

1 in compliance with Chapter 190, *Florida Statutes*, and all applicable  
2 laws; and

3 **WHEREAS**, in making its fair and informed determination whether  
4 to grant or deny the Amended Petition, Council has considered the  
5 Amended Petition in light of the record developed at the public  
6 hearing and in relation to the six factors set forth in Section  
7 190.005(1)(e), *Florida Statutes*, now, therefore

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

9 **Section 1. Amending the Ryals Creek Community Development**  
10 **District Boundaries to Correct Scrivener's Error.** In accordance with  
11 Section 190.046, *Florida Statutes*, and Chapter 92, *Ordinance Code*,  
12 the City hereby grants the Amended Petition to correct a scrivener's  
13 error in the original legal description of Ryals Creek CDD, setting  
14 forth the initial area as 417.58± acres, instead of 417.68± acres.  
15 The corrected legal description is contained in the Amended Petition,  
16 which is **On File** with the City Council Legislative Services Division.  
17 The legal description and boundary sketch found within the Amended  
18 Petition are attached hereto as **Exhibit 2**.

19 **Section 2. Amending the Ryals Creek Community Development**  
20 **District Boundaries to Include an Additional 77.08± Acres.** In  
21 accordance with Section 190.046, *Florida Statutes*, and Chapter 92,  
22 *Ordinance Code*, the City hereby grants the Amended Petition to expand  
23 the territory of land comprising Ryals Creek CDD by an additional  
24 77.08± acres as set forth in the legal description contained in the  
25 Amended Petition, which is **On File** with the City Council Legislative  
26 Services Division. The legal description and boundary sketch found  
27 within the Amended Petition are attached hereto as **Exhibit 3**.

28 **Section 3. Amending Section 92.22 (Existing Community**  
29 **Development Districts), Chapter 92 (Uniform Community Development**  
30 **Districts), Ordinance Code.** Chapter 92 (Uniform Community  
31 Development Districts), Section 92.22, (Existing Community

1 Development Districts), *Ordinance Code*, is hereby amended to read as  
2 follows:

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

4 \* \* \*

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

6 The following CDDs have been established in the City:

7 (1) *Bainebridge Community Development District.* The  
8 Bainebridge Community Development District was established  
9 in Ordinance 2005-1417-E. The City granted consent to the  
10 Bainebridge Community Development District to exercise  
11 special powers related to parks and facilities for indoor  
12 and outdoor recreational, cultural and educational uses in  
13 Ordinance 2006-592-E.

14 \* \* \*

15 (20) *Ryals Creek Community Development District.* Ryals Creek  
16 Community Development District (the "District") was  
17 established in Ordinance 2019-490-E. The City corrected a  
18 scrivener's error in the original legal description of the  
19 District and granted an addition in size of the District  
20 by approximately 77.08 acres in Ordinance 2022- -E.

21 \* \* \*

22 **Section 4. Conflict and Severability.** Any portion of this  
23 Ordinance determined finally by a court of competent jurisdiction to  
24 be in conflict with prevailing law shall not be effective to the  
25 extent of such conflict and shall be deemed severable and the  
26 remainder shall continue in full force and effect to the extent  
27 legally possible.

28 **Section 5. Effective Date.** This Ordinance shall become  
29 effective upon signature by the Mayor or upon becoming law without  
30 the Mayor's signature.

