

1 Introduced by the Transportation, Energy and Utilities Committee
2 pursuant to Section 92.09, *Ordinance Code* and Co-Sponsored by Council
3 Member Gaffney, Jr.:

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6 **ORDINANCE 2024-25-E**

7 AN ORDINANCE AMENDING THE BOUNDARIES OF THE
8 ACREE COMMUNITY DEVELOPMENT DISTRICT ("ACREE
9 CDD"), PURSUANT TO SECTION 190.046, *FLORIDA*
10 *STATUTES*, AND CHAPTER 92, *ORDINANCE CODE*, TO
11 AMEND THE BOUNDARIES OF THE ACREE CDD TO EXPAND
12 THE REGIONAL TERRITORY BY AN ADDITIONAL 77.56±
13 ACRES; AMENDING SECTION 92.22 (EXISTING
14 COMMUNITY DEVELOPMENT DISTRICTS), CHAPTER 92
15 (UNIFORM COMMUNITY DEVELOPMENT DISTRICTS),
16 *ORDINANCE CODE*, TO MEMORIALIZE THE ADDITION IN
17 ACREAGE; PROVIDING FOR CONFLICT AND
18 SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS**, the Acree Community Development District ("Acree
21 CDD") was established by Ordinance 2022-852-E; and

22 **WHEREAS**, pursuant to Chapter 92, *Ordinance Code*, and Section
23 190.046, *Florida Statutes*, the Acree CDD petitioned the City of
24 Jacksonville (the "City") to amend the Acree CDD boundaries to expand
25 the regional territory by an additional 77.56± acres; and

26 **WHEREAS**, the Acree CDD has paid the required fee to defray the
27 City's cost of review and consideration related to the Petition to
28 Amend the Boundaries of the Acree Community Development District,
29 dated October 17, 2023 (the "Petition"), a copy of which Petition
30 together with its attendant attachments is **On File** with the City
31 Council Legislative Services Division; and

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

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

13 **WHEREAS**, Counsel has determined the Petition adequately meets
14 the requirements of Section 190.046, *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 Chapter 190, *Florida*
18 *Statutes*, Section 92.11, *Ordinance Code*, and other applicable laws
19 were complied with, complete notice was timely given, and a public
20 hearing held on the date and time noticed and conducted thereafter
21 in compliance with Chapter 190, *Florida Statutes*, and all applicable
22 laws; and

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

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

29 **Section 1. Amending the Acree Community Development**
30 **District Boundaries to Include an Additional 77.56± Acres.** In
31 accordance with Section 190.046, *Florida Statutes*, and Chapter 92,

1 Ordinance Code, the City hereby grants the Petition to expand the
2 territory of land comprising the Acree CDD by an additional 77.56±
3 acres as set forth in the legal description contained in the Petition,
4 which is **On File** with the City Council Legislative Services Division.
5 The legal description and boundary sketch found within the Petition
6 are attached hereto as **Exhibit 2**.

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

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

14 * * *

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

16 The following CDDs have been established in the City:

17 * * *

18 (24) *Acree Community Development District*. The Acree
19 Community Development District was established
20 by Ordinance 2022-852-E and was granted consent
21 to exercise special powers to plan, establish,
22 acquire, construct or reconstruct, enlarge or
23 extend, equip, operate and maintain additional
24 systems and facilities for parks and facilities
25 for indoor and outdoor recreational, cultural,
26 and educational uses. The City granted an
27 addition in size of the Acree Community
28 Development District by approximately 77.56
29 acres in Ordinance 2024-25-E.

30 **Section 3. Conflict and Severability.** Any portion of this
31 Ordinance determined by a court of competent jurisdiction to be in

1 conflict with prevailing law shall not be effective to the extent of
2 such conflict and shall be deemed severable and the remainder shall
3 continue in full force and effect to the extent legally possible.

4 **Section 4. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming law without
6 the Mayor's signature.

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8 Form Approved:

9
10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Jason R. Teal

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