

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

3
4
5 **ORDINANCE 2024-25**

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

18
19 **WHEREAS**, the Acree Community Development District ("Acree CDD")
20 was established by Ordinance 2022-852-E; and

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

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

31 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the

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

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

12 **WHEREAS**, Counsel has determined the Petition adequately meets
13 the requirements of Section 190.046, *Florida Statutes*, and Section
14 92.04, *Ordinance Code*, and is therefore complete and sufficient to
15 permit fair and informed review thereof; and

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

22 **WHEREAS**, in making its fair and informed determination whether
23 to grant or deny the Petition, 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. Amending the Acree Community Development**
29 **District Boundaries to Include an Additional 77.56± Acres.** In
30 accordance with Section 190.046, *Florida Statutes*, and Chapter 92,
31 *Ordinance Code*, the City hereby grants the Petition to expand the

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

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

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

13 * * *

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

15 The following CDDs have been established in the City:

16 * * *

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

29 **Section 3. Conflict and Severability.** Any portion of this
30 Ordinance determined by a court of competent jurisdiction to be in
31 conflict with prevailing law shall not be effective to the extent of

1 such conflict and shall be deemed severable and the remainder shall
2 continue in full force and effect to the extent legally possible.

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

6 Form Approved:

7

8 /s/ Jason Teal

9 Office of General Counsel

10 Legislation Prepared By: Jason R. Teal

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