

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

3
4
5 **ORDINANCE 2024-417**

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 CDD
11 TO EXPAND THE REGIONAL TERRITORY BY AN
12 ADDITIONAL 169.84± ACRES; AMENDING SECTION 92.22
13 (EXISTING COMMUNITY DEVELOPMENT DISTRICTS),
14 CHAPTER 92 (UNIFORM COMMUNITY DEVELOPMENT
15 DISTRICTS), *ORDINANCE CODE*, TO MEMORIALIZE THE
16 EXPANSION OF THE ARBORS CDD; PROVIDING FOR
17 CONFLICT AND SEVERABILITY; PROVIDING AN
18 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 expand
25 the regional territory by an additional 169.84± acres; and

26 **WHEREAS**, the Arbors CDD has paid the required fee to defray
27 the City's cost of review and consideration related to the Amended
28 and Restated Petition to Amend the Boundaries of the Arbors Community
29 Development District, dated May 7, 2024 (the "Amended Petition"), a
30 copy of which Amended Petition together with its attendant attachments
31 is **On File** with the City Council Legislative Services Division; and

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

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

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

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

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

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

30 **Section 1. Amending the Arbors Community Development**
31 **District Boundaries to Include an Additional 169.84± Acres. In**

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

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

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

15 * * *

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

17 The following CDDs have been established in the City:

18 * * *

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

1 District by approximately 169.84± acres pursuant
2 to Ordinance 2024-417-E.

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

8 **Section 4. Effective Date.** This Ordinance shall become
9 effective upon signature by the Mayor or upon becoming effective
10 without the Mayor's signature.

11
12 Form Approved:

13
14 /s/ Shannon MacGillis

15 Office of General Counsel
16 Legislation Prepared By: Shannon MacGillis

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