

1 The Land Use and Zoning Committee offers the following Substitute to  
2 File No. 2023-360:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2023-360**

8 AN ORDINANCE REZONING APPROXIMATELY 37.86± ACRES  
9 LOCATED IN COUNCIL DISTRICT 12 AT 0 NOROAD, 10050  
10 NOROAD, 10061 NOROAD, 10144 NOROAD, 0 103RD  
11 STREET AND 0 CONNIE JEAN ROAD, BETWEEN 103RD  
12 STREET AND NOROAD (R.E. NOS. 012955-0010, 012956-  
13 0000, 012960-0000, 012961-0100, 012970-0100,  
14 012971-0100 AND 012974-0055), OWNED BY NOROAD  
15 DEVELOPMENT, LLC, MELVIN R. BARBOUR AND VICKY  
16 BARBOUR, AS DESCRIBED HEREIN, FROM RESIDENTIAL  
17 RURAL-ACRE (RR-ACRE) DISTRICT, RESIDENTIAL  
18 MEDIUM DENSITY-A (RMD-A) DISTRICT, COMMERCIAL  
19 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT AND  
20 COMMERCIAL NEIGHBORHOOD (CN) DISTRICT TO PLANNED  
21 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
22 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT A  
23 RECREATIONAL VEHICLE PARK USES, AS DESCRIBED IN  
24 THE NOROAD MOTORHOME RESORT PUD, PURSUANT TO  
25 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT  
26 APPLICATION NUMBER L-5807-23C; PROVIDING A  
27 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL  
28 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
29 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

30  
31 **WHEREAS,** the City of Jacksonville adopted a Small-Scale

1 Amendment to the *2045 Comprehensive Plan* for the purpose of revising  
2 portions of the Future Land Use Map series (FLUMs) in order to ensure  
3 the accuracy and internal consistency of the plan, pursuant to  
4 companion application L-5807-23C; and

5 **WHEREAS**, in order to ensure consistency of zoning district with  
6 the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
7 Amendment L-5807-23C, an application to rezone and reclassify from  
8 Residential Rural-Acre (RR-Acre) District, Residential Medium  
9 Density-A (RMD-A) District, Commercial Community/General-2 (CCG-2)  
10 District and Commercial Neighborhood (CN) District to Planned Unit  
11 Development (PUD) District was filed by Michael Herzberg on behalf  
12 of the owners of approximately 37.86± acres of certain real property  
13 in Council District 12, as more particularly described in Section 1;  
14 and

15 **WHEREAS**, the Planning and Development Department, in order to  
16 ensure consistency of this zoning district with the *2045 Comprehensive*  
17 *Plan*, has considered the rezoning and has rendered an advisory  
18 opinion; and

19 **WHEREAS**, the Planning Commission has considered the application  
20 and has rendered an advisory opinion; and

21 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
22 notice, held a public hearing and made its recommendation to the  
23 Council; and

24 **WHEREAS**, the City Council, after due notice, held a public  
25 hearing, and taking into consideration the above recommendations as  
26 well as all oral and written comments received during the public  
27 hearings, the Council finds that such rezoning is consistent with the  
28 *2045 Comprehensive Plan* adopted under the comprehensive planning  
29 ordinance for future development of the City of Jacksonville; and

30 **WHEREAS**, the Council finds that the proposed PUD does not  
31 affect adversely the orderly development of the City as embodied

1 in the *Zoning Code*; will not affect adversely the health and safety  
2 of residents in the area; will not be detrimental to the natural  
3 environment or to the use or development of the adjacent properties  
4 in the general neighborhood; and the proposed PUD will accomplish  
5 the objectives and meet the standards of Section 656.340 (Planned  
6 Unit Development) of the *Zoning Code* of the City of Jacksonville;  
7 now, therefore

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

9 **Section 1. Subject Property Location and Description.** The  
10 approximately 37.86± acres are located in Council District 12 at 0  
11 Noroad, 10050 Noroad, 10061 Noroad, 10144 Noroad, 0 103<sup>rd</sup> Street and  
12 0 Connie Jean Road, between 103<sup>rd</sup> Street and Noroad (R.E. Nos. 012955-  
13 0010, 012956-0000, 012960-0000, 012961-0100, 012970-0100, 012971-0100  
14 and 012974-0055), as more particularly described in **Exhibit 1**, dated  
15 May 10, 2023, and graphically depicted in **Exhibit 2**, both of which  
16 are attached hereto and incorporated herein by this reference (the  
17 "Subject Property").

18 **Section 2. Owner and Applicant Description.** The Subject  
19 Property is owned by Noroad Development, LLC, Melvin R. Barbour and  
20 Vicky Barbour. The applicant is Michael Herzberg, 12483 Aladdin  
21 Road, Jacksonville, Florida 32223; (904) 731-8806.

22 **Section 3. Property Rezoned.** The Subject Property,  
23 pursuant to adopted companion Small-Scale Amendment Application L-  
24 5807-23C, is hereby rezoned and reclassified from Residential Rural-  
25 Acre (RR-Acre) District, Residential Medium Density-A (RMD-A)  
26 District, Commercial Community/General-2 (CCG-2) District and  
27 Commercial Neighborhood (CN) District to Planned Unit Development  
28 (PUD) District. This new PUD District shall generally permit  
29 recreational vehicle park uses, and is described, shown and subject  
30 to the following documents, attached hereto:

31 **Exhibit 1** - Legal Description dated May 10, 2023.

1 **Exhibit 2** - Subject Property per P&DD.

2 **Exhibit 3** - Written Description dated May 26, 2023.

3 **Exhibit 4** - Site Plan dated May 26, 2023.

4 **Section 4. Contingency.** This rezoning shall not become  
5 effective until thirty-one (31) days after adoption of the companion  
6 Small-Scale Amendment; and further provided that if the companion  
7 Small-Scale Amendment is challenged by the state land planning agency,  
8 this rezoning shall not become effective until the state land planning  
9 agency or the Administration Commission issues a final order  
10 determining the companion Small-Scale Amendment is in compliance with  
11 Chapter 163, *Florida Statutes*.

12 **Section 5. Disclaimer.** The rezoning granted herein  
13 shall **not** be construed as an exemption from any other applicable  
14 local, state, or federal laws, regulations, requirements, permits or  
15 approvals. All other applicable local, state or federal permits or  
16 approvals shall be obtained before commencement of the development  
17 or use and issuance of this rezoning is based upon acknowledgement,  
18 representation and confirmation made by the applicant(s), owner(s),  
19 developer(s) and/or any authorized agent(s) or designee(s) that the  
20 subject business, development and/or use will be operated in strict  
21 compliance with all laws. Issuance of this rezoning does **not** approve,  
22 promote or condone any practice or act that is prohibited or  
23 restricted by any federal, state or local laws.

24 **Section 6. Effective Date.** The enactment of this Ordinance  
25 shall be deemed to constitute a quasi-judicial action of the City  
26 Council and shall become effective upon signature by the Council  
27 President and the Council Secretary.

1 Form Approved:

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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Caroline Fulton

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