

1 Introduced and substituted by the Land Use and Zoning Committee:
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3

4 **ORDINANCE 2023-360**

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

27
28 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
29 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
30 portions of the Future Land Use Map series (FLUMs) in order to ensure
31 the accuracy and internal consistency of the plan, pursuant to

1 companion application L-5807-23C; and

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

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

16 **WHEREAS**, the Planning Commission has considered the application
17 and has rendered an advisory opinion; and

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

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

27 **WHEREAS**, the Council finds that the proposed PUD does not
28 affect adversely the orderly development of the City as embodied
29 in the *Zoning Code*; will not affect adversely the health and safety
30 of residents in the area; will not be detrimental to the natural
31 environment or to the use or development of the adjacent properties

1 in the general neighborhood; and the proposed PUD will accomplish
2 the objectives and meet the standards of Section 656.340 (Planned
3 Unit Development) of the *Zoning Code* of the City of Jacksonville;
4 now, therefore

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

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

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

19 **Section 3. Property Rezoned.** The Subject Property,
20 pursuant to adopted companion Small-Scale Amendment Application L-
21 5807-23C, is hereby rezoned and reclassified from Residential Rural-
22 Acre (RR-Acre) District, Residential Medium Density-A (RMD-A)
23 District, Commercial Community/General-2 (CCG-2) District and
24 Commercial Neighborhood (CN) District to Planned Unit Development
25 (PUD) District. This new PUD District shall generally permit
26 recreational vehicle park uses, and is described, shown and subject
27 to the following documents, attached hereto:

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

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

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

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

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

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

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

25
26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Caroline Fulton

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