

1 Introduced, substituted and amended by the Land Use and Zoning  
2 Committee:

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4  
5 **ORDINANCE 2023-360-E**

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

29  
30 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
31 Amendment to the 2045 Comprehensive Plan for the purpose of revising

1 portions of the Future Land Use Map series (FLUMs) in order to ensure  
2 the accuracy and internal consistency of the plan, pursuant to  
3 companion application L-5807-23C; and

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

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

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

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

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

29 **WHEREAS**, the Council finds that the proposed PUD does not  
30 affect adversely the orderly development of the City as embodied  
31 in the *Zoning Code*; will not affect adversely the health and safety

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

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

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

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

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

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

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

1 **Revised Exhibit 3** - Revised Written Description dated August 28,  
2 2023.

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

4 **Section 4. Rezoning Approved Subject to Condition.** This  
5 rezoning is approved subject to the following condition. Such  
6 condition controls over the Written Description and the Site Plan and  
7 may only be amended through a rezoning:

8 (1) A traffic study shall be provided at Civil Site Plan  
9 review. Prior to commencement of the traffic study, the traffic  
10 professional shall conduct a methodology meeting to determine the  
11 limits of the study. The methodology meeting shall include the Chief  
12 of the Traffic Engineering Division, the Chief of the Transportation  
13 Division, and the traffic reviewer from Development Services.

14 **Section 5. Contingency.** This rezoning shall not become  
15 effective until thirty-one (31) days after adoption of the companion  
16 Small-Scale Amendment; and further provided that if the companion  
17 Small-Scale Amendment is challenged by the state land planning agency,  
18 this rezoning shall not become effective until the state land planning  
19 agency or the Administration Commission issues a final order  
20 determining the companion Small-Scale Amendment is in compliance with  
21 Chapter 163, *Florida Statutes*.

22 **Section 6. Disclaimer.** The rezoning granted herein  
23 shall not be construed as an exemption from any other applicable  
24 local, state, or federal laws, regulations, requirements, permits or  
25 approvals. All other applicable local, state or federal permits or  
26 approvals shall be obtained before commencement of the development  
27 or use and issuance of this rezoning is based upon acknowledgement,  
28 representation and confirmation made by the applicant(s), owner(s),  
29 developer(s) and/or any authorized agent(s) or designee(s) that the  
30 subject business, development and/or use will be operated in strict  
31 compliance with all laws. Issuance of this rezoning does not approve,

1 promote or condone any practice or act that is prohibited or  
2 restricted by any federal, state or local laws.

3       **Section 7.       Effective Date.** The enactment of this Ordinance  
4 shall be deemed to constitute a quasi-judicial action of the City  
5 Council and shall become effective upon signature by the Council  
6 President and the Council Secretary.

7

8 Form Approved:

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10                 /s/ Mary E. Staffopoulos          

11 Office of General Counsel

12 Legislation Prepared By: Caroline Fulton

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