

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION; REZONING THE PROPERTY CONSISTING OF APPROXIMATELY 51 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF PINE STREET NORTH OF HENRY SMITH ROAD, MORE PARTICULARLY DESCRIBED IN ATTACHMENT "A", LEGAL DESCRIPTION; SPECIFICALLY DESCRIBED IN ATTACHMENT "B" WRITTEN DESCRIPTION; AND ATTACHMENT "C" SITE PLAN; HILLIARD FLORIDA, NASSAU COUNTY PARCEL ID NO. 16-3N-24-0000-0009-0000; FROM AGRICULTURAL A-1 TO PUD, PLANNED UNIT DEVELOPMENT; PROVIDING FOR SEVERABILITY, REPEALER, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the property owner for the property consisting of approximately 51 acres, more or less, which is located on the east side of Pine Street north of Henry Smith Road and more particularly described in Attachment "A" Legal Description, Hilliard, FL, Nassau County Parcel ID No. 16-3N-24-0000-0009-0000, requested zoning change for the subject from A-1 Agricultural to PUD, Planned Unit Development ; and

WHEREAS, the owner has requested to rezone the property described in Attachment "A" Legal Description to PUD, Planned Unit Development to create the Tompkins Preserve PUD; and

WHEREAS, the Town of Hilliard Planning & Zoning Board held a duly noticed Public Hearing on January 7, 2025, regarding the rezoning of the subject property to PUD, Planned Unit Development; and

WHEREAS, the Town of Hilliard Planning & Zoning Board, has reviewed the proposed rezoning of the subject property to PUD, Planned Unit Development and found it to be consistent with the Town's Comprehensive Plan and the Town's Code, and recommended approval to the Town Council of the rezoning of the subject property from A-1, Agricultural to PUD, Planned Unit Development, at their January 7, 2025, Regular Meeting; and

WHEREAS, the Town Council has completed a review of the request and finds it in compliance with the Town's Comprehensive Plan and the Town's Code and does not adversely impact on the health, safety, and welfare of the Town's residents; and

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing findings are true and correct and are hereby adopted and made a part hereof.

SECTION 2. LEGAL DESCRIPTION. The property with Nassau County Parcel ID No. 16-3N-24-0000-0009-0000, more particularly described in Attachment "A", Legal Description, is hereby rezoned from A-1, Agricultural, to PUD, Planned Unit Development to create the Oxford Pines PUD:

SECTION 3. PUD PLAN. This Ordinance includes Attachment "B", Written Description and "C", Site Plan, for the Tompkins Preserve PUD created by this Ordinance. Development of and

uses within the PUD shall conform to the limitations and conditions set forth in this Ordinance and in the attached Written Description and Site Plan.

SECTION 4. Recording. The Town Clerk is authorized and directed to forward a certified copy of this Ordinance to the Clerk of the Circuit Court for recordation and to the Nassau County Property Appraiser to update any records as may be deemed necessary.

SECTION 4. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption.

ADOPTED this ____ day of _____, _____, by the Hilliard Town Council, Hilliard, Florida.

Kennth A. Sims, Sr.
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

Planning & Zoning Board Publication:	December 18, 2024
Planning & Zoning Boards Signs Posted:	December 23, 2024
Planning & Zoning Board Public Hearing:	January 7, 2025
Town Council First Publication:	December 31, 2024
Town Council First Public Hearings:	January 16, 2025
Planning & Zoning Boards Report:	January 16, 2025
Town Council First Reading:	January 16, 2025
Town Council Second Publication:	February 05, 2025
Town Council Second Public Hearings:	February 20, 2025
Town Council Second & Final Reading:	February 20, 2025

ATTACHMENT "A"

LEGAL DESCRIPTION

Attachment "A"

Legal Description and Tax Parcel Number

Tax Parcel Number:

16-3N-24-0000-0009-0000

Legal Description:

A PART, PIECE OR TRACT OF LAND LOCATED IN SECTION 16, TOWNSHIP 3 NORTH, RANGE 24 EAST TOWN OF HILLIARD, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF LORENA SUBDIVISION RECORDED IN PLAT BOOK 5 PAGE 313 OF SAID COUNTY SAID POINT BEING A CONCRETE MONUMENT; THENCE N89°56'13"W ALONG THE NORTH LINE OF LORENA SUBDIVISION TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF PINE STREET (AN 80 FOOT RIGHT OF WAY) AND FORMERLY HENRY SMITH ROAD PER PLAT BOOK 5 PAGE 313, A DISTANCE OF 1295.35 FEET; THENCE, N 02° 01' 02" W, ALONG SAID EASTERLY RIGHT OF WAY, FOR A DISTANCE OF 651.19 FEET TO THE SOUTHWEST CORNER OF OFFICIAL RECORDS VOLUME (ORV) 1879 PAGE (PG) 1782; THENCE N 89° 10' 14" E ALONG THE SOUTHERLY LINE OF SAID RECORDS TO THE SOUTHEAST CORNER FOR A DISTANCE OF 379.56 FEET; THENCE , N 01° 49' 12" W ALONG THE EASTERLY LINES OF ORV 1879 PG 1782 AND 1576 PG 938, FOR A DISTANCE OF 247.87 FEET; THENCE S 89° 51' 47" W, ALONG THE NORTH LINE OF ORV 1576 PG 938 TO THE SOUTHEAST CORNER OF ORV 211 PG 462 FOR A DISTANCE OF 169.76 FEET; THENCE N 01° 49' 12"W, ALONG THE EASTERLY LINE OF ORV 211 PG 462 FOR A DISTANCE OF 210.09 FEET TO THE SOUTHEAST CORNER OF ORV 1527 PG 925; THENCE, N 89° 51' 47" E, ALONG THE SOUTHERLY LINE OF ORV 1547 PG 1546, FOR A DISTANCE OF 213.47 FEET TO THE SOUTHEAST CORNER OF LAST SAID RECORDS; THENCE, N 01° 45' 15" W, ALONG THE EAST LINE OF ORV 1547 PG 1546 FOR A DISTANCE OF 210.08 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF ORV 688 PG 1992; THENCE N 89° 51' 47" EA DISTANCE OF 878.01 FEET, ALONG THE SOUTHERLY LINE OF THESE OFFICIAL RECORD VOLUMES ORV 1362 PG 43, ORV 1670 PG 745, AND ORV 1501 PG 1564 TO A FOUND CONCRETE MONUMENT; THENCE, S 01 ° 47' 02" E, ALONG THE WEST LINE OF ORV 1177 PG 86 FOR A DISTANCE OF 669.04 FEET; THENCE, N 89° 36' 28" E, ALONG THE SOUTHERLY LINE OF ORV 1177 PG 86 AND ORV 1179 PG 721 FOR A DISTANCE OF 1328.50 FEET TO A FOUND IRON PIPE AND THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16; THENCE ALONG THE EAST LINE OF THE SOUTHWEST 1/4, S 02° 45' 34" E, ALONG A FENCE LINE AND THE WEST LINE OF ORV 1078 PG 1537 FOR A DISTANCE OF 673.06 FEET; THENCE, N 89° 56' 13" W, ON AN LINE WITH THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF LORENA SUBDIVISION FOR A DISTANCE OF 1343.60 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PART LYING AND BEING IN COUNTY RIGHT OF WAY.

ATTACHMENT "B"
WRITTEN DESCRIPTION

Attachment “B”

PUD Written Description

Tompkins Preserve PUD (revised November 26, 2024)

I. PROJECT DESCRIPTION.

Semanik Investment Corp (the "Applicant") proposes to rezone approximately ±51 acres of property from A-1 Agriculture to Planned Unit Development ("PUD"), with the balance of the property, approximately ±20 acres, to remain as currently zoned. The property is more particularly described by the legal description attached hereto as Exhibit "A" (the "Property"), with a Parcel ID Number of 16-3N-24-0000-0009-0000. The Tompkins Preserve PUD (the “Project”) shall be developed in accordance with this PUD Written Description and the PUD Site Plan attached hereto as Exhibit "B". The Property is located along Pine Street in the Town of Hilliard, Nassau County, between the established Lorena Subdivision and Southern Glen Subdivision, allowing for a compatible and complementary extension of the surrounding residential fabric.

The Property is presently utilized for timberland and silviculture activities under its current Agricultural zoning, with a Medium Density Residential future land use designation per the Town of Hilliard's Comprehensive Plan 2040. This designation allows for up to 6 dwelling units per acre, which would yield 270 dwelling units on the approximate 45 acres of current uplands and expected impacted wetlands. Thus, since the Project only seeks up to a maximum of 170 single-family residential lots, this proposed community represents an appropriate density well within the parameters of the Town of Hilliard's long-range planning objectives without exceeding maximum density.

The Project has been carefully designed to harmonize with nearby residential neighborhoods while providing a desirable increase in housing opportunities for the area. Recreational open space shall be set aside within the Project boundaries in accordance with applicable Town of Hilliard’s Land Development Regulations (“LDR”), promoting suitable open space for residents. The PUD will have minimal impacts of approximately 4 acres of the approximate 10 acres of wetlands. Additionally, of the approximate 19 acres of adjacent wetlands and uplands to the south, not less than 10 acres is expected to be preserved and used as offsite mitigation.

The Project will provide essential utility services to future residents by connecting to the Town of Hilliard's existing potable water, sanitary sewer, and coordinating with the electric service providers for the area. As an additional public benefit, the water line will be run from Pine Street along Henry Smith Rd, and looped into the Project at the South-West corner abutting Henry Smith Rd the earlier of as needed for fire flow in Phase 1, or mandatory in Phase 2. Traffic accessibility will be facilitated through a connection to Pine Street, with private internal streets to be dedicated to the Homeowners Association upon completion. Pedestrian connectivity and walkability standards will also be incorporated through sidewalk installations lining one side of all residential roadways, as well as a central walkway from the South to the North to provide access to the northern park area, and a school bus stop with a shelter, bicycle rack and parking.

The features of the Project achieve Town of Hilliard's Comprehensive Plan 2040 goals with respect to each of its Elements as follows:

- A. *Future Land Use.*** Provides an environment of stable character compatible with the surrounding neighborhoods to the North and South, while achieving the limited density through only the use of upland acres and minimal impacts to wetlands;
- B. *Transportation.*** Provides private streets that comply with rights-of-way, safety access and off street parking per the LDR.
- C. *Housing.*** Provides much needed housing and an opportunity for new approaches to ownership through the implementation of a variety of lot sizes to allow for the ever changing market demands, thereby allowing home ownership opportunities to a broad range of individuals, and will promote property values that will be retained over the years as the preserved wetlands will insulate the Project from the density of future nearby developments;
- D. *Public Facilities and Capital Improvement.*** Enhances the appearance of the subdivision in that it requires all utilities to be underground, and as needed to either meet fire flow requirements in Phase 1, but mandatory for the commencement of construction of residences in Phase 2, adds public infrastructure to the Town of Hilliard by the extension of the water line along Henry Smith Road from Pine Street to the Southwest corner of the Project, being approximately 1,325 lineal feet, or a ¼ of a mile;
- E. *Conservation.*** It is creative in its approach through the use of natural features for neighborhood as the Project maintains wetlands with the lots being clustered; and provides for the use of onsite Conservation Areas to mitigate wetland impacts, including the preservation of forested wetlands that border the entire length of Henry Smith Rd;
- F. *Recreation and Open Space.*** Provides 20% of the parcel for parks and open space that benefits the neighborhood and enhances the appearance of the area through an entry buffer along Pine Road, activation of ponds, retained wetlands in the northern park with passive walking trails and the preservation of forested wetlands on the southern parcel that abuts and borders the Ponds and runs the length of Henry Smith Rd; and
- G. *Intergovernmental Coordination.*** Promotes the health, safety, and welfare of the Town of Hilliard, Nassau County, St. Johns River Water Management District and the State of Florida Department of Environmental Protection by providing all public utilities, fire safety, preservation of wetlands, onsite stormwater facilities, and a sheltered school bus stop for the children.

The Tompkins Preserve PUD constitutes a thoughtfully planned single-family residential community that will provide high-quality housing options while adhering to the Town of Hilliard's development regulations and contributing positively to its future growth trajectory and accomplishes a more desirable environment than would be possible through the strict application of minimum requirements of the LDR.

II. USES AND RESTRICTIONS.

A. Permitted Uses. The Project will be constructed to comply with the Land Development Regulations, except as modified within this PUD Written Description. Subject to maintaining required safety access to be approved by the Town of Hilliard, this Project may be constructed in up to 3 Phases of:

- a. Single-family detached residential development, with accessory uses, structures and buildings;
- b. Parks, playgrounds, recreational areas, and community facilities; and
- c. Essential services including private roads, water, sewer, stormwater management facilities, and utilities.

B. Uses by Special Exception.

None.

C. Accessory Uses, Structures and Buildings.

Accessory uses, structures and buildings will be allowed as are of the nature customarily incidental and clearly subordinate to the permitted or principal use of a residential structure. The residential accessory buildings such as patio enclosures, pool enclosures, storage sheds, garages and workshops, and accessory structures, including decks, patios and pools, shall be constructed within the building area of the lots. These accessory buildings and structures will be subject to the same setbacks as the residence. Driveways are allowed within the front and side yard setbacks. Likewise, air conditioning units and pool equipment shall be excluded from the definitions of accessory uses, structures and buildings, and may be included within the setback line without violating the setback requirements. Accessory uses such as customary home occupations, pets, and yard sales will be allowed as per the requirements for residential districts stipulated within the LDR and in accordance with any applicable neighborhood covenants and restrictions.

D. Restrictions on Uses.

All uses and structures not specifically provided for within this PUD Written Description that are not allowed in Residential Uses as defined in the LDR are prohibited.

- d. *School Bus Stop:* In coordination with the Nassau County School District and the Town of Hilliard's Administrative Officials, the Applicant may install a school bus stop, if appropriate, within or adjacent to the Project, and if so required, shall install a shelter and a minimum of one (1) covered bench to provide a safe waiting area for school children.

C. Signs and Entry. The applicant may construct up to two (2) permanent, single faced monument signs at the entrance to the subdivision off of Pine Street or one (1) permanent, double-faced monument sign in a median (center island) at the entry to the subdivision off of Pine Street. The signs may be located within the road right-of-way or on private property. The monument sign(s) may be up to one-hundred fifty square feet each, but each face identifying the subdivision shall not exceed fifty (50) square feet in area. The maximum height of any monument sign shall be (10) feet. Real estate and construction signs shall also be allowed on each lot. Excepting the criteria set forth above, signage shall be provided in accordance with applicable LDR. If the monument sign is located within the right-of-way, or median (center island), landscaping and maintenance shall be the responsibility of the Homeowners' Association.

D. Landscaping. Landscaping in the PUD shall comply with the LDR standards, except that if natural vegetation is preserved along Pine Road or Henry Smith Rd., it shall be credited against any landscaping requirements of the LDR along these rights-of-way. Vinyl perimeter fencing shall not exceed 6 feet, and may be installed along the rear of lot lines abutting other developments or the side yard of lots abutting the buffer and/or the Pine Road right-of-way. The installation and type of fence within the interior of the Project, including rear or side lot lines abutting stormwater facilities, wetlands, parks, open space or other lots, shall be subject to the rules and regulations of the Homeowners' Association which shall be recorded with Nassau County, but shall not exceed 6 feet in height. Trees will be provided on each single-family lot by the builder(s) as they construct the homes per the Town of Hilliard's codes.

E. Recreation and Open Space. The design of the PUD incorporates common open space elements through a buffer at the entry off of Pine Street, the retention of approximately 6 acres of wetlands in the northern park that are usable with walking trails and benches, as well as varied active and/or passive recreational opportunities through the park areas. This usable open space and common area park will meet the requirement of LDR Section 62-316. The Applicant intends to dedicate all buffers, open space, retained wetlands and recreational areas to the Homeowners' Association for active and usable passive recreation uses, and maintenance. Retained wetlands may be subjected to Conservation Easements as may be required with the St. Johns River Water Management District for mitigation impacts, but shall be usable with passive walking trails using the current logging trails to activate them for neighborhood use. Other active recreation uses may include, at the discretion of the Applicant, and its assigns and successors and/or the Homeowners' Association, a playground, dog park, open sports field area, walking trails, community garden, pond(s) stocked with fish and similar uses.

III. DESIGN GUIDELINES.

A. Lot Requirements.

- a. *Minimum lot area:* 6,000 square feet.
- b. *Minimum lot width:* 50 feet at the right-of-way, except that lots with a radius shall be measured using a parallel line along the wall nearest to the right-of-way.
- c. *Maximum lot coverage buildings:* All buildings, including accessory buildings, shall not cover more than 50% of the total lot area.
- d. *Maximum lot coverage all buildings and structures:* All buildings, including accessory buildings and accessory structures, shall not cover more than 60% of the total lot area.
- e. *Minimum yard requirements.*
 - i. *Minimum front yard:* 20 feet.
 - ii. *Minimum side yard:* 5 feet.
 - iii. *Minimum rear yard:* 10 feet.
 - iv. Eaves and other architectural features may encroach into the setbacks for up to 18 inches.
 - v. Mechanical equipment such as air conditioning compressors or pool equipment may encroach into the setbacks.
- f. *Maximum height of structures:* 35 feet.

B. Ingress, Egress and Circulation.

- a. *Parking Requirements:* Each residential unit will be provided with at least 2 parking spaces through a garage, with a driveway to be paved to the roadway. Additional off-street parking will be provided in accordance with applicable Town of Hilliard regulations if required.
- b. *Vehicular Access:* A single access will be provided through Pine Street as shown on the PUD Site Plan. The access road as shown on the PUD Site Plan and other interior roads will be privately owned.
- c. *Pedestrian Access:* Sidewalks and pedestrian connectivity will be provided on one side of each roadway throughout the Project, as well as a central walkway from the South to the North to provide access to the activated ponds and park.

F. Utilities.

- a. Water will be provided by the Town of Hilliard, with fire hydrants installed in accordance with the LDR throughout the subdivision and within the extension of the water line along Henry Smith Road from Pine Street as needed to either meet fire flow requirements in Phase 1, but mandatory for the commencement of construction of residences in Phase 2. The looped waterline servicing the Project shall be not less than 8" on the main, and branches shall be sized to meet fire flow capabilities. Impacts and construction location and materials shall be coordinated with the Town of Hilliard and the St John River Water Management District for the portion of the looped water main that crosses through the southern wetlands on the adjacent property. Upon completion and certification, the water system shall be conveyed to the Town of Hilliard with utility easements within the Project's ROW for service and maintenance.
- b. Sanitary sewer shall have an internal gravity collection system and a private lift station and discharge force main that will connect to the Town of Hilliard's system as the existing manhole MH 211B or MH 211A. Upon completion and certification, the sewer system (gravity, lift station and forced main) shall be conveyed to the Town of Hilliard with utility easements within the Project's ROW for service and maintenance. If the Town of Hilliard's Master Lift Station requires upgrades to accept the anticipated waterflow from the Project, the Town of Hilliard shall use its resources, including fees from this Project to do so.
- c. Electric will be installed underground, and provided by Okefenokee Rural Electric Membership Corporation, or any other electric utility granted rights by the Florida Public Service Commission, or any other governmental agency having regulatory oversight.
- d. Telephone, cable and/or internet capability shall be provided by any company granted rights by the Florida Public Service Commission.

G. Wetlands. Any impacts to the wetlands will be permitted pursuant to local, state, and federal permitting requirements, if applicable, with wetland impacts within the Project to be minimal, approximately 4 acres of the 10 acres of wetlands. Additionally, it is expected that not less than 10 acres of the adjacent wetlands and uplands to the south will be used as offsite mitigation, wherein the Applicant will record a Conservation Easement as approved by the St. Johns Water Management District.

H. Stormwater: Stormwater will be handled on site within stormwater facilities designed and permitting under the standards of the LDR and the St. Johns River Water Management District. Stormwater shall be collected with grading and street gutters, and transported via underground piping to the retention ponds, with appropriate easements for maintenance. Stormwater currently being discharged from the adjacent communities, being Southern Glen Subdivision and Lorena Subdivision, shall be incorporated into the stormwater management facilities to be engineered and constructed.

- I. Homeowners' Association Restrictions:** The Applicant shall establish a not-for-profit homeowners' association prior to the sale of any lots. Membership shall be mandatory for all property owners. The homeowners' association shall own and be responsible to manage and maintain all common areas, open spaces, internal roadways, recreational areas, stormwater facilities and enforce the covenants and restrictions of the community to be recorded in the Public Records of Nassau County, Florida. The covenants and restrictions shall notify all property owners that they are living in a Planned Unit Development and shall run with the land in order to protect both present and future property owners within the Project.
- J. Configuration:** The location and design of all access points and private interior access roads, along with parks, stormwater facilities and development areas depicted on the Site Plan ("Exhibit B") are conceptual and may be modified and reconfigured during the development process and shall not require amendment so long as the reconfiguration does not reduce the acreage of parks or any other design requirements herein; and shall nevertheless be subject to the review and administrative approval of the Town of Hilliard's Planning and Zoning Department in coordination with its Building and Safety Officials.

ATTACHMENT "C"
SITE DEVELOPMENT PLAN

