

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, AMENDING THE HILLIARD COMPREHENSIVE PLAN POLICY A.1.1.3.H., TO REVISE THE DESCRIPTION OF THE INSTITUTIONAL FUTURE LAND USE CATEGORY TO ADD MEMORY CARE, INDEPENDENT SENIOR LIVING FACILITIES, AND TO ALLOW NEIGHBORHOOD COMMERCIAL USES AND OFFICES IN THE INSTITUTIONAL FUTURE LAND USE CATEGORY, AS PART OF A PLANNED UNIT DEVELOPMENT ZONING FOR THE INSTITUTIONAL DEVELOPMENT; PROVIDING FOR SEVERABILITY; REPEALER, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, empowers the Hilliard Town Council to prepare and enforce a Comprehensive Plan for the development of the Town; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the Town Council of Hilliard to (a) plan for the Town's future development and growth; (b) adopt and amend Comprehensive Plans, or elements or portions thereof, to guide the future growth and development of the Town, (c) implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purpose of the Act; and

WHEREAS, the Town of Hilliard proposed certain revisions and modifications to the text of the Hilliard Comprehensive Plan Policy A.1.1.3.H., to revise the description of the Institutional Future Land Use Category, which are more particularly set forth in Exhibit A, attached hereto, and incorporated herein by reference; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Town Council of Hilliard, duly designated the Planning and Zoning Board as the Local Planning Agency for the Town of Hilliard; and

WHEREAS, the Town of Hilliard Planning & Zoning Board, held a duly noticed public hearing on March 14, 2023, regarding the Comprehensive Plan text amendment to revise Policy A.1.1.3.H; and

WHEREAS, the Town of Hilliard Planning and Zoning Board, has reviewed the proposed text amendment Comprehensive Plan amendment revise Policy A.1.1.3.H. and found it to be consistent with the Town's Comprehensive Plan and recommended on March 14, 2023, the text amendment to Hilliard Comprehensive Plan Policy A.1.1.3.H. to the Town Council for approval; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on 5/18, 2023 and on 8/17, 2023 the Town of Hilliard Town Council held a public hearing on this proposed text amendment to Hilliard Comprehensive Plan Policy A.1.1.3.H. with public notice having been provided and having considered all comments received during the public hearings, the recommendations of the Planning and Zoning Board; and

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

SECTION 1. PURPOSE AND INTENT. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 166, Florida Statutes, as amended.

SECTION 2. APPROVAL OF TEXT AMENDMENT. The Town Council hereby approves the text amendment to Hilliard Comprehensive Plan Policy A.1.1.3.H. set forth in **Exhibit A**, attached hereto.

SECTION 3. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

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

ADOPTED this 17th day of August, 2023, by the Hilliard Town Council.



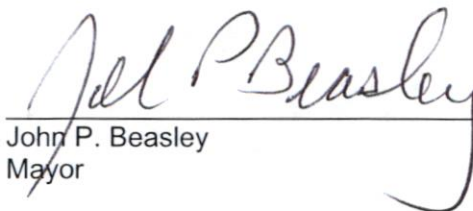
Kenneth A. Sims
Council President

ATTEST:



Lisa Purvis
Town Clerk

APPROVED:



John P. Beasley
Mayor

Planning & Zoning Board Publication:	December 21, 2022
Planning & Zoning Board Public Hearing:	March 14, 2023
Town Council First Publication:	April 26, 2023
Town Council First Public Hearing:	May 18, 2023
Town Council Second Publication:	July 5, 2023
Town Council Second Public Hearing:	August 17, 2023

EXHIBIT A

Policy A.1.1.3 H. Institutional

Lands designated in this category are those used for the construction of public service structures such as schools, police, fire, and other governmental buildings, potable water, sanitary sewer treatment, stormwater/drainage control structures, roadways, and other infrastructure facilities. Other lands designated as Institutional may include churches, schools, hospitals, nursing homes, assisted living facilities, memory care, independent senior living facilities, and other structures facilities licensed by the State of Florida generally under private or not for profit ownership that serve the general public. Supportive uses including neighborhood related commercial, retail and professional offices allowed in the MSC, Main Street Commercial/C-N zoning Districts may also be permitted as part of a planned unit development zoning for the Institutional development. Supportive uses are limited to 30% of the square footage of the institutional structures. Institutional land uses will be permitted an intensity of use up to 50 percent of lot/parcel coverage not to include parking or drainage facilities. Building height shall not exceed 35 feet.