



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Public Hearing & Regular Meeting Meeting Date: November 6, 2025

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to consider Ordinance No. 2025-13, an ordinance of the Town of Hilliard, Nassau County, Florida, amending Chapter 62 Zoning of the Town Code to require approval of Plat Submittals within the Town limits by an Administrative Authority, and to incorporate other statutory requirements pursuant to Section 177.071, Florida Statutes; providing for conflict, severability, administrative correction of scriveners error, publication and effective date. Adopting on First Reading and Set Second Public Hearing & Final Reading for December 4, 2025.

BACKGROUND:

See Attached.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council adopting of Ordinance No. 2025-13, on First Reading and Set Second Public Hearing & Final Reading for December 4, 2025.

**ORDINANCE NO. 2025-13
TOWN OF HILLIARD, FLORIDA**

AN ORDINANCE OF THE TOWN OF HILLIARD, NASSAU COUNTY, FLORIDA, AMENDING CHAPTER 62 OF THE TOWN CODE TO REQUIRE APPROVAL OF PLAT SUBMITTALS WITHIN THE TOWN LIMITS BY AN ADMINISTRATIVE AUTHORITY, AND TO INCORPORATE OTHER STATUTORY REQUIREMENTS PURSUANT TO SECTION 177.071, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, on June 20, 2025, Senate Bill 784 was signed by the Governor, amending section 177.071, Florida Statutes, effective July 1, 2025. Section 177.071, Florida Statutes, was amended to require that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances and requiring the governing body of a municipality to designate an administrative authority to receive, review, and process plat or replat submittals; and

WHEREAS, Chapter 62 of the town code currently conflicts with the sections 177.071, Florida Statutes; and

WHEREAS, the passage of this ordinance is intended to ensure that the Town of Hilliard is in compliance with section 177.071, Florida Statutes.

SECTION 1: AUTHORITY

The Town Council of the Town of Hilliard has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2: AMENDING SECTION 62-576

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a tier or group of lots existing within well-defined and fixed boundaries within a subdivision, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter or other name by which it may be identified.

Building includes the term "structure" and shall be construed as if followed by the phrase "or part thereof."

Developer means the owners of record executing the dedication required by F.S. § 177.081 and applying for approval of a plat of a subdivision pursuant to F.S. § 177.01 et seq.

Developer's engineer means a professional engineer registered in the state and engaged by the developer to prepare engineering plans and to supervise construction.

Land includes the term "water," "marsh" or "swamp."

Lot includes the term "plot" or "parcel." A lot is also identified as a single unit in a subdivision.

Plat, preliminary, means a map ~~on which the developer's plan for subdivision is presented and which he submits for approval and intends, in final form, to record.~~ or delineated representation of the subdivision of lands that is a complete and exact representation of the residential subdivision or planned community and contains any additional information needed to be in compliance with the requirements of this chapter.

Plat, final, means the final tracing, map, or site plan presented by the subdivider to a governing body for final approval, and, upon approval by the appropriate governing body, is submitted to the clerk of the circuit court for recording.

Subdivision means one of the following:

- (1) The division of any parcel of land, of any size whatsoever, into two or more lots of any size.
- (2) The establishment or dedication of a road, street or alley through a tract of land, regardless of area.
- (3) The resubdivision of land heretofore or hereafter divided or platted into lots.

The following shall not be included within this definition nor be subject to this chapter:

- (1) The sale or exchange of lots to or between adjoining property owners, where the sale or exchange does not create additional lots.
- (2) The public acquisition by purchase, acceptance of deed of dedication or exercise of the right of eminent domain of strips of land for the widening or opening of streets or roads.

Surveyor means a land surveyor registered in the state and engaged by the developer to survey and plat the land for subdivision.

Town-approved road or street means a road or street paved in accordance with the specifications prescribed in this chapter, involved in any division of land into a recorded or unrecorded subdivision plat.

SECTION 3: AMENDING SECTION 62-582, 62-583, 62-585

The Land Development Regulations Chapter 62, “Zoning and Land Development Regulations,” Article XIV “Platting,” Sec. 62-582 and 62-585 are hereby amended to read as follows:

Sec. 62-582. - General procedure for plat approval.

The preliminary and final plat shall be submitted to the town in the format required by the town for recommendation planning and zoning to the ~~council~~ Land Use Administrator for approval. Within seven (7) days of receiving the plat or replat submittal, the Land Use Administrator shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal. The written notice must provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

No plat shall be recorded and no lots shall be sold from the plat unless and until the final plat is approved as provided in this chapter.

Sec. 62-585. - Signatures; certifications and acknowledgments.

The final plat must contain space and forms for the appropriate certifications and acknowledgments and shall be signed by the following:

- (1) A notary public or other officer authorized by law to take acknowledgments as to the certification of the acknowledgment by the owner or owners.
- (2) A surveyor for the town as for compliance with F.S. ch. 177.
- (3) The town attorney as to legal sufficiency and compliance.
- (4) By the public works director certifying the water supply and sewage system's acceptability
- (5) By the county health officer if the lots will be served by septic tanks for the plat subject to review of each lot for septic tanks by the county environmental health officer according to the Florida Administrative Code.
- (6) By the chairman of the planning and zoning board as to approval by the planning and zoning board.
- (7) By the county tax collector as to the approval that the taxes are current.
- (8) The town clerk as to approval by the ~~council~~ Land Use Administrator.
- (9) The mayor as to approval for the town.

- (10) The clerk of the circuit court for the county as to the plat having been filed for record. The plat book and page designation shall be obtained from the clerk at the time it is presented to the clerk for recording.

SECTION 4: CONFLICT

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5: SEVERABILITY

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

SECTION 6: CODIFICATION

The text of Section 2 to 3 of this Ordinance shall be codified as a part of the Hilliard Town Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of “Article” for “Ordinance”, “Section” for “Paragraph”, or otherwise to take such editorial license.

SECTION 7: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Regardless of whether such inclusion in the Code as described in Section 2 to 3 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener’s errors which do not affect the intent may be authorized by the Town Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

SECTION 8: PUBLICATION AND EFFECTIVE DATE

This Ordinance shall not be immediately effect in order to allow for a transition from the code enforcement board to the code enforcement special magistrate. This Ordinance and its Amendments shall be effective on **September __, 2025.**

PASSED AND ADOPTED by the Town of Hilliard, Nassau, Florida on this _____ day of _____, 2025.

TOWN OF HILLIARD, FLORIDA

Kenneth A. Sims, Sr.
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

APPROVED AS TO FORM AND LEGALITY

Christian W. Waugh
Town Attorney

Planning & Zoning Board Publication:	October 15, 2025
Planning & Zoning Board Public Hearing:	November 4, 2025
Town Council First Publication:	October 15, 2025
Town Council First Public Hearing:	November 6, 2025
Town Council First Reading:	November 6, 2025
Town Council Second Publication:	November 19, 2025
Town Council Second Public Hearing:	December 4, 2025
Town Council Second & Final Reading:	December 4, 2025