



# Nassau County Beach Community Working Group

REPORT AND RECOMMENDATIONS

Prepared for:

*The Nassau County Board of County  
Commissioners*

NOVEMBER 6, 2019

Prepared by:

**Kimley»»Horn**



**Nassau County Beach Community Working Group  
Final Report and Recommendations  
to the  
Nassau County Board of County Commissioners**

**Table of Contents**

Cover Letter from the Chair

Tab 1. Introduction

Tab 2. Consolidated Beach Ordinance

Tab 3. Amended Consolidated Beach Ordinance

Tab 4. Non-Codified Recommendations

Tab 5. Agendas and Meeting Minutes

Appendix Separate Document of Written Public Input



**NASSAU COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
96135 Nassau Place, Suite 1  
Yulee, Florida 32097

Daniel B. Leeper  
Aaron C. Bell  
Pat Edwards  
Thomas R. Ford  
Justin M. Taylor

Dist. No. 1 Fernandina Beach  
Dist. No. 2 Amelia Island  
Dist. No. 3 Yulee  
Dist. No. 4 Bryceville/Hilliard  
Dist. No. 5 Callahan/West Yulee

JOHN A. CRAWFORD  
Ex-Officio Clerk

MICHAEL S. MULLIN  
County Attorney/County Manager

TACO E. POPE, AICP  
Assistant County Manager

November 6, 2019

The Honorable Justin M. Taylor, Chairman  
and the Honorable Board of County Commissioners  
96135 Nassau Place  
Suite 1  
Yulee, FL 32097

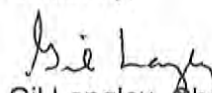
Dear Chairman Taylor and the Board of County Commissioners:

As Chairman of the Beach Community Working Group, I am pleased to present to you our final report and recommendations. This report represents countless hours of dedication by the Working Group members and Nassau County staff. The working group met 17 times, received nearly 600 pages of written comments, and was addressed by Nassau residents and other interested parties on over 150 separate occasions. We have consolidated five (5) separate Ordinances related to Nassau's beaches and have made numerous recommendations as to how they could be amended. Additionally, we have also made several recommendations related to the use and management of our beaches that are not in the nature of changes to the County's ordinances.

The issues facing the County regarding use of its beaches are complex, multi-faceted and nuanced and are expected to increase as the County grows. County population in 2040 is expected to be nearly 114,000 and could be as high as 147,000. All members agree that the status quo is unacceptable and should not be allowed to continue. However, we also recognize these are delicate and sensitive issues for the citizens of Nassau County.

I think I speak for all members of the Working Group when I say that it has been an honor to serve to try to help make Nassau County a better place to call home.

Sincerely,

  
Gil Langley, Chairman  
Nassau County Beach Community Working Group

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**TAB 1**



**Nassau County Beach Community Working Group  
Final Report and Recommendations  
to the  
Nassau County Board of County Commissioners**

The Nassau County Board of County Commissioners (BOCC) empaneled the Beach Community Working Group (Working Group) on December 19, 2018. The Working Group members include:

- Mr. Gil Langley, President & CEO, Amelia Island Tourist Development Council – CHAIR
- Mr. Michael S. Mullin, Nassau County Manager/County Attorney
- Mr. Taco Pope, Nassau County Assistant Manager
- Mr. Doug Podiak, Nassau County Director of Public Works
- Mr. Butch Osbourne, Director of Operations, Nassau County Sheriff's Office
- Mr. Mac Morriss, Ex-Officio Member
- Mr. Lowell Hall, Ex-Officio Member

At their December 19, 2018 meeting the BOCC made the following motion which carried unanimously:

*"Approve formation of a Beach Community Working Group consisting of the Interim County Manager; Planning and Economic Opportunity Director; Facilities Maintenance Director; Gil Langley, Director of the Tourist Development Council; Mac Morris and Lowell Hall, Citizens for Preservation of Public Beaches; and a representative from the Sheriff's Office to review current beach related Ordinances for any updates and/or amendments and bring back to the Board."*

The Working Group first met on February 26, 2019 and held a total of 17 meetings as follows: February 26, 2019, March 26, 2019, April 11, 2019, April 17, 2019, May 15, 2019, May 30, 2019, June 19, 2019, July 15, 2019, July 24, 2019, August 1, 2019, August 14, 2019, August 15, 2019, September 16, 2019, September 19, 2019, September 26, 2019, October 9 2019 and November 6, 2019. The agendas and minutes for these meeting are located under Tab 5.

Although public comment was welcomed at all meetings of the Working Group the first six meetings were primarily dedicated to receiving public input. Throughout the process the Working Group heard from well over 1000 citizens/interested parties either through direct public input at the meetings or via telephonic and email communication.

During the course of their work the Working group considered the following Nassau County Ordinances 2018-18, 2018-22, 2016-06, 2015-13 and 2003-42. The substance of these ordinances is outlined below:

- Ordinance No. 2018-18 recognizing and confirming the customary use by the public of the beach, in the unincorporated areas of Nassau County. (Customary Use Ordinance)

- Ordinance No. 2018-22 regarding hours of camping, parking of motor vehicles, campers and truck tractors in beach front parks, changing hours of parking in beach front parks.
- Ordinance No. 2016-09 prohibiting littering, use of glass containers, regulated camping, required control of horses and dogs, designated swimming and sunbathing areas, excessive vehicular speed and careless and reckless operations, and designated parking areas for access to beaches.
- Ordinance No. 2016-06 prohibiting and regulating personal property unattended on beaches within the unincorporated areas of Amelia Island. (Leave No Trace Ordinance)
- Ordinance No. 2015-13 providing for beach permits for out-of-county residents for motor vehicles driving or parking on County beaches.
- Ordinance No. 2003-42 regulating concessions and beach rentals on unincorporated areas of beach, providing a requirement for concession licenses, fees, operation and maintenance, signs and merchandise display, and insurance.

It was decided that Ordinance No. 2018-18 (Customary Use Ordinance) needed to remain a stand-alone ordinance so as preserve its grandfathered status.

Through a series of nine (9) facilitated meetings the Working Group considered a wide variety of issues and potential ways they could be addressed. This process resulted in three documents the Working Group agreed to forward to the BOCC. The first document is a Draft Ordinance consolidating the all of the above Ordinances except for the Customary Use Ordinance (Tab 2). The second document is an amended Consolidated Ordinance reflecting the consensus of the committee on issues deemed sufficiently developed for codification (Tab 3). The final document is a series of recommendations that were not appropriate for codification (Tab 4).

**TAB 2**

## **Nassau County Consolidated Beach Ordinance Existing Language**

(Ordinances 2003-42, 2015-13, 2016-06, 2016-09, 2018-22)

### **RECITALS**

### **SECTION 1. DEFINITIONS**

- A. Annual shall mean the period from October 1 through September 30 one year period from the date of the purchase of the permit in order to drive or park on the beach. (2015-13)
- B. Beach shall mean the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. (2016-06)
- C. Camper shall mean recreational vehicle-type units primarily designed as temporary living quarters for recreational, camping or travel use, which either have their own motor power or are mounted on or drawn by another vehicle. This includes travel trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and all are further defined in Fla. Stat. §320.01. (2018-22) (2016-09)
- D. Camping shall mean inhabiting a Camper or Motor Vehicle, including Truck Tractors, or the construction or erection of a shelter for the purpose of sleeping; or lying upon a bedroll, blanket, or other protective garb for the purpose of sleeping. (2018-22) (2016-09)
- E. County Beaches shall mean the ocean beaches bordering the Atlantic Ocean in the unincorporated areas of Nassau County, Florida. (2015-13)
- F. Developed Resort Areas shall mean any property that is subject to a development order, if such development order indicates resort activities, as of the enactment date of Senate Bill No. 1577, Chapter 89-44, which was March 1, 1990. (2003-42)
- G. Dune shall mean a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation. (2016-06)
- H. Litter shall mean any garbage, rubbish, trash, refuse, can, bottle, containers, paper materials or similar materials. (2018-22)
- I. Littering shall mean the throwing, discarding, placing or depositing of Litter in any manner on the Atlantic Ocean beaches and County owned or controlled oceanfront parks. (2018-22)
- J. Motor Vehicle shall include automobiles, motorcycles, mopeds, motor trucks, trailers, semitrailers, tractor trailer combinations, recreational vehicle-type units including travel trailers, camping trailers, truck campers and motor homes, wind powered vehicles, and all other vehicles used as a means of transporting persons or property and propelled by other than muscular power. (2018-22)

- K. Person shall mean any natural person, firm, partnership, association, corporation and any other legal entity. (2016-06)
- L. Personal Property shall include but is not limited to: tents (including tent frames), cabanas, umbrellas and other shading devises, beach chairs and other furniture, picnic tables, tiki huts, volleyball nets, hammocks, floats, sailboards, surfboards, kites, jet skis, sailboats, water cycles and other watercraft, beach toys, grills, nets, coolers, canoes, kayaks and general items for beach recreation, or similar items. (2016-06)
- M. Truck Tractor shall mean a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such a fifth wheel and which has no provision for carrying loads independently pursuant to Florida Statutes, Section 320.01(11). (2018-22)

## SECTION 2. DRIVING AND PARKING

### A. Prohibitions/Violations

1. Motor Vehicles, Campers or Truck Tractors shall not be allowed to remain in any of the areas set forth in Section 2.B.1. as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. The hours established shall be posted on the County's website and advertised once in newspapers of general circulation. Truck Tractors may be allowed, during the Concours d'Elegance event, pursuant to a permit issued by the County Manager's Office. The County Manager shall prepare the form for the permit and the permit must be displayed to a law enforcement officer upon request and the failure to do so will be deemed a violation of the Ordinance and may subject the individual and Truck Tractor to removal from the park, including the parking lot. Failure to vacate will constitute a trespass pursuant to Florida Statutes, and is a first degree misdemeanor. The County Manager or his designee shall notify the Sheriff's Office and any other law enforcement agency as to the issuance of the permit and provide a copy of said permit. (2018-22)
2. Absolutely no vehicles are allowed on the dunes or vegetation. (2018-22)
3. No trailers or other conveyances that carry horses, ponies, or burros or any other animal of an equine nature shall be allowed on County owned or controlled ocean front parks or property except as stated herein. (2018-22)
4. Trailers or other conveyances that carry horses, ponies or burros or any other animal of an equine nature shall be allowed entrance to and on the County owned park at Peters Point subject to the following: (2018-22)
  - a. All trailers and other conveyances shall submit an application to the County Animal Control Director, and/or his designee, and shall, if approved, be issued a decal by the County Animal Control Director, and/or his designee, and said decal shall be placed or attached to the trailer or conveyance in such a manner as to be plainly visible (see Resolution 2018-82, attached hereto). The owner or operator of the trailer or conveyance shall be required to keep a copy of the approved application with them when they are on the beach. Said approved application must be displayed to a law enforcement officer upon request. Failure to do so will be deemed a violation of the Ordinance and may subject the individual and/or owner/operator of the trailer or conveyance to removal from the



park, including the parking lot. The specific regulations for the application are set forth in a Resolution 2018-82. (2018-22)

- b. Parking for trailers and other conveyances that carry horses, ponies or burros or any other animal of an equine nature shall be designated within Peters Point Beach Front Park. Failure to park in the designated areas or failure to have a will be deemed a violation of the Ordinance and may subject the individual and/or owner/operator of the trailer or conveyance to removal from the park, including the parking lot. Failure to vacate will constitute a trespass pursuant to Florida Statutes, and is a first degree misdemeanor. (2018-22)
- c. Horses, ponies, burros or any other animal of an equine nature shall not be unloaded within Peters Point Beach Front Park except within the designated parking areas. (2018-22)
5. Speed limit. It is unlawful to exceed the vehicular speed limit often (10) miles per hour or operate a vehicle in a careless or reckless manner. (2018-22)
6. A violation of 2.B. shall be a citation issued by a law enforcement officer that provides for a court appearance and a fine of one hundred dollars (\$100.00) per violation, plus court costs. In addition, a law enforcement officer may direct the individual determined to be the driver and/or the owner/operator of the Motor Vehicle, Camper or Truck Tractor to remove the vehicle. Failure to do so shall be considered a trespass pursuant to Florida Statutes and is a first degree misdemeanor. (2018-22)
7. Motor Vehicles, Campers or Truck Tractors that are in violation may also be towed and stored by a towing company at owner's expense. A law enforcement officer shall have the authority to have the Motor Vehicle, Camper or Truck Tractor towed at the owner's or operator's expense. The owner or operator shall be responsible for any storage charges. Shelters and other items utilized for camping shall be removed, by contract employees, that are on the Beach or in one of the areas set forth in Section 2.B.1. or property except as stated herein. (2018-22)
8. It shall be unlawful for any person not a resident of Nassau County, Florida, subject to the exemptions in Section 2.A.11.,to drive or park a motor vehicle on County beaches or County-controlled beaches without obtaining a permit as provided by this Ordinance. A Florida driver license indicating a Nassau County address shall be proof of Nassau County residency. (2015-13)
9. Vehicular traffic on the beaches under the jurisdiction of Nassau County is hereby regulated in accordance with the provisions of Florida Statutes, Sections 161.58, 161.53, 161.141, and Senate Bill 1577, and the Final Judgment entered in Case No. 90-397-CA. (2015-13)
10. Appropriate signs shall be posted by the Facilities Maintenance Department indicating parking and prohibitions as set forth herein. (2018-22)
11. This Ordinance shall not apply to law enforcement and emergency rescue motor vehicles and County maintenance vehicles and 4-wheelers as approved by the Board of County Commissioners and designated accordingly. There shall be no permit fee or permit required for vehicle owners who are handicapped or disabled, pursuant to Florida Statutes. Those vehicle owners who are handicapped or disabled, pursuant to Florida Statutes, may utilize their Disabled Persons Parking Permit Placard issued by the Tax Collector's office as and for a beach permit sticker. Senior citizens age sixty-five (65) and older may obtain a beach permit sticker from the Office of the Clerk at no charge upon proof of age.



B. Designated Parking Areas for Access to the Atlantic Ocean Beach Areas

1. The areas designated for parking of vehicles for access to the Atlantic Ocean Beach areas are:
  - a. Peters Point Beach Front Park including parking area
  - b. Scott Road Parking Area
  - c. Burney Park including parking area
  - d. Dunes Club Parking area and walkover, located south of the Amelia Island Plantation entrance. (2018-22)
2. Motor Vehicles, Campers or Truck Tractors shall not be allowed to remain in any of the areas set forth herein as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. The hours established shall be posted on the County's website and advertised once in newspapers of general circulation. Truck Tractors may be allowed pursuant to Section 2.A.(2018-22)

C. Permits

All out-of-County residents shall be required to obtain a permit in order to drive or park on the beach. Nassau County residents shall not be required to have a permit. Nassau County residents shall produce a valid Florida Driver License upon demand of a certified law enforcement officer. (2015-13)

D. Resolutions Establishing Procedures and Regulations for Beach Permits

The Board of County Commissioners shall promulgate appropriate procedures regarding the collection of fees and/or additional regulations for permits or rules as to beach driving. (2015-13)

E. Fees

1. There shall hereby be levied a twenty-five dollar (\$25.00) annual fee per motor vehicle for driving or parking a motor vehicle on County beaches. (2015-13)
2. There is hereby levied a five dollar (\$5.00) per day fee per motor vehicle for driving or parking a motor vehicle on County beaches of Nassau County. (2015-13)

F. Fund

All funds received from the levy of the fees and Court surcharges shall be placed in a separate fund to be established by the Board of County Commissioners. (2015-13)

G. Use of Funds Collected

The funds collected from the levy of the fees and Court surcharge(s) shall be expended for beach-related purposes, including administrative costs. (2015-13)

H. Four-wheelers and All-terrain Vehicles

Four-wheelers and all-terrain vehicles (ATV's), except for official use only vehicles as approved by the Board of County Commissioners and designated accordingly by the Board, are prohibited on the County's beach areas. (2015-13)

I. Penalties, Revocation of Permit

1. Any violation of any provision of this Ordinance shall be a separate violation of this Ordinance. (2015-13)

2. Upon conviction in County Court, the violator may be fined up to five hundred dollars (\$500.00) and/or ten (10) days incarceration in the Nassau County Detention Facility. (2015-13)
3. In addition to the above penalty upon a conviction in County Court of a violation of this Ordinance, the violator shall not be entitled to a permit for one (1) year from the date of conviction. (2015-13)

### **SECTION 3. CAMPING AND CAMPFIRES**

- A. It shall be unlawful and it is hereby prohibited for any person or persons to camp in any County owned or controlled ocean front park as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. The hours established shall be posted on the County's website and advertised once in newspapers of general circulation. (2018-22)
- B. A law enforcement officer may direct any individual that is determined to be camping in any County owned or controlled oceanfront park as established by the County Manager and posted in or on beach front parks to vacate the park or property and the failure to do so shall be considered a trespass pursuant to Florida Statutes and is a first degree misdemeanor. (2018-22)
- C. Shelters and other items utilized for camping shall be removed, by contract employees, that are on the Beach or in one of the areas set forth in Section 2.B.1. (2018-22)
- D. The building of campfires or bonfires on the Beach between sundown and sunup is prohibited during marine turtle nesting season, which extends from May 1 to October 31 of each year. Campfires or bonfires are permitted outside of the prohibited dates. All campfires and bonfires shall be extinguished prior to leaving the Beach area. (2018-22)

### **SECTION 4. CONCESSIONS AND RENTALS**

- A. Concession license required. (03-42)

A concession license shall be required to solicit or canvass, on the Atlantic beach area within a resort area, for the sale or rental of any merchandise, services, goods, or property of any kind or character. A license shall grant to the concessionaire the right to sell or rent specified goods or services on the beach areas within the resort area to the general public and resort guests. Such license shall provide the exclusive authority to sell or rent goods or services within the resort area and shall be renewable only at the option of the County. The license shall be revocable by the County. (03-42)
- B. Concession licenses. (03-42)
  1. Concession licenses will be granted only if there is a signed agreement between the resort and the concessionaire, and said signed agreement allows for the rental to the general public and resort guests and permits the concessionaire to have the ability to have resort guests charge the concessionaire's services to their resort bills and permits the concessionaire to have access to the beach area in front of the developed resort area through the developed resort's property.
  2. Concession licenses will be awarded for a one (1) year period, subject, annually, at the County's sole option, to renewal.
  3. A concession license does not exempt the concessionaire from adhering to all local, state, and federal statutes and regulation requirements. (03-42)
- C. Concession fee. (03-42)

Each on-beach concessionaire within the developed resort area shall pay to the County a minimum annual fee of one hundred dollars (\$100.00) upon receipt of the license, which is issued on October 1 of each year. (03-42)

D. Operation and maintenance.

1. Personal watercraft concessionaires shall be subject to specific requirements that shall be set forth by Ordinance No. 2003-41 [sections 23½-40-23½-44] of the board of County commissioners. The board of County commissioners may amend said Ordinance. (03-42)
2. The concessionaire shall mark each concession area with a sign identifying the concession. All concession equipment shall be removed from the beach no later than one (1) hour after sunset each day. (03-42)
3. Each concession shall have a trash receptacle on site and shall, at the end of each business day, be required to ensure that all trash from products within a distance of fifty (50) feet measured in any direction from each concession is removed from the beach. (03-42)
4. The responsibility for safety of concession operations and those that utilize equipment shall at all times be that of the concessionaire. Nothing herein shall create a duty or obligation on the part of the County to insure, for the benefit of the public, the safety of concession operations. (03-42)
5. Personal watercraft, concessionaires may place appropriate markers such that they delineate areas for ingress and egress from the shore areas. Said markers may be approved by the County's recreation department and utilized each day of operation. A personal watercraft business may not operate without appropriate markers. The personal watercraft business may not allow the renter to access the shore area or travel to the designated operation area unless the operator follows the marked areas for ingress and egress. (03-42)

E. Insurance. (03-42)

1. It shall be unlawful for any concessionaire, or anyone who rents or sells personal watercraft, to operate a beach concession unless that individual shall have first procured and filed with the County, a liability insurance policy or policies, or a duly executed certificate of insurance, the terms and conditions of which shall provide for the protection of all persons suffering injury, less, or damage to the person, or to property, by reasons of the operation of any concession.
2. The insurance policy or certificate of insurance shall provide comprehensive general liability coverage in the amount of three hundred thousand dollars (\$300,000.00) or one million dollars (\$1,000,000.00) for personal watercraft vendors and shall be executed by an insurance company or companies authorized to do business in the State of Florida and acceptable to the County. (03-42)

F. Termination of license; reprimands; fines; suspensions. (03-42)

The code enforcement officer shall have the authority, for violations of this article, to take any one (1) or more of the following actions with respect to the concessionaire:

1. Issue a written reprimand.
2. Issue a citation indicating the violation and requiring an appearance before the code enforcement board.
3. The code enforcement board may:

- a. Impose an administrative fine and fee;
- b. Terminate the concession; or
- c. Terminate the right of the individual to rent or sell items on the beach. (03-42)

## **SECTION 5. ANIMALS**

- A. Absolutely no-horses are allowed on the dunes or vegetation. Horses shall be under the control of the rider at all times. Horses shall not be allowed in public shower or shelter areas. Waste from horses shall be removed by the rider. Failure to remove the waste shall be a violation and may subject the rider and horse to removal from the Beach or County owned or controlled oceanfront park. Failure to vacate will constitute a trespass pursuant to Florida Statutes and is a first degree misdemeanor. (18-22)
- B. Dogs may be permitted on the Atlantic Ocean beaches but must be under leash at all times as defined by the Code of Laws and Ordinances of Nassau County and their owners shall not permit such dogs to be at large. (18-22)

## **SECTION 6. LITTERING/UNATTENDED PERSONAL PROPERTY**

- A. Littering
  1. It shall be unlawful, and it is hereby prohibited for any person or persons to litter any of the Atlantic Ocean beaches of Nassau County or in any County owned or controlled oceanfront park. All Litter shall be placed in the receptacles provided or carried away by the visitor from these areas. (18-22)
  2. The use of any glass containers on the Beach is hereby prohibited. (18-22)
- B. Unattended Personal Property Prohibited
  1. Personal items referenced in Section 1.L. that are left unattended in violation of this Ordinance are hereby declared to be a public nuisance. No person shall allow the existence of a public nuisance except as set forth herein.
  2. Personal items left unattended on the beach located in the unincorporated area of the County beach from 8:00 p.m. until 6:00 a.m. daily except as otherwise permitted in this article Section, shall be considered a nuisance and unlawful. (16-06)
  3. Any Personal Property left unattended during the hours stated in section paragraph (1) shall be deemed to be discarded and the County shall dispose of them except as provided in paragraph 3. (16-06)
  4. From 8:00 p.m. until 6:00 a.m. daily, items of Personal Property that are relocated, with the upland owner's permission, as close to the farthest point landward of the frontal dune or line of permanent vegetation or where there are no dunes or native vegetation, are relocated as close as practicable to an existing permanent structure or the line of buildings will not be considered a nuisance, unlawful and discarded or a violation of this Ordinance provided: (16-06)
    - a. Such items are not placed on the dune or on native vegetation or under or adjacent to dune walkovers. (16-06)
    - b. Such items should be stacked. Stacked furniture shall have the shortest edge facing the ocean. (16-06)



- c. Such items do not interfere with access to the beach from a public access nor obstruct access to the public beach nor impact native vegetation and are not within ten feet from any turtle nest or other protected species. (16-06)
5. Items left in violation of this Ordinance are declared a public nuisance and shall be removed from the beach by County employees or contract individuals. (16-06)
6. Those who store personal items overnight, as set forth herein, do so at their own risk. The County and the beach maintenance contractor do not assume any liability for items left after 8:00 p.m. (16-06)
7. The County may request written consent from any property owner where there are items placed as set forth in paragraph 3 above. Failure of the owner of record to provide written consent shall cause the items to be removed by the County or its authorized contractor(s) or employees. (18-22)

#### C. Permits

1. Permits may be issued by the County Manager or designee for activities otherwise prohibited that are found to be necessary for: (16-06)
  - a. Reasonable accommodations for persons with disabilities. (16-06)
  - b. The permit application shall be on a form, approved by the County Manager, and shall include the information set forth in Section 6.C.2.(16-06)
  - c. The application shall be submitted at least forty-eight (48) hours prior to the issuance of the permit. (16-06)
  - d. The application shall contain the name of the individual and the address. (16-06)
  - e. The application shall include information provided by the State of Florida indicating the issuance to the applicant of an ADA approved permit. (16-06)
2. There shall be no fee for obtaining the permit. Such permit shall include the following: (16-06)
  - a. Name and contact information of the owner or person in possession and contact of the owner. (16-06)
  - b. Description of the item. (16-06)
  - c. Location of the item. (16-06)
  - d. Duration of time the item will remain in such location. (16-06)

#### D. Notification

1. The County shall provide notice of this Ordinance by posting a permanent sign at the entry of every beach access point. The Amelia Island Tourist Development Council (TDC) shall notify all owners that are required to remit monies pursuant to the TDC Ordinance and the owners/agents shall be required to post notices of this Ordinance on properties and notify renters. The owners/agents shall provide copies of the notification to the County Manager's Office and to the TDC as well. (16-06)
2. The TDC shall prepare a public information statement that provides a summary of the Ordinance and publish same in the manner deemed appropriate by the Tourist Development Council. The Tourist Development Council shall provide a summary to all businesses that lease

vacation rental properties and condominium associations that remit monies pursuant to the TDC Ordinance and all resorts that sets forth the provisions of the Ordinance. (16-06)

3. The TDC may also provide public information materials to other businesses as may be appropriate that sell tents and/or Personal Property items that are defined in Section 2(2). (16-06)

E. Enforcement

Nassau County is authorized to enforce this Ordinance and may follow the established procedures by the Sheriff's Department, County Code Enforcement Officers and through any civil complaint. (16-06)

F. Penalty

Any violation of any provision of this code may be the issuance of a citation by a Sheriff's deputy or Code Enforcement Officer as may be adopted by Resolution of the Board of County Commissioners. (16-06)

## **SECTION 7. ALCOHOL**

It shall be unlawful for any person on the beach to sell, consume, possess, or control any unsealed or open container containing any type of alcoholic or intoxicating beverage. (15-13)



**TAB 3**

## AMENDED Nassau County Consolidated Beach Ordinance

(Consolidation of Ordinances 2003-42, 2015-13, 2016-06, 2016-09, 2018-22, with Working Group Recommended Changes).

**RECITALS to be included later.**

**KEY: BLACK=existing, RED= deleted, GREEN = added**

### SECTION 1. DEFINITIONS

- A. Annual shall mean the period from October 1 through September 30 one year period from the date of the purchase of the permit in order to drive or park on the beach.
- B. Beach shall mean the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.
- C. Camper shall mean recreational vehicle-type units primarily designed as temporary living quarters for recreational, camping or travel use, which either have their own motor power or are mounted on or drawn by another vehicle. This includes travel trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and all are further defined in Fla. Stat. §320.01.
- D. Camping shall mean the erection of a shelter or similar structures for the purpose of sleeping; or sleeping or lying upon the beach either under or outside of any shelter, vehicle, bedroll, blanket or other protective garb. Evidence to determine an activity to be camping shall include, but not be limited to, the presence of any of the following; tents or similar structures, sleeping bags, mattresses, campfires/bonfires, generators, portable toilets, or improvised privies.
- ~~E. Camping shall mean inhabiting a Camper or Motor Vehicle, including Truck Tractors, or the construction or erection of a shelter for the purpose of sleeping; or lying upon bedroll, blanket, or other protective garb for the purpose of sleeping.~~
- E. County Beaches shall mean the ocean beaches bordering the Atlantic Ocean in the unincorporated areas of Nassau County, Florida.
- F. Developed Resort Areas shall mean any property that is subject to a development order, if such development order indicates resort activities, as of the enactment date of Senate Bill No. 1577, Chapter 89-44, which was March 1, 1990.
- G. Dune shall mean a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.
- H. Litter shall mean any garbage, rubbish, trash, refuse, can, bottle, containers, paper materials or similar materials.



- I. Littering shall mean the throwing, discarding, placing or depositing of Litter in any manner on the Atlantic Ocean beaches and County owned or controlled oceanfront parks.
- J. Motor Vehicle shall include automobiles, motorcycles, mopeds, motor trucks, trailers, semitrailers, tractor trailer combinations, recreational vehicle-type units including travel trailers, camping trailers, truck campers and motor homes, wind powered vehicles, and all other vehicles used as a means of transporting persons or property and propelled by other than muscular power.
- K. Person shall mean any natural person, firm, partnership, association, corporation and any other legal entity.
- L. Personal Property shall include but is not limited to: tents (including tent frames), cabanas, umbrellas and other shading devices, beach chairs and other furniture, picnic tables, tiki huts, volleyball nets, hammocks, floats, sailboards, surfboards, kites, jet skis, sailboats, water cycles and other watercraft, beach toys, grills, nets, coolers, canoes, kayaks and general items for beach recreation, or similar items.
- M. Truck Tractor shall mean a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such a fifth wheel and which has no provision for carrying loads independently pursuant to Florida Statutes, Section 320.01(11).

## SECTION 2. DRIVING AND PARKING

### A. Prohibitions/Violations

- 1. Driving and parking on the beach is prohibited from 9:00 p.m. to 6:00 a.m. on a year-round basis.
- 2. Driving and parking on the beach is restricted to motor vehicles equipped with 4-wheel or all-wheel drive.
- 3. Parking lots in the areas set forth in Section 1.B shall be open on a 24 hour daily basis.
- 4. ~~Motor Vehicles~~, Campers, as defined in Section 1.C., or Truck Tractors shall not be allowed to remain in any of the areas set forth in Section 2.B.1. between the hours of 9:00 pm and 6:00 am as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. These hours established shall be posted on the County's website and advertised once in newspapers of general circulation. Truck Tractors may be allowed, during the Concours d'Elegance event, pursuant to a permit issued by the County Manager's Office. The County Manager shall prepare the form for the permit and the permit must be displayed to a law enforcement officer upon request and the failure to do so will be deemed a violation of the ordinance and may subject the individual and Truck Tractor to removal from the park, including the parking lot. Failure to vacate will constitute a trespass pursuant to Florida Statutes, and is a first degree misdemeanor. The County Manager or his designee shall notify the Sheriff's Office and any other law enforcement agency as to the issuance of the permit and provide a copy of said permit.
- 5. Parking on the beach is restricted to designated areas only.
- 6. Absolutely no vehicles are allowed on the dunes or vegetation.
- 7. ~~No trailers or other conveyances that carry horses, ponies, or burros or any other animal of an equine nature shall be allowed on County owned or controlled ocean front parks or property except as stated herein.~~



- ~~8. Trailers or other conveyances that carry horses, ponies or burros or any other animal of an equine nature shall be allowed entrance to and on the County owned park at Peters Point subject to the following:~~
- ~~a. All trailers and other conveyances shall submit an application to the County Animal Control Director, and/or his designee, and shall, if approved, be, issued a decal by the County Animal Control Director, and/or his designee, and said decal shall be placed or attached to the trailer or conveyance in such a manner as to be plainly visible (see Resolution 2018-82, attached hereto). The owner or operator of the trailer or conveyance shall be required to keep a copy of the approved application with them when they are on the beach. Said approved application must be displayed to a law enforcement officer upon request. Failure to do so will be deemed a violation of the Ordinance and may subject the individual and/or owner/operator of the trailer or conveyance to removal from the park, including the parking lot. The specific regulations for the application are set forth in a Resolution 2018-82.~~
  - ~~b. Parking for trailers and other conveyances that carry horses, ponies or burros or any other animal of an equine nature shall be designated within Peters Point Beach Front Park. Failure to park in the designated areas or failure to have a will be deemed a violation of the Ordinance and may subject the individual and/or owner/operator of the trailer or conveyance to removal from the park, including the parking lot. Failure to vacate will constitute a trespass pursuant to Florida Statutes, and is a first degree misdemeanor.~~
  - ~~c. Horses, ponies, burros or any other animal of an equine nature shall not be unloaded within Peters Point Beach Front Park except within the designated parking areas.~~
7. Speed limit. It is unlawful to exceed the vehicular speed limit of ~~ten (10)~~ 5 (five) miles per hour or operate a vehicle in a careless or reckless manner.
8. A violation of 2.B. shall be a citation issued by a law enforcement officer that provides for a court appearance and a fine of one hundred dollars (\$100.00) per violation, plus court costs. In addition, a law enforcement officer may direct the individual determined to be the driver and/or the owner/operator of the Motor Vehicle, Camper or Truck Tractor to remove the vehicle. Failure to do so shall be considered a trespass pursuant to Florida Statutes and is a first degree misdemeanor.
9. Motor Vehicles, Campers or Truck Tractors that are in violation may also be towed and stored by a towing company at owner's expense. A law enforcement officer shall have the authority to have the Motor Vehicle, Camper or Truck Tractor towed at the owner's or operator's expense. The owner or operator shall be responsible for any storage charges. Shelters and other items utilized for camping shall be removed, by contract employees, that are on the Beach or in one of the areas set forth in Section 2.B.1. or property except as stated herein.
10. Vehicular traffic on the beaches under the jurisdiction of Nassau County is hereby regulated in accordance with the provisions of Florida Statutes, Sections 161.58, 161.53, 161.141, and Senate Bill 1577, and the Final Judgment entered in Case No. 90-397-CA.
11. Appropriate signs shall be posted by the Facilities Maintenance Department indicating parking and prohibitions as set forth herein.



12. This Ordinance shall not apply to law enforcement and emergency rescue motor vehicles and County maintenance vehicles and 4-wheelers as approved by the Board of County Commissioners and designated accordingly. There shall be no permit fee or permit required for vehicle owners who are handicapped or disabled, pursuant to Florida Statutes. Those vehicle owners who are handicapped or disabled, pursuant to Florida Statutes, may utilize their Disabled Persons Parking Permit Placard issued by the Tax Collector's office as and for a beach permit sticker. Senior citizens age sixty-five (65) and older may obtain a beach permit sticker from the Office of the Clerk at no charge upon proof of age.

B. Designated Parking Areas for Access to the Atlantic Ocean Beach Areas

1. The areas designated for parking of vehicles for access to the Atlantic Ocean Beach areas are:
  - a. Peters Point Beach Front Park including parking area
  - b. Scott Road Parking Area
  - c. Burney Park including parking area
  - d. Dunes Club Parking area and walkover, located south of the Amelia Island Plantation entrance.

~~2. Motor Vehicles, Campers or Truck Tractors shall not be allowed to remain in any of the areas set forth herein as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. The hours established shall be posted on the County's website and advertised once in newspapers of general circulation. Truck Tractors may be allowed pursuant to Section 2.A~~

- C. Campers including travel trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and as all are further defined in Fla. Stat. §320.01 are prohibited on the beach at all times and on beach front park parking areas between the hours of 9 pm and 6 am. Parking by these types of vehicles at other times is subject to said vehicle being wholly contained in a single parking space.

D. Permits

1. All out-of-County residents shall be required to obtain a permit in order to drive or park on the beach. Nassau County residents shall not be required to have a permit. Nassau County residents shall produce a valid Florida Driver License upon demand of a certified law enforcement officer.
2. It shall be unlawful for any person not a resident of Nassau County, Florida, subject to the exemptions in Section 2.A.10., to drive or park a motor vehicle on County beaches or County-controlled beaches without obtaining a permit as provided by this Ordinance. A Florida driver license indicating a Nassau County address shall be proof of Nassau County residency.

E. Resolutions Establishing Procedures and Regulations for Beach Permits

The Board of County Commissioners shall promulgate appropriate procedures regarding the collection of fees and/or additional regulations for permits or rules as to beach driving.

F. Fees

1. There shall hereby be levied a twenty-five dollar (\$25.00) annual fee per motor vehicle for driving or parking a motor vehicle on County beaches.
2. There is hereby levied a five dollar (\$5.00) per day fee per motor vehicle for driving or parking a motor vehicle on County beaches of Nassau County.

G. Fund

All funds received from the levy of the fees and Court surcharges shall be placed in a separate fund to be established by the Board of County Commissioners.

H. Use of Funds Collected

The funds collected from the levy of the fees and Court surcharge(s) shall be expended for beach-related purposes, including administrative costs.

I. Four-wheelers and All-terrain Vehicles

Four-wheelers and all-terrain vehicles (ATV's), except for official use only vehicles as approved by the Board of County Commissioners and designated accordingly by the Board, are prohibited on the County's beach areas.

J. Penalties, Revocation of Permit

1. Any violation of any provision of this Ordinance shall be a separate violation of this Ordinance.
2. Upon conviction in County Court, the violator may be fined up to five hundred dollars (\$500.00) and/or ten (10) days incarceration in the Nassau County Detention Facility.
3. In addition to the above penalty upon a conviction in County Court of a violation of this Ordinance, the violator shall not be entitled to a permit for one (1) year from the date of conviction.

### SECTION 3. CAMPING AND CAMPFIRE

- ~~A. It shall be unlawful and it is hereby prohibited for any person or persons to camp as defined in Section 1.D, or to construct a campfire/bonfire, at any time on the beach. in any County-owned or controlled ocean front park as established by the County Manager and posted in or on beach front parks with prior notification provided to the Nassau County Sheriff's Office. The hours established shall be posted on the County's website and advertised once in newspapers of general circulation.~~
- ~~B. A law enforcement officer may direct any individual that is determined to be camping in any County owned or controlled oceanfront park as established by the County Manager and posted in or on beach front parks to vacate the park or property and the failure to do so shall be considered a trespass pursuant to Florida Statutes and is a first degree misdemeanor.~~
- ~~C. Shelters and other items utilized for camping shall be removed, by contract employees, that are on the Beach or in one of the areas set forth in Section 2.B.1.~~
- ~~D. The building of campfires or bonfires on the Beach between sundown and sunup is prohibited during marine turtle nesting season, which extends from May 1 to October 31 of each year. Campfires or bonfires are permitted outside of the prohibited dates. All campfires and bonfires shall be extinguished prior to leaving the Beach area.~~

### SECTION 4. CONCESSIONS AND RENTALS



~~A. Concession license required.~~

~~A concession license shall be required to solicit or canvass, on the Atlantic beach area within a resort area, for the sale or rental of any merchandise, services, goods, or property of any kind or character. A license shall grant to the concessionaire the right to sell or rent specified goods or services on the beach areas within the resort area to the general public and resort guests. Such license shall provide the exclusive authority to sell or rent goods or services within the resort area and shall be renewable only at the option of the County. The license shall be revocable by the County.~~

~~B. Concession licenses.~~

- ~~1. Concession licenses will be granted only if there is a signed agreement between the resort and the concessionaire, and said signed agreement allows for the rental to the general public and resort guests and permits the concessionaire to have the ability to have resort guests charge the concessionaire's services to their resort bills and permits the concessionaire to have access to the beach area in front of the developed resort area through the developed resort's property.~~
- ~~2. Concession licenses will be awarded for a one (1) year period, subject, annually, at the County's sole option, to renewal.~~
- ~~3. A concession license does not exempt the concessionaire from adhering to all local, state, and federal statutes and regulation requirements.~~

~~C. Concession fee.~~

~~Each on-beach concessionaire within the developed resort area shall pay to the County a minimum annual fee of one hundred dollars (\$100.00) upon receipt of the license, which is issued on October 1 of each year.~~

~~D. Operation and maintenance.~~

- ~~1. Personal watercraft concessionaires shall be subject to specific requirements that shall be set forth by Ordinance No. 2003-41 [sections 23½-40-23½-44] of the board of County commissioners. The board of County commissioners may amend said Ordinance.~~
- ~~2. The concessionaire shall mark each concession area with a sign identifying the concession. All concession equipment shall be removed from the beach no later than one (1) hour after sunset each day.~~
- ~~3. Each concession shall have a trash receptacle on site and shall, at the end of each business day, be required to ensure that all trash from products within a distance of fifty (50) feet measured in any direction from each concession is removed from the beach.~~
- ~~4. The responsibility for safety of concession operations and those that utilize equipment shall at all times be that of the concessionaire. Nothing herein shall create a duty or obligation on the part of the County to insure, for the benefit of the public, the safety of concession operations.~~
- ~~5. Personal watercraft concessionaires may place appropriate markers such that they delineate areas for ingress and egress from the shore areas. Said markers may be approved by the County's recreation department and utilized each day of operation. A personal watercraft business may not operate without appropriate markers. The personal watercraft business may not allow the renter to access the shore area or travel to the designated operation area unless the operator follows the marked areas for ingress and egress.~~



~~E. Insurance. (03-42)~~

- ~~1. It shall be unlawful for any concessionaire, or anyone who rents or sells personal watercraft, to operate a beach concession unless that individual shall have first procured and filed with the County, a liability insurance policy or policies, or a duly executed certificate of insurance, the terms and conditions of which shall provide for the protection of all persons suffering injury, less, or damage to the person, or to property, by reasons of the operation of any concession.~~
- ~~2. The insurance policy or certificate of insurance shall provide comprehensive general liability coverage in the amount of three hundred thousand dollars (\$300,000.00) or one million dollars (\$1,000,000.00) for personal watercraft vendors and shall be executed by an insurance company or companies authorized to do business in the State of Florida and acceptable to the County.~~

~~F. Termination of license; reprimands; fines; suspensions.~~

~~The code enforcement officer shall have the authority, for violations of this article, to take any one (1) or more of the following actions with respect to the concessionaire:~~

- ~~1. Issue a written reprimand.~~
- ~~2. Issue a citation indicating the violation and requiring an appearance before the code enforcement board.~~
- ~~3. The code enforcement board may:~~
  - ~~a. Impose an administrative fine and fee;~~
  - ~~b. Terminate the concession; or~~
  - ~~c. Terminate the right of the individual to rent or sell items on the beach.~~

**SECTION ~~5~~ 4. ANIMALS**

- A. Horseback riding or horse walking on the beach shall be limited to exclusive licensee(s) franchisee(s) selected by Nassau County to provide horseback riding services to the public. Absolutely no-horses are allowed on the dunes or vegetation. Horses shall be under the control of the rider at all times. Horses shall not be allowed in public shower or shelter areas. All horses on the beach are required to wear manure bags at all times while on the beach. Waste from horses shall be removed by the ~~rider~~ licensee. Failure to equip horses with manure bags or remove the waste shall be a violation and may subject the ~~rider and horse to removal from the Beach or County-owned or controlled oceanfront park~~ licensee to loss of license. Non-licensed horseback riders or walkers on the beach shall be in violation of this section and shall vacate the beach. Failure to vacate will constitute a trespass pursuant to Florida Statutes and is a first degree misdemeanor.
- B. Dogs may be permitted on the Atlantic Ocean beaches but must be under leash at all times as defined by the Code of Laws and Ordinances of Nassau County and their owners shall not permit such dogs to be at large.

**SECTION ~~6~~ 5. LITTERING/UNATTENDED PERSONAL PROPERTY**

A. Littering

1. It shall be unlawful, and it is hereby prohibited for any person or persons to litter any of the Atlantic Ocean beaches of Nassau County or in any County owned or controlled oceanfront



park. All Litter shall be placed in the receptacles provided or carried away by the visitor from these areas.

2. The use of any glass containers on the Beach is hereby prohibited.

B. Unattended Personal Property ~~Prohibited~~

1. Personal items referenced in Section 1.L. that are left unattended in violation of this Ordinance are hereby declared to be a public nuisance. No person shall allow the existence of a public nuisance except as set forth herein.
2. Personal items left unattended on the beach located in the unincorporated area of the County beach from 8:00 p.m. until 6:00 a.m. daily except as otherwise permitted in this ~~article~~ Section, shall be considered a nuisance and unlawful.
3. Any Personal Property left unattended during the hours stated in ~~section (1)~~ subsection B.2. shall be deemed to be discarded and the County shall dispose of them except as provided in ~~paragraph 3~~ Subsection B.3.
  - a. From 8:00 p.m. until 6:00 a.m. daily, items of Personal Property that are relocated, with the upland owner's permission, as close to the farthest point landward of the frontal dune or line of permanent vegetation or where there are no dunes or native vegetation, are relocated as close as practicable to an existing permanent structure or the line of buildings will not be considered a nuisance, unlawful and discarded or a violation of this Ordinance provided: Such items are not placed on the dune or on native vegetation or under or adjacent to dune walkovers.
  - b. Such items should be stacked. Stacked furniture shall have the shortest edge facing the ocean.
  - c. Such items do not interfere with access to the beach from a public access nor obstruct access to the public beach nor impact native vegetation and are not within ten feet from any turtle nest or other protected species.
5. Items left in violation of this Ordinance are declared a public nuisance and shall be removed from the beach by County employees or contract individuals.
6. Those who store personal items overnight, as set forth herein, do so at their own risk. The County and the beach maintenance contractor do not assume any liability for items left after 8:00 p.m.
7. The County may request written consent from any property owner where there are items placed as set forth in paragraph 3 above. Failure of the owner of record to provide written consent shall cause the items to be removed by the County or its authorized contractor(s) or employees.

C. Permits

1. Permits may be issued by the County Manager or designee for activities otherwise prohibited that are found to be necessary for:
  - a. Reasonable accommodations for persons with disabilities.
  - b. The permit application shall be on a form, approved by the County Manager, and shall include the information set forth in Section 5.C.2.
  - c. The application shall be submitted at least forty-eight (48) hours prior to the issuance of the permit.

- d. The application shall contain the name of the individual and the address.
    - e. The application shall include information provided by the State of Florida indicating the issuance to the applicant of an ADA approved permit.
  2. There shall be no fee for obtaining the permit. Such permit shall include the following:
    - a. Name and contact information of the owner or person in possession and contact of the owner.
    - b. Description of the item.
    - c. Location of the item.
    - d. Duration of time the item will remain in such location.

D. Notification

1. The County shall provide notice of this Ordinance by posting a permanent sign at the entry of every beach access point. The Amelia Island Tourist Development Council (TDC) shall notify all owners that are required to remit monies pursuant to the TDC Ordinance and the owners/agents shall be required to post notices of this Ordinance on properties and notify renters. The owners/agents shall provide copies of the notification to the County Manager's Office and to the TDC as well.
2. The TDC shall prepare a public information statement that provides a summary of the Ordinance and publish same in the manner deemed appropriate by the Tourist Development Council. The Tourist Development Council shall provide a summary to all businesses that lease vacation rental properties and condominium associations that remit monies pursuant to the TDC Ordinance and all resorts that sets forth the provisions of the Ordinance.
3. The TDC may also provide public information materials to other businesses as may be appropriate that sell tents and/or Personal Property items that are defined in Section 1.M.

E. Enforcement

Nassau County is authorized to enforce this Ordinance and may follow the established procedures by the Sheriff's Department, County Code Enforcement Officers and through any civil complaint.

F. Penalty

Any violation of any provision of this code may be the issuance of a citation by a Sheriff's deputy or Code Enforcement Officer as may be adopted by Resolution of the Board of County Commissioners.

**SECTION 7 6. ALCOHOL**

It shall be unlawful for any person on the beach to sell, consume, possess, or control any unsealed or open container containing any type of alcoholic or intoxicating beverage.

**SECTION 8 7. NUDITY**

Nudity on Nassau's Beaches is prohibited pursuant to Nassau County Code Section 4-32.

**TAB 4**



**Nassau County Beach Community Working Group  
Non-Code Recommendations  
to the  
Nassau County Board of County Commissioners**

## **Introduction**

During the deliberations of the Working Group they developed a number of recommendations for County action that were not of the nature of changes to ordinances. The Working Group is cognizant of the fact that many of these recommendations have a fiscal impact and their implementation is subject to the availability of funding.

## **Recommendations**

### Enforcement

In order to provide enhanced deterrence and enforcement provide the resources to the Sheriff to patrol the beach area.

In order to provide more effective speed limit information to beach drivers, install speed limit signs at access points to the beach.

In order to provide enhanced security, install beach cameras or automatic license plate readers in parking lots.

### Beach Environment

In order to provide enhanced endangered species protection and to reduce the County's potential liability apply for and receive an Incidental Take Permit under the Endangered Species Act from the U.S. Fish and Wildlife Service for nesting Sea Turtles.

In order to protect the environment, reduce public nuisances and provide enhanced services to the beach going public construct additional public restrooms at Scott Road Park.

### Beach Parking

In order to better regulate beach driving and parking, install a key card system for the parking areas.

In order to provide greater and more orderly access to the beach, establish off-site parking options such as trolley or shuttle options.

In order to better manage parking, develop a Beach Parking Management Plan.



Beach Driving Fees

In order to provide a reasonable and defensible basis for the fee structure, the County shall conduct a cost study to determine the cost of beach driving permits, which shall be used to determine the cost levied as a permit fee on all beach.

**TAB 5**

**BEACH COMMUNITY WORKING GROUP  
4:00 P.M., TUESDAY, FEBRUARY 26, 2019  
JAMES S. PAGE GOVERNMENTAL COMPLEX, 96135 NASSAU PLACE,  
YULEE, FLORIDA**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**PRESENTATION(S):**

**Tab A** Mike Mullin, Nassau County Attorney re: orientation for Committee Members regarding Sunshine Law and Public Records.

**Tab B** Mike Mullin, Nassau County Attorney re: purpose of committee.

**DISCUSSION ITEM(S):**

**Tab C** Discussion of Chairman for the Committee.

**Tab D** Discussion of regular meeting schedule.

**Tab E** Discussion of current beach related County Ordinances:

- 1) **Ordinance No. 2018-18** recognizing and confirming the customary use by the public of the beach, in the unincorporated areas of Nassau County. (Customary Use Ordinance)
- 2) **Ordinance No. 2018-22** regarding hours of camping, parking of motor vehicles, campers and truck tractors in beach front parks, changing hours of parking in beach front parks.
- 3) **Ordinance No. 2016-09** prohibiting littering, use of glass containers, regulated camping, required control of horses and dogs, designated swimming and sunbathing areas, excessive vehicular speed and careless and reckless operations, and designated parking areas for access to beaches.
- 4) **Ordinance No. 2016-06** prohibiting and regulating personal property unattended on beaches within the unincorporated areas of Amelia Island. (Leave No Trace Ordinance)
- 5) **Ordinance No. 2015-13** providing for beach permits for out-of-county residents for motor vehicles driving or parking on County beaches.
- 6) **Ordinance No. 2003-42** regulating concessions and beach rentals on unincorporated areas of beach, providing a requirement for concession licenses, fees, operation and maintenance, signs and merchandise display, and insurance.



### **INFORMATIONAL ITEM(S):**

**Tab F** Calls for Service information provided by Butch Osborne, Director of Operations for the Nassau County Sheriff's Office.

**Tab G** Document provided by Mike Mullin regarding Recreational Rights to the Dry Sand Beach in Florida: Property, Custom and Controversy.

### **PUBLIC COMMENTS**

- Any member of the audience wishing to speak on any items listed above or any other beach related concern.

### **COMMITTEE MEMBER ITEM(S) AND COMMENTS:**

- Any other items to be brought before the Committee.

### **ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 548-4660 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**FEBRUARY 26, 2019 – 4:00 P.M.**  
**COMMISSION CHAMBERS, JAMES S. PAGE GOVERNMENTAL COMPLEX**  
**YULEE, FLORIDA**

A Beach Community Working Group meeting was held this 26th day of February 2019 at 4:00 p.m. in the County Commission Chambers, James S. Page Governmental Complex, Yulee, Florida.

Present were Michael S. Mullin, County Manager/ County Attorney; Taco Pope, Director of Planning and Economic Development Opportunity; Douglas Podiak, Director of Facilities Maintenance; Butch Osbourne, Director of Operations, Nassau County Sheriff's Office; Mac Morriss, Ex- Officio Member, and Marian Phillips on behalf of Lowell Hall, Ex-Officio Member (arrived at 4:21 p.m.). Also present was Heather Nazworth, recording secretary.

Mr. Mullin opened the meeting at 4:03 p.m. and welcomed the members and the public in attendance. The committee members introduced themselves. He reminded the committee members that the Sunshine Laws applies and any public records requests received should be sent to the County IT department to retain for the record. He also noted that any information received regarding the issues to be addressed should be sent to the County IT department, then forwarded to the Board of County Commissioners for their public hearing. He stated that the emails provided prior to the meeting will be included in the record. He stated that the purpose of the committee is to review various ordinances regarding beach use; however, beach cleaning will not be addressed. He provided a brief overview of the main ordinances to be reviewed. Mr. Mullin commented that the process will be for the public to address the committee and the committee will make recommendations to the Board of County Commissioners regarding the comprehensive ordinance that should be considered for adoption. In addition to the committee's recommendations all public comments will be condensed for the Board of County Commissioners to review. The goal is to have one comprehensive ordinance dealing with the uses of the beach. He advised that the Board of County Commissioners has selected Gil Langley to serve as Chairman.

Chair Langley mentioned that any concerns should be expressed during the meeting or in email form.

County Commissioner Bell expressed his gratitude for the participation and the committee's service. He reminded the audience of the goals and that this meeting is only regarding the beach use.

Chair Langley mentioned the six (6) Ordinances that need to be reviewed. He noted that the beach has a jurisdiction from the federal, state, county and city government. He advised that the City of Fernandina has eighteen (18) ordinances regarding the beach and some might be incorporated in the discussions. Mr. Mullin reviewed the following Ordinances: 2018-18, 2018-22, 2016-09, 2016-06, 2015-13, and 2003-42. Director Osbourne, provided an overview of the Sheriff's Department involvement and how complaints are handled. He mentioned that the complaints can be received via website or by phone. Mr. Morriss commented that the beach front property owners and beach users' complaints are legitimate and what this committee is here for today is to put those complaints into the record.

Dave Bowman came forward to express his concerns regarding the beach re-nourishment and how vehicles that drive on the beach are creating ruts in the dry sand beach area. He mentioned that Martex service vehicles are driving on the beach and destroying the sea oats. He provided pictures of the beach.

Marla Miller came forward to express her concerns regarding the Rave of the Wave event that took place last year; trucks driving on the beach; the threats of destruction of property; the enforcement of the ordinances; vandalism of beachfront properties; night time driving, and ruts created on the beach.

Francesco Borgnese came forward to express his concerns regarding driving on the beach, Omni trucks driving on the beach and questioned if Omni had a valid permit to drive on the beach. In addition, he mentioned that Martex service vehicles are driving on the beach with bigger trucks and larger wheels. He also mentioned his concerns with the Sheriff Department driving on the beach.

Albert Ertlschweiger came forward to express his concerns regarding the driving on the beach and provided pictures regarding the beach. He addressed the excessive speeds of concession trucks driving on the beach, Martex service vehicles driving on the beach, the ruts created that are making it difficult to get to the beach. He advised that he has made contact with the Sheriff Department and no response has been returned, however, he will now express concerns in an email or in the public forum.

Viola Walker came forward to express her concerns and she agrees with what has been previously stated. She mentioned that the destruction of the beach makes it difficult for seniors to access the beach and the driving is destroying the beach and the opportunity to use the beach to walk on.

Mary Massman came forward to express her concerns regarding the Omni, and the money that is profited regarding rental of beach equipment due to them driving on the beach to deliver the equipment. She stated that there should be a solution to the driving on the beach to deliver equipment, however, there is no plan enacted at this point and they are breaking law by using the beach.

George Detarnowsky came forward to express his concerns, mentioning that he is a member of the South Amelia Island Shore Stabilization Association, Inc. (SAISSA) board and that SAISSA is responsible for the bottom 3.5 miles of the island. He mentioned that the beach is considered an engineered beach due to a hurricane in 1989 and there has currently been three (3) re-nourishments and another is expected in the future. He stated that the vehicles churn up the dry and wet beach and washes away the sand making it difficult for the replenishment. He requested to address the ordinance for vehicles. He also stated that he will have the executive director of SAISSA send to the committee a report detailing from an engineering standpoint what vehicles are doing to the engineered beach on the south end of the island.

Mary Duffy came forward to express her concerns regarding ruts on the beach created by vehicles and primarily by the maintenance vehicles from the Omni and Ritz Carlton. She also has witnessed during morning beach patrols of the beach vehicles driving at fast speeds. She mentioned that the Sheriff's Department has been asked to drive on the wet sand and minimize the lighting which impacts nesting female turtles and hatchling turtles. Ms. Duffy commented that if driving is going to remain on the beach, there should be a limit with no night time driving. She also expressed concerns regarding camping on the beach at night with tents and requested a registration system be created to track campers and provide education regarding the sensitivity of the beach at night and the wildlife. She stated that campers are distracting nesting turtles at night and causing harassment of the turtles. She commented that the Leave No Trace Ordinance has created a phenomenal change, however the resorts and hotels are still leaving items on the beach.

Drew Scott came forward to express his concerns regarding the night time driving on the beach, the beach access filling up, and requested review of just driving during the day time on the beach. He mentioned that campers are leaving trash on the beach due to the bathroom facilities being shut down at certain times. He stated that the campers need better access to the facilities and agrees with the registration for campers.

Constantine Colbert came forward to express her concerns, stating that taking away night time driving will not solve the problem. She stated that driving on the beach creates a liability for people and the possibility of accidents. She mentioned the increase in the calls made to the sheriff regarding violations on the beach. She requested that a homeowner be on the committee, no cars on the beach except the municipality and a response regarding the violation of the Federal Laws.



Pete Smith came forward to express his concerns regarding the need to maintain the public access to the beach. He mentioned that through observation there has been four (4) lanes of traffic on the beach with occasional bon fires; however, the development has changed the perspective of the beach. He stated that the amount of the beach accessibility to the public has continued to shrink, with more people trying to be in a more compacted area. He requested a review of the lack of funding to support the amount of enforcement. He also expressed that in the introduction of the committee and the agenda was slightly narrow and needs to be broaden. He stated that there needs to be a consideration for the review of future development and making it capable of solving future problems.

Jane Phillips Collins came forward to express her concerns regarding that laws need to be enforced. She mentioned that the camping on the beach is causing problems and the driving on the beach needs to be stopped. She requested a stricter enforcement and the possibility of gates to monitor people coming and going.

Brooks Andrews came forward to express his concerns regarding the coastal uplands and pointed out that the dunes are very fragile environment. He mentioned that dunes are not stable and are meant to move with time, tides and wind which creates a harsh condition. He stated that by adding people and vehicles to the environment creates a disaster to the ecosystem. He requested there be a maintenance of the environment with restrictions of beach driving and camping to create less pressure from excessive use of the beach.

Chair Langley commented that everyone on the committee are residents of Nassau County.

John Gorham came forward to express his concerns with regulating the driving on the beach. He mentioned that driving on the beach exaggerates other issues and requested to minimize or stop beach driving with the exceptions of those that need it.

Joan Schmidt came forward mentioning the sign posted regarding *Florida Statute* 161.58, no driving beyond this point. She mentioned that the Omni, however still drives on the beach and should not be.

John Plat came forward and noted that Senate Bill 1577 (SB1577) passed to change driving patterns in Nassau County for the Ritz. He requested review of the Senate Bill and the possible creation of tram service for the beach. Mr. Mullin provided copies of SB1577 and a court order from a challenge in court, that addressed driving on the beach.

Mickey Smith came forward to express her concerns regarding the change in the quantity of people coming and there should be driving restrictions from dark to sunrise. She mentioned vandalism also needs to be addressed.

Rick Howe came forward to express his concerns. He mentioned that the legislature did no favors last year and brought a level of hostility to the community. He stated that *Florida Statute* 161.58 banned driving on all beaches in the State of Florida; however, circumstances were created in Nassau County. He requested that there be some regulation on driving on the beach due to the hospitality establishments take advantage of driving on the beach and driving was banned per *Florida Statute*.

Randy Hall came forward to express his concerns regarding the beach being opened for driving after sundown. He commented that what happens after sundown is concerning especially areas where there is a lot of drinking. He mentioned that if there is camping on the beach there needs to be bathroom facilities and also restrict camping to the certain areas with these facilities.

Chip Ross came forward and requested for the review of the current City of Fernandina Beach Ordinances. He also requested that the county and city to work together to make the process more seamless. He suggested the creation of an interlocal agreement for beach rangers to providing more presence. He requested review of the types of vehicles used on the beach. He has mentioned that by removing trash cans there has been a creation of less traffic on the beach.

Following discussion, it was the consensus of the committee to schedule the next meeting for March 26, 2019 at 5:30 p.m. Chair Langley reminded the public that emails or other correspondences are appreciated and are public record.

There being no further business, the meeting adjourned at 5:33 p.m.

**BEACH COMMUNITY WORKING GROUP  
5:30 P.M., TUESDAY, MARCH 26, 2019  
JAMES S. PAGE GOVERNMENTAL COMPLEX, 96135 NASSAU PLACE,  
YULEE, FLORIDA**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

**Tab A** Approve Minutes from the Beach Community Working Group Meeting held on February 26, 2019.

**DISCUSSION ITEM(S):**

**Tab B** Discussion of regular meeting schedule.

**Tab C** Discussion of issues raised at February 26, 2019 meeting.

**Tab D** Discussion of current beach related County Ordinances:

- 1) **Ordinance No. 2018-18** recognizing and confirming the customary use by the public of the beach, in the unincorporated areas of Nassau County. (Customary Use Ordinance)
- 2) **Ordinance No. 2018-22** regarding hours of camping, parking of motor vehicles, campers and truck tractors in beach front parks, changing hours of parking in beach front parks.
- 3) **Ordinance No. 2016-09** prohibiting littering, use of glass containers, regulated camping, required control of horses and dogs, designated swimming and sunbathing areas, excessive vehicular speed and careless and reckless operations, and designated parking areas for access to beaches.
- 4) **Ordinance No. 2016-06** prohibiting and regulating personal property unattended on beaches within the unincorporated areas of Amelia Island. (Leave No Trace Ordinance)
- 5) **Ordinance No. 2015-13** providing for beach permits for out-of-county residents for motor vehicles driving or parking on County beaches.
- 6) **Ordinance No. 2003-42** regulating concessions and beach rentals on unincorporated areas of beach, providing a requirement for concession licenses, fees, operation and maintenance, signs and merchandise display, and insurance.

**Tab E** Discussion of Senate Bill 161.58, Vehicular Traffic on Coastal Beaches, as it relates to Ordinance No. 2015-13 (above).



### **INFORMATIONAL ITEM(S):**

**Tab F** Citizen concerns and comments received via email from February 26 through March 25, 2019.

### **PUBLIC COMMENTS**

- Any member of the audience wishing to speak on any items listed above or any other beach related concern.

### **COMMITTEE MEMBER ITEM(S) AND COMMENTS:**

- Any other items to be brought before the Committee.

### **ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 548-4660 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**MARCH 26, 2019 – 5:30 P.M.**  
**COMMISSION CHAMBERS, JAMES S. PAGE GOVERNMENTAL COMPLEX**  
**YULEE, FLORIDA**

A Beach Community Working Group meeting was held this 26th day of March 2019 at 5:30 p.m. in the County Commission Chambers, James S. Page Governmental Complex, Yulee, Florida.

Present were Michael S. Mullin, County Manager/County Attorney; Douglas Podiak, Director of Facilities Maintenance; Butch Osbourne, Director of Operations, Nassau County Sheriff's Office; Mac Morriss, Ex-Officio Member; Lowell Hall, Ex-Officio Member; and Chair Gil Langley, Director of the Tourist Development Council (TDC). Also present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 5:31 p.m.

It was moved by Mr. Morriss, seconded by Mr. Hall and unanimously carried to approve the minutes from the February 26, 2019 working group meeting as presented.

The group considered Tab B, setting a regular meeting schedule. Mr. Mullin provided a brief overview of the scope of work including recommending to the Board of County Commissioners a consolidation of the current six (6) ordinances into one (1) comprehensive ordinance as it relates to the use of the beach. Mr. Hall stated that some of the issues are more pressing and recommended individually addressing the ordinances relating to camping and driving on the beach. In response, Mr. Mullin recommended amending Ordinance 2018-22, recognizing and confirming the customary use of the beach, in the unincorporated areas of Nassau County; and Ordinance 2015-13, providing for beach driving permits for out-of-county residents to drive or park on County beaches by the public. He acknowledged that one of the goals for the Beach Community Working Group is to combine all of the ordinances into one (1) comprehensive ordinance; however, it would take a longer period of time. He mentioned that if the group only addresses the vehicular access and camping on the beach it could expedite the proceedings. He advised that this matter could be addressed after the additional meetings held on the west side of Nassau County. Following discussion, it was moved by Mr. Morriss, seconded by Mr. Mullin and unanimously carried to schedule meetings at the Callahan Multi-Purpose Facility in Callahan either April 10, 2019 or April 11, 2019 at 5:30 p.m.; American Beach Community Center in Fernandina Beach April 17, 2019 or April 18, 2019 at 5:30 p.m.; and James S. Page Governmental Complex in Yulee for May 15, 2019 at 5:30 p.m. and May 28, 2019 at 5:30 p.m.

Next, the group considered Tab C, discussion of issues raised at the February 26, 2019 meeting. Mr. Mullin distributed an email from Jack Corgel for the committee's review. Chair Langley commented that the majority of the concerns from the previous meeting pertained to driving on the beach. Mr. Morriss commented that the email from Howard Banaszak echoed the same concerns that were presented at the previous meeting, noting that he did provide photographs to support his statement. He advised that there is a comprehensive list of legitimate complaints from that meeting.

Next, the group considered Tab D, discussion of current beach related County Ordinances. Chair Langley opened the floor for public comments.

Howard Banaszak came forward to express his concerns regarding beach access and the increased amount of beach driving issues, explaining that the growth changes have exacerbated the beach problems from Peters Point Beachfront Park to the city limits. He commented that the formation of the Beach Committee Working Group was a step in the right direction; however, he believes it was a major oversight to not include a beach front property owner on the committee. He commented that there are

fewer turtle nests from the prior year. Mr. Banaszak recommended beach driving from dusk to dawn and limiting camping to Peters Point Beachfront Park. Mr. Morriss advised that it is his personal goal for Nassau County to have family friendly beaches. He stated that some of the issues are complex but there are solutions that will be effective.

Mary Duffy came forward to express her concerns of night time driving. She has witnessed during morning patrols of the beach vehicles leaving tracks that go up into the dunes, large donut circles in the sand and personal trash that was left behind. She explained that a majority of the damage to the turtle nests and abandoning nesting attempts occur during the night. Ms. Duffy also expressed concerns regarding camping on the beach at night with tents and requested a registration system be created to track campers and provide beach sensitivity awareness education regarding the sensitivity of the beach at night and the wildlife. Mr. Morriss recommended that during the turtle nesting season to limit night time driving. Ms. Duffy concurred and mentioned that Daytona Beach closes their beaches at night to all vehicles.

Pete Smith came forward and inquired whether consolidating the current six (6) ordinances into one (1) comprehensive ordinance would jeopardize Ordinance 2018-18 into a judicial situation with the House Bill 631 (HB631). Mr. Mullin mentioned that there are bills currently before the Legislator to rescind HB631. He commented that if HB631 is rescinded, the issue becomes if any of the customary use ordinances that were adopted within the legislative period before July 1, 2018 would be required to be validated by the court. It is Mr. Mullin's belief that it would not affect what the Board of County Commissioner's decision based on the confines of the customary use area involving the dry sand to the erosion control line. Mr. Smith voiced concerns regarding camping at the beach. He also voiced concerns regarding access to the beach, noting that it has been systematically dissolved due to growth in Nassau County with limited parking spaces; facilities for camping; and representation of the working group not including a beach front property owner.

Rick Howe came forward to express his concerns for lack of facilities for camping. He advised that there was a time when there was a decent balance with camping on the beach that was manageable for the Sheriff to patrol and ensure that there was no issues during the night. He also expressed concerns for camp fires despite the current Ordinance that dictates no fires between the months of May through October and people walking through the dunes. He advised that the State Park does not allow for camping or pets. In addition, the State Park does not allow any fires between the months of April through October and recommends having a cohesive set of rules with the State. He mentioned that he is an environmentalist and expressed concerns for the turtles as it relates to the noise and bright lights. Following a brief discussion, Mr. Howe commented that the majority of the complaints were not from camping but from inappropriate activities including drinking. He pointed out that the current Ordinance has no limitation on the amount of time a person is allowed to camp. In closing, he mentioned that the State Statute clearly defines that once the County put in an erosion control line it reestablishes boundaries of a property. He advised that this brought clarity to the property owners that they are not dealing with the customary use of access for public use or private property. Mr. Morriss clarified that the erosion control line for the majority of Nassau County is inside the protected sand dunes. He commented that if a hurricane came through and moves the shoreline inward there are sections that are open for interpretation but the erosion control line is set for the beach nourishment of the sand by the Florida Department of Environmental Protection (FDEP) and rebuilt with taxpayer's money.

Agnes Lyden came forward and commented that there is a reoccurring theme from the previous speakers in regards to enforcement and culture. She explained that the recent "free for all" culture on the beach is allowed and encourages tourism and promotes tourists to come. She mentioned that she has noticed a lot of changes in the community where community members are more educated and passionate for protecting the turtles and the beaches and recommends offering education promoting a safe culture to the tourist.



Next, the group considered Tab E, discussion of Senate Bill 161.58 (SB161.58), Vehicular Traffic on Coastal Beaches, as it relates to Ordinance 2015-13. Mr. Mullin advised that the beaches are controlled by those documents of legislation. The group briefly discussed restricting access to the beach. Mr. Morriss mentioned that the city ran into a road block from trying to offer the city residents a discount or free pass to park at the beach due to the U.S. Army Corps of Engineers and taxpayers are paying a large part of the beach renourishment.

Viola Walker came forward to express her concerns with driving on the beach and lack of parking spaces. She pointed out that the lack of parking spaces is causing harm to the beach and the dunes. She concurred that regulations and ordinances as need to be the same by the State.

There being no further business, the meeting adjourned at 7:10 p.m.

**BEACH COMMUNITY WORKING GROUP  
5:30 P.M., THURSDAY, APRIL 11, 2019  
CALLAHAN MULTI-PURPOSE FACILITY,  
543350 US HIGHWAY 1, CALLAHAN, FL 32011**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

- Tab A** Approve Minutes from the Beach Community Working Group Meeting held on March 26, 2019.

**PUBLIC COMMENTS**

- Any member of the audience wishing to speak on any items listed above or any other beach related concern.

**DISCUSSION ITEM(S):**

- Tab B** Discuss changing the Tuesday, May 28, 2019 meeting to Thursday, May 30, 2019 to allow Taco Pope to be in attendance.

- Tab C** Discussion of issues raised at March 26, 2019 meeting and solutions.

- Tab D** Discussion of Florida Statute 161.58, Vehicular Traffic on Coastal Beaches, as it relates to Ordinance No. 2015-13.

- Tab E** Discussion of final judgement in Case No. 90-397-CA, Amelia Island Company vs. Nassau County, as it relates to vehicular traffic on the beach.

**PRESENTATION(S):**

- Tab F** County Manager/County Attorney, Mike Mullin re: chart addressing County Ordinances.

**INFORMATIONAL ITEM(S):**

- Tab G** Citizen concerns and comments received via email from March 26 through April 8, 2019.

**COMMITTEE MEMBER ITEM(S) AND COMMENTS:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 548-4660 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**UPCOMING MEETING(S):**

Wednesday, April 17, 2019 at 5:30 p.m.

American Beach Community Center, 1600 Julia Street, Fernandina Beach, FL 32034

Wednesday, May 15, 2019 at 5:30 p.m.

James. S. Page Governmental Complex, 96135 Nassau Place, Yulee, FL 32097



**BEACH COMMUNITY WORKING GROUP  
APRIL 11, 2019 – 5:30 P.M.  
CALLAHAN MULTI-PURPOSE FACILITY  
CALLAHAN, FLORIDA**

The Beach Community Working Group meeting was held this 11th day of April 2019 at 5:30 p.m. in the Callahan Multi-Purpose Facility, Callahan, Florida.

Present were Michael S. Mullin, County Manager/ County Attorney; Taco Pope, Director of Planning and Economic Opportunity; Gil Langley, Director of the Tourist Development Council; Douglas Podiak, Director of Facilities Maintenance; Butch Osbourne, Director of Operations, Nassau County Sheriff's Office; Mac Morriss, Ex- Officio Member, and Lowell Hall, Ex-Officio Member (arrived at 5:34 p.m.). Also present was Heather Nazworth, recording secretary.

Chair Langley called the meeting to order at 5:31 p.m.

It was moved by Mr. Mullin, seconded by Mr. Morriss and unanimously carried to approve the minutes from the March 26, 2019 working group meeting as presented.

Mr. Mullin discussed changing the May 28, 2019 meeting to May 30, 2019 subject to availability of the Commission Chambers in order for Mr. Pope to be in attendance.

It was moved by Mr. Mullin, seconded by Mr. Morriss and unanimously carried to continue May 28, 2019 meeting to May 30, 2019 in order for Mr. Pope to be in attendance.

Next, Mr. Mullin addressed the issues discussed at the previous meetings and tentative solutions. Mr. Hall suggested addressing the parking and camping at the Peters Point. The group discussed using permits for parking and camping.

Mr. Morriss advised that he has been researching instituting a refundable deposit for campers to clean the camp spot or general location. Mr. Mullin addressed issues that the Board of County Commissioners had when they were considering permits for camping on the beach. The group discussed the systems used by the City of Fernandina Beach Marina for the use of restrooms after hours and the state parks' online reservation. Further discussion ensued regarding charging a fee to camp on the beach.

Mr. Mullin responded to an inquiry that anything from the mean high tide line to the water or the erosion control line to the water is sovereign lands in the State of Florida, is where the camping occurs; however, there can be control on the sovereign portion of the beach to a degree. Mr. Mullin stated that the County Manager's Office can research other counties within the State of Florida regarding their camping on the beach.

It was moved by Mr. Hall, seconded by Mr. Podiak and unanimously carried to continue discussion regarding regulations and permitting for beach camping after dark.

Next, Mr. Mullin reviewed the Final Judgment in Case Number 90-397-CA related to vehicular traffic on the beach, including maps, and the Local Act 1577 that references driving on the beach. He commented that the maps are provided as reminders for the areas of the beach where you can and cannot drive. He noted that the parts of the beach between Peters Point and the City of Fernandina Beach Limits is the areas of the beach where the majority of email concerns are referenced. Mr. Mullin responded to Chair Langley's question regarding whether vehicles are required to be four-wheel drive to drive on the beach. Mr. Morriss commented that the City of Fernandina Beach is in the process of mandating four-wheel

drive vehicles only. Mr. Mullin commented that the population for Nassau County is approximately 88,800 and is considered the ninth fastest growing county in the State of Florida. Further discussion ensued.

Marian Phillips came forward to provide support for the beaches. She mentioned that the beach should be available to everyone and not just restricted to four-wheel drive.

Kathie Colgrove came forward to provide comments. She stated that it is not necessary to restrict people from having access to the beach. She discussed limiting the number of vehicles allowed on the beach.

Pete Smith came forward and requested that the committee focus on camping on the beach. He stated that the current situation has specific problems and the approach should be with a positive solution. Mr. Smith suggested creating different experiences at different areas of the beach. He explained that the county ordinances are silent regarding camping. The issue with camping on the beach is the trash and human feces left behind due to the campgrounds being too far away from restroom facilities. He suggested creating restricted areas for campers to have use of facilities rather than the dunes and the use of permits would assist.

Next, Mr. Mullin provided a chart addressing the county ordinances to be reviewed.

Chair Langley commented that all emails are forwarded to the committee members for review and consideration.

There being no further business, the meeting adjourned at 6:24 p.m.

**BEACH COMMUNITY WORKING GROUP  
5:30 P.M., WEDNESDAY, APRIL 17, 2019  
AMERICAN BEACH COMMUNITY CENTER,  
1600 JULIA STREET, FERNANDINA BEACH, FL 32034**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**PUBLIC COMMENTS**

- Any member of the audience wishing to speak on any items listed above or any other beach related concern.

**DISCUSSION ITEM(S):**

**Tab A** Discussion of issues raised at the April 11, 2019 and solutions.

**INFORMATIONAL ITEM(S):**

**Tab B** Citizen concerns and comments received via email from April 9, 2019 through April 15, 2019.

**COMMITTEE MEMBER ITEM(S) AND COMMENTS:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 548-4660 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**UPCOMING MEETING(S):**

Wednesday, May 15, 2019 at 5:30 p.m.

James. S. Page Governmental Complex, 96135 Nassau Place, Yulee, FL 32097

Wednesday, May 30, 2019 at 5:30 p.m.

James S. Page Governmental Complex, 96135 Nassau Place, Yulee, FL 32097

**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, APRIL 17, 2019 – 5:30 P.M.  
AMERICAN BEACH COMMUNITY CENTER  
1600 JULIA STREET, FERNANDINA BEACH, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on April 17, 2019 at the American Beach Community Center, 1500 Julia Street, Fernandina Beach, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Director of Planning and Economic Opportunity Department; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; Mac Morriss, Ex-Officio Member; and Lowell Hall, Ex-Officio Member (arrived at 6:03 p.m.). Also present was Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 5:34 p.m. It was noted that County Commissioner Aaron Bell, District 1, was in the audience. Due to the large attendance, Chair Langley advised that public comment would be limited to three minutes.

Mr. Mullin explained that the reason the Nassau County Board of County Commissioners established the beach committee was to address issues that have been brought to them that are occurring on the beach. The goal of the County Commission is to provide enough public forums to allow input from the public. When the Board of County Commissioners begins their public hearings, they will have the availability of every e-mail and comment received. The purpose of this working group is to gather and discuss information about the beach issues and provide a recommendation to the Board of County Commissioners.

Chair Langley thanked everyone for attending to express their concerns regarding the beach noting that the County currently has four ordinances related to the beach and the goal is to condense four ordinances into one to address the various issues. Mr. Mullin pointed out that beach driving was controlled by a special act of the State Legislature and the final judgement of the Circuit County in 1992. He explained the process once a proposed ordinance is presented to the Board of County Commissioners. The Board of County Commissioners will be provided all the comments made at the committee meetings as well as e-mails received. The Board of County Commissioners will hold public hearings as well to allow the public to provide comment.

Mr. Morriss pointed out that this beach committee is considering the predicted population boom of Nassau County and ensure that controls are in place to accommodate the growth over the next few decades so that the beaches will be enjoyable for all Nassau County residents.

Mr. Langley explained that the committee members continue to research other beach communities and parks in various areas in the State. He advised that no matter what draft ordinance this committee brings forward, there will always be people in favor and in opposition. He also advised that every resident that wants to be heard will be heard. Mr. Mullin provided his e-mail address for anyone who wishes to provide their comments by e-mail. Mr. Langley requested that if any audience member knows of a beach community that has done a good job of managing their beaches, he asked for the audience to e-mail him with that information.

It was noted that Lowell Hall arrived at the meeting at 6:03 p.m.

The following audience members came forward to express their concerns regarding beach issues:



- Mary Duffy – Questioned the County’s process following these public forums. Mr. Mullin stated that the goal is have one beach ordinance dealing with the issues the committee recommends. Ms. Duffy pointed out that nothing good happens on the beach at night.
- John Egbert – Requested an update of what work the committee has done so far. Mr. Mullin explained that there have been concerns expressed with beach camping, night driving on the beach, people defecating in the dune area, loud noises at night, and four-wheel drive vehicles creating ruts in the sand. He advocated banning night driving; having a permitting process for camping on the beach with restrictions; and more restrictions on beach driving.
- Phil Scanlan – Felt it important to have goals for safety for children, erosion, dunes, and beaches. He advised that there are two State Parks in the County which allow beach driving and he suggested that they be more involved in providing access for people.
- Joseph Smaha – He expressed concern with safety as he sees many cars stuck in ruts on the beach requiring a tow vehicle. He could not understand why people want to drive on the beach at night as there is nothing to see. There are people camping in tents on the beach and cars racing through the beach; someone is going to be run over at night. He has seen huge bonfires in the dunes; with high winds, these flames could set the dunes on fire which could spread toward homes.
- A. J. Adam – Concerns with environmental problems and safety issues associated with camping on the beach; loud music; high-wheel pickup trucks tearing up the beach and dunes from Peters Point Park to American Beach at night; children running up and down the dunes; and sea turtles not coming to shore to nest due to the number of people on the beach and dunes at night. He pointed out that the dunes are storm and flood protection for the beachfront property owners. He suggested directing people to the two State Parks in the area that have facilities to handle camping on the beach.
- Marilyn Green – Thanked the committee for their hard work. She requested an ordinance that will be enforceable. She inquired if a new beach parking/driving study was going to be done. Mr. Mullin advised that there is no additional beach parking since the last study 30 years ago or any ability to acquire additional parking areas. Ms. Green stated that she would like to see beach driving stopped. Mr. Morris pointed out that it had been suggested to turn Peters Point Park from a beach driving area into a beach parking area which would require parking attendants and a strict low speed limit. He added that as the population grows, so will the problems.
- Michael Linynsky, Ms. Green’s neighbor from Sandpiper Condominiums, requested that she ask questions as he could not attend. The first was, “Is customary use legally enforceable?” Mr. Mullin had previously responded to Mr. Linynsky via email and advised that customary use is enforceable. His next question was “if someone got injured on deed and title property on the beach, who is responsible?” Mr. Mullin responded that the University of Florida Law School Articles written by law professors address customary use and private property rights states, in general, that there is no liability because the customary use means that what you own by deed is subject to the customary use of the general public. Ms. Green asked if the comprehensive beach program that the TDC was working on included these issues. Mr. Mullin advised that what Mr. Langley presented was a plan for cleaning and maintenance of the beach.
- Patricia Conway – Is totally against driving on the beach. Her fear is that someone will get killed by a drunk driver on the beach.
- David Helmer – Moved here in November and realized the asset this community has with this beach. He then saw what happens on the weekends. Generally, the comments are that the community wants to keep the beaches as natural as they can and keep cars and trucks off the beach. He could not imagine anyone taking their children to a Walmart parking lot on Sunday to play. That is what Peters Point Park is on Sunday. Regarding camping, he suggested that Nassau County get in touch with the city planners from San Francisco and ask them how the camping on the beach has worked out. He projected that the next thing the county will be spending money on is the “poop patrol” which they have in San Francisco because they cannot walk anywhere without walking in feces. The County should do what is best for the beach and its animals and sea life because ultimately, this will be what is best for the people going to the beach.

- Roger Fraser – Addressed the protection provided by the dunes and requested signs be posted for people to “Keep off the Dunes”. He felt that controls should be put in place for beach camping to avoid having people “living” on the beach. He discussed the amount of taxes paid by the 98 homeowners at the Carlton Dunes Condominiums
- Ann Kendall – She is on the Board of Trustees of South Amelia Island Shore Stabilization Association, Inc. (SAISSA) along with geologists and engineers and she advised that the most damaging problem to the beaches and dunes is beach driving.
- Beverly Egbert – Explained the number of groups that are “living” in front of the Carlton Dunes Condominiums with their tents backed up into the dunes. With the current ordinance allowing camping from Fort Clinch to the south end of the island, it is a free-for-all and a homeless situation is occurring. She suggested only allowing camping where there are restroom facilities and dune setbacks. She also suggested having monetary fines for dune encroachment that can be enforced.
- John Plowden – Expressed concern with the alcohol, drug use and noise on the beach.
- Rick Howe – He is a property owner and the Director of the Carlton Dunes Condominiums. He explained that this committee was tasked with collecting data and comments; however, the five elected members of Board of County Commissioners is making the final decision. He encouraged the audience members to attend these Board of County Commissioners meetings when this proposed beach ordinance will be heard. He also explained how much money the Carlton Dunes Condominiums spent on refitting their building with sea turtle protective lighting and windows. He did not understand how campfires and car lights would be good for the sea turtle hatchlings at night. He agreed that an ordinance that is best for the beach will ultimately be the best for all Nassau County residents.
- Joyce Jefferson – Came forward as the President of American Beach Property Owners Association and agreed with what each speaker has stated. She explained that the same problems the Carlton Dunes Condominiums suffer from are multiplied at American Beach and Burney Park. American Beach is a sea turtle nesting area also. Safety is also a concern. Solicitation is a problem at night at Burney Park as well as overnight camping.
- Ruth Mathews – Moved here from Rehoboth Beach, Delaware, another beach community with many restrictions on beach access. There are fines for every restriction to prevent the “family” way of life from disappearing. With parking restricted at Rehoboth Beach, park and ride lots were created and the busses have bike racks. She suggested Nassau County make their restrictions tighter and institute fines for violators; the money generated by fines can go towards replenishing the beach as needed.
- Phil Scanlan – Suggested the committee consider Nassau Transit and park and ride lot capabilities. He also suggested the use of bike trail for beach access.
- Viola Walker – She requested that the memorandum and recommendations she sent to the Board a few weeks ago be entered as evidence. She stressed the importance of finding a solution for beach parking.
- Francis Lott – People who live off-island want to keep things the way they were when their grandfather lived here but the island is different now since the population and traffic has increased. He has no problem with beach driving and camping; however, he objected to people defecating in the dunes behind his house. Proactive, strict beach recommendations need to be adopted. He added that bonfires on the beach have become hazardous.
- John Egbert – Advised that the violations seem to stop when the Sheriff’s deputies are present. He advised that he also owns a home in Avalon, New Jersey that charges the beachgoers \$10.00 per day.
- Pete Smith – He felt that these beach issues were a result of the County’s growth; the majority of the population lives off-island and are the majority voting for County Commissioners. As this is a political issue, he did not feel that beach driving or camping would be eliminated. He offered to send the committee suggestions or recommendation. Mr. Morriss pointed out that all help is welcomed.

- Marla Miller – Addressed the beach parking issue and requested that the committee recommend parking not on the beach. The beach is the jewel of the County. She stated that the beach property owners have done everything to protect the sea turtles and maintain the beauty of the beach. She did not understand why it is okay for people to drive their four-wheel drive trucks with their lights on at 2:00 a.m.

Mr. Langley summarized the issues that were mentioned: parking, camping, driving on the beach, misuse of dunes, and bad behavior including alcohol and drug use. The next meetings will be May 15, 2019 and May 30, 2019 at 5:30 p.m. at the Commission Chambers in Yulee.

Lowell Hall, President of Citizens for Public Beaches and Shores, addressed the group emphasizing that he has heard the concerns of the public regarding the beach. In his opinion, the beach issues need to be addressed incrementally. There will need to be regulations on the beaches to get this under control and adjust as they go. He pointed out that they can come up with the greatest plans but enforcement must be funded. This beach is unique and offers different things to different people.

Deputy Osborne stated that he had met with the Sheriff and their main goal is to ensure that whatever this committee recommends is a definitive ordinance that can be enforced. He pointed out that people are permitted to camp for 24 hours; however, the Sheriff's Office has no idea how long they have been there. He added that the beach belongs to everyone in the County and the Board of County Commissioners has the final say. He emphasized that this committee is working for all of the citizens.

Mr. Hall explained that this group tonight was the largest yet; however, he cannot make his recommendations based upon the number of people who attend a meeting. Mr. Morriss stated that there have been numerous social media posts in favor of beach driving. Mr. Hall and Mr. Morriss pointed out that any changes to the beach ordinance should be accomplished in increments or phases. Mr. Morriss advised that a large percentage of the County citizens support beach driving.

The following members of the audience came forward to speak regarding their concerns regarding beach issues.

- Helen Sessions – Questioned why changes would need to be incremental. Mr. Morriss explained that he gathers all the information and he will go to where the facts lead him.
- Joe Smaha – Lived in Sanibel, Florida with pristine beaches. He felt that the approach to the beach issues should be environmental. There should be an environmental report or study from a group like the University of Florida. He pointed out that the four-wheel truck drivers who like bonfires will overwhelm the Board of County Commission meeting; therefore, there must be science behind whatever this committee brings forward to make changes. In his opinion, the sea turtles would be a good example. People cannot argue with the science behind the issue.
- A. J. Adam – Stressed the importance of public safety on the beach. Protection of the dunes is very important.
- Francis Lott – He stressed the importance of doing the right thing. His fear was that the County Commissioners will do what will get them reelected.

Mr. Langley thanked everyone for attending. The meeting adjourned at 7:18 p.m.

**BEACH COMMUNITY WORKING GROUP  
5:30 P.M., WEDNESDAY, MAY 15, 2019  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**PUBLIC COMMENTS**

- Any member of the audience wishing to speak on any beach related concern.

**CONSENT ITEM(S):**

**Tab A** Approve minutes from the April 11 and April 17, 2019 meetings.

**DISCUSSION ITEM(S):**

**Tab B** Discussion of the Committee's task and procedures.

**Tab C** Discussion of issues raised at the April 17, 2019.

**Tab D** Discussion of emails and questions submitted to the County Manager from April 17 through May 10, 2019.

**Tab E** Discussion of beach camping and beach driving in other coastal counties in Florida.

**Tab F** Discussion of future meetings dates and locations, following the May 30, 2019 meeting scheduled for the James S. Page Governmental Complex.

**INFORMATIONAL ITEM(S):**

**Tab G** Citizen concerns and comments submitted prior to the first Beach Community Working Group Meeting held on February 26, 2019 that were never included on an agenda once the meetings commenced.

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**



Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 548-4660 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**UPCOMING MEETING(S):**

Wednesday, May 30, 2019 at 5:30 p.m.

James S. Page Governmental Complex, 96135 Nassau Place, Yulee, FL 32097

**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, MAY 15, 2019 – 5:30 P.M.  
COUNTY COMMISSION CHAMBERS  
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE  
YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on May 15, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney (departed 6:36 p.m.); Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance (arrived 6:22 p.m.); Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present was Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 5:31 p.m. He advised that this was the fourth public hearing for the Beach Committee Working Group. The recording secretary called the roll noting that Doug Podiak, County's Facilities Maintenance Director, was absent. It was noted that County Commissioner Aaron Bell, District 1, was in the audience. Due to the audience attendance being standing room only, Chair Langley advised that public comment would be limited to three minutes. Chair Langley acknowledged receipt of the public's e-mails and assured the audience that each committee member has read the e-mails received.

There was consensus of the committee to approve the minutes from the April 11 and April 17, 2019 Beach Committee meetings.

Mr. Mullin discussed the Committee's tasks and procedures. He advised that some time soon, the committee members will start discussions as a committee after taking input from the public. He clarified that the next meeting is Thursday, May 30, 2019, not Wednesday as stated on the agenda. The committee must decide the dates and times for their committee deliberations on possible recommendations to the Board of County Commissioners. Tonight will be further public comment. He requested that if anyone in the audience has spoken before, not repeat or restate the same information as provided at a previous meeting. If an audience member has more to say than time permits, they can e-mail additional comments to the committee members.

The following audience members came forward to express their concerns regarding beach issues:

- John Egbert – Addressed the rising population of the County. He offered ideas to add 100 parking spaces to the parking lot at Peters Point. He pointed out that on Saturday there is 140 cars parked on the beach with two cruising lanes on the sand. He suggested turning the cruising lanes back into open beach for blankets, lawn chairs, and beach volleyball.
- Glenn Gsell – Had spent his career policy-making, developing rules, and regulatory policy making. He suggested the County identify changes that need to be made and develop rules and regulations to help alleviate the problems. A beach issue with cars is parking versus driving. When the parkers become drivers and do not follow the rules; the problems begin. Ignoring the problem would affect health, safety and general well-being of the homeowners on the beach and the general citizens that uses the beach. To abolish all cars from the beach would be a disservice to the law abiding citizens who wish to park on the beach. Camping on the beach has no controls in place to regulate. With no permits in place, there could be an unlimited number of campers with a lot of garbage, bonfires, alcohol, parties, and limited bathroom facilities.

- Steve Sherman – Frequent beach walker. Was on the beach the day that the girl got run over by the Jeep. Cars were parked three rows deep which limited spaces for people to sunbathe on the beach. He noticed that the prime driving offenders seem to be from Georgia.
- Tom Polito – He walks the beach daily and frequently sees tire and donut tracks in the non-authorized driving areas and in the dunes. Sheriff's deputies work hard but cannot be everywhere. He has seen damage to the protective dunes and turtle habitats. He mentioned a turtle nest on Scott Road that was intentionally run over by a vehicle. Driving should be restricted and require a permit for all beach drivers. There should not be camping where there are no restroom facilities. Camping should require a permit for everyone.
- Mike Jomant – Came here 13 years ago to retire, buy a Jeep and drive on the beach. He and his friends own Jeeps and like to drive on the beach. They are respectful of the beach and do beach cleanups.
- Nancy Kingsley – In 1973, the organization, Citizens for Public Beaches and Shores, was formed. She pointed out how different life was in 1973. There were far less four-wheel drive vehicles. It is the responsibility of Nassau County citizens to protect the environment and human life. She has seen people come so close to getting run over. Vehicles and people do not mix on the beach.
- Jake Shuford – Decided to retire to this area because of the freedoms and very little government oversight. He pointed out that if a child gets run over on the street, they do not close the street. He mentioned the large resorts closing access points to the beach because of their money. At his age, he needs the ability to bring his beach items close to the beach. He does not drive on the beach; he drives to a parking spot on the beach to enjoy a family day. He urged the committee not to kill the allure of this wonderful area.
- Sue Girard – She moved here in 2002 and immediately bought a 4x4 to drive on the beach; one reason she retired here. She was grateful for the ability to drive on the beach to take her 92 year old father-in-law and her disabled brother to enjoy the beach. She suggested spot checks to ensure the out of county people have permits to drive on the beach. Camping is the most she has ever seen this year. Mr. Hall inquired if Ms. Girard wanted the ability to park on the beach. He stated that the phrase "beach driving" be removed from the vocabulary and replaced with "beach parking." He suggested designated driving lanes and designated on-beach parking areas within the defined parking areas.
- Nick Cline – Moved here from Minnesota. Enjoys the traditions of the area and the ability to park on the beach. Having bonfires on the beach is something he can do with his family. He is fighting for the little bit of freedom that law abiding citizens still have.
- Mary Duffy – She referred to the turtle nest that was intentionally run over on Scott Road during the night. She stressed the importance on no night driving.
- Chip Ross – Addressed the methods by which the City of Fernandina Beach was handling the trash on their portion of the beach. Trash cans were relocated from the beach to the beach entrances. The new trash containers are larger and emptied more often which prevents overflowing. He requested that the County embrace the City's program and he suggested a different company to clean the beach and, through the TDC, pay for it.
- Ray Devettere – Recently had a stroke and is disabled. The ability for disabled people to be able to take a vehicle to a parking area on the beach is a tremendous asset to their lives. Chair Langley advised that the County's Facilities Maintenance Department is adding more Mobi-Mats which provide wheelchair access to the waterfront.
- Laura Linynsky – Explained that from her home, she has a firsthand view of what happens on the beach daily. She also owns to mean high/low tide line which creates liability issues especially when there is talk of "driving lanes" on the beach being considered. Serious injury and loss of life should not be an accepted outcome because people want to drive on the beach. She has had property damage to her steps and family members almost run over. She suggested people not drive on the beach but be directed to parking spaces on the beach at Peters Point. In addition, with the projected growth, there needs to be additional parking areas and public transportation to

take people to the beach. She did not want to have the liability for someone being hit on the beach.

- Beverly Egbert – She spoke at the last meeting at American Beach and she has since been brainstorming for ideas. She looked at the City of Fernandina Beach ordinances to see if there was some way to have common ground and found three ideas that may work: (1) keep the camping at the State parks; (2) during the season, restrict the horse trailers in the parking lot at Peters Point; and (3), ban parking on the beach from 9:00 p.m. to 6:00 a.m. and gate the entrance. Turtle nesting is at night along the high water mark which is where most people drive; therefore, she suggested stopping night driving.
- Helen Sessions – Beach parking and driving is not good for the beach or the fragile beach habitat. Camping is a problem on the beaches as there are no regulations. Campers are leaving behind trash and other items. Without enforcement, there can be no compliance. She suggested the permitting process and the fines for enforcement.
- Frank Lewis – All he has heard tonight is rules, rules and rules for the beach. The beach he moved from was overly restricted and his family never wanted to go back. He enjoys the ability here to park on the beach and use the beach.
- Rick Burkett – Retired to Fernandina Beach 14 months ago because of the traditions here. He enjoys the ability to park on the beach to fish and have bonfires at night. He enjoys driving on the beach when it is not crowded during the winter. His community bonfires on the beach have been a great way to meet people. In his last mail to the committee, he suggested recommendations to control the beach problems. He noted that more people are impaled, injured or killed by flying umbrellas on the beach than are injured by beach driving.
- Marilyn Green – She questioned Mr. Hall's earlier statement that the committee has already planned driving lanes and parking areas. Mr. Hall responded that he, as the President for the Citizens for Public Beaches and Shores, was proposing this idea to the committee at the appropriate time. In her e-mail to the committee, she stated that a study needs to be done for peak use parking. They cannot rely on a study conducted in 1989. Until the study is completed, she would like to see a moratorium on beach parking other than for elderly and handicapped that need it. A friend explained to her that the reason the kids from Georgia do not use the beaches there is because of the toll to get onto the island. Camping should only be at Fort Clinch and the State park. The fees for beach parking should be \$500.00 per year or \$25.00 per day. With all the cars parked towards the ocean, she did not see how a Sheriff's deputy could read the beach driving permits to be displayed on the dashboard. She suggested the beach driving permits be an identifiable tag mounted near the license plate of the vehicles. She suggested use of the one percent discretionary sales tax collected by the County for increased law enforcement on the beach. Chair Langley stated that the committee welcomes suggested proposals for their consideration as Mr. Hall has done with his group. The committee is still in the process of gathering information.
- Denny Lee – There is only a small area to park on the beach and suggested that this area be left alone. He sits every morning in his Jeep on Sadler Road and watch the ocean before work which is a wonderful experience.
- Lisa Reese – There are many more people in the County using the beach; without restrictions, it is a free-for-all. Changes must be made in order to make the beach safe for locals and tourists alike. Peters Point has enormous crowds trying to use this small section of beach. She requested that the comments from all groups tonight be respected.
- Helen Sessions – She inquired who on the committee represented the people like her that believe driving on the beach is hazardous to the environment and human health. Chair Langley advised that everyone on this committee will be involved in the recommendations to the Board of County Commissioners. Mr. Morriss provided his credentials for the record.
- Marion Phillips – She is Vice President for Citizens of Public Beaches and Shores. She thanked those who want to protect the traditions of Amelia Island. She wants the committee to preserve



the rich history and traditions. The beaches in Nassau County are like none other. She requested that the accesses to use the beach and parking not be taken away.

- Jake Shuford - There seems to be a lack of education regarding the enforcement Nassau County is doing on the beaches. He was at a meeting recently where the officer shared that Nassau County has written over 200 citations recently. Enforcement is being done.
- Cathy Cline – She was at the beach on the day of the alleged incident where the girl was run over by a Jeep. She was very aware of Jeeps and four-wheel drive vehicles as she was trying to help an elderly couple get towed. She was never interviewed by anyone that day. She did not want to see the beach driving stopped because of any misinformation.
- Sue Girard – She explained that there is a one-year waiting list to camp at Fort Clinch. There are very limited areas to camp on Amelia Island.
- Joe Shiver – Retired here from the Coast Guard six years ago. He stated that if beach driving is taken away, he'll end up divorced if he had to carry all his family's beach items to the beach. He respects the beach and the environment, and the people who live on the beach who have to experience these issues. He wanted to retire here because of the beach environment and lauded the police enforcement at the beach.
- Dale Shed – Pointed out that whatever is decided, it must be enforced. He suggested having undercover agents in unmarked vehicles with video surveillance during peak hours who could take direct, immediate action against the offenders. A small percentage of the users of the beach are the abusers of the beach. Better enforcement of the laws already established would be better than new laws.
- Berta Arias – Wondered if there was a way to poll residents to see what the population wants. Chair Langley advised that this is the third public hearing where there is standing room only. The committee has heard over ten hours of testimony from hundreds of people. There is another public hearing scheduled for May 30, 2019. Once the committee gathers all the comments, they will work as a committee to develop rough ideas to address the issues. There will be several public meetings following that to ensure that everyone has an opportunity to respond to the ideas.
- Yvonne Fenn – Building a home on Scott Road. She urged the committee to do a study to research other beach towns, states and countries to determine their beach regulations and what has been successful.
- Eugene O'Neill – Is a Jeep owner and enjoys beach driving. As a retired state trooper, he searched for an area and Nassau County fit his needs. He expressed concerns with changes to the area. He felt that punishing all of the citizens for the actions of a few offenders was unfortunate. He added that most people will comply with the law while others will need enforcement.
- Francis Lott - He agreed with the concerns of the people. The enjoyment of the beach is being compromised by a small percentage of the people. He suggested a gate at the entrance to Peters Beach with a photographic device to take pictures of the license tags of cars going onto the beach and a nominal fee to park or camp on the beach. Anything that is free is not appreciated.

Mr. Langley thanked everyone for attending. He explained that the committee has solicited information from every beach county in the State of Florida as well as good practices from 33 state parks that have beach related camping including recreational vehicle and primitive camping. He requested that if anyone in the audience had additional information to send it to the committee by e-mail.

Mr. Morriss inquired if there was some place in Nassau County that could deal with the homeless population currently on the beach at Burney Park. He added that the homeless population consists of women as well as men. In addition, he pointed out the problems associated with the Mobi-Mats when a wheelchair bound person tries to come back up the mat from the beach. He also congratulated Taco Pope for his new position as Assistant County Manager and pointed out that every year, Mr. Pope raises the bar.

Mr. Hall explained that trying to put a plan together to please everyone has been difficult. His hope was to have a plan that will please the vast majority of the people and it may have to be implemented in phases. Funding is crucial for the implementation of any plan.

Deputy Osbourne explained that his deputies are doing their job patrolling Peters Point. He pointed out that last season, his department wrote 279 summons on that beach in the summer months for open containers, glass containers to nudity. Mr. Morriss explained that once the word got out that the beaches are patrolled, the citations decreased. Deputy Osbourne explained that it is the officer's discretion whether to write a ticket or educate the offender.

Chair Langley adjourned the meeting at 7:13 p.m. The next meeting will be held on Thursday, May 30, 2019 at 5:30 p.m. in the Commission Chambers.

**BEACH COMMUNITY WORKING GROUP  
5:30 P.M., THURSDAY, MAY 30, 2019  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern.

**CONSENT ITEM(S):**

**Tab A** Approve minutes from the May 15, 2019 meeting.

**DISCUSSION ITEM(S):**

**Tab B** Discussion of remarks by Mike Mullin as to future meetings and process.

**Tab C** Remarks by Mike Mullin regarding Senate Bill 1577 and Final Judgement.

**Tab D** Discussion of future meetings dates and locations.

**Tab E** Discussion of emails and questions submitted to the County Manager from May 9 through May 30, 2019.

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**THURSDAY, MAY 30, 2019 – 5:30 P.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on May 30, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 5:30 p.m.

Mr. Mullin commented that the Tourist Development Council (TDC) has created a spreadsheet containing a synopsis of all the public comments that were received from previous meetings. He noted that the spreadsheet will be provided to the Board of County Commissioners for their review. He recommended setting additional meeting dates in order for this committee to start the discussion toward making a recommendation to the Board of County Commissioners that will include addressing possible changes to the current beach ordinances. Mr. Mullin suggested that this be the last meeting where the focus is on public comment, because this committee has an understanding of what all the beach issues are. He advised that at the end of each future meeting the public will have the right to comment on any items that were discussed.

Next, Mr. Mullin stated that the parking and driving on the unincorporated areas of the beach is controlled by Senate Bill 1577, and the Final Judgement issued by the Circuit Court. Those documents do not mean that the Board of County Commissioners cannot regulate the hours, parking, traffic lanes, etc. He noted that the City of Fernandina Beach does not have the same controlling documents and are regulated by the City Commission. Mr. Mullin explained that it would require a special act of the legislature in order to amend Senate Bill 1577.

Mr. Mullin commented that there are six (6) County Ordinances that need to be reviewed in order to create one (1) comprehensive Ordinance that addresses changes recommended by this committee. Mr. Langley responded to an inquiry from Mr. Mullin that he recommends waiting until the end of the meeting to address additional meeting dates.

Mr. Langley commented that the synopsis spreadsheet is for the first three (3) meetings, and the comments from tonight's meeting will be captured into the spreadsheet. He noted that the spreadsheet will be available on the County's website. Mr. Langley briefly addressed emails that have been received. He recognized Board of County Commissioner Aaron Bell, and City of Fernandina Beach Commissioner Chip Ross in the audience.

The following audience members came forward to express their concerns regarding beach issues:

- Pete Smith – Came forward to request that the committee consider future growth as a primary goal; create a plan that promotes safe and convenient public beach access for both the City of Fernandina Beach and County residents; immediate solution to reckless beach driving and primitive camping with no facilities; and he wants to understand the existing State Constitutional Laws that will impact the ability of the committee to make the incremental changes. He feels that



beach parking should be limited and reserved for County residents primarily at first. Mr. Mullin proved Mr. Smith with clarification regarding House Bill 631.

- Judy Hutchison – Requested that the committee not restrict beach driving and parking.
- Unidentified speaker – Came forward to recommend closing the beach between the hours of 9:00 p.m. to 6:00 a.m. He also addressed continuing to allow beach driving for disabled individuals. Chair Langley advised that the County's Facilities Maintenance Department is moving forward expeditiously on adding more Mobi-Mats which provides wheelchair access to the waterfront based upon the testimony that was received at the May 15, 2019 meeting.
- Chip Kirkpatrick – Commented that one major concern he understands was protecting the sand dunes. He briefly addressed an advertisement on the internet that showed a campfire on top of the sand dunes. He briefly commented on the Mobi-Mats for wheelchairs, recent vehicle accident on the beach, and requested more beach front access. He felt that restricting beach front parking would create additional safety hazards.
- Greg and Sandra Carter – Expressed concern with beach driving and camping rights being compromised.
- Randy Hall – Inquired whether the Customary Use Ordinance was still in effect. Mr. Mullin advised that the Customary Use Ordinance is in effect and that it has not been challenged in court.
- Bill Gordon – Advised that he does not want the beach access to be taken away, noting that it allows handicapped individuals the ability to visit.
- Ann Jennings – Commented that with the exception of people with disabilities, beach driving should be banned due to destroying natural habitat for the sea turtles. She addressed the recent hurricane damage and noted that American Beach was unable to install sand catchers to help develop sand dunes due to the vehicular traffic. She explained that driving on the beach is causing ecological damage to the beach by preventing natural protective barriers from performing; causing harm to the historic community; and creating unsafe conditions for the public.
- Tony Nelson – Requested that beach driving be stopped with the exception of those with disabilities.
- Terry Hoskinson – Recommended hiring beach monitors with full enforcement ability including issuing tickets to offset the cost.
- Allan Morris – Commented that there is a lack of personal responsibility from the way people treat their surroundings, obeying laws or rules. He suggested increasing law enforcement on the beach.
- Doctor John McKay – Addressed his concerns of living on the beach with criminal activity; reckless driving; camping; and littering that take place during the night.
- Kevin McDonald – Commented that this is a enforcement issue and removing beach access will not resolve the issue.
- Jeff Walukonis – Advised that he feels that this is an enforcement issue and pointed out that Walton County has funded a Sheriff's station at the beach that has been funded by the bed tax.
- Charles Duke – Also felt that this is a law enforcement issue and recommended that the committee consider placing porta pottys on the beach or improving restroom facilities and resolving the noise issue on the beach.
- Mary Kramek – Expressed concerns with the visitors outside of Nassau County coming to the beach and not respecting our beach environment, the turtles, and our children. She stands for handicap rights to drive on the beach.
- Steve Quarella – Felt that it is important for the residents who do not live on the beach; especially the elderly and those with disabilities to have the ability to continue to drive on the beach. He recommended placing a requirement that only allows for four wheel drive vehicles on the beach and for funding for law enforcement with available resources.
- Andrea Lee – Appreciates the ability to drive on the beach. She briefly addressed an issue with vehicles getting stuck in the sand, which she felt is a safety issue. She also felt that there needs to

be more regulations regarding who is coming on the beach and what type of vehicle is being driven on the beach.

- Reed Rucker – Came forward to request that the committee make a conscientious decision of the rights of driving and parking on the beach. He recommended implementing a permit system on four wheel drive vehicles for residents who live and pay taxes in Nassau County.
- Patricia Rucker – Advised that as a fisher woman and member of the Nassau Sports Fishing Association (NSFA), she has found a wonderful community of respect for the ocean here in Nassau County. She advised that the members of NSFA do drive on the beach to carry their fishing equipment and that some members do have physical restrictions that prevents them from carrying their equipment. She suggested providing access to the residents of Nassau County with the possibility of gates that restrict access and requires a code.
- Jan McKay – Recommended requiring permits for camping and removing the ability to drive on the beach.
- Becky Mulford – Inquired if the Nassau County Sheriff's Office report incidents that happens on the beach. Deputy Osborne advised that all incidents will receive a report for documentation and indicated that most of the incidents discussed tonight are transpiring at Peters Point.
- Lisa Reese – Felt that camping should be a managed campground with a fee, particular campsite, and for a specific length of time, and have adequate facilities. She recommended that anyone interested in more campsites on Amelia Island should contact the Florida State Park Services, and the offices of Senator Aaron Bean and Representative Cord Byrd to request help with funding for the campsites. The County needs to safely accommodate the increasing number of people in a way that maintains the health of the beach, dunes, wildlife, and respects both homeowners and visitors.
- Eugene O'Neill – Stated that he does not want to lose his ability to drive and park on the beach. He also commented that law enforcement does work and recommended that during the summer hours extra law enforcement be added to the beach. Mr. Morriss responded to an inquiry by Mr. O'Neill that his Facebook posting is for the purpose to start conversation and to receive feedback.
- Peg Dickinson – Does not support camping on the beach and recommends issuing a specific number of permits to help limit the amount of campers. She advised that she is on the fence on night time driving but it would protect the sea turtles and fellow campers on the beach.
- Agnes Lyden – Came forward to request the committee consider using bed tax towards supporting Nassau County's beaches; improving the beach access; and obtaining enforcement on the beaches.
- Mary Duffy – Thanked Nassau County and staff for placing four (4) post around the sea turtle nest that has been driven over two (2) times at Scott Road. She indicated that she will continue to advocate for restricting beach driving at night in Nassau County during the turtle nesting season.
- Amanda Peoples – Recommended setting up driving lanes for people accessing the beach and the requirement of having a four wheel drive vehicle; however, taking all access to the beach should never be an option to the residents of Nassau County.

Mr. Langley thanked everyone for their input. He explained that the working group will start the process of taking all of the comments that were provided and work towards a solution. He addressed that the next upcoming sessions will be workshops and that the dates have not been set up but will be available to the public. He thanked the members on the committee, noting that they have been fantastic to work with and have taken extensive period of times out on the beach to look at the issues that were brought to this committee.

Mr. Pope advised that the next stage after the public engagement would be working with staff on these particular issues to start the process of goals, objectives and strategies. He explained that it has been his experience to address the assets and issues with the overarching goals that the working group would like to accomplish with creating the policy solutions. He recommends that the committee reach out to Sabrina

Robertson with their thoughts, assets, and issues for the working group to address at the next meeting in order to start forming guiding principles, objectives and strategies in order to achieve these goals.

Mr. Morriss commented that it was raised by several people that the type of vehicle that should have access to the beach does not resolve this issue. He explained that he spent several hours on Sadler Beach and witnessed multiple vehicles that clearly dictated that it is not the type of the vehicle but the knowledge of the driver. He pointed out that it is more complicated than just saying only four wheel drive vehicles should have access. He stated that they need more assistance determining a solution that would be beneficial.

Mr. Hall requested clarification on the Sunshine Law and if he could speak with the County Commissioners. Mr. Mullin advised that he can talk to any County Commissioner but cannot speak individually to any member of this working group that would be voting. Mr. Hall explained that with the amount of input that has been received over the past several months, he would like to recommend expediting or submitting amendments to implement certain rules. He explained that he would be in favor of placing a kiosk at the beach for parking, restrictions on camping and no night time driving during the turtle nesting season. Mr. Mullin advised that the working group cannot implement but can provide their recommendation to the Board of County Commissioners, as they are the only entity that can implement by Ordinance. Mr. Morriss advised that the working group should be planning for long term and work patiently towards the recommendation to the Board of County Commissioners. Mr. Langley concurred, noting that the whole goal of the working group is to implement one (1) comprehensive beach Ordinance that clarifies the laws that are enforceable and have a long shelf life for Nassau County.

Mr. Mullin commented that in order to set additional meetings, he would request Ms. Robertson to send possible dates to each of the committee members to review. He requested for each of the committee members to provide at least two (2) or three (3) dates that they are available and that they would be publicize for the public.

It was moved by Mr. Mullin, seconded by Mr. Morriss and unanimously carried to approve the minutes from the May 15, 2019 working group meeting as presented.

Chair Langley adjourned the meeting at 7:09 p.m.

**BEACH COMMUNITY WORKING GROUP  
1:00 P.M., WEDNESDAY, JUNE 19, 2019  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**AGENDA**

**CALL TO ORDER  
ROLL CALL**

**DISCUSSION ITEM(S):**

- Tab A** Discussion of remarks by Mike Mullin and Taco Pope as to future meetings and process.
- Tab B** Set future meetings dates and locations.
- Tab C** Discussion of emails and questions submitted to the County Manager from May 24 through June 14, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.



**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, JUNE 19, 2019 – 1:00 P.M.  
COUNTY COMMISSION CHAMBERS  
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE  
YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on June 19, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members.

Adrienne Burke, Director, and Abigail Weiss, Planner, representing the Department of Planning and Economic Opportunity and Peggy Snyder, recording secretary, were also present.

Chair Langley called the meeting to order at 1:05 p.m. He advised that this was the fifth public hearing for the Beach Committee Working Group. The committee has received approximately 500 public comments. Mr. Langley pointed out for the audience that this committee operates under the Sunshine Law; therefore, all of their discussions occur within these meetings in an open forum.

Following discussion, it was moved by Mr. Mullin, seconded by Mr. Morriss and unanimously carried to set Beach Committee meetings for July 15, July 24, and August 1, 2019 to be held in the Commission Chambers at 5:30 p.m.

Mr. Pope provided a PowerPoint presentation noting that all committee discussions regarding the beach will occur during his presentation. After the last meeting, he consulted with Ms. Burke, Ms. Weiss, and the planning team who had gathered all the data and research provided as well as the many hours of public comment and began creating a structure in order to get the committee to the point where they can have a bill consensus and provide a realistic recommendation to the Board of County Commissioners (BOCC). The first part of his presentation will be to lay out the path; and secondly, starting the process of building consensus around broad-based principles and goals in order to lead into a discussion that will lead to objectives and strategies in order to produce a recommendation to the BOCC that is palatable and realistic.

Mr. Pope explained that the BOCC directive to the committee is to "review current beach related ordinances for any updates or amendments and bring back to the Board." The first part of the roadmap was for the committee to engage the public and conduct observation and research. The next portion will be to gain consensus as a committee regarding guiding principles. As the committee works forward to the goal towards the end of this roadmap which is the committee's recommendation to the BOCC, the committee members need to all agree on the broad-based guiding principles in order to guide them through the process. Mr. Pope added that once the committee establishes the guiding principles and determines the assets and issues, they can work towards creating consensus around the goals. Each goal may have three or four objectives and associated strategies such as assignments and actions items.

Mr. Pope reviewed the guiding principles that staff had created dealing with long range planning, island-wide beach management policies and joint planning; safe and accessible public beach access; good stewardship of environment and natural resources; diversity of user, prioritizing County residents; and celebrating local heritage and culture. Under the guiding principle of safe and accessible public beach access, a goal could be to prioritize public safety. One of the objectives could be to increase beach enforcement and regulatory oversight. Under that objective could be numerous strategies to implement

those objectives; one of which could be to supplement Nassau County Sheriff's Office presence on the beach by hiring beach rangers or auxiliary officers and include the budgetary implications in order to make it a reality. When the committee agrees on a strategy, they will have to do assignments to investigate how to enact the strategy before presenting to the BOCC. The committee members agreed with this structure provided by Mr. Pope. Discussion followed.

Next, Mr. Pope reviewed the proposed guiding principles and requested the committee's approval. A lengthy discussion followed. Committee members made suggested changes to the following guidelines:

- "Celebrate" local heritage/culture" to "Acknowledge" local heritage/culture;
- "Take the 'long view' – 2045 planning horizon, growth and tourism trends" to "Take the 'long view' (*lens of sustainability*) – 2045 planning horizon, growth, and tourism trends."

It was moved by Mr. Mullin, seconded by Deputy Osborne and unanimously carried to adopt the guiding principles as stated.

Next, the group discussed Assets and Issues. Mr. Pope explained that from an asset-based approach, the list outlines things that people identified as being positive assets; the second part were issues that people identified as needing correction. Some of the items are both assets and issues such as camping on the beach. The act of driving on the beach at night is not the actual issue, it is the noise, loud music, ruts, and destruction of turtle nests from the vehicles that people find as issues. Mr. Pope identified the assets as identified by the public discussion. He inquired whether the committee members had changes or additional assets and issues. Discussion followed. Mr. Morris mentioned the educational opportunity for Scouts to camp on the beach as an asset. Following discussion, Mr. Pope identified these additional assets as "Educational Opportunities", "Non Profit Non-Government Organization (NGO)/Access and Utilization", and "Collaborated Approach to Beach Renourishment".

Ms. Pope addressed the category of Issues adding that access capacity will be an issue as the County analyzes growth projections as well as trends and tourism. There were many nuisances identified including trash, litter, human/animal waste, excessive noise (vehicle and music) and alcohol consumption. Mr. Pope further reviewed the Issues. An issue mentioned was the parking stalls that are taken by commercial enterprises on public beaches as well as beachfront parks.

The next category Mr. Pope addressed was "Setting Goals". He advised that it was best to not set a lot of broad-arching goals because each goal would have multiple Objectives and Strategies. The five goals were listed as "Prioritize public safety on the beach"; "Ensure public access to beaches"; "Preserve local heritage/culture and lifestyle"; "Protect environmental and natural assets of the beach"; and "Explore funding opportunities for beach management." Discussion followed regarding interfacing the Parks and Recreation Master Plan. Mr. Pope explained that there is no adopted Master Plan at this time. The copy on the County's website is a six year old draft and the County is working with Dr. David Barth of Barth Associates, LLC to create a Parks and Recreation Master Plan for the County with a targeted completion date of mid-2020. Mr. Langley advised that the draft version of the Master Plan on the County's website contains great resources.

Mr. Hall wanted to ensure that steps were being taken to handle the on-beach parking, camping, and night driving issues in the interim while the committee drafts an ordinance to take to the BOCC. Mr. Langley remarked that the length of time to draft an ordinance is inordinate as the committee spent a great deal of time taking public comment. He added that small steps have been taken where there has been the ability to address those. As an example, he advised that as a result of public comment, the County has instituted a program whereby Mobi-Mats were installed at every beach access for people with disabilities. Other opportunities are being explored such as cameras on the beach. Mr. Pope inquired if the committee was comfortable with these goals. There was consensus of the committee members to approve these goals as written.

Mr. Langley pointed out that going forward, the goals of this committee will require skillful management; therefore, he requested that Mr. Pope serve as a committee member; not staff, in order to participate in the committee discussions. Mr. Pope explained that in order to move this beach committee forward, he was happy not to be a facilitator and he will speak with Sabrina with the County Manager's office to find a replacement facilitator.

It was moved by Mr. Mullin, seconded by Deputy Osborn and unanimously carried to adopt the goals in the order presented.

Mr. Pope explained that the committee's homework is to take the five goals keeping in mind the guiding principles and come up with objectives. He recommended not more than three or four objectives per goal because each objective will have numerous strategies. Discussion followed regarding public safety and education. Deputy Osborn explained that during the summer months when school is out, the Sheriff's Office utilizes the School Resource Officers to help assist with beach patrol. He explained that the more deputy presence, the less problems are encountered. His hope is that whatever ordinance this committee brings forward, it will be solid and enforceable.

The following audience members came forward to express their concerns regarding beach issues:

- Joan Schmitt – Inquired how the County would be providing good stewardship of environmental and natural resources. Mr. Pope responded that this is one of the guiding principles; the objectives and strategies of how to implement that will be included in the committee's upcoming work over the next few months.
- Pete Smith – Agreed that the plan provided was excellent; however, as a beach property owner, the committee missed one high level guiding principle which is to ensure the "peaceful use and enjoyment of property." Discussion followed regarding night beach driving as an example of the root cause of a number of other problems.
- Brenda Singer – Suggested that the protection of the environment be higher up on the priorities. Mr. Morriss pointed out that the environment will be protected once the beach regulations are enforced.
- Nathan Parker - Suggested having the beach horse riding included under Beach Safety due to the frequency of riders and inexperienced riders. Mr. Pope explained that under User Conflicts, animals, human and vehicle conflicts are addressed. Ocean sloughs are fun for children to play in; however, the horses have been known to relieve themselves in those areas.
- Dianne Banaszak - Expressed her concerns with safety at night on the beach when people want to walk. There are cars driving with no lights and leaving ruts in the sand.

Chair Langley thanked everyone for participating and advised that the next committee meeting will be held on July 15, 2019 at 5:30 p.m. in the Commission Chambers. There being no further business, the committee meeting adjourned at 2:48 p.m.

**BEACH COMMUNITY WORKING GROUP  
MONDAY, JULY 15, 2019, 5:30 P.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

**Tab A** Approve Minutes from the May 30 and June 19, 2019 meetings.

**DISCUSSION ITEM(S):**

**Tab B** Introduce Brian D. Teeple, AICP, as the Committee's discussion facilitator.

**Tab C** Facilitate conversation amongst committee members relating to the Committee's Goals, Objectives and Strategies.

**Tab D** Define Committee's next steps.

**Tab E** Discussion of emails and questions submitted to the County Manager from June 17 through July 15, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

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**Upcoming Meetings**

Wednesday, July 24, 2019 at 5:30 p.m.  
Thursday, August 1, 2019 at 5:30 p.m.



**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, JULY 15, 2019 – 5:30 P.M.  
COUNTY COMMISSION CHAMBERS  
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE  
YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on July 15, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance Director; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present was Heather Nazworth, recording secretary

Chair Langley called the meeting to order at 5:30 p.m.

It was moved by Mr. Mullin, seconded by Deputy Osborne and unanimously carried to approve the minutes from the May 30, 2019 and June 19, 2019 meetings as presented.

Mr. Mullin introduced Brian D. Teeple, as the committee's discussion facilitator. Mr. Teeple came forward and introduced his colleague, Blair Knighting, to assist him. He commented that public policy development requires a thoughtful process and his goal is to have full participation from all the committee members.

Mr. Teeple provided a handout (Attachment "A") to the committee members for review and feedback. He reviewed Goal Number 1: Prioritize Public Safety at the Beach and inquired if the members had any additional objectives to be included. The group suggested ocean rescue, beach cams for security surveillance, and an onsite beach manager to live at Peters Point. Regarding any additions or eliminations the group discussed jurisdictional boundaries, presence of law enforcement officers, and increased awareness of the public. Mr. Mullin addressed his concerns regarding the process to put some of the requests in effect due to the budget and legalities. Mr. Teeple reminded the committee that with the review process there will be short, mid, and long range processes that will be made.

Next, Mr. Teeple reviewed the first objective: Increase Beach Enforcement and Regulatory Oversight. The committee discussed the creation of a consolidated ordinance with a clear direction for law enforcement; increased presence of law enforcement and budget constraints; and creation of permit systems. Mr. Mullin explained that regarding the turtles in the area according to the State of Florida Department of Environmental Protection lists two of the species as endangered; however, Federal Department of Environmental Protection lists three species as endangered. Through research, the county will have to get an Incidental Take Permit from the Federal Department of Environmental Protection in order to keep beach driving during the turtle nesting season in the day time only; however, without the permit there is a risk of a Federal Order to prohibit all driving until the permit is obtained. The group continued discussion regarding beach rangers, speed limits; vehicles lanes of travel; location of parking and driving on the beach; limitations for camping; access control for driving or parking on the beach; horseback riding guidelines; and fines for beach policy violations. Mr. Mullin responded to an inquiry from the committee that the designated driving areas on the beach were designated by State Legislature.

Mr. Teeple reviewed the second objective: Reduce User Conflicts. The committee discussed creating designated driving lanes and as well as the enforcement, the redesign of the beach parks ingress/egress, and possibility of off-site parking.

Mr. Teeple then reviewed the next objective: Maintain a Partnership with City of Fernandina Beach to provide Ocean Rescue and Improve Recruitment and Retention of Lifeguards. Mr. Mullin commented that Nassau County has a contract with the City of Fernandina Beach regarding the lifeguards and the City determines the salary figures. The group discussed time length for need of lifeguards.

Finally, Mr. Teeple discussed the fourth objective: Increase Regulatory Education. The group discussed updates to the beach signage; and an educational public outreach campaign process and strategy.

Mr. Teeple advised that he and Ms. Knighting will summarize what was discussed tonight. It was the consensus of the committee to continue further discussion at the next meeting.

The following members from the public came forward to offer comment:

- Mary Duffy requested clarification regarding the Incidental Take Permit Process. Mr. Mullin responded that the permit would have to be in the process, then you can proceed with the driving restriction from May 1 to October 1 with no nighttime driving on the beach.
- Brad Clemons inquired regarding the ban on night time driving hours. Mr. Mullin responded that there will be definitive times.
- Charles Illi expressed concern regarding the beach parking and the loud music played on the beach.

There being no further business, the committee meeting adjourned at 7:02 p.m.

**Goal #1 - Prioritize public safety at the beach:**

**Objectives:**

**1. Increase beach enforcement/regulatory oversight**

*Notes for Strategy formation:*

- a. Adopt clear and enforceable ordinance for law enforcement that includes definitive penalties.
- b. Clearly identify Jurisdictions/jurisdictional boundaries
- c. Increase Sheriff's presence at the beach/designated beach patrol officers
- d. Supplement NCSO with beach rangers/auxiliary officers
- e. Coordinate enforcement capacity/coverage between City/County enforcement officers
- f. Introduce traffic control and enforcement on the beach
- g. Provide access control to the beaches [gates and booths]
- h. Beach camping program/oversight [reservation system, limited/designated camping sites, management, etc.]
- i. Improved regulations of horseback riding
- j. Improved regulations for dogs at the beach
- k. Adopt more stringent penalties for violating beach policies
- l. \_\_\_\_\_
- m. \_\_\_\_\_
- n. \_\_\_\_\_
- o. \_\_\_\_\_

**2. Reduce user conflicts**

*Notes for Strategy formation:*

- a. Create driving lanes/designated parking areas on beaches and establish vehicular access control
- b. Redesign beach front parks' points of ingress/egress to separate conflicting users
- c. Provide more stringent regulations surrounding horseback-riding and dog access
- d. Improve regulatory oversight/enforcement
- e. \_\_\_\_\_
- f. \_\_\_\_\_

**3. Maintain partnership with COFB to provide Ocean Rescue and improve recruitment and retention of lifeguards**

*Notes for Strategy formation:*

- a. Analyze regional wages for ocean rescue team members
- b. Identify career opportunities in the field and related training/retention tools
- c. \_\_\_\_\_

**4. Increase regulatory education**

*Notes for Strategy formation:*

- a. Brochures handed out by tendent at booth/at permit pick up
- b. New, simplified, signage

- c. Execute a public outreach campaign
- d. \_\_\_\_\_
- e. \_\_\_\_\_

5. \_\_\_\_\_

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

6. \_\_\_\_\_

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

7. \_\_\_\_\_

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_



**Goal #2 - Ensure public access to beaches:**

**Objectives:**

**1. Analyze beach capacity proportionate to growth/tourism projections at a planning horizon of 2045**

*Notes for Strategy formation:*

- a. Establish maximum capacity for vehicles at each beach front park and cap daily vehicles accessing the beach as necessary
- b. Establish park and ride facilities to access the beach
- c. Establish a FREE island wide trolley/tram system
- d. Seek to purchase non-beach front lands for parking areas within walking distance to the beach
- e. Seek to obtain via exactions or via purchase lands adjacent to the ocean to provide additional public beach access points
- f. Repurposes/redesign publicly owned oceanfront properties for more efficient access/parking
- g. Create specific horse trailer parking areas and prohibit the parking/loading/unloading of trailed vehicles in passenger vehicle parking areas.
- h. \_\_\_\_\_
- i. \_\_\_\_\_
- j. \_\_\_\_\_

**2. Develop systems which allow pedestrian access to the beach on a 24/7 basis**

*Notes for Strategy formation:*

- a. Expand park lot access hours
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

**3. Prioritize County residents' access to the beach**

*Notes for Strategy formation:*

- a. If capacity limits dictate, restrict beach driving/parking to County residents
- b. Fee for non-county residents parking in beachfront parking lots
- c. Lottery system for non-county residents for beach driving
- d. \_\_\_\_\_
- e. \_\_\_\_\_

**4. Maintain or improve ADA accessibility to public beaches**

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

5. Improve restroom use/access

*Notes for Strategy formation:*

- a. Improve cleaning schedule and quality
- b. Provide restrooms at all beach from parks/access points
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

6. \_\_\_\_\_

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

7. \_\_\_\_\_

*Notes for Strategy formation:*

- d. \_\_\_\_\_
- e. \_\_\_\_\_
- f. \_\_\_\_\_

**Goal #3 - Preserve local heritage, culture and lifestyle:**

**Objectives:**

**1. Maintain and defend the customary use doctrine and access to dry sand portions of the beach**

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

**2. Maintain family friendly atmosphere at beaches/peaceful enjoyment of ocean front property**

*Notes for Strategy formation:*

- a. Increased regulatory oversight/law enforcement presences
- b. Introduce traffic control on the beach
  - i. Define driving lanes and parking areas
  - ii. Introduce access control [gates/booths at points of ingress/egress]
- c. Increase penalties for alcohol possession, littering, failure to secure permits, failure to pick up animal waste, and urinating/defecating outside of a restroom
- d. Limit night driving/parking during turtle nesting season
- e. Beach camping program/oversight [reservation system, limited/designated camping sites, management, etc.]
- f. Improved regulations of horseback riding
- g. Improved regulations for dogs at the beach
- h. \_\_\_\_\_
- i. \_\_\_\_\_
- j. \_\_\_\_\_

**3. Maintain safe and responsible vehicular access to the beach for County residents**

*Notes for Strategy formation:*

- a. Increased regulatory oversight/law enforcement
- b. Introduce traffic control on the beach
  - a. Define driving lanes and parking areas
  - b. Introduce access control [gates/booths at points of ingress/egress]
- c. Require 4x4/all-wheel drive vehicles
- d. \_\_\_\_\_
- e. \_\_\_\_\_

**4. Provide regulated and responsible beach camping for County residents**

*Notes for Strategy formation:*

- a. Create beach camping management program [reservation system, limited/designated camping sites, management, etc.]
- b. Limit camping to areas only directly in front of public parks with restroom facilities
- c. Limit camping reservations to County Residents
- d. \_\_\_\_\_

**5. Maintain regulated and responsible horseback riding access to the beach for County residents**

*Notes for Strategy formation:*

- a. Provide specific regulations for horseback riding
  - i. Limit hours of access March - October
  - ii. Define ingress/egress locations
  - iii. Limit riding to westward of the mean highwater line March - October
  - iv. Prohibit riding in tide pools or in water March - October
  - v. Require manure catch bags be worn at all times in all seasons
  - vi. \_\_\_\_\_
  - vii. \_\_\_\_\_
- b. Require all commercial outfitters desiring to use public beach access points and parking areas to acquire a license to operate in a public park.
- c. Limit the number of commercial outfitters licenses issued each year
  - a. Annual lottery system
- d. Create separate trailer parking area that does not reduce the number of passenger vehicle parking spots at beach front parks
- e. \_\_\_\_\_
- f. \_\_\_\_\_

**6. Maintain responsible access of dogs to the beach**

*Notes for Strategy formation:*

- a. More stringent penalty and enforcement of leash laws
- b. More stringent penalty and enforcement for failure to properly dispose of animal waste
- c. \_\_\_\_\_
- d. \_\_\_\_\_

**7. Maintain ability for responsible shore fishing including night fishing**

*Notes for Strategy formation:*

- a. Allow night access via driving or via parking in beach from parks 24/7
- b. \_\_\_\_\_
- c. \_\_\_\_\_

**8. Where feasible, develop regulations which consider local heritage while ensuring the public safety of all beach goers**

*Notes for Strategy formation:*

- a. Clearly identify growth issues which have an impact on traditional usage
- b. Analyze traditional usage of the beach and its current relevancy
- c. \_\_\_\_\_

**9. \_\_\_\_\_**

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_



#### Goal #4 - Protect environmental and natural assets of the beach

##### Objectives:

1. Assess vulnerability of costal systems and use in decision making

*Notes for Strategy formation:*

- a. Pursue a vulnerability assessment for Amelia Island
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

2. Execute a unified, long-term beach natural resources management plan

- a. Analyze beach usage from a comprehensive ecological viewpoint considering the interactions of the beach, dunes, sea life habitat, turtle nesting, and other beach dependent wildlife
- b. Create an objective index using quantifiable data to gauge the success of beach management programs
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

3. Balance public access with protection of the beach ecosystems

*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

4. Increase environmental education

*Notes for Strategy formation:*

- a. Illustrate results of "bad behavior" and reinforce "good behavior"
- b. Education strategies
  - i. In school presentations
  - ii. Brochures at beach access points
  - iii. Update TDC distributed pamphlets
  - iv. County website
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

5. Reduce conflict with nesting sea turtles and shore birds

*Notes for Strategy formation:*

- a. No night driving during turtle nesting season
- b. Stricter penalties for dog owners no following leash requirements
- c. \_\_\_\_\_
- d. \_\_\_\_\_

6. \_\_\_\_\_  
*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

7. \_\_\_\_\_  
*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

8. \_\_\_\_\_  
*Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

## Goal #5 - Explore funding opportunities for beach management

### Objectives:

#### 1. Expand Enforcement/Regulatory Funding

##### *Notes for Strategy formation:*

- a. Evaluate financial incentives to modify beach user behavior during peak season
- b. Fines and penalties
- c. Beach driving/parking fees
- d. Camping fees
- e. Expand use of Bed Tax monies
- f. Vendor licensing fees
- g. Millage allocation
- h. \_\_\_\_\_
- i. \_\_\_\_\_

#### 2. Expand Environmental Resource Funding

##### *Notes for Strategy formation:*

- a. Actively pursue grants
- b. Expand use of Bed Tax monies
- c. MSTU/MSBU
- d. Partnerships with non-profits
- e. \_\_\_\_\_
- f. \_\_\_\_\_
- g. \_\_\_\_\_

3. \_\_\_\_\_

##### *Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

4. \_\_\_\_\_

##### *Notes for Strategy formation:*

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, JULY 24, 2019, 5:30 P.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**DISCUSSION ITEM(S):**

**Tab A** Review results from the July 15, 2019 meeting.

**Tab B** Facilitate conversation amongst committee members relating to the remainder of the Committee's Goals, Objectives, and Strategies.

**Tab C** Discussion of next steps.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**Upcoming Meetings**

Thursday, August 1, 2019 at 5:30 p.m.



**BEACH COMMUNITY WORKING GROUP**  
**THURSDAY, JULY 24, 2019 – 5:30 P.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held on July 24, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 5:31 p.m. Mr. Mullin acknowledged Judge Adams in the audience.

Mr. Teeple explained that the purpose of this meeting is to discuss the remainder of the committee's goals, objectives and strategies. He advised that the discussion tonight would be provided in a summary format in order to assist the group with creating an Ordinance including a series of short, mid and long term recommendations for the Board of County Commissioners. Mr. Morriss recommended placing the short, mid and long term recommendation into subsets by categories.

Next, Mr. Teeple reviewed *Goal 2, ensure public access to beaches, Objective 1: Analyze beach capacity proportionate to growth/tourism projections at a planning horizon of 2045.* He inquired if there were any additional recommendations or changes that need to be included. Mr. Morriss suggested reviewing the amount of space that would be required for beach parking per vehicle. Mr. Mullin referred to strategy c, "establish a free island wide trolley/tram system", noting that there is no such thing as free island wide trolley system due to the associated costs including the equipment and operators of the trolley. Mr. Pope responded that this was submitted based on a model from Anna Maria Island that is shared between the Manatee County and Sarasota County transportation organizations. The group addressed Senate Bill (SB) 1577, noting that it does not allow for "beach tram". It was the consensus of group to differentiate the term "beach tram" from SB1577 as it is listed. Mr. Mullin pointed out on strategy e, "seek to obtain via exactions or via purchase lands adjacent to the ocean to provide additional public beach access points", should use the term "acquire" instead of "exactions" to avoid from being misconstrued as acquisitions of additional lands. Next, the group addressed strategy g, "create specific horse trailer parking areas and prohibit the parking/loading/unloading of trailed vehicles in passenger vehicle parking areas". Mr. Podiak recommended building a vertical parking garage structure in order to expand the capacity from 250 to 1,000 parking spaces. The group also addressed creating vehicular and pedestrian traffic lanes for safety.

Mr. Teeple addressed *Objective 2: Develop systems which allow pedestrian access to the beach on a 24/7 basis.* He inquired if there were any additional recommendations or changes to be included. The group addressed vehicular beach access at night. Mr. Morriss recommended installing two (2) gates for beach access that would be locked during specified times including the sea turtle nesting season. Mr. Teeple referred to strategy a, "establish maximum capacity for vehicles at each beach front park and cap daily vehicles accessing the beach as necessary", and inquired if driving restrictions and parking on the beach are considered the same issue. Mr. Podiak advised that currently the beach parking lot is closed at 10:00 p.m. which makes access to the beach difficult for pedestrian. Mr. Mullin commented that the public should not be restricted from having beach access from the parking lot; however, he clarified that

recreational vehicles should be restricted based on the capacity of size. He responded to an inquiry that vehicular driving on the beach should be limited during the sea turtle nesting season due to the requirements that are listed in the Incidental Take Permit from the Federal Department of Environmental Protection (FDEP). Next, the group focused on noise complaints. Mr. Mullin advised that this could be addressed through an Ordinance and would be considered as an enforcement issue.

The group discussed *Objective 3: Prioritize County residents' access to the beach*. There were three (3) prior strategies that have been submitted. Mr. Osborne referred to strategy a, "if capacity limits dictate, restrict beach driving/parking to County residents". He noted that it would be logistically impossible to identify non-residents that are currently on the beach. Mr. Pope clarified that this would be a long term strategy for when the capacity dictates that Nassau County can no longer handle non-resident parking on the beach. The group addressed strategy b, "fee for non-county residents parking in beachfront parking lots." Mr. Mullin advised that he has concerns that the fee schedule would not cover the expenditures, noting that it could be distinguished that non-residents would pay a higher fee and suggested placing a kiosk system to collect these fees. Mr. Hall proposed using an Automatic License Plate Recognition (ALPR) that would identify license plates. The group addressed strategy c, "lottery system for non-county residents for beach driving." Mr. Podiak advised that this would be difficult for non-residents who are visiting Nassau County. It was the consensus of the board to remove strategy c, "lottery system for non-county residents for beach driving."

Mr. Teeple addressed *strategy 4, maintain or improve Americans with Disability Act (ADA) accessibility to public beaches*. Mr. Podiak advised that Nassau County is providing ADA accessibility at this time including ADA specifications walkovers.

Mr. Teeple reviewed *Objective 5: Improve restroom use/access*. Mr. Podiak addressed strategy a, "improve cleaning schedule and quality", noting that there are new cleaning contracts for these facilities to be cleaned during the hours of 7:00 a.m. to 7:00 p.m. The group addressed objective b, "provide restrooms at all beach from parks/access points". Mr. Pope advised that Scotts Road is the only significant county access that does not have a permanent restroom facility.

Next, the group discussed *Goal 3, preserve local heritage, culture and lifestyle. Objective 1: Maintain and defend the customary use doctrine and access to dry sand portions of the beach*. Mr. Morriss pointed out that the only issue would be the sand dunes being wiped out and moved westward by storms with the Erosion Control Line (ECL). Mr. Mullin cautioned that the language "maintain and defend the customary use doctrine" was a broad statement and that the group would need to understand what that statement means. Mr. Morriss suggested placing a reference to Nassau County's Customary Use Beach Ordinance. Mr. Mullin advised that he would bring back the Customary Use Ordinance to the August 1, 2019 meeting.

Mr. Teeple addressed *Objective 2: Maintain family friendly atmosphere at beaches/peaceful enjoyment of ocean front property*. Mr. Mullin advised that in order to maintain a family friendly atmosphere it would require increased law enforcement. He requested to digress and referred to *Objective 1, maintain and defend the customary use doctrine and access to dry sand portions of the beach*. He provided a brief overview of the language in the customary use doctrine included "customary use public uses including but not limited to recreational uses such as sun bathing, walking, jogging, bicycling, building sandcastles, and some areas driving, exercising, kiting, photographing, picnicking, utilizing umbrellas, walking dogs, horseback riding, fishing, family gatherings, camping, bon fires, use of tent structures, tourist related activities and other similar public beach recreational activities." He pointed out that the reason he is cautioning not to use this language is based on the possibility of camping restrictions. Mr. Teeple pointed out that Objective 2, strategy g, "improved regulations for dogs at the beach" was stricken at the previous meeting.

Mr. Teeple reviewed *Objective 3: Maintain safe and responsible vehicular access to the beach for County residents*. He advised that strategy a, "increased regulatory oversight/law enforcement" has already been addressed at the previous meeting. Mr. Mullin pointed out that Nassau County has a designated speed limit for driving on the beach. Mr. Podiak explained that the speed limit signs would be posted outside the beach access. Mr. Morriss recommended having the speed limit signs placed throughout the beach area and not just the entrance or exit.

The group discussed *Objective 4: Provide regulated and responsible beach camping for County residents*. Mr. Morriss provided the following suggestions: camping permits would be required; implementing a camping permit fee that would require valid photo identification; and limit on beach camping. He advised that he would email his suggestions to Mr. Teeple for further review. Mr. Podiak referred to strategy c, "limit camping reservation to County residents", requesting to strike that from the objective due to Nassau County welcoming non-residents and being an inclusive County. After a brief discussion, it was the consensus of the group to strike objective 3, maintain safe and responsible vehicular access to the beach for County residents. Mr. Pope inquired if the overall cost of implementing the camping program would change the group's view on maintaining camping on the beach. Mr. Mullin advised that there is a survey that indicates that most counties in Florida do not allow camping on the beach due to enforcement issues and budget constraints. Mr. Pope responded that even beyond the enforcement, there is the administrative component of maintaining the campgrounds on the beach.

Mr. Teeple reviewed *Objective 5: Maintain regulated and responsible horseback riding access to the beach for County residents*. Mr. Podiak advised that he was not aware that this was for county residents only. Mr. Mullin addressed enforcement issues with horseback riding on the beach. The group discussed designated spots for parking horse trailers and permitting. Mr. Pope suggested that commercial operators should be required to obtain a license to operate in a public park. Mr. Podiak recommended that the commercial operators have a franchise agreement with the County.

Mr. Teeple addressed *Objective 6: Maintain responsible access of dogs to the beach*. He advised that this was removed for discussion. Mr. Morriss clarified that it would be included in the existing Ordinance.

Next, Mr. Teeple reviewed *Objective 7: Maintain ability for responsible shore fishing including night fishing*. He read strategy a, "allow night access via driving or via parking in beach from parks 24/7". Mr. Osborne advised that it cannot be both ways. Mr. Morriss clarified that it would be seasonable based upon the sea turtle nesting season. Mr. Teeple advised that this would need further discussion.

The group discussed *Objective 8: Where feasible, develop regulations which consider local heritage while ensuring the public safety of all beach goers*. Mr. Morriss pointed out that there were people in the audience to speak on this matter and it would fall under the Customary Use Beach Ordinance.

Mr. Teeple reviewed *Goal 4, protect environmental and natural assets of the beach. Objective 1: Assess vulnerability of coastal systems and use in decision making*. Mr. Morriss advised that the U.S. Army Corp of the Engineers completed a report for Florida State that targeted the dune systems. Mr. Pope recalled that Nassau County was recently awarded a grant to fund a vulnerability assessment that would include Amelia Island.

Mr. Teeple addressed *Objective 2: Execute a unified, long-term beach natural resources management plan*. Mr. Podiak advised that staff has been working with the Extension Office regarding guidelines and projects; and Mr. Morriss requested that information be provided to the working group.

The group discussed *Objective 3: Balance public access with protection of the beach ecosystems*. Mr. Teeple pointed out that there were no strategies on this goal. Mr. Morriss commented that American Beach needs a better dunes system.



Mr. Teeple addressed *Objective 4: Increase environmental education*. Chair Langley advised that this is a part of an on-going mission with the Leave No Trace Ordinance, which the Tourist Development Council (TDC) is responsible for.

Mr. Teeple reviewed *Objective 5: Reduce conflict with nesting sea turtles and shore birds*. No additional strategies were added to this goal.

Mr. Mullin advised that Chair Langley has requested that *Goal 5, explore funding opportunities for beach management* be tabled to the next scheduled meeting on August 1, 2019. Mr. Teeple concurred, noting that he will summarize what was discussed tonight.

The following audience members came forward to express their concerns regarding beach issues:

- Tony Nelson requested clarification regarding whether the committee had already reached a consensus on beach driving. Mr. Mullin clarified that the committee has not reached a recommendation on beach driving at this current time. Mr. Nelson requested that the committee consider night driving on the beach year round instead of during the turtle nesting season. He pointed out that the majority of the committee's discussion has been focused around Peters Point. American Beach has the same issues that are equally important to the residents of Nassau County and should be considered during the committee's deliberations.
- LaShonda Holloway recommended that the Beach Community Working Group minutes be posted on the County's website. She commented that the committee did not address the health safety and general welfare of the taxpayers who reside on the historic American Beach. She stated that American Beach does not have the infrastructure to sustain additional parking, horse trailers, and commercial trailers on the beach. She expressed concerns for excessive speeding while driving on the beach; establishing capacity on the beach; and identifying a county resident compared to a property owner.
- Peri Frances commented that she organizes camp outs on American Beach and is a representative of the Sun Coast Regional Council of the Natural Parks Conservation Association (NPCA). She requested that when making a decision the committee should take into consideration preserving some of the unique features and local heritage that American Beach offers including gathering in large numbers. She pointed out that if the committee implements paid parking, the parking lot at Burney Park is adjacent to part of a national park system. The NaNa Dunes should be available for free to the public. She briefly addressed camping and parking overnight. In closing, she advised that she is not opposed to some of the changes that are being proposed; however, she would like to see more of a dialogue addressing the camping and parking.
- Ron Sterling stated that he started an organization 21 years ago called the Night Sanders Campers on American Beach. It is his opinion that he has seen many changes to slowly remove camping from the beach in the last 6 years. When his organization started, there were only 5 tents and has grown to over 60 tents over the years. He explained that camping on American Beach allows experiencing the cultural heritage.
- Kristina Morris requested direction on how a young family who has recently moved to Nassau County could be more involved in the public involvement process. Chair Langley commented that she can continue attending the meetings and providing feedback.
- Unidentified speaker inquired if permits could be issued for the overnight parking for campers. Mr. Mullin responded that the committee is still in the formulating process and that these discussions have been made.
- Erving Gilyard advised that despite any recommendations that are being considered for the Board of County Commissioners, it must start with law enforcement in order to maintain the beach.



- Tom Polito came forward to thank Nassau County Sheriff's Office for their increased presence on the beach and enforcing the existing Ordinances in a professional way. He advised that without that law enforcement, no Ordinance or recommendations will be successful.
- Quinton Cooper suggested allowing for large group of campers the ability to reserve overnight parking at the parking lot.
- Azi Ma'at Devine stated that the history of American Beach drew her to camp on the beach. She advised that overnight parking should be available for campers.
- Eunice Asabi, representing the American Beach Museum, commented that he has not seen any of the committee members at the museum. He invited the committee members to visit the museum before making any decisions about the beaches.
- Selah Asabi requested clarification regarding the Municipal Service Taxing Unit (MSTU). Mr. Mullin responded that it is a unit created to fund beach restoration. Ms. Asabi requested additional clarification to *Goal 3, preserve local heritage, culture and lifestyle*. Mr. Mullin advised that this is a Customary Use Ordinance that was adopted two (2) years ago by the Board of County Commissioners relating to the customary use in the unincorporated sections of the beach in Nassau County. He explained that the reason he brought up the customary use is that camping is defined in this Ordinance, noting that there are significant number of residents who are opposed to camping on the beach. He advised that most counties in the State of Florida prohibit camping because it is an enforcement issue. Ms. Asabi commented the reason she wanted clarity for this goal was due to the key words "preserve local heritage." She also addressed parking overnight for campers.
- Sarah Penny advised that she has been camping for several years; however, during that time parking privileges were removed based upon illicit activity in the parking lot. She recommended putting cameras in the parking lot, noting that the campers are there to enjoy the beach.
- Ruth Mathews requested clarification regarding whether the committee was created to recommend an Ordinance. Mr. Mullin advised that the Board of County Commissioners constituted the committee based upon complaints from residents regarding beach activities in order to recommend one (1) cohesive Ordinance that deals with the uses on the beach. Ms. Mathews commented that Ordinances generally come with restrictions and permits, inquiring if any revenue that was generated would be earmarked. Mr. Mullin clarified that any generated revenue would be earmarked for the beach. He remarked that any generated revenue would not produce enough revenue to cover the financial and administrative cost.
- Rhonda Hastings commented that she visits American Beach twice a year and that there has been a prominent police presence. She clarified for the record that there has been no incidents during her camp visits.

Chair Langley adjourned the meeting at 8:11 p.m.

**BEACH COMMUNITY WORKING GROUP  
THURSDAY, AUGUST 1, 5:30 P.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

**Tab A** Approve minutes from the meeting held on July 15, 2019.

**DISCUSSION ITEM(S):**

**Tab B** Review of items on the agenda, led by County Manager, Mike Mullin.

**Tab C** Review results from the July 24, 2019 meeting.

**Tab D** Facilitate conversation amongst committee members relating to the remainder of the Committee's Goals, Objectives, and Strategies.

**Tab E** Discussion of next steps.

**Tab F** Set future meeting dates.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP  
AUGUST 1, 2019 – 5:30 P.M.  
COUNTY COMMISSION CHAMBERS  
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE  
YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 1<sup>st</sup> day of August, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitators were Brian Teeple and Blair Knighting, Kimley-Horn and Associates, Inc. Present was Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 5:30 p.m.

Regarding Tab A, it was moved by Mr. Mullin, seconded by Mr. Morriss and unanimously carried to approve the minutes from the July 15, 2019 committee meeting as presented. Mr. Hall referred to page two of these minutes, first bullet point, where Mary Duffy requested clarification regarding the Incidental Take Permit under the Endangered Species Act and where the county was in that process. Mr. Mullin advised that this item will go before the Board of County Commissioners on August 12, 2019 for their authorization to direct staff to begin the process of procuring a consultant to accomplish this Incidental Take Permit process. In checking with other counties, Mr. Mullin commented that it could take three to five months to receive the Incidental Take Permit from the United States Fish and Wildlife Service (USFWS), Federal Department of Environmental Protection.

Addressing Tab B, Mr. Mullin reviewed the agenda items and explained that the purpose of this meeting was to review the discussion items in order to make a recommendation to the Board of County Commissioners. Public comment has been taken from approximately 1,400 citizens at least ten meetings and approximately 500 e-mails have been received and presented to each member of the committee and will remain a part of the record.

Referring to Tab C, Mr. Teeple reviewed the unedited workshop notes from the July 24, 2019 meeting for review by the committee containing subsets and categories of the main issues such as parking, camping, etc. There is one more goal to discuss, *Goal 5: Explore funding opportunities for beach management*. He referred to his draft handout for specific strategies for Short Term (12-18 months), Mid-Term (18 months to five years), and Long Term (Five Years +) based upon comments that the committee has heard.

The group discussed the potential strategies related to *Objective 1: Expand Enforcement/Regulatory Funding* such as financial incentives to modify beach user behavior during peak season, fines and penalties, beach driving/parking fees, camping fees, expanded use of bed tax monies, licensing fees and millage allocation. Deputy Osborne discussed the number of deputies that currently patrol Amelia Island and the beaches. Providing necessary resources to the Sheriff to ensure that one extra deputy is available to patrol the beach area was suggested. Mr. Hall recalled recreational funds that were given to Nassau County and City of Fernandina Beach at one time for recreational impacts associated with Kings Bay. Mr. Mullin advised that the last funds from Kings Bay were received in the 1980's; however, he will research this item.

For short term goals, Mr. Teeple suggested adding the following: (1) adding beach cameras, (2) combining and updating existing beach ordinances; (3) increase the number of officers; (4) obtain the

required "Incidental Take Permit"; (5) design traffic control measures until the mid and long-term goals can be accomplished; (6) determine higher civil penalties; (7) create brochures/pamphlets for beach education; (8) work on ways to utilize the bed tax for educational purposes; (9) identify and prioritize funding sources; (10) install signage for speed limits and horse trailers; and, (11) limit the camping to certain areas [in front of parking, 15-feet away from the dunes; and limit the numbers of permits]. Chair Langley advised that (7) creating brochures for beach education and (9) identify and prioritize funding sources for education is already covered by the Tourist Development Council under the Leave No Trace ordinance. Regarding beach cameras, Deputy Osborn explained that the Sheriff's Office has a partnership with Genetec Community Connect whereby Genetec installs a camera; the County purchases the software and ties into the camera to monitor a live feed of the beach. Chair Langley advised that the camera could serve a dual purpose; security and marketing. The group discussed the signage for speed limits and horse trailers. Chair Langley stated that there is a comprehensive beach signing program that has been approved and there is budget set aside for it. Mr. Hall suggested having a fee envelope system similar to the State park. Mr. Pope addressed (5), design traffic control measures until the mid and long term goals can be accomplished and suggested gates by the entrance and posts by the dunes to deter night driving.

Mr. Morriss expressed his concern whether they should contact Florida Department Environment Protection (FDEP) to request a redesign of the park entrances for improved pedestrian safety. This redesign should be moved to the short or mid-term. Mr. Podiak felt that delaying this request would allow him time to review all the park access points and layouts. Mr. Morriss pointed out that this request affects public safety for pedestrian crossings and he was concerned with the length of time to process this request.

Mr. Teeple addressed *Objective 2: Expand Environment Resource Funding* strategies including pursuing grants, expanded use of bed tax monies, MSTU/MSBU, and partnership with non-profits. Under Cohesive Signage Plan, Chair Langley explained that the TDC will fund uniform signage that will engage the beachgoer.

Ms. Knighting distributed to the committee statements of proposed recommendations broken down by categories such as enforcement, beach environment, beach driving, beach camping, beach parking, horseback riding, and education. Regarding enforcement, the recommendation was made that the County provide the necessary resources to the Sheriff to ensure that there is one extra deputy available to patrol the beach area. Regarding this enforcement, the startup and the annual ongoing costs were determined. Mr. Hall suggested other sources of beach management such as beach ambassadors or rangers. Deputy Osbourne explained that rangers or ambassadors cannot take enforcement actions; they would need to contact a deputy. It was also suggested to eliminate the term "rigid" from "the fee schedule shall be increased for more rigid civil penalties" and use the second degree standard penalties and differentiate that from the permit fee.

Addressing *Beach Environment*, Mr. Mullin described which vehicles would be permitted on the beach for maintenance. Mr. Teeple advised that a management plan must accompany the Incidental Take Permit. Construction of additional restrooms was discussed.

*Beach Driving* was the next discussion item. Night time driving on the beach should be prohibited for the period beginning May 1 and ending on October 31. A lengthy discussion followed related to the times to prohibit beach driving. It was agreed to have a set time. Mr. Pope asked if someone could research sunrise times. Mr. Morriss stated that the City of Fernandina Beach has different times for sea turtle nesting season and off season. Mr. Teeple inquired whether Nassau County wished to eliminate night driving on non-nesting season. Mr. Hall requested clarification whether the night driving prohibition was required by the State or Federal governments. Mr. Mullin explained the Incidental Take Permit is required if the beach is home to endangered species. Once the County obtains the Incidental Take Permit, they must specify in their management plan the prohibition of night driving during certain hours during the sea



turtle nesting season from May 1<sup>st</sup> through October 31<sup>st</sup>. If the County did not apply for this permit, the beaches would have to be shut down to all driving. Chair Langley explained that the beach driving issue was more complex and would require additional dialogue at the next meeting. He also suggested adding to the next agenda all the different beach ordinances that specify different hours of driving times or parking.

The following citizens came forward to speak regarding the beach issues:

- Joyce Jefferson – Advised that the issues that have been mentioned regarding driving and camping on Peters Point also affect American Beach; however, there is no reference to American Beach. Deputy Osbourne explained that Peters Point is referenced due to the number of complaints however; the enforcement would affect beaches countywide. Ms. Jefferson also pointed out the spelling error for Burney, not Bernie, Park.
- Eve Jones - She questioned where the parking would be if the entrance is moved to the north side of the parking lot. She inquired what part of the beach is wide enough to handle signage, parking lanes, fishing, and the beachgoers. She has been on the beach when the water met the dunes and vehicles were floating in the ocean.
- Lisa Kapral – Explained that her Sandpiper community has been requesting help for ten years from the County. She expressed concerns with the proposed move of the access entrance to the north end of Peters Point. Mr. Mullin explained that this proposed move is merely a discussion point; not a recommendation. She pointed out the night partying on the beach and the trash left behind. She has been chased by a dog off its leash.
- Ed Kapral – He suggested having beach rangers with walkie-talkies patrol the beach and if they see something wrong, they could contact the police. The leash law is a joke.
- Diane Illi – She addressed dogs on the beach and suggested the animals and their humans attend obedience classes and obtain a license. In addition, an invisible fence could be provided on the beach and each dog would be issued a special collar for use. She also mentioned the many successful dog beaches throughout the country.
- Brenna Durden – Attorney with Lewis, Longman, and Walker, came forward on behalf of the Sandpiper Homeowners Association. -She questioned the timeframe for this committee to make a recommendation to the Board of County Commissioners as well as the intentions and failure of the County to address these beach issues. In her opinion, the County Manager has the authority to correct camping and driving hours and to undertake the changes that need to occur today without this committee or Board of County Commissioners' approval. She referenced the Endangered Species Act and Florida Statutes customary use. The HOA is opposed to moving the entrance and the 24 hour parking. Mr. Mullin responded to Ms. Durden's comments. He explained that the committee took time to hear from concerned citizens both for and against beach driving. Mr. Mullin stated that she was wrong on the authority granted to the County Manager and advised that this committee is concerned with the health, safety and welfare of the beachgoers and residents.
- Marianne Phillips - Lauded the committee for a phenomenal job listening to all the statements and comments from citizens adding that the beach belongs to everybody. House Bill 631 dealing with customary use should never have been passed. She pointed out that the beach can be accessed beyond the cars and she requested that the beach be left alone with no paid parking.
- Chris Venable - Stated that he is a new resident of Sandpiper Loop from South Carolina. After what he saw during Memorial Day weekend on the beach, he wished he had not moved here. He explained that recently while walking his dog, the dog found hypodermic needles on the beach. Today, there was a man standing on top of the sand dune urinating. What happens at night is unbelievable with the drinking and drug use.
- John Plowden - He requested clarification of the deputy situation at night between sundown and sunrise. Deputy Osbourne explained that there are two deputies covering Amelia Island. One covers the east side of First Coast Highway and one covers the west side. When school goes back in session, there will one deputy covering Amelia Island as the Resource Officers will be back at

the schools. Mr. Plowden also addressed the noise on the beach at night. Mr. Mullin advised that currently there is no noise ordinance in the County; however, staff can determine the volume of noise on decibel meters and County staff can review the findings.

- Rick Howe – On behalf of Carlton Dunes, he advocated for some control on the camping. Currently, as the ordinance is written, it does not give the Sheriff's deputies many tools to work with when things go wrong on the beach. Living right by Peters Point on the beach, he sees the problems on the weekends in the summer but not the rest of the year. In another month or so, everyone goes away. He would prefer to have the additional officers at the schools, not the beach.
- Ronald Storley – His groups camps at Burney Park three nights twice a year. He wanted to ensure that whatever takes place at Peters Point will not affect the American Beach campers. The setbacks from the dunes will put their campsites at low tide. He expressed concern with not being able to park at night.

Chair Langley stated that every member of the committee has been actively involved in addressing these issues. To date, there are no recommendations to present to the Board of County Commissioners and no decisions have been made.

Following discussion, the following meetings were scheduled: August 14, 2019 from 9:00 a.m. to 12:00 p.m.; August 15, 2019 from 9:00 a.m. to 12:00 p.m. with additional time if required; and, August 22, 2019 from 9:00 a.m. to 2:30 p.m.

There being no further business, the Beach Committee Working Group meeting adjourned at 7:25 p.m.

**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, AUGUST 14, 2019, 9:00 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

**Tab A** Approve minutes from the July 24 and August 1, 2019 meetings.

**DISCUSSION ITEM(S):**

**Tab B** Review of items on the agenda, led by County Manager, Mike Mullin.

**Tab C** Review results from the August 1, 2019 meeting.

**Tab D** Discussion of draft Beach Ordinance prepared by Facilitator, Brian Teeple.

**Tab E** Discussion of sunrise/sunset times from May 1 through October 30.

**INFORMATIONAL ITEM(S):**

**Tab F** Citizen emails received between July 23 and August 7, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**AUGUST 14, 2019 – 9:00 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 14<sup>th</sup> day of August, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osbourne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitators were Brian Teeple and Blair Knighting, Kimley-Horn and Associates, Inc. Present was Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 9:04 a.m.

Mr. Mullin explained the purpose of the meeting was to review the materials prepared by Kimley Horn, the County's outside consultants, and, to continue the discussion regarding beach issues. Mr. Teeple addressed the items in the agenda packet which include the draft Omnibus Beach Ordinance compiled from five current ordinances. He requested that the group advise him if there are any other ordinances related to the beach that should be included. Mr. Morriss referenced a City of Fernandina Beach ordinance relating to nudity on the beach. Mr. Teeple reviewed the draft ordinance noting that definitions will need to be cleaned up; and he addressed the language in Section 2: Driving and parking ordinances; Section 3: Camping and campfires; Section 4: Concessions and rentals; Section 5, Animals; Section 6: Littering and Unattended Personal Property; and, Section 7: Alcohol. The group agreed with the structure of the draft ordinance. Discussion followed regarding having language pertaining to indecent exposure being applied to the ordinance. Mr. Mullin advised that Florida Statutes address nudity and other behavioral issues. Mr. Pope mentioned Section 4-26 in the Nassau County Code of Laws and Ordinances which references nudity in public places including the beach. Mr. Teeple recommended that this ordinance should provide clarity of beach issues in one place. Discussion followed.

Mr. Teeple reminded the group that at the July 24, 2019 meeting, they had been discussing beach driving; in the agenda packet is a memorandum showing the sunrise/sunset times in Fernandina Beach for the period of May 1<sup>st</sup> through October 31<sup>st</sup>. Mr. Teeple summarized that the average sunrise was 6:41 a.m. and average sunset was 7:35 p.m. Discussion followed regarding whether the Incidental Take Permit (ITP), being sought by the County, specified times. Mr. Mullin explained that Volusia and St. Johns County's ITP has specific times for beach driving. It was suggested that the County mirror the hours that the City of Fernandina Beach has permitting beach driving between the hours of 6:00 a.m. until 9:00 p.m. Mr. Teeple reminded the group that when the County writes their ITP and accompanying Beach Management Plan, these times may change and there may be further restrictions for nighttime driving. Based upon the ITP, the County must adhere to what the federal law states.

The topic of beach driving being restricted to vehicles equipped with four-wheel/all-wheel drive was discussed. Mr. Mullin understood from adjacent counties that there is a reference in the ITP that the vehicle ruts are less of a problem with four-wheel drive vehicles. The ruts have been known to be a safety issue for turtles as well as beachgoers. The recommendation will be beach driving limited to four-wheel/all-wheel drive vehicles.

Mr. Teeple addressed beach driving only occurring in designated travel lanes. He advised that designated travel lanes seem to work well where there is sufficient sand and law enforcement. Mr. Pope explained



that the County needs an organized structure such as defined parking spaces to decrease user conflicts and provide public safety. Mr. Hall suggested that there be no driving on the wet sand side of the beach. Mr. Mullin felt wet sand/dry sand could be problematic with the tides; however, driving lanes would require manpower. Without funding, this would be an exercise in futility. Mr. Mullin advised that any recommendation must be mindful of budget constraints. There was consensus to have this recommendation be considered as a longer term goal.

Mr. Teeple addressed beach camping and discussed the previous recommendation that beach camping be by permit only and should occur only in front of the hardscape at Peters Point Park. Mr. Pope advised that whatever is recommended for Peters Point Park must be applied beach wide. There must also be a regulatory statement that temporary outhouses will not be permitted. Mr. Hall suggested limiting the camping to Nassau County residents with special permitting for others. Mr. Mullin reminded the group that with the ITP, no camping or other activities are allowed during turtle nesting season from May 1<sup>st</sup> through October 31<sup>st</sup>. Mr. Mullin advised that the Beach Management Plan must contain defined regulatory actions that the County will utilize to ensure that the ITP is adhered to. Discussion ensued regarding camping being available only during beach driving hours. Mr. Teeple suggested the recommendation that the "no beach camping" hours parallel the "no beach driving" times. He also pointed out that there is no way to write a permit detailed enough to cover beach camping. Mr. Mullin had checked with other counties that tried the beach camping permit and found that it was a constant issue of challenges in courts and for law enforcement. State Parks are equipped with designated parking spaces, restrictions, and sanitary facilities. Mr. Hall felt that any regulations should be enacted gradually. Discussion followed regarding enforcement, funding, and other behavioral issues resulting from beach camping. Mr. Teeple summarized the recommendation as follows, "Beach camping should only occur in front of the hardscape at Peters Point and Burney Parks" "removal of the permit system", "no 'pit' outhouses", and "no camping during turtle nesting season." Chair Langley mentioned that there was no time limit on the beach camping which could encourage "squatters." Mr. Mullin commented that he did not believe that the ITP would allow vehicles on the beach at night.

Regarding beach camping, Mr. Teeple suggested the following recommendations, "No camping during turtle nesting season", and "Beach camping shall be limited to only primitive camping". His goal is to bring back final recommendations tomorrow for the committee's approval in order for him to draft a final report to present to the Board of County Commissioners. He advised that this committee has to do something. Mr. Mullin explained that a few weeks ago, the City of Fernandina Beach reached out to see if the County had interest in procuring a joint Incidental Take Permit application with the City. The Board of County Commissioners had approved this joint application; however, it may not be feasible with the different approaches and conflicts such as camping. He and Mr. Pope will be meeting with the City Manager and City Attorney sometime next week. Mr. Mullin stated that with the ITP, the Board of County Commissioners may take action sooner on night driving.

There was a pause in the proceedings at 10:22 a.m. The meeting reconvened at 10:31 a.m.

Chair Langley inquired whether recreational vehicles and overnight trailers would be prohibited from parking in the parking lots. Mr. Teeple clarified that parking lots will be eliminated from any camping at all beach lots. Defined boundary limits for camping will be determined. Chair Langley pointed out that Section G on page 3 of the draft Omnibus ordinance addresses "boundaries as set by the County Manager."

Mr. Teeple addressed beach parking. His recommendation would be that "parking in the lots at Peters Point, Scott Road and Burney Park will be open 24/7 year round" and "Parking on the beach will be restricted to designated areas only". He added that "No recreational vehicles or campers will be permitted to camp in the parking lots." Mr. Pope commented that the committee should not get hung up on what the current rules say as much as making sure Mr. Teeple knows what the committee wants in order for

him to draft the recommendations. A lengthy discussion ensued regarding constitutional rights making some of the suggested recommendation difficult to enforce.

Mr. Teeple continued the recommendations with parking on the beach on the sand "should only occur on dry sand in designated places only." Mr. Mullin advised that designated areas would require signage which would require manpower to change the signs and funding to pay for the manpower. The committee may want to consider driving lanes when the population would warrant it. Chair Langley explained that at peak season, parking is at a premium. Mr. Morriss explained that his reasoning for adding "dry sand only" was to avoid public safety issues of people driving on the wet sand where sunbathers and swimmers are located. Mr. Hall mentioned the fishermen who back their pickup trucks into the water's edge.

Continuing to page two of the August 14, 2019 draft recommendations, Mr. Teeple addressed the recommendation to "redesign the park entrances to allow for more efficient parking areas". This topic was suggested for future consideration. "Establish off-side parking options such as trolley or shuttle options" was discussed for a long-term planning consideration.. The next suggested recommendation was "Nassau County shall consider ways to procure real estate surrounding the existing parking areas to allow for more parking." Mr. Teeple noted that this was outside the draft ordinance. Mr. Morriss inquired if the County had a "conservation land fund" as he had someone who may be interested in donating. Mr. Mullin explained that the County is working with the Trust for Public Land to create a fund. Chair Langley pointed out that the last four proposed recommendations were not issues that needed to be addressed by an ordinance; they were more long-term planning. Discussion ensued regarding whether some of these recommendations were code-worthy. Mr. Teeple suggested that any public policy issues or aspirational goals could be translated into other documents such as the Comprehensive Plan.

Mr. Pope explained that this ordinance is language for the Board of County Commissioners to consider and any recommendation must include any associated costs. An ordinance addressing the immediate needs is within this committee's decision. Mr. Morriss stated that the long-term planning should be addressed in immediate discussions. Deputy Osbourne stated that the immediate issues are what brought this committee about. This committee was formed to address specific issues from a law enforcement standpoint that the County was dealing with. He referenced the number of complaints flooding into the County on a regular basis via photographs, videos, e-mails, and phone calls about specific problems currently happening on the County beaches. This committee was not formed to deal with trolleys ten years from now but the issues with driving on the beach and whether to continue to allow camping on the beach. Mr. Hall explained how he requested Commissioner Aaron Bell to put this committee together because of these issues. Deputy Osbourne explained that the summer season is almost over and no decisions have been made for the concerned citizens dealing with these problems. Mr. Mullin agreed with Deputy Osbourne that the Board of County Commissioners established this committee due to the amount of complaints received about activities on the beach. He never envisioned that this committee would be engaged in long-term beach planning; that would be accomplished by the Board constituting a new committee in the next few years to address the planning. The immediate need is to address the constant complaints received regarding driving, camping and unsafe and illegal activities happening on the beach and bring something back to the Board. Mr. Mullin agreed that planning must be done for the future of the beach due to the growth. Mr. Morriss suggested an addendum for long term planning be added to the ordinance. Guidance for the future must be included. Mr. Teeple advised that he will frame a recommendation to deal with future planning which will be broad and encompassing. Chair Langley pointed out that these are public parks which will be addressed in the park and recreation plan.

Next, Mr. Teeple addressed horseback riding and the resulting problems. He suggested one exclusive franchisee selected by the County with specific guidelines. He advised that there is a problem with where the horse trailers are parking at Peters Point Park. Deputy Osbourne suggested having a designated area where the trailers park. Mr. Mullin suggested franchising the horseback riding; if the horse manure is left on the beach, the vendor could lose their franchise. Mr. Teeple recommended that horseback riding on

the beach shall be limited to exclusive franchisee(s) selected by the County to provide horseback riding services to the public. There would be designated parking for the horse trailers.

Regarding Education, Mr. Teeple felt that there was almost sign pollution at the parks; too many signs for a person to read while driving into the park. He suggested posting driving speeds closer to the beach entrance. Chair Langley pointed out that the Amelia Island Tourist Development Council is responsible for communicating the Leave No Trace regulations and providing beach rules to the general public. Regarding dog feces on the beach, Mr. Morriss advised that the City of Fernandina Beach has a regulation regarding cleaning up after your dog. Mr. Teeple commented that this is something that could be added to the ordinance. Chair Langley felt that the language in the Leave No Trace ordinance is comprehensive. Discussion followed.

Mr. Teeple explained that as he was consolidating the Omnibus Beach Ordinance, he noticed that parking fees of \$5.00 per day or \$25.00 per year were charged for out of county residents. Discussion followed regarding instituting an in-County fee and raising the fee for out-of-county residents. Mr. Hall requested the number of Beach Permits the County sold. Mr. Hall recommended the County initiate a \$75.00 per year annual permit for every person going to the beach except the handicapped. Mr. Mullin advised that the courts have ruled that any permit fee charged must be justified. Before a fee can be determined, the County must consider the costs for deputies and manpower in order to determine the reasonable fee. Further discussion followed.

Ron Starling, Nightsanders Campers on American Beach, came forward to discuss camping during the off season for turtle nesting season stating that November through April is too cold to camp. He explained that his campers cannot be in thin tents in 32 degree weather. He has learned how to recognize turtle nests and if any turtles came up during the nighttime when his campers are there, he has created a strict path to the water. He said that the turtles cannot see the color red; therefore, he uses only red lighting. His group wants to be good stewards of the beach.

There being no further business, the Beach Committee Working Group meeting adjourned at 11:47 a.m.

**BEACH COMMUNITY WORKING GROUP  
THURSDAY, AUGUST 15, 2019, 9:00 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**DISCUSSION ITEM(S):**

- Tab A** Review of items on the agenda, led by County Manager, Mike Mullin.
- Tab B** Continue discussion of draft Beach Ordinance prepared by Facilitator, Brian Teeple.
- Tab C** Continue discussion of sunrise/sunset times from May 1 through October 30.

**INFORMATIONAL ITEM(S):**

- Tab D** Citizen emails received between August 6 and August 13, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

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**BEACH COMMUNITY WORKING GROUP**  
**AUGUST 15, 2019 – 9:00 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 15<sup>th</sup> day of August, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager (arrived at 9:01 a.m.); Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitators were Brian Teeple and Blair Knighting, Kimley-Horn and Associates, Inc. Present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 9:00 a.m.

Regarding Tab A, Mr. Mullin reviewed the agenda items and explained that the purpose of this meeting was to review the discussion items in order to make a recommendation to the Board of County Commissioners. He advised that if additional meetings are required to be set up that it could be addressed at the end of the meeting.

Addressing Tab B, Mr. Teeple provided a draft handout dated August 15, 2019 regarding recommendations to the Nassau County Board of County Commissioners. He explained that the draft has been classified into three categories because some of the things are code worthy and some require action. The action portion was classified into categories: near or future terms Mr. Teeple provided a report on the City of Fernandina Beach Ordinance regarding driving on the beach during sea turtle nesting season. He noticed that the language indicated "no beach parking as authorized above shall be permitted from sunset until 9:00 a.m." Mr. Morriss commented that this language has been changed recently to include a hard set time and would further research to provide the updated language. Mr. Teeple pointed out that the City of Fernandina Beach posted speed limit for driving on the beach is 5 miles per hour (mph) compared to Nassau County of 10 mph. Chair Langley clarified that the previous recommendation for driving on the beach during sea turtle nesting season was from 9:00 p.m. until 6:00 a.m.

Mr. Teeple addressed beach parking, inquiring if the recommendation of placing a key card system in the parking areas would be considered a near or longer term goal. Mr. Hall clarified that the purpose of the key card system or tag identification systems was to identify the vehicles that are accessing the parking lot or the beach. Mr. Teeple pointed out that one of the draft recommendations under Beach Enforcement included "Nassau County shall install beach cameras (or Automated License Plate Readers [ALPR]) in parking lots and camping areas." Chair Langley advised that the Tourist Development Council (TDC) received proposals to install cameras for the primary use to do beach scenes on the internet but it could provide a secondary benefit for the security use. Mr. Mullin commented that the County is 38 days away from adopting the budget with a set mileage rate and raised his concerns that near term goals with a financial impact could be problematic for this fiscal year. He recommended that the language include "funding availability". He advised that during his review of St. John's County Incidental Take Permit (ITP) that there is a requirement for Beach Rangers and two (2) Sheriff's Deputies that will require additional budgetary funding. Chair Langley stated that the ITP application will also require a Beach Management Plan. Mr. Mullin advised that the Board of County Commissioners approved for staff to meet with the City of Fernandina Beach's Attorney and City Manager to discuss the approach to acquire the ITP.

Regarding beach driving, Mr. Morriss suggested that the Beach Management Plan should include no driving on the wet sand as it poses a public safety risk. Chair Langley commented that the primary goal is to focus on creating an Omnibus Beach Ordinance, he noted that a lot of the near term goals are actionized and would be covered under the ordinance.

Next, Mr. Teeple referred to fees, noting that he provided the following draft language to capture the discussion from the August 14, 2019 meeting: "the County shall conduct a cost study to determine the cost of beach driving, permits, which shall be used to determine the cost levied as a permit fee on all beach drivers." Chair Langley advised that he believes that would be consider part of the Ordinance.

Regarding nudity, Mr. Teeple provided the language: "nudity on Nassau's Beaches is prohibited pursuant to Nassau County Code, Section 4-25." It was the consensus of the working group to use this language.

Referencing back to fees, Chair Langley recommended that the cost of beach operations be included in the permits. Mr. Teeple mentioned that he would cross reference that in his notes. He questioned if the working group would support the recommendations of the draft Omnibus Beach Ordinance and Beach Management Report, noting that it has not been provided to them at this time. In addition, he recommended repealing the prior Beach Ordinances for the County. Mr. Morriss requested clarification if the report would include some of the longer term goals. Mr. Teeple advised that it is his intent to include the recommendations with the appropriate timeframes subject to availability of funding. Mr. Pope requested that the draft Omnibus Beach Ordinance and Beach Management Report be provided to the working group in a timely matter to allow the opportunity to review. He stated that it is his anticipation that once the draft Omnibus Beach Ordinance and Beach Management Report is circulated through the public that the working group would be holding additional meetings to receive public feedback and further discussions.

Next, Chair Langley addressed public safety. He advised that any public safety programs implemented would be under the direction of the Sheriff's Office and that the County will not be seeking any other alternatives to implement public safety. Mr. Pope concurred that it was his understanding as well.

Referencing back to beach parking, Mr. Teeple provided additional proposed language: "campers including travel trailers, camping trailers, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and as all are further defined in *Florida Statutes* 320.01 are prohibited on the beach and on the beach front park parking areas." He advised that this definition was provided directly from Ordinance 2018-22. Mr. Mullin recommended setting different set of hours for recreational vehicle parking in order to prevent overnight parking. Mr. Osborne recommended banning the use of running generators if on beach parking is allowed for recreational vehicle. Mr. Teeple inquired if it was possible to designate one (1) parking area for the recreational vehicles. Mr. Morriss stated that it would lead to the unattended consequence of increase people congregating and noise level in one localized area. Mr. Osborne recommended keeping beach parking uniformed for all of the beach access points, noting that another concern would be the amount of space required for recreational vehicle parking. Mr. Pope stated that it is his opinion that this is more of a future term goal to include redesigning the park and identifying a single vendor or multi-vendors to handle private citizens with parking recreational vehicles and trailers. Mr. Teeple requested for clarification that the recreational vehicles shall be prohibited in beach front parking areas between hours of 9:00 p.m. to 6:00 a.m. with the County Manager's discretion. Mr. Osborne clarified that it would not be the County Manager's discretion between the hours of 9:00 p.m. to 6:00 a.m.; however the County Manager's discretion would apply during the hours of 6:00 a.m. to 9 p.m. while the parking lots are open to allow for recreational vehicle parking. Mr. Mullin further clarified that it would be subject to the County Manager's decision for the availability for utilization of the space. In addition, the Sheriff's Office would hold the same authority.

Regarding beach camping, Mr. Teeple provided the definition that primitive camping shall mean the construction or erection of a shelter for the purpose of sleeping; or lying upon a bedroll, blanket, or other protective garb for the purpose of sleeping. He pointed out that the definition was provided in Ordinance 2018-22, which also included the language that “improvised pit latrines and the use of portable electric generators shall be prohibited.” Mr. Mullin recommended providing additional definitions in addition to pit latrines, noting that the purpose of designating camping in front of the park was to provide the use of the bathroom facilities. Mr. Teeple pointed out that there is another recommendation that parking on the beach should be restricted to designated places and limiting the boundaries of the park. Chair Langley inquired if primitive camping would still require a camping permit. Mr. Morriss confirmed that it was removed but suggested that it should be part of the mid-range term goals. He recommended that the Beach Management Plan should identify the boundaries of the location for camping and attaching a cleaning deposit to cover the County’s cost for cleaning these facilities. Mr. Mullin raised the concern that the ITP may not allow primitive camping during the turtle nesting season due to the flashlights and other devices that may interfere with the turtles. Mr. Hall recommended that the proposed language should include that the County allows for primitive camping during the turtle nesting season unless restricted by the ITP. Mr. Mullin pointed out that there could be an enforcement issue that would require further discussion, and would need to be addressed in the Beach Management Plan if primitive camping was allowed.

Next, Mr. Morriss recommended littering to be addressed in beach camping. Mr. Teeple advised that littering is referenced in the draft Omnibus Beach Ordinance, Section 6, Littering/Unattended Personal Property “Littering; it shall be unlawful, and is hereby prohibited for any person or persons to litter any of the Atlantic Ocean beaches of Nassau County or in any County owned or controlled oceanfront park. All Litter shall be placed in the receptacles provided or carried away by the visitor from these parks.” Mr. Osborne requested clarification on the enforcement for littering. Mr. Teeple advised that he is still researching the existing five (5) Ordinances to ensure the appropriate penalties would be applied.

Referencing back to beach camping, Mr. Podiak recommended addressing restricting vehicles from setting up camps along the designated primitive camping area. Mr. Morriss advised that there was a prior consensus of the working group that included primitive camping between the hours of 9:00 p.m. to 6:00 a.m. with no vehicles within the designated camping site. Chair Langley commented that the intent of primitive camping is for the ability to pack in and pack out with no interaction between the campers and vehicles. He pointed out that during the day time hours there are no regulations on vehicle parking and inquired about oversized vehicles on the beach. Mr. Mullin advised that this could be hard to enforce and that there is no designated areas to park for oversize vehicles that require a significant amount of space. Chair Langley mentioned that at one of the previous meeting there was a discussion regarding the number of parking spaces that are available and it was the consensus to maximum the amount of availability of parking on the beach. Mr. Morriss stated that this would create a funding issue to implement a Beach Management on site.

There was a pause in the proceedings at 10:18 a.m. The meeting reconvened at 10:30 a.m.

Mr. Teeple requested the working group to research additional beach related Ordinances that could be accurately incorporated into the draft omnibus beach ordinance.

Regarding beach environment, Mr. Teeple addressed the proposed language “apply for and receive an ITP under the Endangered Species Act from the U.S. Fish and Wildlife Service for nesting Sea Turtles”; and “construct additional public restrooms at Scott Road Park”. Chair Langley advised that the construction of a restroom would not be considered an ordinance issue but would be resolved through the Board of County Commissioners.



Referencing back to beach camping, Mr. Podiak inquired whether there should be a time to breakdown camping gear during overnight camping. Mr. Osborne concurred, noting that one of his concerns was camping gear left on the beach with vehicular traffic during the day. Chair Langley recommended placing a limit for the number of days allowed to camp. After a brief discussion regarding the number of days, Chair Langley inquired how the number of days would be monitored unless the campers applied for a permit. He commented that without placing a time limit for camping it could lead to campers staying for an extended period of time that would not be considered recreational camping. Mr. Osborne agreed, noting that without a permit it would make enforcement difficult. Mr. Morriss suggested that beach camping should require a permit that is obtain in advanced. Mr. Podiak explained that Nassau County does not run a campground and it would involve different policies and procedures. Mr. Pope clarified that it would require a Park Ranger. Chair Langley recommended that the length of stay for recreational camping should be the maximum of three (3) days.

Next the working group addressed limiting the number of campers; Mr. Osborne suggested providing a special permit for larger groups. Mr. Podiak advised that in order to offer camping to the public, staff would need to research whether the County is meeting the requirements for the Americans with Disability Act (ADA) and if there would be any financial impacts. Mr. Osborne commented that the ADA requirements may limit the locations of where camping would be accessible. Mr. Mullin recommended creating a subcommittee that consists of Mr. Podiak, Mr. Pope and himself to review the ADA requirements and to report back to the working group. After a brief discussion, it was the consensus of the working group that the subcommittee to be formed.

Regarding fees, Chair Langley requested clarification whether the fee structure would be based upon the reevaluation of the amounts due to the cost of maintaining the beach. He inquired if these fees would be charged to non-residents. Mr. Mullin recommend that the working group reviewed both residents and non-residents. Mr. Teeple advised that his recommendation is for the County to conduct a cost study to determine the cost of beach driving permits, which shall be used to determine the cost levied as a permit fee on all beach drivers.

Referencing horseback riding, Mr. Teeple reviewed the proposed language "horseback riding on the beach shall be limited to exclusive franchisee(s) selected by the County to provide horseback riding services to the public"; and to "ensure the horse trailer parking areas are clearly marked and are utilized." Mr. Pope commented that there should be a consideration of mandatory manure catching bags on the horses when riding. He advised that the proposed language should be clear that it is required and enforceable. Chair Langley recommended that any consideration for the exclusive franchisee(s) would be selected at the County Manager's discretion. The group addressed whether individual horse owners would still have access to riding on the beach.

Next, Mr. Teeple inquired if there was any other matters that were not addressed or outside of the proposed draft omnibus beach ordinance. Mr. Mullin advised that it would be easier to review when the proposed draft omnibus beach ordinance is provided. Mr. Morriss commented that the other topic that needed to be addressed was providing safe access to the beach for the residents that live north of Peters Point parking area. Mr. Teeple pointed out that the speed limit is 10 mph and that Public Works will be placing speed limit signs as a near term goal and recommended placing additional speed limit signs at the entrance of beach. Mr. Morriss inquired if the speed limit should be lowered. After a brief discussion, it was the consensus of the working group to lower the speed limit down to 5 mph.

Following discussion, it was moved by Mr. Mullin, seconded by Mr. Pope and unanimously carried to schedule the following meetings: September 16, 2019 from 9:00 a.m. to 12:00 p.m.; and September 19, 2019 from 9:00 a.m. to 12:00 p.m.; and to cancel the noticed meeting being held on August 22, 2019 from 9:00 a.m. to 2:30 p.m.



The following citizens came forward to speak regarding the beach issues:

- Barbara Culley came forward to discuss the Nightsanders Campers, Organization that has been established for 20 years with the history of camping on American Beach. She advised that she agrees that permits are necessary and should include specific dates that the permits are valid. In addition, she is in agreeance that all permits should be applied for in advanced.
- Brenna Durden, Attorney with Lewis, Longman, and Walker, came forward on behalf of the Sandpiper Homeowners Association. She advised that she is encouraged to see the August 15, 2019 draft recommendations to the Board of County Commissioners but found it a little discouraging for Nassau County's citizens to witness in her opinion that some of the members of the working group back tracked in tonight's discussion. She commented that the working group must establish these perimeters for Nassau County's citizens to include requiring permits or special permits for large groups.

There being no further business, the Beach Committee Working Group meeting adjourned at 11:30 a.m.

**BEACH COMMUNITY WORKING GROUP  
MONDAY, SEPTEMBER 16, 2019, 9:00 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S)**

**Tab A** Approve Minutes from the July 24, August 1, and August 14, 2019 meetings.

**DISCUSSION ITEM(S):**

**Tab B** Review of items on the agenda, led by County Manager, Mike Mullin.

**Tab C** Continue discussion of existing draft Beach Ordinance and amended draft Beach Ordinance prepared by Facilitator, Brian Teeple.

**Tab D** Review/discuss draft recommendations to the Board of County Commissioners prepared by Facilitator, Brian Teeple.

**Tab E** Discussion of the meeting of the Subcommittee held on September 9, 2019, led by County Manager, Mike Mullin. (draft minutes attached for informational purposes)

**INFORMATIONAL ITEM(S):**

**Tab F** Citizen emails received between August 2 and September 9, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**September 16, 2019 – 9:00 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 16<sup>th</sup> day of September, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Heather Nazworth, recording secretary.

Chair Langley called the meeting to order at 9:03 a.m.

It was moved by Mr. Mullin, seconded by Mr. Osbourne and unanimously carried to approve the minutes from the July 24, 2019, August 1, 2019, and August 14, 2019 working group meetings as presented.

Regarding Tab B, Mr. Mullin reviewed the items on the agenda. He commented that this agenda includes recommendations to be presented to the Board of County Commissioners and Mr. Teeple has prepared draft material to be reviewed.

Next, Mr. Mullin discussed the findings from the subcommittee meeting held on September 9, 2019. He commented that the group discussed ADA issues related to camping, beach operations, fees for permits, and the cost related to beach maintenance. He advised that there will be additional meetings to review items discussed and refine topics. The group had further discussion regarding the fees, population projections, and counters.

Mr. Teeple provided documentation to the committee which includes a list of ideas and consolidated ordinances, and a draft ordinance that incorporates the ideas that have been previously discussed. He reviewed the goals for today's meeting and the intentions for the next meeting.

Regarding Tab D, Mr. Teeple commented that the only the recommendations remaining are the ones that the committee agreed upon and divided into categories. The group discussed the designated areas for camping, parking on the beach, and permits for camping. Mr. Teeple referenced the topic that was previously decided which limited beach camping to primitive camping only and further discussion ensued. Next, the group discussed overnight beach parking. Mr. Teeple commented that the language references definitions in Ordinances 2018-22 and 2016-09 as it relates to campers. He reviewed the proposed language in the draft ordinance. The group discussed the types beach parking and suggested that beach front parking of campers should be prohibited.

Next, Mr. Teeple addressed Concession and Rentals in the Draft Amended Nassau County Omnibus Beach Ordinance. Mr. Mullin reminded the committee that the county had concession permits in prior years which created issues. He advised that the Leave No Trace Ordinance addresses any property left behind.

Mr. Teeple continued review of the Draft Amended Nassau County Omnibus Beach Ordinance. He reviewed Section 1, Definitions; Section 2, Driving and Parking. Further discussion ensued regarding primitive camping and enforcement. Chair Langley addressed the management of the beach and

commented that there has been ongoing discussion between the City of Fernandina Beach and the County. Mr. Mullin stated that there could be a possibility of a beach manager, however this will need to be determined at a later time.

Next, Mr. Teeple continued discussion regarding camping. Mr. Mullin briefly addressed the Sunshine Law. Discussion among the members, does not mean there is any decision in a certain direction.

Next, Mr. Teeple continued review of the Amended Nassau County Omnibus Beach Ordinance Section 2, Driving and Parking; and Section 3, Camping and Campfires. The group discussed amplified devices used on the beach and camping on the beach at set time periods. After further discussion, the group came to the consensus to remove all of Section 4, Concessions and Rentals. Mr. Teeple continued review to Section 5, Animals; Section 6, Littering/Unattended Personal Property; Section 7, Alcohol; and Section 8, Nudity. Mr. Teeple commented that he will complete the changes requested for review for the next meeting.

The following citizens came forward to speak regarding the beach issues:

- Lisa Kapral came forward to express her disappointment in the draft ordinance. She commented regarding the previous weekend's camping debris and vehicles parked on the beach at Peters Point. She also expressed her concerns regarding the primitive camping.
- Ron Starling came forward to discuss primitive camping, trash and clean up, and permits.
- Brenna Durden came forward on behalf of the Sandpiper Homeowners Association. She commended the committee regarding the progress. She expressed her concerns regarding the number of campers on the beach, night time driving, and bonfires on the beach.
- John Cline came forward to express concerns regarding the budget being an issue and the ongoing process of the Beach Committee
- Barbara Culley came forward to state that permits are necessary and should be enforced, and noise should have a limitation. In addition, she expressed concerns regarding parking overnight.

Mr. Mullin stated that the information Mr. Teeple provides is based on conversation points and does not determine what the recommendations will be.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:54 a.m.



**BEACH COMMUNITY WORKING GROUP  
THURSDAY, SEPTEMBER 19, 2019, 9:00 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**DISCUSSION ITEM(S):**

- Tab A** Review of items on the agenda, led by County Manager, Mike Mullin.
- Tab B** Discussion of amended draft Beach Ordinance prepared by Facilitator, Brian Teeple.
- Tab C** Discuss draft Non-Code recommendations to the Board of County Commissioners prepared by Facilitator, Brian Teeple.
- Tab D** Discussion of future meeting dates.

**INFORMATIONAL ITEM(S):**

- Tab E** Citizen emails received between September 15 and September 16, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**SEPTEMBER 19, 2019 – 9:00 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 19<sup>th</sup> day of September 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office Director; Douglas Podiak, Facilities Maintenance Director; Gil Langley, Executive Director of the Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc., and Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 9:00 a.m. and the recording secretary called the roll.

Regarding Tab A, Mr. Mullin reviewed the items on the agenda noting that there were no other items to add. Mr. Teeple has been updating the draft ordinance from the previous meetings. The committee will be reviewing these changes in order to get to the point of making a recommendation to the Board of County Commissioners. Chair Langley thanked the County's team who are doing an outstanding job supporting this committee; especially, Sabrina Robertson who has compiled all the information and responses received from stakeholders in a well-organized and well-presented manner. Mr. Mullin pointed out that Ms. Robertson compiles every e-mail and photograph received and distributes to the beach committee.

Mr. Teeple stated that it was his hope that as of the close of this meeting, he will be able to make the suggested changes to the draft ordinance and put together the report which will include an introduction of the process, all the meeting minutes, discussion regarding public input, and the two documents before the committee today: (1) amended draft Beach Ordinance; and (2) Non-Code recommendations for the Board of County Commissioners. His hope was to have the document ready next week for this committee to meet one last time to take final action on this draft Nassau County Omnibus Beach Ordinance. He requested that the committee consider Tab C first.

The committee addressed Tab C, discussion of draft Non-Code Recommendations to the Board of County Commissioners. The Non-Code Recommendations include an introduction and recommendations for consideration in the "near-term" and "long-term". Near-term is defined as within 18 months which gives the County another budget cycle. Long-term is any time after 18 months. Both time frames are subject to the availability of funding. Mr. Teeple advised that all the recommendations begin with a clause explaining their purpose.

Mr. Hall interjected that the major beach issues were camping and night-time, on-beach parking and 18 months seems like a long time. He also mentioned that long-term has no definitive end; therefore, he suggested no more than 24 months. Regarding the last paragraph under enforcement regarding installing cameras and license plate readers, Mr. Hall suggested near-term instead of long-term. Mr. Podiak felt that adding time frames for each of these recommendations was not realistic because each of these has dollar amounts attached. The group discussed the use of cameras and other deterrents. Director Osbourne emphasized that the law regarding camera footage only allows a certain classification of laws known as "misdemeanor exceptions". If the infraction is not within that list of misdemeanor exceptions and the deputy does not witness the event happening, they cannot act on it. None of the infractions happening on the beach are on that list. Most of the issues are a violation of a County ordinance to begin with which is not even state statute; therefore, the deputy cannot act on what they see on a video unless there is a crime

committed on the video that is considered a felony or within that list of misdemeanor exceptions. Mr. Mullin advised that the only way the bad behavior will stop is with police presence and enforcement. As the Sheriff's Office is the expert in law enforcement and security, they should make the recommendations on what security measures would be required at the beach.

Regarding beach parking, Mr. Podiak understood that the key card system would be similar to a gated access for the driving portion of the beach. People would purchase a beach driving permit associated with the key card. Mr. Podiak emphasized that this would only address the beach entrance only for driving vehicles. Mr. Teeple felt that this "beach parking" recommendation may be more applicable under the beach driving regulation. Mr. Pope agreed that if they eliminate beach driving during certain times of the day or the year, a locked security gate would be required. Mr. Teeple will rewrite the recommendation to state, *"In order to provide for enhanced public safety and better regulate beach driving and parking, install a key card system at the vehicle access points to the beach."* He felt that the only way to control that beach was with deputies. Mr. Hall understood that the key card entry system would allow a person to pay their beach driving fee. Mr. Teeple rephrased the verbiage for the recommendation to state, *"In order to better regular beach driving and parking, install a key card system at the vehicle access points to the beach."* Chair Langley explained that the purpose of the key card system would be to raise revenue.

Mr. Teeple explained that he added to the first recommendation, Enforcement, (1) to provide enhanced deterrence and enforcement to provide the resources to the Sheriff to ensure that one extra deputy (3 shifts, necessary supervisory personnel and one-time costs) is available to patrol the beach area. Director Osbourne requested that the 3 shifts be removed from the recommendation adding that the analysis has already been submitted to the County Manager's office of what the costs would be. Mr. Mullin agreed with the Director and the recommendation will state, *"In order to provide enhanced deterrence and enforcement, to provide the resources to the Sheriff to patrol the beach area."* Mr. Teeple requested that the committee address each of the recommendations one at a time and he addressed the next two recommendations under Enforcement dealing with (2) beach speed-limit signage, and (3) enhanced security with beach cameras or automatic plat readers in parking lots and camping areas. There was consensus to keep these items as long term. Mr. Podiak suggested deleting "camping areas" as camping has not been determined as yet. Mr. Teeple will remove camping areas from the third recommendation under Enforcement to read, *"In order to provide enhanced security, install beach cameras or automatic license plate readers in parking lots."*

Mr. Teeple addressed the recommendations for Beach Environment. The first recommendation is regarding the endangered species protection for the sea turtle nests and the Incidental Take Permit has been applied for. The second recommendation dealt with installing additional restrooms at Scott Road Park as a long term goal.

Next, Mr. Teeple addressed Beach Driving recommendations. The first recommendation was the verbiage, *"In order to provide for enhanced safety, restrict beach driving to designated travel lanes"* as a long-term goal. Mr. Mullin expressed concern about a document that states "enhanced safety". Should there be a beach driving accident and the County had not completed the suggested recommendation of designated travel lanes, there could be liability to the County. Mr. Pope suggested changing the verbiage to *"In order to provide for enhanced safety, consider creating designated driving lanes."* Mr. Mullin felt that with the presence of the deputy, this recommendation is not necessary. In summary, Mr. Teeple stated that the committee is deleting all Beach Driving recommendations.

Chair Langley explained that the reason there is beach driving today is for people to access parking. The objective is to maximize the parking spaces available on hard surfaces of the sand in the beach parks. He asked whether they should even consider beach driving lanes while the county is designing a parking scheme. Mr. Morriss suggested having this topic considered under a beach parking management plan in the long-term. Mr. Teeple will change the subheading from Beach Driving to Beach Parking

Management Plan. Discussion followed regarding whether to make this goal long or short-term. Mr. Mullin pointed out that he did not care for the "long term" or "near term" as they are not necessary. Mr. Teeple will remove the time frame designations of "near term" and "long term."

Next, Mr. Teeple referred to the goal of Beach Parking and the recommendation to redesign the park entrances. Mr. Mullin pointed out that moving the accesses to the beach north would cause a myriad of issues. Mr. Teeple will discard this recommendation. The next recommendation under Beach Parking is to provide for enhanced public safety and, thirdly, better regulate parking by installing a key-card system in the parking areas; and to provide greater and more orderly access to the beach, establish off-site parking options such as trolley or shuttle options. Discussion followed.

The next topic was Horseback Riding. Mr. Teeple requested clarification if the committee wished to use licensees. If so, this could drop out of the recommendations since the committee has taken care of the problem.

Mr. Teeple addressed the topic of fees with the first recommendation stating that "In order to provide an equitable and defensible basis for the fee structure, the County shall conduct a cost study to determine the cost of beach driving permits, which shall be used to determine the cost levied as a permit fee on all beach driving permits. This would include in-county and out-of-county residents; however, not necessarily the same fee. Discussion followed. The committee concurred to replace the word "equitable" with "reasonable."

The final recommendation under fees is to regulate and reduce nuisances resulting from beach camping and establish a beach camping permit system. Mr. Mullin felt that camping should be addressed by the Board of County Commissioners as camping is the central core issue. He added that the Federal Incidental Taking Permit may not allow beach camping or beach driving during the six-month turtle nesting season from May 1<sup>st</sup> through November 1<sup>st</sup>. In addition, the group discussed primitive camping versus camping restricted in front of Burney Park or Peters Point or camping at night. Mr. Teeple suggested removal of this final recommendation. Director Osbourne suggested having camping by special permit only to cover the Boy Scouts and large groups as these groups historically ensure the campsite is left clean. This would follow suit with the remainder of the State of Florida. Mr. Hall agreed with special permits but not limited to a particular group. To qualify, a person should appear in person to complete the permit paperwork. Mr. Pope advised that the County has a mechanism; a model they could follow which is the Festival Permit. The Festival Permit requires the hiring of an off-duty deputy, traffic control, bond for clean up the next day, and other requirements which could apply to the beach as well. Chair Langley pointed out that there are other options for camping at the State parks in the area. Mr. Morriss commented that just because there has been urbanization of the County, it should not restrict lifestyles. Chair Langley responded that there is the right to put limits on behavior. Director Osbourne advised that the Board has tasked this committee to bring back recommendations as the current model was not working. Mr. Podiak stressed that tent and primitive camping must stop except through an organized event that can be regulated. There is no control for individualized camping. He pointed out that those campers do not even utilize the restroom 200 feet away. Mr. Pope explained that without a camping ordinance, the Sheriff's Office has nothing to enforce. Chair Langley advised that both Mr. Morriss and Mr. Hall have made their positions clear on this topic. A lengthy discussion followed regarding enforcement. To recap the conversation, Chair Langley stated that it will be the committee's recommendation that individual camping be banned and group camping fall under the special Festival Ordinance of the County.

Mr. Mullin agreed that he hated to see lifestyles change; however, the reason this committee has met for five months is because of the people who had no respect for the County's beaches. If all vehicles are taken off the beach at night permanently, the only camping the County will be wrestling with is tents. Mr. Teeple read the new language under Fees, *"In order to better regulate and reduce nuisances resulting*



*from beach camping, limit such use to organized groups subject to a Festival permit or similar mechanism.*” Mr. Mullin felt that even with the enhanced enforcement, people who are going to drink alcohol and defecate on the beach are not going to be caught by the Sheriff’s deputies. Mr. Mullin agreed that the simplistic approach would be to ban all camping on the beach. Mr. Pope felt that the committee’s recommendation must be to either ban or heavily regulate permitted camping. Director Osbourne suggested offering banning or regulating to the Board of County Commissioners for their consideration. Mr. Morriss and Mr. Hall declared that they were in favor of highly-regulated individual camping.

Next, the committee considered Tab B – Discussion of amendment draft Beach Ordinance prepared by Facilitator Brian Teeple. Referring to Page 1 of 10, Section 1. Definitions, Paragraph D, Mr. Teeple removed “primitive camping” from definitions and added “*sleeping bag*” to the protective garb for purpose of sleeping. He also added “*and not associated with a camper or motor vehicle, including truck tractors*”. Mr. Pope asked what other structure would there be besides a tent or shelter and the definition of “shelter” could cause additional debate. Mr. Teeple advised that this was existing language from the previous beach ordinance. Mr. Teeple will remove the word “shelter”. He will also remove “construction or”. Paragraph D would read, “*Camping shall mean erection of a tent for the purpose of sleeping or lying upon a sleeping bag, blanket or other protective garb for the purpose of sleeping... ..*”

On page 2 of 10, Mr. Teeple referred to Section 2, Driving and Parking, Paragraph A, noting that in the last version, he had stuck all of subparagraph 3. Upon further review, he decided that this subparagraph should remain in the ordinance as it provides for the exemptions by special permit for the Concours d’Elegance. Subparagraph 4, “Parking on the beach is restricted to designated areas only” is to be determined. Mr. Teeple advised that he struck subparagraphs 6 and 7. On page 3 of 10, Mr. Teeple addressed subparagraphs 5, Speed Limit of 5 miles per hour to be consistent with the City of Fernandina Beach. On page 4(C) related to campers, the change was “said vehicle being wholly contained in a single parking space.”

Mr. Hall referred back to Paragraph D, Permits, and Mr. Teeple pointed out that there was recommendation to do the study; therefore, the permit structure will be addressed when the study was completed. Mr. Mullin pointed out that the group had discussed both in-county and out-of-county residents should be required to purchase a permit; therefore, the sentence stating that Nassau County residents shall not be required to have a permit was incorrect. There will be two fee structures for in county and out of county residents. The word “not” will be removed from Paragraph D(1). Discussion followed regarding the amount of fees to be charged. It was noted that the amount of the permits will be determined by the analysis of the study.

Mr. Teeple addressed Section 3. Camping and Campfires. Mr. Teeple had two recommendations to make based on the committee’s discussion: (1) Restrict camping to groups with a Festival Permit, and (2) Ban camping all together. In addition, Camping would be limited to what is defined in Section 1(C and D). Also, camping on the beach is prohibited during the period beginning May 1<sup>st</sup> and ending October 31<sup>st</sup>. Section 4 relating to concessions has been stricken. In the new Section 4. Animals, Mr. Teeple changed the term franchisee to *licensee*. Mr. Mullin explained that if you issue someone a license and they violate the terms, the license can be revoked. He discussed the requirements for a licensee.

Mr. Teeple continued his review of the draft Beach Ordinance on page 8 of 10, noting no changes except for the Section 5(B) for use of the term “*Unattended*” Personal Property instead of “Prohibited.” There are also no changes to Section 7. Alcohol. Section 8. Nudity was added noting that it is prohibited pursuant to Nassau County Code, Section 4-32. Enforcement of a ban on alcoholic beverages on the beach was discussed; especially as it relates to the resorts. Mr. Mullin pointed out that everyone using the beach should be treated equally. Chair Langley emphasized that any recommendation this committee suggests should be clear, concise and enforceable. Director Osborne commented that the Sheriff’s Office has a Policy Review Committee which reviews changes to County ordinances that are enforceable. It was

suggested leaving the decision related to the alcoholic beverages on the beach ban to the Board of County Commissioners. Discussion followed. Mr. Teeple will bring back a revised version of the draft recommendations for the committee's review at the next meeting.

The following citizens came forward to speak regarding the beach issues:

- Howard Banaszak – He expressed concern with alcohol consumption on the beach from early morning to late in the day and the safety factor on the weekends.
- Lisa Kapral – She requested that the committee recommend removal of nighttime driving on the beach year round, a 50-foot noise ordinance, no alcohol on the beach by anyone, and no primitive camping.
- John McKay – Suggested parking in designated areas with zones for sunbathers and zones for cars.
- Ron Starling – Addressed gas generators and portable toilets for approved group camping. He inquired whether the camping permit cost would be the same as the Festival permits. Mr. Pope advised that the fee schedule has not been discussed as yet.
- Peri Frances – Addressed the issue of one common standard for all the beach access points is problematic because it has the element of erasure of the history of the tradition of American Beach which is not the same as Peters Point.
- Annie Rodriquez – Questioned whether having a special permit would include keeping the cars in the parking lot overnight for the campers. She also inquired whether the Festival Permit would include a cultural event. Nightsanders is a cultural event about the celebration of the history of the African-American beach.
- Tina Myers – Addressed camping on American Beach. She suggested that this be an exemption and consider the history of American Beach as it is not the same as Peters Point. Mr. Morriss clarified that the Incidental Take Permit was a Federal law protecting nesting sea turtles during a certain time frame each year. He emphasized that this was a Federal mandate; not under the control of the County.
- Brenna Durden – Attorney with Lewis, Longman, and Walker, came forward on behalf of the Sandpiper Homeowners Association. She explained that these HOA members were some of the few property owners in Nassau County whose property line still goes to the mean high water line where no Erosion Control Line has ever been established.

The next scheduled meeting will be September 26, 2019 from 8:30 a.m. to 10:30 a.m.

There being no further business, the Beach Committee Working Group meeting adjourned at 11:40 a.m.

**BEACH COMMUNITY WORKING GROUP  
THURSDAY, SEPTEMBER 26, 2019, 8:30 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**DISCUSSION ITEM(S):**

- Tab A** Review of items on the agenda, led by County Manager, Mike Mullin.
- Tab B** Discuss/review draft report and recommendations to the Board of County Commissioners.
- Tab C** Discussion of future meeting dates (if needed).

**INFORMATIONAL ITEM(S):**

- Tab D** Citizen emails received between September 15 and September 24, 2019

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**September 26, 2019 – 8:30 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 26<sup>th</sup> day of September, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Heather Nazworth, recording secretary.

Chair Langley called the meeting to order at 8:52 a.m.

Chari Langley took public comment; the following citizens came forward to speak regarding the beach issues:

- Pete Smith came forward requesting clarification regarding the definitions for ocean front park, beach front parks, the beach, and the beach area. He mentioned that this can cause confusion for the public and he provided recommended definitions.
- Brenna Durden came forward to request additional time to review the draft report and recommendations and have public comment towards the end of the meeting.
- Lisa Kapral came forward to address whether a proposal was added regarding searching of a vehicle for alcohol upon the issuance of a beach driving permit.
- Peri Frances came forward to express her concerns regarding the enforcement of the rules and regulations.

Regarding Tab C, Mr. Mullin discussed the future meeting date needed for the minutes to be approved and also review any changes that are made at this meeting. He expressed appreciation to Mr. Teeple for his assistance in facilitating the meeting.

Mr. Teeple reviewed the draft final report and recommendations. He reviewed the Non-Codified Recommendations to the Nassau County Board of County Commissioners and mentioned that due to the recommendations discussed at the previous meeting, the recommendations will not be codified. Mr. Morriss questioned the Beach Management Plan to recommend the restriction of camping in front of the hardscapes and adding a nightly quota for campers. Mr. Pope responded that if there is an established perimeter for group beach permit camping there can be a set administrative policy on what the perimeters are for beach camping via the permit. Mr. Mullin stated that camping cannot be allowed on the beach and questioned what would be considered an organized group. He advised that the committee needs to have specific recommendations for the Board of County Commissioners to make a determination on what type of camping will be permitted. Mr. Hall expressed concern with the large groups of vehicular campers going to the Peters Point area. He suggested an emergency interim ban on camping on the beach by the County Manager. Mr. Mullin responded that he does not have the authority. The Sheriff has the emergency powers and the camping taking place now, in his opinion, is not an emergency situation. Mr. Hall explained that due to the process of the committee's recommendations there would still be time before the effective date to address the problems on the beach. Mr. Mullin explained there could be the possibility of a temporary ordinance. He agreed that there is an issue according to the testimony received; however, the decision is up to the Board of County Commissioners. Mr. Hall explained that the



issues need to be resolved as soon as possible; however additional issues have risen which need to be addressed on an emergency basis. Mr. Mullin explained that the committee would have to make the recommendation based upon the testimony received in order to make the interim step of banning camping. Mr. Pope explained that even though there is the interim step of banning camping while the committee continues to review the camping issues, there is still no relief regarding camping. There needs to be a recommendation beyond the interim step. Mr. Mullin responded that if the committee believes there is a recommendation based upon the reasons stated previously for the County Commissioners consider a temporary ban on camping; however, there could be a recommendation for the formulation of permitting policies for camping. He explained that there is confusion as to what is considered camping and there needs to be a ban on night driving or use of vehicles on the beach from the 9:00 p.m. to 6:00 a.m., which will assist the deputy with enforcement. The group had further discussion regarding camping.

Mr. Teeple explained that the additional recommendation to prohibit driving/parking on the beach between the hours of 9:00 p.m. thru 6:00 a.m. will be included in the Beach driving or Parking Section and will not be codified. The group continued further discussion regarding camping and beach driving. Mr. Pope stated that in order to address all the issues there would need to be no driving on the beach, no parking on the beach, no camping on the beach and the Leave No Trace Ordinance would remove any items remaining on the beach. He further explained that this will address some of the issues however, there will be additional issues to address with the group camping. Following further group discussion, Mr. Pope again recommended to the committee to ban camping, driving, parking, and sleeping as an interim step until another method is found to be more efficient and effective. Mr. Hall stated that his requested emergency interim ban would be for the vehicular camping on the beach and would remove the vehicles off the beach at night while still allowing tent camping. The group further discussed the elimination of vehicles on the beach at night and the recommendation regarding camping on the beach.

Mr. Mullin explained that on a temporary basis the proposed recommendation would be to ban tents, generators, parking/driving. Fires, sleeping bags, and mattresses would create something definitive for the deputy to enforce. Mr. Mullin further explained that the Incidental Take Permit will require the preparation of a beach management plan and the proposed recommendation can then be considered to be permanent or temporary.

Mr. Pope made a motion to: Recommend that the Board of County Commissioners prohibit beach driving, beach parking, and beach camping between the hours of 9:00 p.m. and 6:00 a.m. and seek the Board's direction as to whether or not County staff should explore means to implement a camping program. Mr. Mullin seconded the motion and clarified the indicators of beach camping would include all vehicles including campers, tents, generators, fires, mattresses, and sleeping bags which are prohibited between the hours of 9:00 p.m. and 6:00 a.m. **(Clarified at the November 6, 2019 meeting.)** This would be included in the draft Nassau County Omnibus Beach Ordinance. Mr. Teeple clarified that sections in the Draft Report and Recommendations to be updated. The roll call vote carried unanimously.

Mr. Teeple continued to review the Draft Amended Nassau County Omnibus Beach Ordinance. He clarified that all the stricken areas in the recommendations will not be provided to the Board of County Commissioners. He also stated he is going to review the hours of operations for the parks.

Mr. Mullin requested that a meeting be held on October 9, 2019 at 9:00 a.m. Mr. Teeple will provide the updated Draft Ordinance for the committee to review at the meeting. Next, Mr. Teeple he continued reviewing of the Draft Ordinance.

The following citizens came forward to speak regarding the beach issues:

- Brenna Durden came forward on behalf of the Sandpiper Homeowners Association and requested that the updated version of the draft ordinance be provided online for review before the October meeting.
- Barbara Culley came forward to address concerns over the activities at Peters Point and the recommended ban of camping
- Lisa Kapral came forward reiterate her earlier question regarding searching vehicles for alcohol. Deputy Osbourne commented that there are constitutional issues that would need to be addressed.
- Peri Frances came forward to express her concerns regarding the problems at Peters Point and the impacts it has on the community. She commented that there is a long tradition and history that would be disrupted and felt that there is a better way to manage this issue.
- Ron Starling came forward stating that for the previous 22 years there has been no problems with camping, however, the issues at Peters Point are not the same as American Beach and requested a solution for the two separate the areas.
- Pete Smith came forward stating that the definitions in the Draft Report and Recommendations are confusing. He commented that there is a serious problem and the ban will only solve a percentage of the problem and suggested reviewing Orange County, California website regarding camping.

Mr. Hall provided a history of the beach committees which started in the late 1980's or early 1990. He requested that there be a solution to the problems in order to maintain the uses that are presently on the beach. Mr. Hall stated that the committee needs additional time to resolve the problems, but something needs to be done now to resolve the issues at Peters Point. He feels that rules and regulations can be implemented that will maintain the traditional and customary uses that have been on the beaches for years.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:26 a.m.

**BEACH COMMUNITY WORKING GROUP  
WEDNESDAY, OCTOBER 9, 2019, 9:00 A.M.  
JAMES S. PAGE GOVERNMENTAL COMPLEX  
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER  
ROLL CALL**

**CONSENT ITEM(S):**

**Tab A** Approve draft minutes from the September 16 and September 19, 2019 Beach Community Working Group Meetings.

**DISCUSSION ITEM(S):**

**Tab B** Review of items on the agenda, led by County Manager, Mike Mullin.

**Tab C** Discuss/review amended Beach Ordinance.

**Tab D** Discuss/review non code recommendations to the Board of County Commissioners.

**Tab E** Discussion of future meeting dates (if needed).

**INFORMATIONAL ITEM(S):**

**Tab F** Citizen emails received between September 17 through September 26, 2019.

**PUBLIC COMMENTS: Limited to 3 Minutes Per Person**

- Any member of the audience wishing to speak on any beach related concern

**COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:**

- Any other items to be brought before the Committee.

**ADJOURNMENT**

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP**  
**OCTOBER 9, 2019 – 9:00 A.M.**  
**COUNTY COMMISSION CHAMBERS**  
**JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE**  
**YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 9<sup>th</sup> day of October, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 9:03 a.m.

It was moved by Mr. Mullin, seconded by Director Osborne and unanimously carried to approve the minutes from the September 16, 2019 and September 19, 2019 working group meetings as presented.

Regarding Tab B, Mr. Mullin thanked the County's team who are doing an outstanding job supporting this committee; especially, Sabrina Robertson who has compiled all the information and responses received from stakeholders. He provided a brief review of the items presented on the agenda.

Addressing Tab C, Mr. Teeple provided a brief summary of the recent changes to the draft Nassau County Omnibus Beach Ordinance. He referenced Section 1, Definitions, noting that the new definition of camping shall mean the erection of a shelter or similar structures for the purpose of sleeping or lying upon the beach either under or outside of any shelter, vehicle, bedroll, blanket or other protective garb. Evidence to determine an activity to be camping shall include, but not be limited to, the presence of any of the following: tents or similar structures, sleeping bags, mattresses, campfires/bonfires, generators, portable toilets, or improvised privies. Mr. Hall questioned the definition of differentiates camping during the daytime and nighttime hours. Mr. Mullin commented that some of these matters would be under the consideration of the Board of County Commissioner's discretion for further resolution. He explained that camping is labor intensive and will require staff to work directly with the State of Florida in order to mirror their rules. Discussion followed.

Next, Mr. Teeple referred to Section 2, Driving and Parking. He advised that driving and parking on the beach is prohibited from 9:00 p.m. to 6:00 a.m. on a year round basis, and will be restricted to motor vehicles equipped with 4-wheel or all-wheel drive. He clarified that the parking lots set forth in Section (1)(b) shall be open on a 24 hour daily basis. Campers or truck tractors shall not be allowed to remain during the hours of 9:00 p.m. to 6:00 a.m. Parking on the beach will be restricted to designated areas only and the speed limit on the beach will be reduced from ten miles per hour (mph) to five mph. Further discussion followed regarding parking designations. Mr. Teeple stated that campers including trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and as all are further defined in *Florida State Statute §320.01*, are prohibited on the beach at all times. Parking by these types of vehicles in the parking area between the hours of 6:00 a.m. to 9:00 p.m., will be subject to said vehicle being wholly contained in a single parking space.



Mr. Teeple addressed Section 3, Camping and Campfires. He stated that it shall be unlawful and prohibited for any person or persons to camp, or construct a campfire/bonfire, at any time on the beach. Discussion followed.

Regarding Section 4, Concessions and Rentals, Mr. Teeple commented that the entire section has been stricken pursuant to discussions that were held at a previous meeting. He pointed out animals are now referenced in the new Section 4, noting that horseback riding contains the same language as discussed by the committee at prior meetings.

Next, Mr. Teeple referenced Section 5, Littering/Unattended Personal Property. He pointed out that the new title for personal property was changed to untended personal property. In addition, he addressed Section 7, Nudity. He indicated that nudity on Nassau County beaches is prohibited pursuant to Nassau County Code, Section 4-32.

Mr. Teeple responded to an inquiry from the committee regarding whether alcohol would be addressed, he pointed out that Section 6, Alcohol states that it shall be unlawful for any person on the beach to sell, consume, possess, or control any unsealed or open container containing any type of alcoholic or intoxicating beverage. Mr. Mullin clarified that this could be brought back at a later time for further discussion if the Board of County Commissioners request staff to work with Nassau County's Sheriff Office to bring back additional details for consideration.

Chair Langley requested clarification on the language in Section 2, Item 1, regarding official use vehicles as approved by the Board of County Commissioners and designated accordingly by the Board, are prohibited on the County's beach areas. Mr. Mullin advised that the current language is being addressed; however, this does not differentiate what is considered official use vehicles approved by the Board of County Commissioners. He stated that this matter would require further discussion between staff and the Board of County Commissioners. He further explained that under the Sunshine Law, staff cannot address these issues until this committee sunsets. Mr. Hall provided a brief history how the Citizens of Public Beach was formed and stated for the record that this committee is a long way from finalizing the Nassau County Omnibus Beach Ordinance.

The committee addressed Tab D, discussion of draft Non-Code Recommendations to the Board of County Commissioners. Mr. Teeple advised that there have been no changes to this item.

Addressing Tab E, discussion of future meeting dates. Chair Langley advised that the only pending item is the approval of minutes from today's meeting and from the September 26, 2019 meeting. Mr. Mullin clarified that it would only require a quorum to attend the meeting to obtain the approval. Chair Langley suggested setting the meeting when the minutes are prepared and that the only item on the agenda would be the approval of the minutes.

The following citizens came forward to speak regarding the beach issues:

- Ron Starling came forward to address Section 3, Camping and Campfires. He raised his concerns for campfires being unlawful and prohibited to be included with historical and cultural diversity groups of American Beach. Mr. Mullin explained that recommendations in the draft Nassau County Omnibus Beach Ordinance addresses Nassau County's entire beach that is under the control of the Board of County Commissioners. Mr. Starling provided a brief history of American Beach as it relates to segregation. He noted that American Beach is stamped as a

historical landmark by the Historical Society and should be exempt from the rules and regulations of the draft Nassau County Omnibus Beach Ordinance.

- Marsha Dean Phelts came forward to address traditions related to the public beach access and the community that was established in American Beach. She advised that the American Beach camping experience was established in 1935 and has grown through the generations.
- Lisa Kappal came forward to express appreciation to the committee for their hard work and requested clarification on the next steps of the draft Nassau County Omnibus Beach Ordinance. Mr. Mullin explained that once the minutes are approved by the committee, staff would send the recommendations to the Board of County Commissioners electronically to be placed on their agenda to be heard. He advised that the Board of County Commissioners may request to hold workshops meetings to review the recommendations prior to the public hearings, noting that all meetings would be noticed and advertised.
- Daryl Crane came forward stating that American Beach is one of the few historical African-American beaches remaining. He advised that he is a member of the American Beach Cats, an organization that camps on American Beach and are very environmental conscious when camping.

The committee addressed Tab F, citizen emails received between September 17, 2019 through September 26, 2019. Mr. Pope commented that he was disappointed in the information that was provided to social media regarding the motion that was made at the meeting held on September 26, 2019. He pointed out that there was a second part of the motion that was not included which indicated that the committee will be seeking guidance from the Board of County Commissioners involving camping and driving on the beach. He provided a brief summary of his recent camping experience over the weekend at Fort Clinch. He explained that there was extensive manpower from technical staff; patrolling the area; and administrative work involved at the Florida State Park campsite. It is his opinion that this committee should sunset in order for the Board of County Commissioners to direct staff to do the necessary research and further finding resolutions to create the procedures on these matters. He provided a handout (Attachment "A") to the committee that displays the realistic timeline during the program creation period to allow staff the opportunity to meet with subject experts to derive the program for Nassau County and the budgetary impact process. Mr. Mullin concurred, noting that the language provided in the recommendations for the draft Nassau County Omnibus Beach Ordinance is to allow for additional options. In addition, he pointed out that the language does not isolate any section of the beaches and will be governed the same throughout Nassau County. He clarified that this draft Nassau County Omnibus Beach Ordinance will not be the finalized Ordinance approved by the Board of County Commissioners.

Brenna Durden came forward requesting clarification whether the committee would be prepared to present their finalized recommendations of the draft Nassau County Omnibus Beach Ordinance on October 14, 2019. Mr. Mullin responded that staff would only be requesting to sunset the committee with no further discussion. He advised that additional meetings pertaining to the draft Nassau County Omnibus Beach Ordinance would be noticed and advertised.

In closing, the committee members provided the following comments:

- Mr. Morriss advised that part of the committee was to ensure that the needs for all of the residents that reside in Nassau County were addressed. He stated that his position as part of the committee is to preserve the historical beach rights. It is his opinion that with proper management within restricted areas that includes fees and penalties that Nassau County can preserve the historical beach rights.
- Director Osborne commented that working on the committee has created some hardships for the Sheriff's Office for communication with County staff due to being bound by Sunshine Law. He advised that the Nassau County Sheriff's Office will enforce the decision of the Board of County Commissioners.

- Mr. Podiak stated that he is looking forward to when the Board of County Commissioner reviews the recommendations on the Nassau County Omnibus Beach Ordinance and the ability to work directly with staff to provide additional investigation and findings.
- Mr. Mullin recognized the committee for all of their hard work on the Nassau County Omnibus Beach Ordinance. It is his opinion that the committee has made great steps on moving this draft ordinance to the Board of County Commissioners for further review.
- Mr. Hall advised that he is proud to have served on the committee and working the draft Nassau County Omnibus Beach Ordinance into the right direction. He recognized all of the hard work and looks forward to working with Nassau County in the future without the hindrance of the Sunshine Law.
- Chair Langley recognized Mr. Teeple for the dedication and work on assisting with creating the draft Nassau County Omnibus Beach Ordinance. He advised that this has been a challenge but it was a privilege to be able to serve. He pointed out that some of the issues that were brought to the committee's attention were addressed including the installation of the Mobi-Mats in order to provide physical disability the ability to access to the beach.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:17 a.m.

1. In collaboration with the City of Fernandina Beach, apply for incidental take permit through the Department of Environmental Protection.
2. OMB and PW to review and make a recommendation to the BOCC for adjustments to the beach driving permit fee structure.
3. Fund the Sheriff's Office for an additional \$1 million to secure deputies dedicated to beach patrol 24 hours a day 365 days a year.
4. Open parks all beach front parks 24 hours a day 365 days a year.
5. Prohibit RVs, Campers and Semis in parking lots and parks from 9:00 p.m. – 6:00 a.m.
6. Require horseback riding operations to obtain licenses to operate in County parks.
7. Prohibit night beach driving/parking and camping during sea turtle nesting season.
8. Sunset the Beach Committee so that BOCC staff can begin technical work.

Interim

9.
  - a. Prohibit beach driving/parking all year between the hours of 9pm and 6am.
  - b. Prohibit all camping on the beach all year.
  - c. Direct OMB and PW to begin work on developing regulatory and administrative controls to allow camping and night driving/parking at night from November – April.
    - i. Research mechanics, permitting, costs, etc. (11/19 - 4/20)
    - ii. Program vetted with BOCC via budget process (5/20 – 8/20)
    - iii. Implement program (10/20)

BOCC Three Options During the Program Creation Period

