

ORDINANCE 89 - 23

AN ORDINANCE DETERMINING, PURSUANT TO RULE 16B-45, FLORIDA ADMINISTRATIVE CODE, THAT LESS THAN 50 PERCENT OF THE PEAK USER DEMAND FOR OFF BEACH PARKING IS AVAILABLE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Paragraph 161.58(2)(b), Florida Statutes, mandates that vehicular traffic be prohibited from coastal beaches except where a local government has determined by October 1, 1989, in accordance with the rules of the Department of Natural Resources that less than fifty percent (50%) of the peak user demand for off-beach parking is available; and

WHEREAS, the Board of County Commissioners had determined that it is in the public interest to preserve the maximum access to the public beaches of Nassau County; and

WHEREAS, the public was in jeopardy of loosing access to a majority of beaches in Nassau County unless action was taken by the Board on behalf of the citizens of the County in order to preserve the citizens' right to their beaches; and

WHEREAS, the Legislature adopted Senate Bill 1577, which is a local bill pertaining to vehicular access to the Nassau County beaches; and

WHEREAS, the Department of Natural Resources has adopted Rule 16B-47, Florida Administrative Code; and

WHEREAS, pursuant to Rule 16B-47.004, the Board of County Commissioners desires to continue to authorize vehicular traffic on its County beaches.

NOW, THEREFORE, BE IT ORDAINED this 12^e day of September, 1989, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. TITLE

This Ordinance shall be known as the "Authorized Beach Vehicular Traffic Ordinance".

SECTION 2. INVENTORY OF AVAILABLE OFF-BEACH PARKING

The following is an inventory of the available off-beach parking within the Board of County Commissioners of Nassau County's jurisdiction:

- (a) Pasco access - 10 parking spaces
- (b) Peters Point park - 200 parking spaces
- (c) Scott Road - 50 parking spaces
- (d) Burney Park - 200 parking spaces
- (e) Dunes Club access - 30 parking spaces
- (f) South End Ramp - 25 parking spaces

TOTAL off-beach public parking spaces 515

SECTION 3. PEAK USER DEMAND FOR OFF-BEACH PARKING

The Board of County Commissioners has determined from the Kings Bay Area Recreation Master Plan dated March 8, 1985, that:

(a) In 1985, the study indicated that peak day on-beach demand was 4,775 people per day. The study further indicated that 1,640 parking spaces would be needed for the year 1985.

(b) The study further projected that in 1990 the peak day beach users would be 5,669 and require 1,995 parking spaces.

(c) The study further indicates that in the year 2000 the peak day beach users would be 7,487 and require 2,602 parking spaces.

(d) The above represents peak day beach users and off-beach parking spaces required from Sadler Road to the South End of the island.

SECTION 4. AVAILABLE PERCENTAGE OF PEAK USER DEMAND FOR OFF-BEACH PARKING

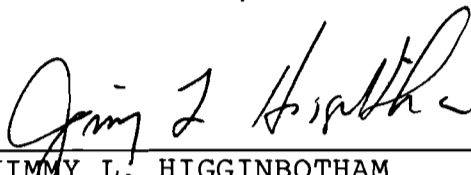
The Board of County Commissioners has determined, based upon the above referenced study, that there is less than fifty percent (50%) of the peak user demand for off-beach parking available and, as a result, the Board hereby authorizes vehicular traffic

to continue to utilize the County beach areas within its jurisdiction. Commencing March 1, 1990, the county beach areas available to vehicular traffic shall be set forth in the Special Act referred to as Senate Bill 1577.

SECTION 5. EFFECTIVE DATE

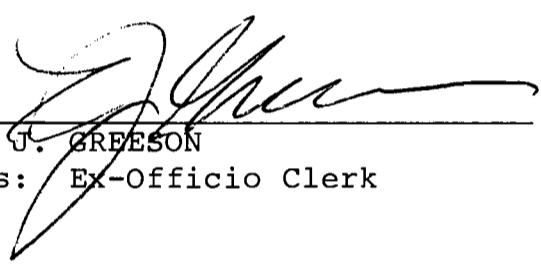
This Ordinance shall take effect upon being filed in the Secretary of State's office.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JIMMY L. HIGGINBOTHAM
Its: Chairman

ATTEST:



T. J. GREESON
Its: Ex-Officio Clerk