

**INDIAN RIVER COUNTY, FLORIDA
BOARD MEMORANDUM**

DEPARTMENTAL

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator

FROM: Kylie Yanchula, Natural Resources Director

SUBJECT: Coastal Construction Access Policies

DATE: October 23rd, 2024

DESCRIPTION AND CONDITIONS

On January 31st, 2023, the Board of County Commissioners (BOCC) approved emergency beach access agreements for dune renourishment projects due to Hurricanes Ian and Nicole. Eleven (11) agreements were executed, and the projects were completed. On March 5th, 2024, the BOCC received an additional request to close Tracking Station Beach for private construction use which was denied due to insufficient information for approval. During the March 5th, 2024 meeting, the BOCC directed staff to develop a policy to consider similar requests in the future.

The Natural Resources Department led an interdepartmental effort at drafting policy allowing for the private use of County property for coastal construction access while still balancing public access in collaboration with the Parks, Recreation and Conservation Department. Two policy documents were developed, one for non-emergency work titled "Private Use of County Property for Non-Emergency Coastal Construction Access", and a second for emergency work titled "Private Use of County Property for Emergency Coastal Construction Access". Both policies outline the eligibility criteria, application process, application fees, inspection procedures, internal review processes, approval authorities, use fees, and also provide a draft license agreement.

The two policies were brought to the Beach & Shores Advisory Committee on October 7th, 2024 for input. The advisory comments were all considered and incorporated into the draft documents where appropriate. The policies are ready for consideration by the BOCC.

RECOMMENDATION

Staff recommends that the Indian River County Board of County Commissioners adopt the attached policy titled "Private Use of County Property for Non-Emergency Coastal Construction Access" upon concurrence by the County Attorney and establishes the BOCC as the authority to approve or deny requests under this policy.

Staff recommends that the Indian River County Board of County Commissioners adopt the attached policy titled "Private Use of County Property for Emergency Coastal Construction Access" and establishes the County Administrator as the authority to approve or deny requests under this policy, and upon concurrence from the County Attorney, sign and execute license agreements pertaining to this policy.

Staff recommends that the Indian River County Board of County Commissioners adopt the attached resolution setting the fees in Exhibit A upon concurrence by the County Attorney.

ATTACHMENTS

Private Use of County Property for Non-Emergency Coastal Construction Access

Private Use of County Property for Emergency Coastal Construction Access

Draft Resolution

Exhibit A

APPROVED AGENDA ITEM FOR: November 5, 2024