

# CITY OF BRUNSWICK

601 Gloucester Street \* Post Office Box 550 \* Brunswick \* Georgia \* 31520-0550 \* (912) 267-5500 \* Fax (912) 267-5549

Cosby H. Johnson, Mayor  
Felicia M. Harris, Mayor Pro Tem  
John A. Cason III, Commissioner  
Julie T. Martin, Commissioner  
Kendra L. Rolle, Commissioner

City Attorney  
Brian D. Corry

City Manager  
Regina M. McDuffie

## AGENDA

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### BRUNSWICK CITY COMMISSION PUBLIC HEARING

WEDNESDAY, SEPTEMBER 21, 2022 AT 6:00 P.M.

1229 NEWCASTLE STREET, 2<sup>nd</sup> FLOOR

&

STREAMED LIVE AT THE BELOW WEB ADDRESS:

<https://www.facebook.com/citybwkga>

### CALL TO ORDER \*\*INVOCATION \*\*PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

1. Adoption of September 21, 2022 Regular Meeting Agenda.

#### PUBLIC HEARING – NEW ALCOHOL BEVERAGE LICENSE (A. Brown)

2.

| Name of Business                       | Business Owner/Manager | Business Address   | Permit Type                  |
|--|------------------------|--------------------|------------------------------|
| Lotto Mart 341 LLC/DBA-Fine Lotto Mart | Manager:<br>Deep Patel | 2432 Newcastle St. | Retail sale of beer and wine |

#### RECOGNITION(S), PRESENTATION(S), & AWARD(S)

3. Presentation from Hercules Regarding Remediation Goals. (Encl. 1)

4. Presentation from Garrow Alberson, City Engineer/Public Works Director, of Progress, Findings, and Relevant Information Regarding Coastal Incentive Grant – Rethinking Runoff Plan. (Encl. 2)

#### ITEM(S) TO BE CONSIDERED FOR APPROVAL

5. Consider Approval of September 7, 2022 Regular Scheduled Meeting Minutes. (subject to any necessary changes.) (N. Atkinson) (Encl. 3)

6. Consider Approval of City of Brunswick Defined Benefit Pension Plan Amendment No. 16. (R. McDuffie) (Encl. 4)

#### DISCUSSION

7. Proposed Annexation Petition No. 22-01 and Rezoning Petition No. 2203. (J. Hunter) (Encl. 5)

#### CITY ATTORNEY'S ITEM(S)

8. Consider Adoption of Proposed Ordinance No. 1075 ~ Urban Camping. (Encl. 6)

#### EXECUTIVE SESSION

**A REPORT TO THE BRUNSWICK COMMUNITY: *HERCULES CLOSES IN ON  
REMEDICATION GOALS***  
**September 21, 2022**

Thanks to a steady pace of work by engineering, technical and science experts, Hercules reached major milestones in the last 12 months, and expects to complete some big jobs in the year ahead. Hercules has spent more than \$60 million over the last *30 years* on remediation at the Brunswick facility, the Terry Creek site and the 009 Landfill, stemming from historical industrial activities. This work is conducted under the oversight of two government agencies: the U.S. Environmental Protection Agency (EPA) oversees Terry Creek and 009 Landfill, and the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources oversees the plant site. Hercules also gave more \$250,000 in technical assistance grants to the Glynn Environmental Coalition as part of an EPA program to promote community participation in decision-making.

### **Recent accomplishments, more to come**

**Plant facility** - submitted a Corrective Action Plan (CAP) for the plant site (now Pinova) approved by EPD that will be discussed at a public hearing on Sept. 29. During the past two years, Hercules remediated soil and groundwater and prevented vapor intrusion -- work that will help pave the way for implementation of the CAP, expected to begin in late 2022.

**Terry Creek** - completed the design of an interim remedy for the Terry Creek outfall ditch that EPA selected to eliminate exposure to the remaining low levels of residual chemicals. Construction of the remedy, which will involve rerouting the ditch slightly to the south, will begin in late 2022 and is expected to be completed in 2023.

**009 Landfill** – since completion of remediation began in the 1990s, part of the property has been used as a staging area for a local auto dealership and another area was restored as a certified wildlife habitat. Recently Hercules added more monitoring wells around the landfill and performed additional groundwater treatments.

### **Our work will continue**

Generations of Brunswick people worked at the Hercules plant, now owned and operated by Pinova. The plant's history of operations on Glynn Avenue near the causeway spans more than 100 years. Since work began to improve environmental conditions on and off-site, Hercules remediated more than 50,000 tons of contaminated or potentially contaminated soils at the site. While we are getting closer to our environmental goals, remediation work will continue. An important goal is to return eligible portions of the site to the community for reuse.

To learn more please visit <https://www.herculesbrunswick.com>



**SUBJECT: COASTAL INCENTIVE GRANT – RETHINKING RUNOFF PLAN**

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**COMMISSION ACTION REQUESTED ON:** Information only – No Action Required

**PURPOSE:**

Presentation of progress, findings, and relevant information related a Coastal Incentive Grant from the Georgia Department of Natural Resources to develop a strategy for implementing stormwater green infrastructure to reduce stormwater runoff and address non-point source pollution within the city.

**HISTORY:**

The City of Brunswick maintains a network of storm drain inlets, collection basins, pipes and ditches to collect and transport storm water runoff from sites throughout the City. This network collects storm water from many developed sites consisting of impervious surfaces. These impervious surfaces discharge a larger volume of runoff (as opposed to pervious or undeveloped surfaces) and often contribute to increased pollutant loading within the storm water system.

**FACTS AND ISSUES:**

It can be expected that rainfall events will continue to test the capacity and effectiveness of the existing stormwater infrastructure. In general, communities lack the funding required to adequately maintain and replace stormwater infrastructure. The City of Brunswick needs a unified strategy for implementing stormwater green infrastructure to address nonpoint source pollution and to reduce the overall volume and demand on existing gray stormwater infrastructure (e.g., pipes and detention ponds).

The primary objective of this project is to develop a Rethinking Runoff (RR) Plan that identifies “shovel-ready” green infrastructure stormwater projects positioned for implementation. This plan is meant to highlight green infrastructure opportunities and be a resource for project planning. Having the RR Plan positions the City to proactively plan for stormwater management in their site design process, provides conceptual designs to garner community support, and supplies fundamental information for future implementation of green infrastructure strategies.

The RR Plan draws from the City’s current Stormwater Management Plan, Floodplain Management Program, and Stormwater Masterplan to prioritize areas for green infrastructure implementation, specifically areas of overlap between the plans. Each of these plans identifies

areas within the city limits that are prone to flooding and in need of improved stormwater management. The Georgia Stormwater Management Manual includes guidance and design criteria for green infrastructure practices, with the goal of decreasing runoff and allowing stormwater to infiltrate. This project will allow Brunswick to set an example for other coastal communities to meet new NPDES permit requirements for runoff reduction through assessment and planning for green infrastructure by presenting the process and outcomes at a municipal workshop targeting stormwater managers. The City will also use the RR Plan results to update its GI/LID Program, an NPDES permit requirement, based on local conditions and information discovered through this project.

The Engineering and Public Works Department staff applied for and received a Coastal Incentive Grant (CIG) through the Georgia Department of Natural Resources for the creation of the Rethinking Runoff Plan. The City partnered with UGA Marine Extension / Georgia Sea Grant for completion of the project, and Goodwyn Mills Cawood (GMC) was selected as the consultant for completion of the engineering and GIS/mapping tasks associated with the plan. Representatives from UGA Marine Extension and GMC will be available to present the final results of the project to the city commission.

**BUDGET INFORMATION:**

No budget information associated with this agenda item.

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**OPTIONS:**

No Action required

**DEPARTMENT RECOMMENDATION ACTION:**

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**DEPARTMENT: Engineering & Public Works**

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Prepared by: Garrow Alberson, P.E., Director of Engineering and Public Works

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**ADMINISTRATIVE COMMENTS:**

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**ADMINISTRATIVE RECOMMENDATION:**

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*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

9/12/22  
\_\_\_\_\_  
Date

**OFFICIAL MINUTES  
BRUNSWICK CITY COMMISSION  
REGULAR SCHEDULED MEETING  
WEDNESDAY, SEPTEMBER 7, 2022  
AT 6:00 P.M.**

**1229 NEWCASTLE STREET, 2<sup>nd</sup> FLOOR  
&**

**STREAMED LIVE AT THE BELOW WEB ADDRESS:**

<https://www.facebook.com/citybwkga>

**PRESENT:** Honorable Mayor Cosby Johnson, Mayor Pro-Tem Felicia Harris, Commissioner Commissioner John Cason III, Commissioner Julie Martin and Commissioner Kendra Rolle

**CALL TO ORDER:** Mayor Johnson - *meeting began at 6:00 p.m.*

**INVOCATION:** Mayor Johnson

**PLEDGE OF ALLEGIANCE:** Recited in unison

**APPROVAL OF AGENDA**

1. Adoption of September 7, 2022 Regular Meeting Agenda.

Commissioner Martin made a motion to approve the above-referenced meeting agenda; seconded Commissioner Rolle. Motion passed unanimously.

**APPOINTMENT(S)**

2. Agency (*N. Atkinson*)

I. Urban Redevelopment Agency – One Appointment (*Mayoral Appointment*)

Mayor Johnson appointed Zach Farrell to the above-referenced agency to fill the un-expired term of Heddy Bernstein.

**PUBLIC HEARING – NEW ALCOHOL BEVERAGE LICENSE** (*A. Brown*)

3.

| Name of Business                       | Business Owner/Manager   | Business Address   | Permit Type                  |
|--|--|--------------------|------------------------------|
| Schroeder's Market                     | <b>Owner:</b><br>Nikki Schroeder<br><b>Manager:</b><br>Madison Schroeder | 203 Gloucester St. | Retail sale of beer and wine |
| Lotto Mart 341 LLC/DBA-Fine Lotto Mart | <b>Manager:</b><br>Deep Patel  | 2432 Newcastle St. | Retail sale of beer and wine |

Mayor Johnson opened the floor for anyone wanting to speak in favor or opposition of the new alcohol license for **Schroeder's Market**.

The following individual addressed the Commission:

1) Lance Sabbe 1110 Prince Street

In Favor

Commissioner Martin made a motion to approve the new alcohol license for **Schroeder's Market**; seconded by Commissioner Cason. Motion passed unanimously.

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Mayor Johnson opened the floor for anyone wanting to speak in favor or opposition of the new alcohol license for **Lotto Mart 341 LLC/DBA-Fine Lotto Mart**.

1) Kamau Dickerson, Chairman of Midtown Neighborhood Planning Assembly      Opposed  
Mayor Pro Tem Harris made a motion to defer consideration of the new alcohol license for **Lotto Mart 341 LLC/DBA-Fine Lotto Mart** allowing owners of **Lotto Mart 341 LLC/DBA-Fine Lotto Mart** time to meet with Midtown Neighborhood Planning Assembly; seconded by Commissioner Martin. Motion passed unanimously.

**ITEM(S) TO BE CONSIDERED FOR APPROVAL**

4. Consider Approval of August 17, 2022 Public Hearing and Regular Scheduled Meeting Minutes and August 24, 2022 Special Called Meeting Minutes. *(subject to any necessary changes.) (N. Atkinson)*

Commissioner Martin made a motion to approve the above-referenced minutes; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

5. Consider Approval of Financial Reports as of July 31, 2022. *(K. Mills)*

Mayor Pro Tem Harris made a motion to approve the above-referenced reports as submitted; seconded by Commissioner Martin. Motion passed unanimously.

6. Consider Approval to Finalize the Acquisition of Flood-Property located at 3204 Rosewood Avenue. *(D. Bravo)*

Commissioner Cason made a motion to approve the above-referenced acquisition; seconded by Commissioner Martin. Motion passed unanimously.

7. Consider Approval of Agreement with Georgia Safe Sidewalks for Safety Improvements of Concrete Sidewalks within the City. *(R. Charnock)*

Commissioner Martin made a motion to approve the above-referenced agreement; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

8. Consider Approval of In-Kind Support of Liberty Tree Planting Project. *(R. McDuffie/L. Sabbe)*

Commissioner Cason made a motion to approve the above-referenced project; seconded by Commissioner Martin. Motion passed unanimously.

9. Consider Approval of Mural Project at 503 Mansfield Street. *(R. McDuffie)*

Commissioner Rolle made a motion to approve the above-subject project; seconded by Commissioner Martin. Motion passed unanimously.

**CITY ATTORNEY'S ITEM(S)**

10. Discussion of Proposed Ordinance No. 1075 ~ Urban Camping.

City Clerk Atkinson to advertise ordinance for consideration for adoption at the September 21, 2022 commission meeting.

**POINT OF PRIVILEGE**

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Mayor Johnson recognized City Clerk Atkinson's birthday being today (September 7<sup>th</sup>) and wished her a Happy Birthday on behalf of the City Commission.

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Mayor Pro Harris recognized a staple of the community who passed away today Ms. Annie Polite. She stated Ms. Polite was an advocate for the community and faithfully attended commission meetings.

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Mayor Pro Tem Harris recognized members of Brunswick Housing Authority in attendance. Brunswick Housing Authority Commissioner William Kitts introduced Interim Executive Director

William Baker. Interim Executive Director Baker introduced members of staff and consultants in attendance.

**EXECUTIVE SESSION**

Commissioner Martin made a motion to adjourn to executive session to discuss litigation and real estate; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

**RECONVENE FROM EXECUTIVE SESSION**

Mayor Johnson announced no action was taken.

Commissioner Martin made a motion to adjourn; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

**MEETING ADJOURNED** – *meeting adjourned at 7:57 p.m.*

/s/Cosby H. Johnson  
Cosby H. Johnson, Mayor

Attest: /s/ Naomi D. Atkinson  
Naomi D. Atkinson  
City Clerk





**SUBJECT: City of Brunswick Defined Benefit Pension Plan Amendment No. 16**

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**COMMISSION ACTION REQUESTED ON:** September 21, 2022

**PURPOSE:**

To amend the City's Plan to redefine the definition of "compensation" subject to the employee contribution requirement of 3% in accordance with the "Law Enforcement and First Responder Supplement Grant from the State of Georgia paid out to applicable employees earlier in 2022.

**HISTORY:**

The current Plan requires that all compensation paid to employees who are participants in the plan be subject to 3% of said compensation being withheld and paid into the pension fund. The Grant referred to above specifically excluded these funds from being subject to pension withholding.

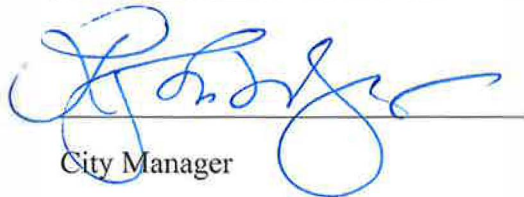
**BUDGET INFORMATION:** No effect on the Budget

**RECOMMENDATION:**

Approve Plan Amendment No. 16 which redefines the definition of "compensation" to bring the Plan in to compliance with requirements of the "Law Enforcement and First Responder Supplement Grant" from the state of Georgia.

Prepared by: Regina M. McDuffie, City Manager

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City Manager

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9/13/2022

Date

**AMENDMENT NO. 16 TO THE  
CITY OF BRUNSWICK  
DEFINED BENEFIT PENSION PLAN**

WHEREAS, the Plan Sponsor has determined that it is desirable to amend the Plan, and

WHEREAS, Article XIV permits the Plan Sponsor to amend the Plan at any time;

NOW, THEREFORE, the Plan is hereby amended, effective as of January 1, 2022, as follows:

Article I, Definitions and Construction, Section 1.1, Definitions, Subsection (11), Compensation, is revised by deleting the first paragraph of Subsection 1.1(11) in its entirety, and replacing it with the following new first paragraph of said Subsection 1.1(11):

“(11) Compensation: The total of all amounts paid to or accrued for a Participant for personal services actually rendered in the course of employment with the Plan Sponsor including regular salary, overtime pay, and bonuses, but not including reimbursements, contributions to or benefits paid under this or any other pension, retirement, welfare or similar plan of the Plan Sponsor or Affiliated Plan Sponsor. The preceding sentence notwithstanding, Compensation shall include (a) amounts that are contributed by the employer pursuant to a salary reduction agreement that are not includible in the Participant’s gross income under Code Sections 125, 132(f)(4), 402(e)(3), 402(h)(1)(B), 403(b) or 457(b) and (b) Employee contributions described in Code Section 414(h)(2) that are treated as employer contributions. No other provision of this Subsection 1.1(11) withstanding, Compensation shall not include pay supplements that (i) are funded directly by a party other than the Plan Sponsor or Affiliated Plan Sponsor, and (ii) as a condition of said funding, are not subject to the withholding of pickup contributions pursuant to Section 7.3 below. For purposes of clause (ii) in the preceding sentence, any recipient of such a pay supplement shall be treated as a Participant.”

**IN WITNESS WHEREOF**, the Plan Sponsor has hereunto caused this Amendment No. 16 to said Defined Benefit Pension Plan to be executed by its duly authorized officer and its seal to be affixed hereto, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF BRUNSWICK, ACTING  
BY AND THROUGH ITS COMMISSION**

By: \_\_\_\_\_  
COSBY H. JOHNSON, Mayor

Attest: \_\_\_\_\_  
NAOMI D. ATKINSON, City Clerk

**CITY OF BRUNSWICK**  
**DEFINED BENEFIT PENSION PLAN**

**EXPLANATION OF CHANGES**

The City of Brunswick, Georgia (the “City”), as the Plan Sponsor of the above-referenced qualified governmental defined benefit pension plan (the “Plan”), applied for, and received, a Law Enforcement and First Responder Supplement Grant from the State of Georgia (the “Grant”). The Grant provided pay supplements for eligible sworn law enforcement officials and first responders, and was paid by the City in 2022.

A condition of the Grant was that the pay supplements would not be subject to retirement withholdings. However, such pay supplements, per the Plan Document prior to Plan Amendment No. 16, would be classified as Compensation, from which Participant pickup contributions, in the amount of three percent (3%) of Compensation, would have to be withheld. Plan Amendment No. 16, effective January 1, 2022, corrects this conflict by excluding such pay supplements from the definition of Compensation in the new last two sentences of the first paragraph of Subsection 1.1(11), and is required to ensure that the Plan remains in compliance with federal law.

Pickup contributions only are withheld from the Compensation of a Plan Participant, pursuant to federal law. An Employee becomes a Participant on their Entry Date, which is defined generally in the Plan Document as the earlier of January 1 or July 1 upon or after completion of one Year of Service. Additionally, Compensation is a component of the Accrued Benefit Pension formula. A reduction in the definition of Compensation potentially reduces the Pension benefit calculated under that formula. To confirm that Pension benefits of (a) Employees who are Participants and (b) Employees who will become Participants are calculated in the same way, as required under federal law, the last sentence of the first paragraph of amended Plan Subsection 1.11 is added. That last sentence ensures that the reduction in the definition of Compensation applies to all Employees who received pay supplements funded from this Grant, or any future grant that imposes the same condition that the pay supplement shall not be subject to retirement withholdings.

Prior to Plan Amendment No. 16, the following provisions of the Plan Document affected by this Amendment read as follows:

Article I, Definitions and Construction, Section 1.1, Definitions, Subsection (11), Compensation, first paragraph:

“(11) Compensation: The total of all amounts paid to or accrued for a Participant for personal services actually rendered in the course of employment with the Plan Sponsor including regular salary, overtime pay, and bonuses, but not including reimbursements, contributions to or benefits paid under this or any other pension, retirement, welfare or similar plan of the Plan Sponsor or Affiliated Plan Sponsor. The preceding sentence notwithstanding, Compensation shall include (a) amounts that are contributed by the employer pursuant to a salary reduction

agreement that are not includible in the Participant's gross income under Code Sections 125, 132(f)(4), 402(e)(3), 402(h)(1)(B), 403(b) or 457(b) and (b) Employee contributions described in Code Section 414(h)(2) that are treated as employer contributions."



**SUBJECT:** AX 22-01 & RZ 22-03| 3210 & 3302 Glynn Avenue | Annex Parcels into the City | Rezone from HC, MH, & GR to PD-G (Planned Development - General)

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**COMMISSION ACTION REQUESTED ON:** 9/21/22

**PURPOSE:** See attached Staff Report

**HISTORY:**

**FACTS AND ISSUES:**

**BUDGET INFORMATION:** N/A

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**DEPARTMENT RECOMMENDATION ACTION:**

- Annexations require the adoption of an Ordinance, the purpose of this Agenda Item and Discussion is to bring the request to the City Commission. Having heard the request, the City Commission should recommend the advertising of a Public Hearing for the Annexation and Rezoning for the October 5<sup>th</sup> meeting, and instruct staff to publish the proposed Annexation Ordinance (draft attached in Staff Report). Action on the requested Annexation and Rezoning would then take place at the October 5<sup>th</sup> meeting.
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**DEPARTMENT:** PDC

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Prepared by: John Hunter, Director

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**ADMINISTRATIVE COMMENTS:**

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**ADMINISTRATIVE RECOMMENDATION:**

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*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

\_\_\_\_ 9/13/22 \_\_\_\_  
Date

**Annexation Petition No. 22-01  
&  
Rezoning Petition No. 22-03**

**(3210 Glynn Avenue &  
3302 Glynn Avenue)**

**Staff Report  
John Hunter  
*Director*  
*Planning, Development, & Codes***

**City of Brunswick  
Planning and Appeals Commission  
Public Hearing  
September 14, 2022**

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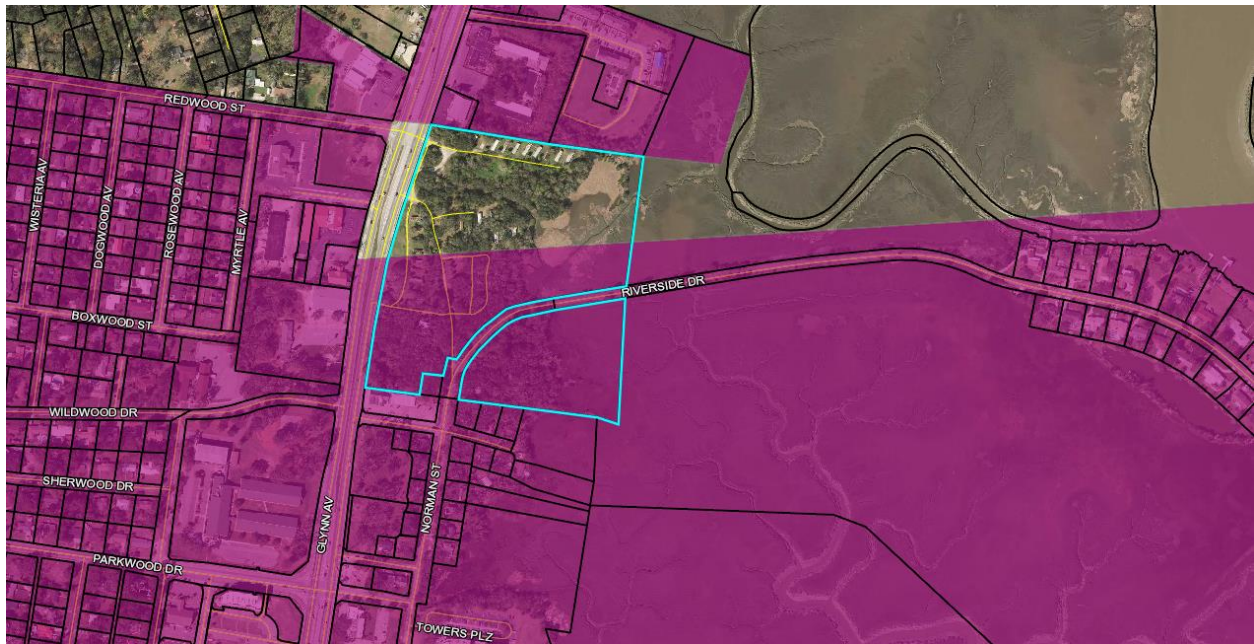
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## Requested Land Use Approvals

The Sean Kasper, as Administrator of the Estate of Mary Elizabeth Harrod, owner, is petitioning to annex a portion of one parcel of land (10.11 Acres) into the City of Brunswick, and

VC Dirt, owner, is petitioning to annex a portion of one parcel of land (.034 acres) into the City of Brunswick

Maritime Homes, LLC, agent, is petitioning to rezone the subject parcels from HC, MH, GR & CP to PD-G

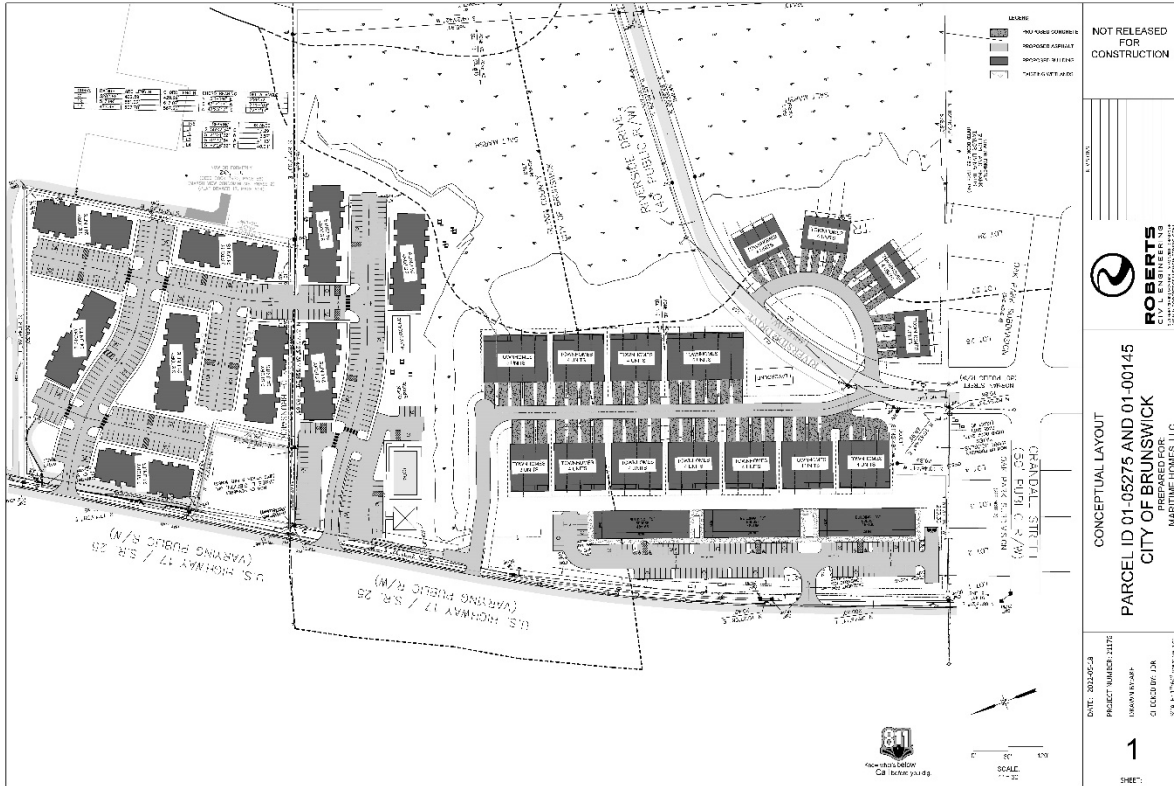


Location map

## Proposed Development

Maritime Homes, LLC proposes the construction of approximately 216 apartment units comprised of 9 three-story buildings, approximately 62 townhomes, 24,000 square feet of commercial retail space comprised of 3 buildings, and associated parking and infrastructure.



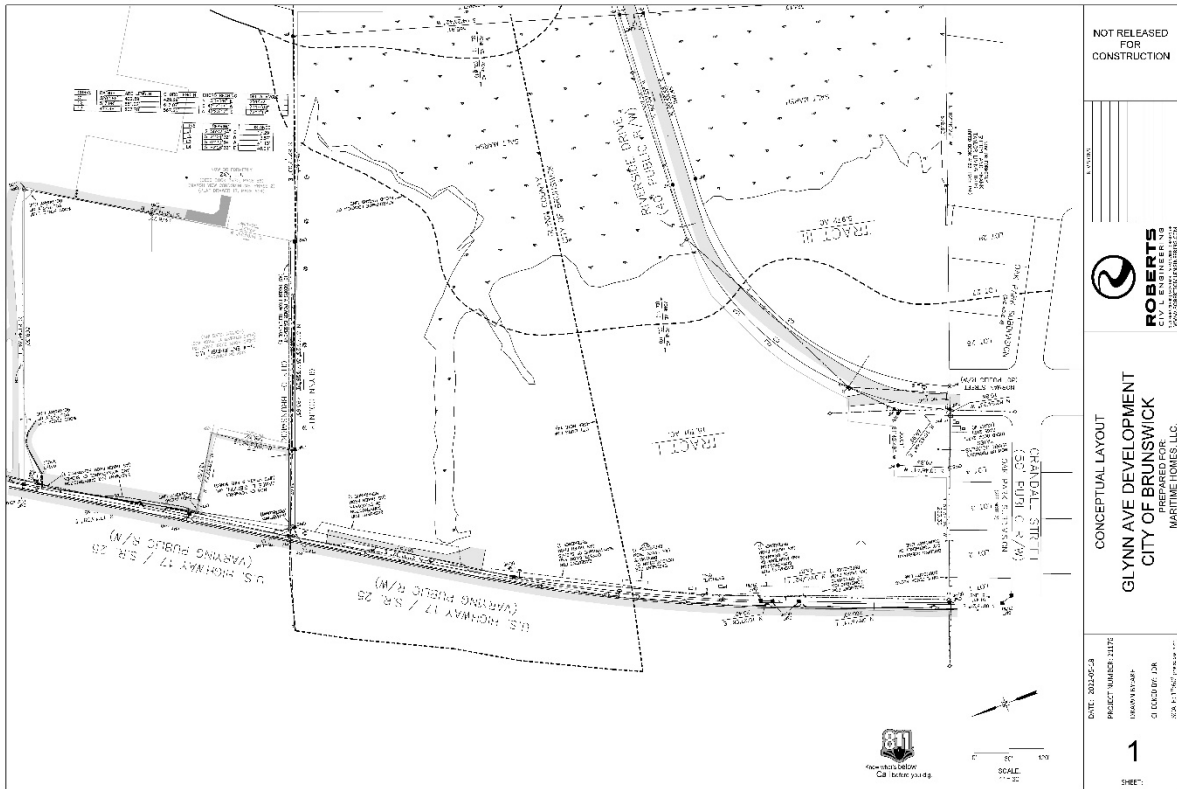


**Concept Plan (Larger Version attached in Appendix B)**

## Proposed Annexation

The location map on page 1 shows the parcels located within the City of Brunswick shaded in dark purple. Properties in unincorporated Glynn County are not shaded. The parcels under consideration is outlined in blue.

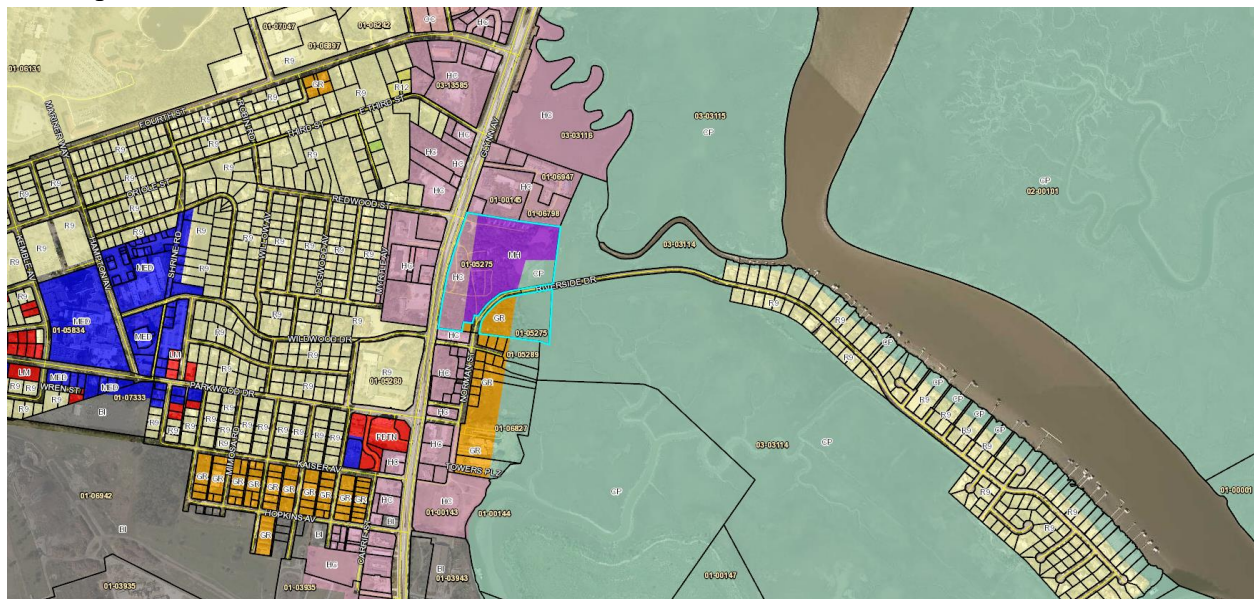
Annexation will follow the 100% method as permitted by the official code of Georgia (O.C.G.A. 36-36-1). Written notice of the petition to annex property was given to Glynn County and they responded with no objections or development conditions.



Survey of area to be Annexed (Larger Version in Appendix XX)

## Proposed Rezoning

3210 Glynn Avenue is currently zoned a combination of Highway Commercial (HC), Mobile Home (MH), and General Residential (GR). 3302 Glynn Avenue is zoned Highway Commercial (HC). The purpose of the rezoning is to consolidate both parcels into one master planned development with commercial and residential uses.



Zoning Map

## Staff Analysis

### Annexation

The proposed annexation will be beneficial to the property owners, as they will be able to operate within a single jurisdiction instead of two. This will streamline the development process and eliminate an usual “pocket” of unincorporated Glynn County within the City.

### Rezoning

When considering a rezoning, we refer back to the Character Areas within our Comprehensive Plan:

The US Highway 17 Corridor is one of the two highest-visibility corridors that lead into the City. The US Highway 17 Corridor serves not just as the gateway to the City of Brunswick, but also as the primary gateway to the Golden Isles. The northern portion of the US Highway 17 Corridor is primarily comprised of low-density, highway-oriented commercial uses, while the southern portion is characterized by views of open space and marshlands. Some of the commercial areas along US Highway 17 are deteriorating and suffering from disinvestment, but there is new redevelopment activity along the corridor. It is a critical time for the City because there is a currently small window of opportunity to shape the character of future development along the corridor before it is re-developed. There is an overlay in the City’s zoning code that is intended to help shape the appearance of new development on US Highway 17, but community stakeholders believe more detailed design guidance is needed to ensure an appropriate character for this area in the future.

### Vision

The US Highway 17 Corridor should be a true gateway to the City of Brunswick and the Golden Isles region. This means the appearance of the corridor is paramount. Preserving views of and access to the marshfront is essential, particularly along the southern, “natural,” part of the corridor. The corridor would benefit from reduced visual clutter in terms of billboards, signs, and overhead utility wires. Architectural styles should reflect the native traditions of Brunswick and the Golden Isles, and existing historic structures, such as the visitor center, should be preserved. New and improved wayfinding and the visual definition of gateways are important to the corridor as it is the entrance point for so many visitors. Several ideas for establishing gateways via landscaping along the corridor are part of the Blueprint Brunswick plan. If possible, a new cultural heritage site, for example a site that reflects on the Gullah/Geechee heritage of the area, should be developed along the corridor. The corridor should be truly multimodal with bicycle, pedestrian, and transit facilities as well as the roadway. Pedestrian and bicycle facilities should integrate into the overall vision for the East Coast Greenway where feasible. Development on the corridor should be multi-story, street-oriented, and predominantly mixed-use, with parking and service areas to the rear so that the architecture, the median landscaping, and the marsh form the dominant features of the corridor. Redevelopment along the northern portion of the corridor can help to reshape US 17 from a regional throughway into a new center of activity for the community.

## Appropriate Land Uses

- Multi-story mixed use development with commercial uses on the first floor
- Multifamily residential development including senior housing
- Tourism and cultural facilities
- Hotels and resorts
- Protected greenspace, wetland, and wildlife habitats

## Recommended Development Patterns

- Structures (shopping, warehouses, offices, etc) located near the street front with parking in rear of buildings, making the corridor more attractive and more pedestrian friendly
- Vertical, multi-story mixed-use development with retail on the ground floor
- Developments that take advantage of marsh-front views such as restaurants or hotels
- Clustering high density development at nodes along major corridors
- Developments that have easy access to nearby transit, shopping, schools, and other areas where residents travel daily
- Greyfield redevelopment that converts vacant or underutilized commercial strips to mixed-use assets
- Site plans, building design, and landscaping that are sensitive to natural features of the site including topography and views

The project falls within the US 17 Overlay, and is subject to the Glynn Avenue Design Framework. While this has minimal impact upon uses, it will guide the overall character and design of the development. Within the Overlay, PD-G is considered a Special District. To establish the Special District General, a proposed development must contain an area of not less than three acres, have direct access to at least one street, and conform with the Guiding Principles and Design Principles of the US 17 Overlay District as stated in Section 1.3.1 and 1.3.2 of the Glynn Avenue Design Framework.

### **Guiding Principles state:**

1. Glynn Avenue should reflect vernacular architecture appropriate to coastal Georgia.
2. Our marshes, waterways, and scenic vistas are natural resources that should be available and accessible to all.
3. Responsible development should minimize impact to the sensitive natural environment, particularly along the eastern edge of Glynn Avenue.
4. Access to properties along Glynn Avenue should be safely and easily accessible for pedestrians and cyclists, as well as motorists.
5. Individual development should respect and contribute positively to the public realm.
6. Glynn Avenue should evolve into an activity center that is complimentary to, but not competitive with, downtown Brunswick.
7. Investment in the public realm should guide and enhance private sector investment.

### **The Design Principles state:**

1. *Public Waterfront + Public Space:* The marsh and waterfront are public resources and should not be privatized for the enjoyment of only a few. Maintaining public access along the marsh and waterfront is a high priority. Public access may be achieved through a roadway along the waterfront which continues the design elements of Main Street - on-street parking, generous sidewalks, street trees, etc., or through a waterfront park or pedestrian promenade along the marsh.

2. *Pedestrian-orientation:* The current condition of Glynn Avenue does not lend itself to the creation of a ‘Main Street.’ However, this does not mean that the desire to create walkable, human scaled places should be abandoned. These regulations set forth a development strategy to capture passing vehicles while also fostering a ‘Main Street’ character on streets parallel to Glynn Avenue.

3. *Mixed-Use Environment:* The creation of a mixed use environment provides an ideal transition from more highway-oriented scale along US 17 to more neighborhood-compatible scale, while accommodating a variety of uses, including commercial, office, institutional, and residential.

4. *Blocks + Streets:* Building an interconnected network of compact blocks is critical to ensure a walkable area that fosters diverse uses and building types. This block pattern can still accommodate large-scale retailers, but does so in a way that maintains the importance of human-scaled development.

Streets should generally include on-street parking, street trees, sidewalks, and pedestrian amenities such as benches, street lights, trash facilities, etc. Highly connected streets are important to provide access without requiring traffic to re-enter Glynn Avenue to reach nearby destinations.

5. *Quality Design:* The importance of urban form cannot be overstated. To foster community character and create a walkable, vibrant community, the elements of the built environment are more critical than the use. Buildings should be human-scaled, have a primary entrance facing the public realm, and be set close to the street to foster a pedestrian environment.

6. *Sense of Place:* The Glynn Avenue corridor is intended to develop as a high quality, mixed-use, pedestrian oriented environment. This area should develop as a complement to, not in competition with, downtown Brunswick. Civic buildings are places of community focus and center. They should be located in places of prominence, such as facing a square, town green, or other central public space.

### ***Staff Review***

The proposed PD/Special District text and uses varies very little from our standard zoning, however the PD classification would provide more flexibility of the locations of uses and closer proximity of commercial and residential uses than our standard zoning allows.

There is one specific use outlined in the proposed PD/SD text that differs from our standards. Page 3 of the PD text, Section C 3 and 4 alters the distance requirement for both on-site and off-site sales of alcohol. The applicant contemplates in this text that the city’s current standard for of 300 feet to residential districts typically creates a conflict in allowed uses. We saw a similar conflict in GCCore zoning before it was exempted from the distance requirement. The applicant proposes eliminating future residential development from the distance requirement – essentially

exempting the residential they plan to construct from conflicting with the possible sales of alcohol at the commercial retail space they also plan to build.

In review of city's PD-G standards, the US 17 Special District Requirements, and the Comprehensive Plan, the conceptual development does fit generally within the collective vision for the redevelopment of this corridor and our zoning requirements. However, it is a concept plan. There is still a great deal of planning work ahead that could effect the number of units, road and parking alignment, ingress/egress locations, stormwater retention, road alignment, etc. Items such as traffic studies, architectural renderings, tree inventories, landscape plans, etc., are all required prior to allowing development to begin.

### **August 10, 2002 Public Hearing**

Staff introduced the staff report. There was discussion about submission requirements and the annexation process, traffic, the intersection of the project with Norman St, and staff recommendation. The Public Hearing was opened: Woody Woodside spoke in favor of the project; Buzz Ramsey was concerned about lack of notification; Julie Martin was in favor of the project but like a clearer definition of underbrushing that limited it to below 8-10 caliper inch trees and that the project should have a completion bond; Jeanie Brooks was concerned about the Norman St curve; Robbie Turner was concerned about the Norman St curve; Missy Neu was in favor of the project; Cathy Smith was concerned about traffic and drainage; Hal Hart questioned the annexation process and was concerned about traffic and the curve; Ravna De(?) was concerned about the proposed alcohol distance change; Tina Holloway was concerned about lack of notice and density of apartments; Mary McFadden was concerned about the curve on Norman Street. The Public hearing was closed. Mr. Kitts made a motion to defer action to the next meeting and require a traffic study and tree survey. After a discussion regarding requirements and timelines, Mr. Kitts amended his motion to just deferring to the next meeting. Ms. Harrison seconded the motion. A vote was taken and the motion was approved 5-0.

### **Staff Recommendation**

Staff recommends in favor of granting the requested annexation. Staff also recommends that the rezoning to Special District PD-G be approved with conditions. Those conditions are:

1. A 50% site plan be reviewed and approved by the PAC.
2. A 90% site plan be reviewed by the PAC and approved by the City Commission.
3. Any demolition of structures or removal of trailers from the site be allowed, but that no other activity beyond underbrush clearing may take place before 90% site plan approval by the City Commission.

# Appendix A – zoning standards and policies

## ZONING STANDARDS AND POLICIES AND PROCEDURES FOR ZONING HEARINGS

Approved by the Commission City of Brunswick, Georgia  
April 5, 1989

### Part I. Standards

The current Georgia statutory law, O.C.G.A. ;s; 36-66-5(b) expressly mandates that each local government exercising zoning power establish and consider such factors in the form of substantive standards for zoning decisions. That subsection provides:

[E]ach local government shall adopt standards governing the exercise of the zoning power, and such standards may include any factors which the local government finds relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. Such standards shall be printed and copies thereof shall be available for distribution to the general public.

In keeping with the foregoing statutory requirement, the City of Brunswick has adopted the following substantive standards to govern its zoning decisions:

**A. A PROPOSED ZONING CLASSIFICATION OR CONDITIONAL USE REQUEST SHOULD BE COMPATIBLE WITH EXISTING USES AND ZONING OF ADJACENT AND NEARBY PROPERTY, AND ``SPOT ZONING'' SHOULD ALMOST ALWAYS BE REJECTED.**

(1) Would the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

(2) Is the proposed rezoning a logical extension of a zoning boundary which would improve the pattern of uses in the general area?

**B. A PROPOSED ZONING CLASSIFICATION SHOULD NOT DESTABILIZE THE SURROUNDING NEIGHBORHOOD.**

(1) Is the proposed zoning classification one which would promote integrity of the neighborhood and preserve its general character?

(2) Would the proposed rezoning precipitate similar rezoning requests which would generate or accelerate adverse land use changes in the neighborhood?

**C. A PROPOSED ZONING CLASSIFICATION SHOULD MAXIMIZE THE ECONOMIC VALUE OF THE SUBJECT PROPERTY WITHOUT DEPRECIATING THE VALUE OF ADJACENT AND NEARBY PROPERTY.**

(1) To what extent does the existing zoning classification depress the value of the subject property?

(2) To what extent would the proposed zoning classification result in appreciation of the value of the property?

(3) What effect does the existing zoning classification have on the values of adjacent and nearby property?

(4) What effect would the proposed zoning classification have on the values of adjacent and nearby property?

**D. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE AN ADVERSE EFFECT ON TRAFFIC FLOW, TRAFFIC SAFETY OR POPULATION DENSITY.**

(1) Is there adequate public or private parking for the proposed use and other uses permitted within the classification?

(2) Would such uses create any problem of traffic congestion in the area?

(3) Would such uses create any traffic safety problem with regard to ingress and egress, visibility or otherwise?

(4) Would such uses necessitate changes in streets or sidewalks or traffic signage or signalization?

(5) Would such uses contribute to an undesirable level of population density?

(6) Would such uses substantially conflict with existing density patterns in the neighborhood?

**E. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE ENVIRONMENTAL IMPACT.**

(1) Would the proposed use or other uses permitted within the classification create noise, dust, smoke or odors?

(2) Would such uses affect air quality or water quality and quantity?

(3) Would such uses create problems with drainage or soil erosion and sedimentation?

(4) Would such uses aggravate problems with flood damage control?

(5) Would such uses aggravate waste disposal problems?

**F. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE AESTHETIC EFFECTS.**

(1) Would the proposed rezoning lead to removal of existing vegetation?

(2) Would the proposed use incorporate new planting?

(3) Would the proposed use necessitate unattractive structures or result in removal or alteration of historic structures?

(4) Would the proposed use be visually compatible with the surrounding neighborhood?



(5) Would the proposed use include machinery or work visible from the street or neighboring property?

(6) Would the proposed use be adequately separated from conflicting uses by an appropriate buffer?

**G. A REZONING SHOULD NOT RESULT IN COSTS TO THE PUBLIC DISPROPORTIONATE TO TAX REVENUES GENERATED BY THE PROPOSED USE.**

(1) Would the rezoning increase the cost of government in providing public utilities, schools, streets, police and fire protection, etc.?

(2) What additional public facilities would be required?

(3) To what extent would such increased costs be offset by increased tax revenues?

**H. THE SUBJECT PROPERTY SHOULD BE SUITABLE FOR THE ZONED PURPOSES.**

(1) Is the property suitable for uses within the existing zoning classification?

(2) Has the property been vacant as zoned, and if so, for what period or periods of time?

(3) Are there substantial reasons why the property cannot be economically used in accordance with existing zoning?

(4) Would the proposed rezoning benefit the general public in any way?

(5) Would the proposed rezoning conform to or diverge from the comprehensive land use plan?

\* \* \*

It is obvious that the foregoing standards are very general, not at all specific, and that the public and private interests cannot be balanced with mathematical certainty in a zoning decision. Moreover, particular zoning issues which may arise, considered in context, may suggest concerns in addition to the foregoing standards and further questions which will need to be addressed by the Commission. It can only be said that any zoning decision, to be lawful, must be based on a relative gain to the public, as compared to the hardship imposed upon private parties. Such decisions must never be based simply upon the numbers of supporters or opponents or other political factors without consideration of the standards.

*(excerpt from addendum that was added to the zoning ordinance by the City Commission on April 5, 1989)*

## **Appendix B**

### **ORDINANCE XXX**

**AN ORDINANCE TO PROVIDE FOR ANNEXATION OF PROPERTY PURSUANT TO THE PETITION OF VIPER BRUNSWICK LLC, DATED JULY 12, 2021; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**THE COMMISSION OF THE CITY OF BRUNSWICK HERBY ORDAINS,**

#### SECTION ONE

**The petitions of VC Dirt LLC and the Estate of Mary Elizabeth Harrod dated June 9, 2022 seeking to have certain parcels of land annexed into the City of Brunswick, copies of which are attached to this Ordinance as Exhibit “A” and incorporated herein as if fully repeated verbatim within this Ordinance, are granted and approved by the City Commission of the City of Brunswick. The parcels of real property described therein are hereby annexed into and made a part of the City of Brunswick pursuant to Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, said parcels being contiguous to existing corporate limits of the City of Brunswick, as defined in O.C.G.A §36-26-20, and Glynn County having withdrawn any objection to said annexation.**

#### SECTION TWO

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

#### SECTION THREE

It is the intention of the City Commission in adopting this ordinance that should any paragraph, phrase, clause, word or other part hereof be adjudicated invalid under state or federal law, then any remaining portions of the ordinance shall remain in effect and be enforced to the extent reasonable consistent with the purposes hereof.

SECTION FOUR

This ordinance shall be effective immediately upon its approval by the City Commission.

Ordinance XXX approved this XXX day of XXX, 2022.

\_\_\_\_\_  
Cosby H. Johnson, Mayor

Attest: \_\_\_\_\_  
Naomi Atkinson, City Clerk

SPECIAL DISTRICT  
PLANNED DEVELOPMENT- GENERAL  
ZONING AMENDMENT

For

**Parcel 01-00145**

**Parcel 01-05275**

Island View Development  
The City of Brunswick, Georgia

July 21<sup>st</sup>, 2022

**Applicant:**

Maritime Homes

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## **I. GENERAL DESCRIPTION**

This application proposes to amend the existing Zoning for parcel 01-00145 and 01-05275. The project site is located off Hwy 17 in the city of Brunswick, GA. The project area sits within the US 17 Overlay District for the City of Brunswick, GA.

The parcels are currently zoned Highway Commercial (HC), Mobile Home District (MH), General Residential (GR) and Conservation Preservation (CP).

The current use of the parcels includes a mobile home park, a condemned motel and vacant land.

The purpose of this Planned Development–General Zoning is to consolidate both parcels into one master planned development that will include mixed use commercial and residential uses.

Parcel 01-00145 is 4.91 AC, and Parcel 01-05275 is 24.55 AC

Parcel 01-00145 is owned by VC Dirt, and Parcel 01-05275 is owned by the Estate of Mary Elizabeth Harrod.

The project area is shown on the attached exhibit.

## **II. PROPOSED DEVELOPMENT PLAN**

### **A. Plan Concept and Proposed Land Uses**

The applicant intends on developing this parcel in accordance with the land use and development standards as listed in this text.

This Planned Development would adhere to the US 17 Overlay District design standards.

The attached master plan is intended to show the proposed areas for Residential Zoning and Commercial Zoning.

### **B. Existing and Proposed Zoning**

The development area is currently zoned HC, MH, GR and CP. The proposed zoning will be Special District – General and would include commercial developments and residential developments.

**C. Compatibility with Nearby Uses**

This property is already zoned with the proposed land uses and is only seeking to consolidate the zoning.

**III. PERMITTED USES AND OTHER REQUIREMENTS**

**A. Residential Permitted Uses:**

The following uses may be permitted in this district subject to the provisions set forth in section the City of Brunswick, GA Municode 23-25-4.

1. One family dwelling
2. Two-family dwelling, including patio dwelling.
3. Multi-family dwelling.
4. Townhouse dwelling.
5. Group dwelling.
6. Boarding house.
7. One-family dwelling, attached.

**B. Residential Conditional uses:**

The following Conditional Uses uses may be permitted in this district subject to the provisions set forth in the City of Brunswick, GA Municode section 23-25-4.

1. All conditional uses permitted in the R-9 residential district as set forth in the City of Brunswick, GA Municode section 23-4-3, except cemeteries.
2. Public or private care homes, provided that such facilities must receive the written approval of the Glynn County Board of Health, a copy of which shall be retained in the files of the building official, and provided that such use conforms with the provisions of section 23-18-4 pertaining to care homes.

### **C. Commercial Permitted Uses:**

The following uses shall be permitted in this district:

1. Any use permitted in the Residential Permitted Uses listed above, unless otherwise set forth herein.
2. Retail, wholesale or storage business involving the sale of merchandise on the premises, except those uses which involve open yard storage of junk, salvage, used auto parts or building materials. Open storage shall be permitted under conditions set forth in section 23-9-3(g).
3. Retail sale of alcohol for on-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
4. Retail sale of alcohol for off-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
5. Business involving the rendering of a personal service, other than an automobile laundry or an automobile repair garage, which shall be permitted under conditions set forth in section 23-9-3(b) and (e).
6. Seafood processing facilities and/or dock operations involving seafood processing.
6. Private or semi-private club, lodge, union hall or social center.
7. Church.
8. Off-street commercial parking lot or garage.
9. Hotel, tourist home, and motel.
10. Commercial recreation facility, specifically including:
11. Bowling alley.
12. Billiard parlor.



13. Roller or ice-skating rink.
14. Theatre, but not including drive-in type of facility.
15. Transportation terminal.
16. Commercial trade or vocational school.
17. Eating and/or drinking establishment, including drive-in or curbside service.
18. Radio and/or television station and/or transmission tower.
19. Public utility installation or sub-installation, including water towers.
20. Office building and/or office for governmental, business, professional or general purposes.
21. Accessory use in compliance with the provisions of section 23-3-17 of the City of Brunswick, GA Municode.

**D. Commercial Conditional Uses:**

The following uses shall be permitted on a conditional basis in this district, subject to conditions set forth in section 23-25-4 of section 23-3-17 of the City of Brunswick, GA Municode.

1. Automobile service station, provided that all pumps are set back at least 25 feet from the right-of-way line of the street and parking and/or service areas are separated from adjoining residential properties by a suitable planting a screen, fence, or wall at least six feet in height above finish grade.
2. Garage for the repair and servicing of motor vehicles, provided that all operations are conducted within a fully enclosed building or buildings, and there is no open storage of wrecked vehicles, dismantled parts, or supplies visible beyond the premises.
3. Newspaper publishing plant, provided that the requirements for parking, loading and unloading conform to those for industrial buildings, as set forth in sections 23-3-19 and 23-3-20 of the City of Brunswick, GA Municode.

4. Automobile laundry or washateria, provided that an off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least 200 square feet per waiting vehicle) and no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
5. Animal hospital and/or boarding facility, provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is perceptible beyond the premises.
6. Open yard use for the sale, rental and/or storage of materials or equipment excluding junk or other salvage, provided that such uses are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finish grade.
7. Community hospitals or clinics, including any function such as cafeterias and laundries which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
8. Any educational facilities directly related to an authorized hospital or the Glynn County Board of Health, and under the supervision of said hospital or the Glynn County Board of Health, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
9. Single or multi-story dormitories or living quarters for the staff and the student body of an authorized hospital or its related activities, including eating and laundry facilities, provided such dormitories and sleeping quarters are under the supervision and control of an authorized hospital, and provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
10. Public or private care homes, provided such facilities conform with the requirements of the Georgia State Board of Health and receive the written approval of the Glynn County Board of Health and the state fire marshal prior to the issuance of any permits for construction and operation, copies of such approvals to be attached to the building permit and to be retained in the files of the building official and provided further that such use conforms with the provisions of section 23-17-4 pertaining to care homes.

11. Temporary use in compliance with the provisions of section 23-23-5 of the City of Brunswick, GA Municode.

**D. Water/Sewer:**

The water system will tie into the existing 8" water main along Glynn Ave/US 17. The sewer will tie into the manholes along Glynn Ave/US 17.

**E. Proposed Dedication of Land for Public Use:**

Right-of-Way, Access Easements and Utility Easements will be granted in accordance to the City of Brunswick, GA Zoning Ordinance and shown during the appropriate phase of each development on the Subdivision Plat or Site Plan.

Each development may contain recreational facilities, open space and recreation areas that will be a shared common space for that development. All such facilities will be owned and maintained by a homeowner's association.

**IV. DEVELOPMENT SCHEDULE**

Construction shall begin within six (6) months of the receipt of a Building Permit. A two-year construction period is estimated.





# CITY OF BRUNSWICK

601 Gloucester Street  
Post Office Box 550  
Brunswick, Georgia 31520-0550  
(912) 267-5500 / (912) 267-5549 FAX

Cosby H. Johnson, Mayor  
Felicia M. Harris, Mayor Pro Tem  
John A. Cason III, Commissioner  
Julie T. Martin, Commissioner  
Kendra L. Rolle, Commissioner

Brian Corry, City Attorney  
Regina M. McDuffie, City Manager

VIA CERTIFIED MAIL, RETURN RECEIPT

June 17, 2022

Board of Commissioners  
Glynn County  
701 G Street  
Brunswick, GA 31520

Dear Commissioners,

Please be advised that the City of Brunswick, Georgia, by the authority vested in the Mayor and Commission of the City of Brunswick by Article 2 of Chapter 36, Title 36, O.C.G.A., intends to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Commission.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of an application or petition for annexation by the City of Brunswick in accordance with O.C.G.A. § 36-36-6 and § 36-36-9. This letter also serves as notice, provided within seven calendar days of filing of the application for zoning or rezoning in accordance with O.C.G.A. § 36-36-11, of the proposed zoning for such annexed property.

| <b>Current Owner</b>            | <b>Property Address</b>                  | <b>Map #<br/>Block-Lot</b> | <b>Parcel ID</b> |
|---------------------------------|--|----------------------------|------------------|
| Estate of Mary Elizabeth Harrod | 3210 Glynn Avenue<br>Brunswick, GA 31520 | B033-05 003-001            | 01-05275         |
| D-4 Enterprises                 | 3302 Glynn Avenue                        | 0062-00 000-011            | 01-00145         |

*(attached map demonstrates property to be annexed)*

Proposed zoning for this property is PD-G and the property is to be used for future commercial and residential development. The parcels are currently partially in the City and the County.

Pursuant to O.C.G.A. § 36-36-111, please find attached hereto a copy of the petitions requesting annexation.

Pursuant to O.C.G.A. § 36-36-7 and § 36-36-9, please notify the governing authority of the City of Brunswick, in writing and by certified mail, return receipt requested, of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter.

Pursuant to O.C.G.A. § 36-36-113(c) please notify the governing authority of the City of Brunswick, in writing of any County objection to the proposed land use within thirty (30) calendar days or within 61 business days in accordance with the Service Delivery Strategy Annexation Dispute Resolution Process Agreement.

Sincerely,



John Hunter  
Director of Planning, Development & Codes

Attachments

xc: Mayor Johnson  
Mayor Pro Tem Harris  
Commissioner Martin  
Commissioner Cason  
Commissioner Rolle  
City Manager Regina McDuffie  
City Attorney's Office





Annexation Application

COME NOW, the undersigned being the owner(s) of all said tract(s) of land, as more particularly described in the plat survey attached hereto as Exhibit "A", and the metes and bounds legal description as set forth in Exhibit "B". This application is submitted by the undersigned owner(s) pursuant to Official Code of Georgia Annotated 36-36-3 et seq., and hereby petitions the Mayor and Commission to do the following at said property into/from the corporate limits of the City of Brunswick, Georgia. In making this application and petition to the Mayor and Commission, the undersigned shows that:

Section A Applicant Information

Owner Name D-4 Enterprises, LLC
Mailing Address 1004 Beachview Drive
City St. Simons Island State GA ZIP 31522
Phone Number
Email Address

Section B Property Information

Property Address 3302 Glynn Ave
Tax Parcel # 01-00145
Property Size 4.91 Acres Proposed Zoning
Number of People Residing at Property 0
Number of People 18 Years or Older Residing at Property 0
Number of Registered Voters Residing at Property 0

Application Type [checked] Petition for Annexation [ ] Petition for Deannexation

- 1. The undersigned is or are the sole owner(s) of said property and owns a fee simple absolute interest therein, subject to any mortgages or deeds to secure that debt.
2. Attached hereto as Exhibit "A" is a current plat survey of said property showing the contiguity of said property to the existing corporate limits of the City of Brunswick, Georgia.
3. Attached hereto as Exhibit "B" is a metes and bounds legal description of said property.

Section C

I hereby declare under penalty of perjury that I am authorized to make this application and that the information contained herein is true and accurate.

Executed on [ ] in [ ] (city, state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

[Handwritten signature: John A. Dow, Jr.]

SUBSCRIBED AND SWORN BEFORE ME

On this 9th day of June, 2022

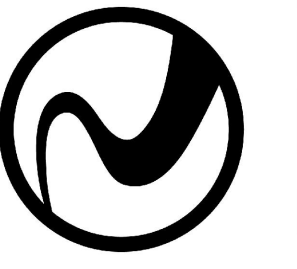
[Handwritten signature: Christie Copelan]
Notary Public Signature

My Commission Expires: 2-18-24



NOT RELEASED FOR CONSTRUCTION

REVISIONS



**ROBERTS**  
CIVIL ENGINEERING  
ST. SIMONS ISLAND, SAVANNAH, GEORGIA  
WWW.ROBERTSCIVILENGINEERING.COM

CONCEPTUAL LAYOUT

GLYNN AVE DEVELOPMENT  
CITY OF BRUNSWICK

PREPARED FOR:  
MARITIME HOMES, LLC.

DATE: 2022-05-18

PROJECT NUMBER: 211176

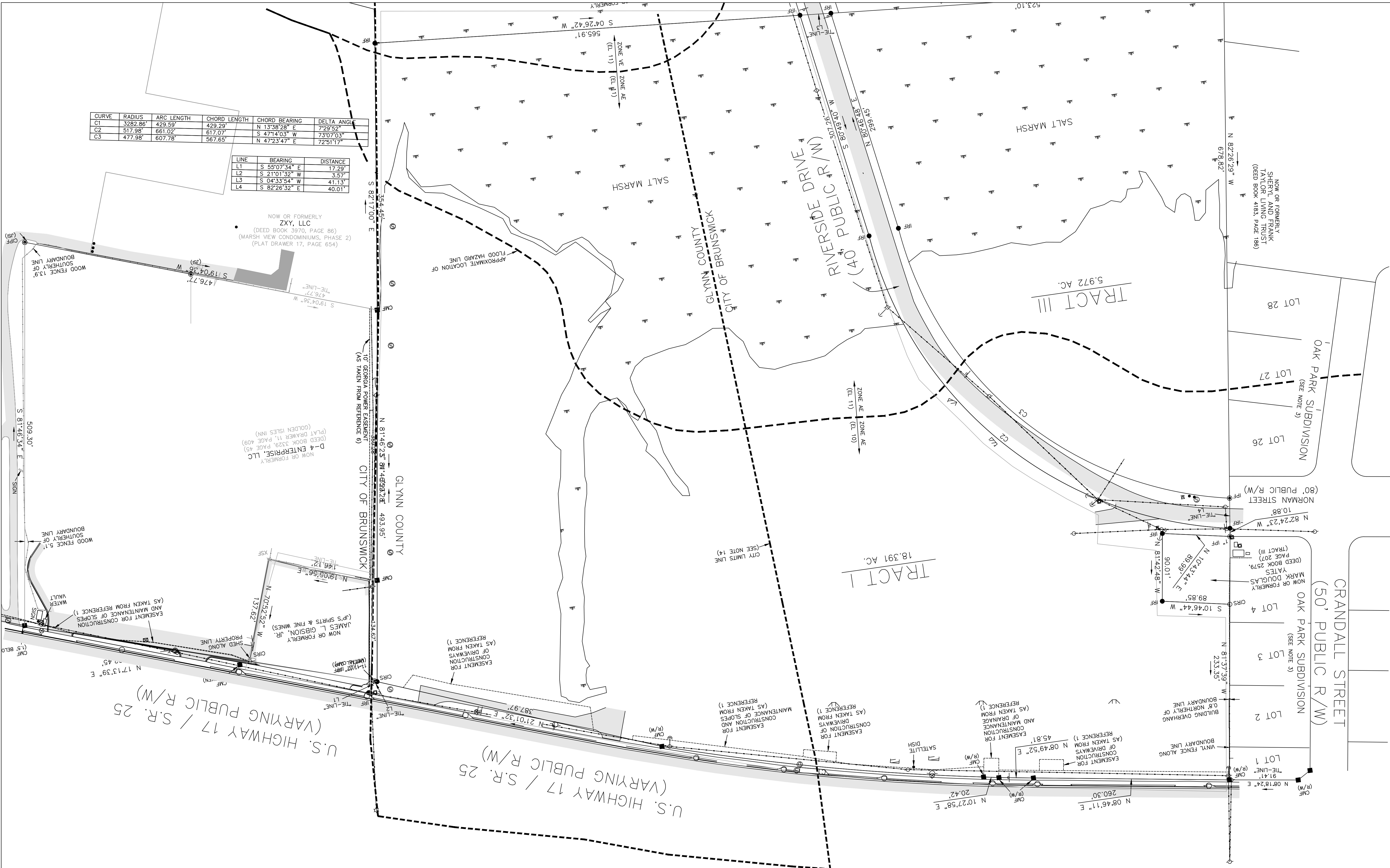
DRAWN BY: ARF

CHECKED BY: JDR

SCALE: 1" = 60' (FOR 24"x36" PLOT)

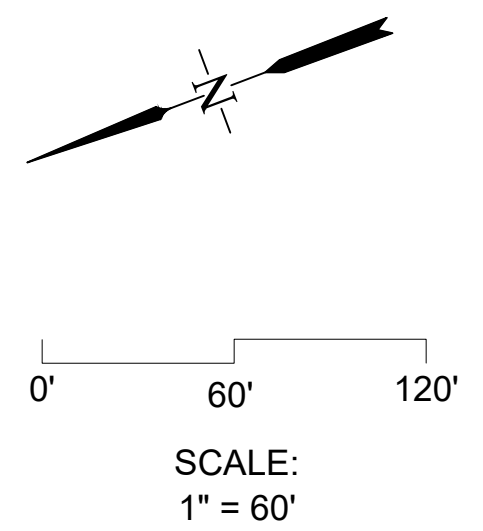
1

SHEET:



| CURVE | RADIUS   | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|----------|------------|--------------|---------------|-------------|
| C1    | 3282.86' | 429.59'    | 429.29'      | N 13°38'28" E | 72°9'52"    |
| C2    | 517.98'  | 661.02'    | 617.07'      | S 47°14'03" W | 73°07'03"   |
| C3    | 477.98'  | 607.78'    | 567.65'      | N 47°23'47" E | 72°51'17"   |

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 55°07'34" E | 17.29'   |
| L2   | S 21°10'12" W | 3.57'    |
| L3   | S 04°33'54" W | 41.13'   |
| L4   | S 82°28'32" E | 40.01'   |





**EXHIBIT B**

All of that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in Glynn County, Georgia and being more particularly described as follows, to wit: Commence at the intersection of the southern right-of-way of Marshview Drive and the eastern right-of-way of U.S. Highway 17, a/k/a Glynn Avenue and from said POINT OF BEGINNING, South 81 degrees 21 minutes 30 seconds East for a distance of 509.27 feet to a concrete monument; thence South 19 degrees 30 minutes 00 seconds West for a distance of 476.83 feet to an iron pin; thence North 81 degrees 21 minutes 30 seconds West for a distance 359.27 feet to an iron pin; thence North 19 degrees 30 minutes 00 seconds East for a distance of 146.19 feet to a cross concrete; thence North 70 degrees 30 minutes 00 seconds West for a distance of 147.32 feet to a concrete monument and the eastern right of way of U.S. Highway 17 a/k/a Glynn Avenue; thence along the eastern right of way of U. S. Highway 17 North 19 degrees 30 minutes 00 seconds East for a distance of 302.25 feet to a concrete monument and the point or place of beginning.

Together with all fixtures, improvements, personalty, additions and accessions, located on, attached to, incorporated in, used in connection to or conjunction with and constituting a part of said real property, including but not limited to, all those items of collateral referenced and described in that certain UCC-2, Notice of Filing for UCC Real Estate Related Collateral recorded in the office of the Clerk of Superior Court of Glynn County, Georgia in Deed Book 219, Page 300.

The aforesaid described property is more commonly known and operated or formerly known as The Quality Inn & Suites, located at 3302 Glynn Avenue, Brunswick, Georgia 31520.



City of Brunswick  
Planning, Development & Codes

601 Gloucester Street  
Brunswick, Georgia 31520  
(912) 267-5527

**Annexation Application**

COME NOW, the undersigned being the owner(s) of all said tract(s) of land, as more particularly described in the plat survey attached hereto as Exhibit "A", and the metes and bounds legal description as set forth in Exhibit "B". This application is submitted by the undersigned owner(s) pursuant to Official Code of Georgia Annotated 36-36-3 et seq., and hereby petitions the Mayor and Commission do the following at said property into/from the corporate limits of the City of Brunswick, Georgia.  
In making this application and petition to the Mayor and Commission, the undersigned shows that:

**Section A Applicant Information**

Owner Name Mark Yates Sean Kasper, as Administrator of Estate of  
Mailing Address P.O. Box 612 3500 Lenox Rd, 4th Floor Mary Elizabeth Harold  
City Brunswick Atlanta State GA ZIP 31521 30306  
Phone Number 404-889-9217  
Email Address SeanK@weissman.law

**Section B Property Information**

Property Address 3210 Glynn Ave  
Tax Parcel # 01-05275  
Property Size 24.56 Acres Proposed Zoning HC and GR  
Number of People Residing at Property 0 Number of People 18 Years or Older Residing at Property 0 Number of Registered Voters Residing at Property 0

Application Type  Petition for Annexation  Petition for Deannexation

1. The undersigned is or are the sole owner(s) of said property and owns a fee simple absolute interest therein, subject to any mortgages or deeds to secure that debt.
2. Attached hereto as Exhibit "A" is a current plat survey of said property showing the contiguity of said property to the existing corporate limits of the City of Brunswick, Georgia.
3. Attached hereto as Exhibit "B" is a metes and bounds legal description of said property.

**Section C**

I hereby declare under penalty of perjury that I am authorized to make this application and that the information contained herein is true and accurate.

Executed on 12/10/21 in Atlanta, GA (city, state).

Signature of Authorized Officer or Agent [Signature]

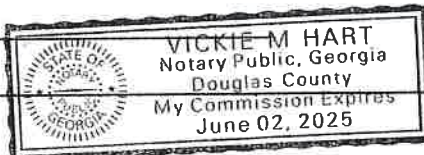
Printed Name and Title of Authorized Officer or Agent Mark Yates Sean R Kasper, as Administrator

SUBSCRIBED AND SWORN BEFORE ME

On this 10 day of December, 2021

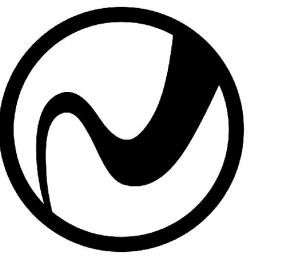
[Signature]  
Notary Public Signature

My Commission Expires: \_\_\_\_\_



NOT RELEASED FOR CONSTRUCTION

REVISIONS



**ROBERTS**  
CIVIL ENGINEERING  
ST. SIMONS ISLAND, SAVANNAH, GEORGIA  
WWW.ROBERTSCIVILENGINEERING.COM

CONCEPTUAL LAYOUT

GLYNN AVE DEVELOPMENT  
CITY OF BRUNSWICK

PREPARED FOR:  
MARITIME HOMES, LLC.

DATE: 2022-05-18

PROJECT NUMBER: 211176

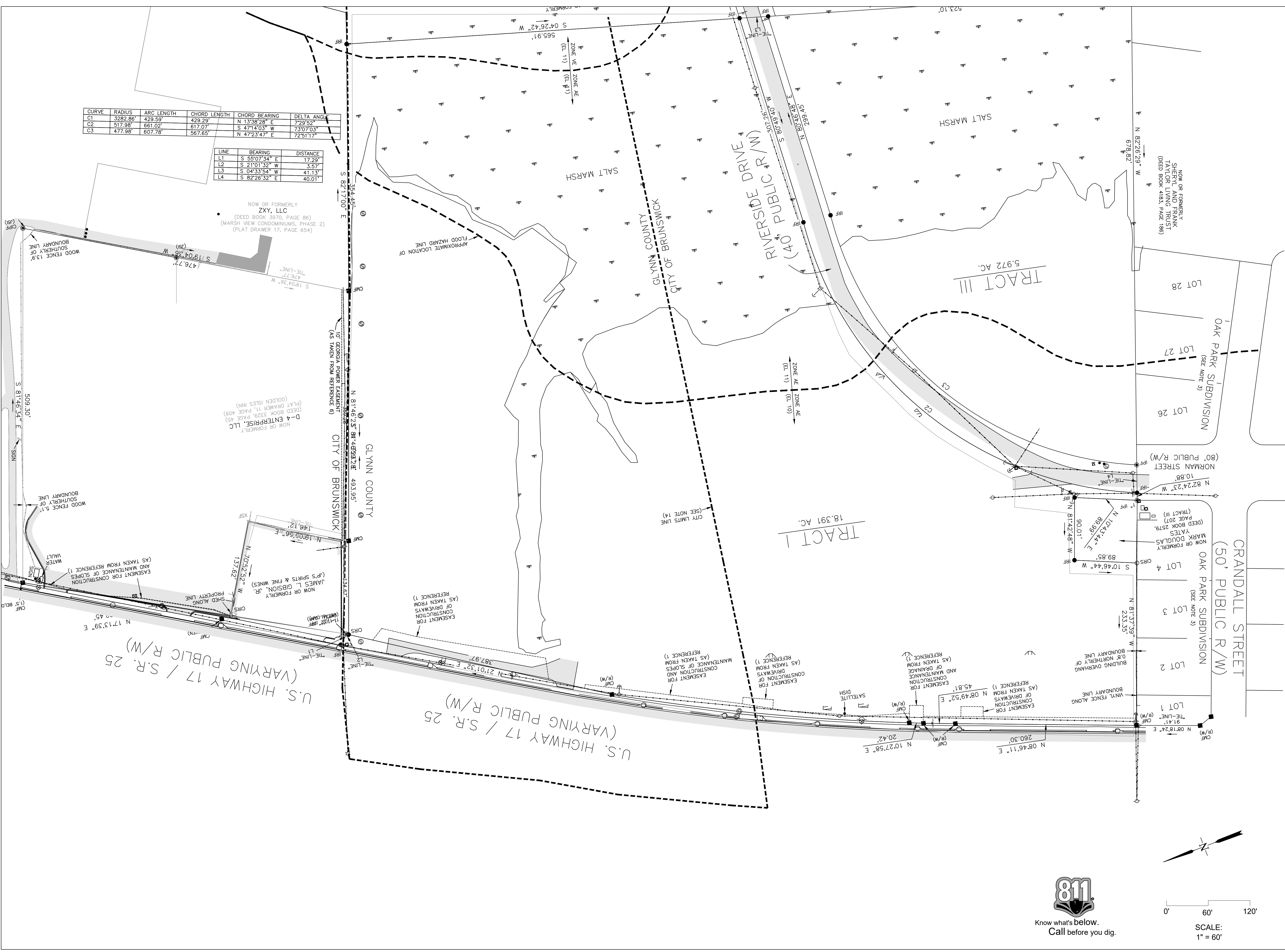
DRAWN BY: ARF

CHECKED BY: JDR

SCALE: 1" = 60' (FOR 24"x36" PLOT)

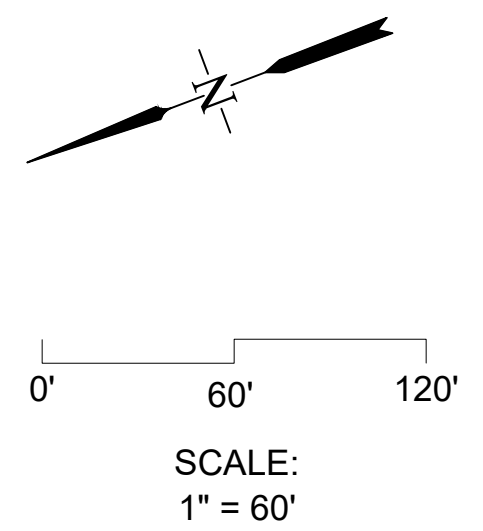
1

SHEET:



| CURVE | RADIUS   | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|----------|------------|--------------|---------------|-------------|
| C1    | 3282.86' | 429.59'    | 429.29'      | N 13°38'28" E | 72°9'52"    |
| C2    | 517.98'  | 661.02'    | 617.07'      | S 47°14'03" W | 73°07'03"   |
| C3    | 477.98'  | 607.78'    | 567.65'      | N 47°23'47" E | 72°51'17"   |

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 55°07'34" E | 17.29'   |
| L2   | S 21°10'12" W | 3.57'    |
| L3   | S 04°33'54" W | 41.13'   |
| L4   | S 82°28'32" E | 40.01'   |



## EXHIBIT B

DS  
VC  
MBY

### TRACT I:

All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:

Beginning at a found concrete monument located at the point of intersection of the easterly right of way line of U.S. Highway Number 17 (Glynn Avenue) with the northerly boundary line between Oak Park Subdivision and the tract herein described, and from said beginning point running thence along said highway right of way along the following courses and distances: north 08 degrees 42 minutes 32 seconds east for a distance of 265.08 feet to a found

A handwritten signature in black ink, appearing to read "M. J. May". The signature is written in a cursive style and is positioned to the left of the main text block.

concrete monument; thence running north 08 degrees 44 minutes 11 seconds east for a distance of 45.85 feet to a found concrete monument; thence running north 10 degrees 39 minutes 05 seconds east for a distance of 19.77 feet to a found concrete monument; thence running north 13 degrees 33 minutes 21 seconds east for a distance of 429.85 feet to a found concrete monument; and thence running north 18 degrees 33 minutes 04 seconds east for a distance of 396.02 feet to a found iron pin located at the point of intersection of said right of way line with the boundary line between the tract herein described and property now or formerly of James L. Gibson; thence running south 81 degrees 18 minutes 38 seconds east for a distance of 863.20 feet to a found iron pin located in the salt marsh; thence running through said salt marsh south 04 degrees 24 minutes 20 seconds west for a distance of 566.22 feet to an iron pin set located at the point of intersection of this line with the northerly right of way line of Riverside Drive; thence running along said Riverside Drive right of way along the following courses, distances and curves: south 80 degrees 45 minutes 37 seconds west for a distance of 307.08 feet to a set iron pin; thence running in a general southwesterly direction along the arc of a curve, concave to the southeast and having a radius of 517.98 feet, for a distance of 661.15 feet to a set iron pin located at the point of intersection of said right of way line with the northerly boundary line between Oak Park Subdivision and the tract herein described: thence running along said subdivision line north 82 degrees 30 minutes 00 seconds west for a distance of 10.91 feet to a found iron pin; thence running north 07 degrees 30 minutes 00 seconds east for a distance of 90.00 feet to a set iron pin; thence running north 82 degrees 30 minutes 00 seconds west for a distance of 90.27 feet to a set iron pin; thence running south 07 degrees 30 minutes 00 seconds west for a distance of 90.00 feet to a set iron pin; and thence running north 82 degrees 30 minutes 00 seconds west along said boundary line between of Oak Park Subdivision and the tract herein described for a distance of 233.14 feet to the found concrete monument which marks the point and place of beginning of the tract herein conveyed, which is labeled "AREA A" on said plat, and which contains a total of 18.57 acres, being 13.23 acres of upland and 5.34 acres of marsh, according to said plat.

A handwritten signature in black ink, appearing to read "M. J. May". The signature is written in a cursive style. Above the signature, there is a small "05" in a box.

**TRACT II:**

All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:

Beginning at an iron pin set located at the point of intersection of the southeasterly right of way line of Riverside Drive with the northerly boundary of Oak Park Subdivision (being the boundary between Oak Park Subdivision and the tract herein described), and from said point running in an general northeasterly direction along the southeasterly right of way line of Riverside Drive along the arc of a curve, concave to the southeast and having a radius of 477.98 feet, for a distance of 607.91 feet to a set iron pin; thence continuing along said Riverside Drive right of way north 80 degrees 45 minutes 37 seconds east for a distance of 299.47 feet to an iron pin set; thence running through the salt marsh south 04 degrees 24 minutes 20 seconds west for a distance of 523.11 feet to a found iron pin; and thence running north 82 degrees 30 minutes 00 seconds west along the aforesaid boundary between Oak Park Subdivision and the tract herein described for a distance of 678.57 feet to the iron pin set which marks the point and place of beginning of the tract herein described, which is labeled "AREA B" on said plat and which contains a total of 5.97 acres, consisting of 2.78 acres of upland and 3.19 acres of marsh.



**TRACT III:**

**All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:**

**To locate the beginning point, commence at the point of intersection of a found concrete monument located at the point of intersection of the easterly right of way line of U.S. Highway Number 17 with the northerly boundary**

**line of Oak Park Subdivision, and from said point running thence south 82 degrees 30 minutes 00 seconds east for a distance of 233.14 feet along said northerly boundary of Oak Park Subdivision to an iron pin set which marks the point and place of beginning of the tract herein described; from said beginning point continuing along said Oak Park Subdivision boundary south 82 degrees 30 minutes 00 seconds east for a distance of 90.27 feet to a found iron pin; thence running north 07 degrees 30 minutes 00 seconds east for a distance of 90.00 feet to a set iron pin; thence running north 82 degrees 30 minutes 00 seconds west for a distance of 90.27 feet to a set iron pin; and thence running south 07 degrees 30 minutes 00 seconds west for a distance of 90.00 feet to the set iron pin which marks the point and place of beginning of the tract herein described, which is labeled "n/f Taylor J. Yates" on said plat.**





Fee: \_\_\_\_\_

Amount Paid: \_\_\_\_\_

Date: \_\_\_\_\_

City of Brunswick  
Planning, Development, & Codes Department  
601 Gloucester Street  
Brunswick, Georgia, 31520

## REZONING APPLICATION

Please take care to insure that the information for each checkbox below is sufficiently provided. **The City of Brunswick does not accept incomplete applications.** Applications must be submitted to the Planning, Development & Codes Department no later than 20 days prior to the regularly scheduled meeting of the Planning and Appeals Commission. The PAC meets the second Wednesday of each month.

- Completed Application
- Plat/Survey/Lot Inspection Report (LIR)/Location Map
- Site Development Plan with property lines & setbacks
- Proof of ownership of property OR proof of legal authorization from owner
- Written Report/Petition for Planned Development Rezoning (if applicable)
- Letters of approval for any existing Variances, Special Use Permits, or Rezone (Text Amendment) Requests
- Full Text of Proposed Amendment in Ordinance Format (if applicable)

The Planning, Development & Codes Department highly recommends arranging a meeting with staff prior to the submission of an application. Should you have questions or wish to arrange a meeting please contact City Planning at (912) 267-5527





# CITY OF BRUNSWICK, GEORGIA

## APPLICATION FOR REZONING

# RZ

**APPLICANT:** After completely reading this form, the applicant will answer each item as completely as possible. Please print or type. The Planning Staff will assist you if necessary.

This is a request for a **REZONING** to the Official Zoning Ordinances of the City of Brunswick. Please read Article XXIII of Zoning Ordinance which applies to your proposal.

1. Applicant (Your Name): \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Zip: \_\_\_\_\_
2. Location of Property forming the basis for this text amendment: \_\_\_\_\_  
Street \_\_\_\_\_ Tax Map and Parcel Number: \_\_\_\_\_
3. Is this rezoning due to annexation? \_\_\_\_ YES \_\_\_\_ NO
4. Total Parcel area (indicate square feet or acres): \_\_\_\_\_ Square Feet/Acres
5. Present Zoning: \_\_\_\_\_ Abutting zones (list all zones that touch the parcel): \_\_\_\_\_
6. Proposed Zoning: \_\_\_\_\_
7. Are any special use(s), variance(s), covenant(s), or prior rezoning(s) present on the parcel?  
\_\_\_\_ YES \_\_\_\_ NO If 'YES', list ALL and date: \_\_\_\_\_
8. The following data shall be attached as applicable:  
\_\_\_\_ **Petition signed by Property Owner or agent requesting the Rezoning.**  
\_\_\_\_ **Full text of the proposed amendment in the format of the ordinance it is intended to amend.**
9. Reasons for the rezoning request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Do you have legal possession of the parcel(s) proposed for this zoning text amendment? \_\_\_\_ YES \_\_\_\_ NO  
(If 'NO' then this application cannot be processed until an application is received for all parcels intended to be affected by the text amendment and legal authorization provided.)
11. Owner's Name (If different from Applicant\*): \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ (\*If applicant is different from Owner, a legal authorization to represent the Owner must be attached to this application.)

I understand that the City of Brunswick will not process this application until I have submitted **ALL** required materials on or before the date of the approved schedule, which shall be **not less than 20 days prior to the regularly scheduled and advertised monthly meeting of the Planning and Appeals Commission**. The PAC meets on the Second Wednesday of each month at 5:15 PM in Commission Chambers, Old City Hall. The recommendation of the Planning Commission is forwarded to City Commission for their review at the next regularly scheduled meeting following the PAC meeting.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(Printed Name: \_\_\_\_\_)

**ORDINANCE 1075**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BRUNSWICK, GEORGIA, AND PARTICULARLY TO AMEND CHAPTER 16, TO ADD ARTICLE V TO BE TITLED URBAN CAMPING AND IMPROPER USE OF PUBLIC SPACES; TO ADD DEFINITIONS; TO RESTRICT CAMPING, STORING PERSONAL PROPERTY, AND INTERFERENCE WITH INGRESS OR EGRESS; TO PROVIDE FOR CONFISCATION OF ABANDONED PERSONAL PROPERTY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**The commission of the City of Brunswick hereby ordains that the Code of Ordinances of the City of Brunswick, Georgia, is hereby amended by adding a section, article, chapter or other designation as the case may be, to be numbered Chapter 16, Article V, which shall read as follows:**

**SECTION ONE:**

**ARTICLE V. – URBAN CAMPING AND IMPROPER USE OF PUBLIC SPACES**

**Sec. 16-92. – Title.**

This article shall be known as the “Urban Camping Ordinance.”

**Sec. 16-93. – Definitions.**

For purposes of this section:

*Camp* or *Camping* shall mean occupying or using a public park, public area, square, or parking area servicing a public park/area/square/building as defined herein for living-accommodation purposes such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal property or storing other belongings, making a fire, carrying on cooking activities, or using a tent, or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the person is in fact using the area as a living accommodation, regardless of the intent of the person or the nature of any other activities in which the person may also be engaging.

*Public Area(s)* shall mean an area to which the public or a substantial group of persons has access, including, but not limited to, streets, highways, roadways (including shoulders and medians), bridges, the area above and below any bridge, sidewalks, alleys, parking lots and decks, plazas, parks, public greenspace areas, playgrounds, schools, transportation facilities, within a public-transportation vehicle, an area owned in whole or in part by, operated by, for, or under the custody and control of the City of Brunswick, Georgia, and other public property, including all areas in the immediate vicinity of public buildings and any other property where

public gatherings occur on a regular basis, and any other property where public meetings are conducted.

*Storing Personal Property* shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. This term shall not include parking a bicycle or other mode of transportation.

*Inappropriate Use of Public Area* shall mean the use of public areas, or the improvements located thereon, for any personal or otherwise unlawful use not otherwise authorized by this Article or any Ordinance of the City of Brunswick. This shall include, but is not limited to, the use of public parks, fountains, and/or utilities for bathing, hygienic care, or elimination.

*Interference with ingress or egress* shall mean camping, storing personal property, standing, sitting, lying down, using personal property, or performing any other activity where such activity:

- (a) materially interferes with the ingress into or egress from buildings, driveways, streets, sidewalks, alleys, or any other real property that has a limited number of entrances or exits, regardless of whether the property is owned in whole or in part by the city, a private owner, or another public entity, unless having received the prior express written permission of the property owner; or
- (b) reasonably appears, in light of all of the circumstances, to have the purpose or effect of blocking ingress into or egress from buildings, driveways, streets, sidewalks, alleys, or any other real property that has a limited number of entrances or exits, regardless of whether the property is owned in whole or in part by the city, a private owner, or another public entity, unless having received the prior express written permission of the property owner.

#### **Sec. 16-94. – Prohibited Acts**

Unless acting under a valid permit issued by the City of Brunswick, Georgia or otherwise authorized by the City of Brunswick through its Agencies or Authorities, it shall be unlawful for any person within the corporate limits of the city to commit any of the following acts.

- (a) No person shall camp in a public area.
- (b) No person shall interfere with ingress or egress of any building, private property, or public area.
- (c) No person shall inappropriately use a Public area as defined herein.

**Sec. 16-95. – Prohibited use of Private Property.**

It shall be unlawful for anyone other than the owner of a private property, a leaseholder of such private property, or other rightful occupant of such private property to camp, sleep, reside, store personal property, or lie upon, any private property without the owner's or leaseholder's permission. Any such use of private property authorized by and consented to by the owner or leaseholder of such private property must be in conformity with the provisions of the Code of Ordinances of the City of Brunswick, including, but not limited to, the zoning and land use provisions of said Code of Ordinances which are applicable to such private property, and if such use is a violation of said Code of Ordinances, an authorization of such use by the landowner or leaseholder shall not nullify a violation of any provision of this section.

**Sec. 16-96. – Warning.**

No person may be arrested for violating this section until such person has received a verbal or written warning to cease the unlawful conduct. If the violator fails to promptly comply with the warning issued, then that person may be issued a citation or arrested.

**Sec. 16-97. – Exceptions.**

This section shall not be construed to prohibit any of the following behaviors:

- (a) Uses of public parks or public streets authorized by the Mayor and Commission of the City of Brunswick or an authority delegated to authorize such use;
- (b) A person or persons sitting or lying down as a result of a medical emergency; and
- (c) A person or persons, sitting, or resting in a public park, public street, or private property where such activity does not constitute camping as herein defined, and such activity does not interfere with ingress and egress as defined herein.

**Sec. 16-99. Abandoned Personal Property.**

Any personal property used to camp, in which a citation was issued, or being stored, as defined above, may be deemed abandoned by the City of Brunswick Police Department or the City of Brunswick Code Enforcement Department and may be confiscated by the same without prior warning. This code section shall apply to the confiscation of abandoned personal property regardless of whether the personal property relates to the issuance of a citation or arrest as a result of a violation of this Ordinance. The City of Brunswick Police Department or the City of Brunswick Code Enforcement Department shall retain the property in a manner consistent with the handling of other confiscated or abandoned property. The City of Brunswick Police Department or the City of Brunswick Code Enforcement Department shall not be liable for the disposal of abandoned personal property as defined herein.

SECTION TWO:

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION THREE:

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION FOUR:

This Ordinance shall be effective immediately upon its adoption by the City Commission.

**SO ORDAINED BY THE CITY COMMISSION OF BRUNSWICK THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2022.**

**CITY OF BRUNSWICK BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
Cosby H. Johnson, Mayor

**ATTEST:**

\_\_\_\_\_  
Naomi D. Atkinson, City Clerk