



## Jekyll Island State Park Authority CODE REVISION PROJECT

<https://www.jekyllisland.com/authority/other-projects/code-revision/>

COMMENTS submitted by One Hundred Miles, May 26, 2022  
Submitted via ONLINE to <https://form.jotform.com/211734535959162>

Thank you for the opportunity to review the revised codes affecting Georgia's Jekyll Island State Park. These comments and recommendations are presented to you on behalf of the members and Board of Directors of One Hundred Miles, a coastal advocacy organization dedicated to protecting and preserving Georgia's 100-mile coast.

Of Georgia's 14 major barrier islands, only four are developed and nearly all the developable beachfront property on those islands has been built out. **Jekyll Island is home to the last-available commercial beachfront development on the Georgia Coast.** As such, great attention must be placed on making sure upcoming development does not threaten the island's public and natural resources and wildlife habitat. Local codes and ordinances are an important tool to ensuring the health and quality of the island remain high.

Our organization staff and members closely followed the Jekyll Island Authority's (JIA) 2021 Master Plan Update. We were disappointed that the final product did not address the public's primary concern for Jekyll Island State Park - the increase in the extent and density of residential and commercial development. The predominant response among the 5,417 people who responded to an open-ended question at the end of JIA's public survey was that further commercial and residential development of the island would degrade Jekyll's natural character and traditional appeal. Overdevelopment and changing the character of Jekyll Island was then, and remains today, a major concern for those of us who love and value Georgia's Jekyll Island State Park. The following comments reflect but are not limited to these concerns and our recommendations are **bolded**.

### OVERARCHING RECOMMENDATIONS

- We recommend the code include a map specifying the areas to be built out as **commercial and those to be preserved as historic areas and recreational areas.** Chapter G, "Residential Regulations" already includes a residential uses map, so expanding the categories of land use within "developed" acres will convey how the public lands are being used and how they interact with each other.

- We recommend that the code clarify density of dwelling units per acre of land on the state park. As a unique state park authority, all “developed” acres could be densely populated, but we hear from staff and board that that is not the intent. The public deserves your honoring your commitment by codifying caps in the density per acre of land use.
- We recommend that the code define and preserve recreational areas, particularly the recreational areas used for golf courses. Currently, there is nothing that restricts changes to or new development on recreational areas. An example of why the draft is problematic can be found in the location of residential developments in the Golf Master Plan. Golf Courses, by statute, are considered “developed” land, and without codified development limits can be built out at high density.

#### **Chapter E, Article II: Flood Protection**

- We recommend JIA increase the freeboard requirements to, at a minimum, two feet for new developments and three feet for new properties adjacent to tidal marshes. According to intermediate projections from the National Oceanic and Atmospheric Administration (NOAA), Georgia can expect two feet of sea level rise in the next 50 years. Therefore, the proposed 1-foot minimum freeboard requirement is not protective of the structures or people this regulation is designed to protect. Furthermore, if NOAA’s projections are accurate, the JIA will be obligated to update these requirements more frequently. Increasing Jekyll’s freeboard requirement would benefit all Jekyll residents and would contribute to reduced flood insurance rates for the county.

#### **Chapter E, Article III: Stormwater**

- We are pleased to see the inclusion of the Georgia Stormwater Management Manual and Coastal Stormwater Supplement. The improvements in the Supplement over the past few years will enhance stormwater management on Jekyll Island.
- We request clarity in how the requirements for stormwater management, planning, and enforcement will be carried out. Please specify what exactly the relationship will be between the JIA and Glynn County, the local issuing authority responsible for enforcing the regulation in the Georgia Erosion and Sedimentation Control Act.

#### **Chapter E, Article V: Beach and Natural Resource Protection**

- We recommend Section 4 of this updated code include a statement that nothing adopted in the JIA code would authorize contractors, staff, or any other entity to violate any

**aspect of the Georgia Shore Protection Act.** Our Shore Protection Act is state law that requires any activity affecting the beach and dunes of the state of Georgia to be reviewed and approved by the Georgia Department of Natural Resources (DNR) and the Shore Protection Committee. This state law still applies to conservation-related activities in accordance with the objectives of the JIA's Conservation plan.

#### **Chapter E: Article IX: SLR Resilience**

- We are pleased to see the inclusion of this article in the code update. The Georgia DNR report *"Enhancing Coastal Resilience with Green Infrastructure"* has sound recommendations that will help protect the natural and built environment from rising seas.
- We applaud JIA for recognizing the real threat of rising seas and for restricting new construction to an area beyond a 75-foot buffer from mean high-water mark and coastal marshlands.

#### **Chapter E, Article X: Water Conservation**

- We appreciate the incorporation of the enhanced outdoor watering restrictions that are outlined in Drought Response strategies (<http://rules.sos.ga.gov/gac/391-3-30>) of Georgia Rules and Regulations 391-3-30-.03. These rules and regulations are based on the 2010 Water Stewardship Act and are important to managing water use during non-drought and drought conditions.
- **We recommend the code also add a requirement that all new or upgraded outdoor irrigation systems include a rain sensor to prevent water waste.** A rain sensor is a device or switch that overrides an automatic irrigation system when rainfall occurs. The sensor temporarily shuts off a system if it is operating during a rain shower or is scheduled to run following rainfall. The state of Florida requires that all irrigation systems include such devices, and many municipalities offer incentives or free sensors to residents. These low-cost devices are a great tool for building a culture of water efficiency among residents and can help homeowners or businesses save water and money.

#### **Chapter G: Residential Regulations**

- **We recommend apartments be removed as a land use allowed within areas classified as planned community in Article III in Planned Community (PC) classification.** Apartments are a multi-family development that will dramatically increase the population density of

these PC areas. Apartments are also inconsistent with the general objectives outlined in Section 7, A.2.g which states: “Compatibility and consistency. Maintain compatibility with nearby development and consistency with the Jekyll Island Master Plan and Conservation Plan.”

#### **Chapter H: Commercial and Business regulations.**

- We appreciate the JIA moving forward to codify the development review process that, to date, has only been recognized as guidance.
- **We recommend the regulations also codify the Environmental Assessment Procedure adopted in Jekyll’s 2020 Conservation Plan.** JIA’s Environmental Assessment Procedure (EAP) review process, while not perfect, is often recognized as part of the Design Review Group evaluation. As such, it is the only process that invites non-JIA staff to evaluate and make recommendations (prior to action by the JIA Board) related to commercial construction that will impact of the project on the surrounding natural resources and cultural assets of the area. Codifying this environmental review procedure is important for fulfilling JIA’s commitment to protecting the environment. Codifying the EAP will affirm that upcoming and future developments will be required to go through some sort of environmental evaluation that includes members of the public.
- **We recommend the DRG code include a public review and comment period into the process.** The projects reviewed by the DRG 1) are large-scale, 2) are highly visible to the public, 3) have the potential to impact residents and visitors’ experiences, and 4) could have a major impact on the public-owned state park. Jekyll Island is home to the last-available commercial beachfront development on the Georgia coast. As such, great attention must be placed on making sure upcoming development do not threaten the island’s public and natural resources and wildlife habitat and that the evaluation is publicly accessible.

A good example of how public involvement can be incorporated into the DRG is the process used by Glynn County related to new construction and site development. This process involves county staff reviewing proposed site developments to evaluate environmental impacts and posting those comments and review feedback for public review.

DRG meetings should be open to the public and at the very least, site/development plans and official staff comments should be posted on the JIA website for public review. By doing so, the recommendation of the DRG can include public comments and opinions BEFORE going to the JIA board for approval and the mandatory public hearing. We understand the public is invited to offer comments at the JIA Board meetings, but

unfortunately, those interactions are one-sided and offer no opportunity for constructive feedback to improve any site plan. Having such discussions before the development goes to the board is a much more meaningful process.

Again, through our engagement in the Master Plan Update process, we learned that thousands of Georgians and visitors, as well as hundreds of Jekyll residents, have grave concerns about the possibility of Jekyll being overdeveloped. One way to address some of these concerns is to provide the public with more opportunities to influence the development being proposed on the State Park.

Thank you again for the opportunity to comment. One Hundred Miles looks forward to seeing the final draft improved with our recommendations, and we look forward to participating in the protection of Jekyll Island State Park for years to come.