

Town of Kiawah Island
Comprehensive Plan Amendment Request and
Zoning Map Amendment Request
ACP25-000001 & REZ25-000001 Case History

Planning Commission Meeting: June 4, 2025
Public Hearing and First Reading: July 1 2025
Second Reading:

CASE INFORMATION

Applicant: Town of Kiawah Island

Subject Properties: Several properties located within or near the Ocean Park Neighborhood. (Identified below)

Property Owners: Subject properties are owned by multiple property owners. (identified below)

Application:

Case #ACP25-000001 | The applicant is requesting to amend the Town of Kiawah Island Comprehensive Plan IX.2, Future Land Use Map, to change the future land use designation for the subject properties located within or near Ocean Park neighborhood from Medium Density Residential to Low Density Residential, Civic and Institutional or Active Recreation, Residential and Open Space.

Case #REZ25-000001 | The applicant is requesting to amend the Town of Kiawah Island Zoning Map to change the zoning classification for the subject properties located within or near Ocean Park neighborhood from R-2, Residential to R-1, Residential, Parks and Recreation or Community Support.

The applicant is requesting to rezone the subject properties from R-2 Residential Zoning District to R-1 Residential Zoning District for all platted single family residential homesites in order to more accurately represent existing and anticipated home construction of the current land use pattern. Properties which are not single family residential homesites are being recommended to be rezoned to most compatible zoning district or retain current zoning designation. Please see maps attached.

Background:

Beginning in 1994, with the original Development Agreement and continues with subsequent renewals in 2005 and 2013, Ocean Park (formerly known as Cougar Island) was designated as R-2 with a density limit of 1.5 DU/ac (360 DUs) and dwelling unit types allowing for single family detached, including patio homes and zero lot line types. Since initiation of development in 2013, 198 homesites have been platted of which five are non-buildable member lots. To date, approximately 134 homes have been completed or are under construction with another 20 homes in ARB design review.

Upon the expiration of the 2013 ARDA on December 4, 2023 all development standards reverted to the existing Town of Kiawah Island Zoning Ordinance Chapter 12, Article II, Division 2, Section 12-66 for R-2 residential district. The standards are the same as the 2013 ARDA except for the minimum side yard for lot sizes 8,000 sf - 11,999 sf category which changed from 10' minimum side setback to 15' minimum side setback. This impacts some of the smaller lots within Front Nine Lane and the Marsh Walk area that flank the Marsh House, approximately 57 homes (50 existing/7 future) that were platted anticipating 10' side yards.

The Ocean Park Homeowners Association sent a letter dated April 22, 2025 to Mayor Bradley Belt and

Joanne Hennessey, Chair of the Planning Commission requesting the Town of Kiawah Island initiate a Map amendment to change from R-2 to R-1 zoning classification within Ocean Park for the 198 homesites to more closely align with the existing /future single family residential development pattern. Their request does not include the KIGR holdings within Ocean Park or Kiawah Island Utility tract.

Future Land Use Categories:

Medium Density Residential

This category promotes medium density single family residential development, allowing up to six dwelling units per acre. It accommodates patio homes and zero lot line homes, unlike the Low Density Residential district. Examples include Inlet Cove and Night Heron Cottages.

Low Density Residential

This category is intended to promote lower density single family residential areas, with a maximum of three dwelling units per acre. Infill and redevelopment should respect the surrounding character and adhere to the density requirements.

Active Recreation and Open Space

This category provides and is intended to promote the development of community parks and recreational facilities including parks, golf courses, and tennis courts. This category also provides for lands that are intended to remain in their natural state; this includes land that have been protected through conservation easements or that are publicly or privately owned. Some examples include the Tennis Center, Night Heron Park, and the Property Owners Beach and Recreation Center.

Active Recreation, Residential and Open Space

This category provides and is intended to promote the development of recreational facilities, including golf courses, with limited Residential in varied format, including single family detached/attached, duplexes and multifamily within a natural setting.

Zoning Classification:

The purpose of the R-2 zoning district is to promote stable residential neighborhoods consisting of medium density residences surrounded by parks, golf courses and open spaces. The district is intended for a variety of dwelling unit types.

The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.

The purpose of the CS, Community Support District is to provide for supporting community facilities and services including, but not limited to, utilities, street maintenance facilities and other necessary uses that may not otherwise be compatible with uses permitted in other districts in the Town of Kiawah Island.

The purpose of the PR, Parks and Recreation District is to provide community parks and recreation facilities, including parks, open spaces, golf courses and tennis courts. This district provides for both active and passive use of land.

RECOMMENDATION BY THE PLANNING COMMISSION

Comprehensive Plan Amendment: Pursuant to §12-157 (4) of the *Land Use Planning and Zoning Ordinance* "The Planning Commission shall review the proposed amendment and adopt a resolution

recommending that the Town Council approve, deny or approve with conditions the proposed amendment, based on the approval criteria of subsection (7) of this section. The Planning Commission may hold a public hearing in accordance with the procedures in section 12-156. A simple majority vote of Planning Commission members present and voting shall be required to approve the amendment. Following an unfavorable finding on the application, the Planning Commission shall notify the applicant and report the reasons for the finding.

Zoning Map Amendment: Pursuant to §12-158 (3) of the *Land Use Planning and Zoning Ordinance* “The Planning Commission shall review the proposed text amendment and/or zoning map amendment and take action, recommending that the Town Council approve or deny the proposed amendment. The Planning Commission may hold a public hearing in accordance with the procedures in section 12-156. The Planning Commission’s recommendation shall be based on the approval criteria of subsection (6) of this section. The Planning Commission shall submit its recommendation to the Town Council within 30 working days of the Planning Commission meeting at which the amendment was introduced. A simple majority vote of the Planning Commission members present and voting shall be required to approve the amendment.

DECISION ON AMENDMENT BY THE TOWN COUNCIL

Pursuant to §12-157 (6) of the *Land Use Planning and Zoning Ordinance* Following receipt of a copy of the proposed comprehensive plan text or land use diagram amendment from the Planning Commission, along with the Planning Commission's report and recommendation, the Town Council shall schedule one or more public hearings in accordance with State Law to decide whether to adopt the amendment. For amendments to the land use diagram, personal and posted notice also shall be given in the manner provided in section 12-156. Any time after the close of the public hearing, Town Council shall act to approve, approve with conditions, or deny the proposed comprehensive plan amendment, based on the approval criteria of subsection (7) of this section. A simple majority vote of Town Council members present and voting shall be required to approve the amendment.

Pursuant to §12-158 (5) of the *Land Use Planning and Zoning Ordinance* “After receiving the recommendation of the Planning Commission, the Town Council shall hold one or more public hearings, and any time after the close of the public hearing, take action to approve, approve with modifications or deny the proposed amendment based on the approval criteria of subsection (6) of this section. A simple majority vote of Town Council members present and voting shall be required to approve the amendment. Zoning map amendments shall not be approved with conditions. Prior to action on a proposed code text amendment, the Town Council may, in the exercise of its legislative discretion, invoke the "pending ordinance doctrine" by ordinance so that no building permits shall be issued for structures which would be affected by the proposed amendment until the Town Council has rendered its decision on the proposed amendment.”

APPROVAL CRITERIA

Pursuant to §12-157 (7) of the *Land Use Planning and Zoning Ordinance*, Comprehensive Plan amendments may be approved by the Town Council only if they determine that the proposed amendment is consistent with the overall purpose and intent of the comprehensive plan. Any amendment to the land use diagram and/or other maps shall be consistent with the vision and goals in the text of the comprehensive plan.

Pursuant to §12-158 (6) of the *Land Use Planning and Zoning Ordinance*, (6) Approval criteria. Text and zoning map amendments to the ordinance may be approved if the following approval criteria have been met:

- A. The proposed amendment is consistent with the purposes and intent of the adopted Town of Kiawah Island Comprehensive Plan;**
- B. The proposed amendment is consistent with the purposes and intent of this article;**
- C. The purpose of the proposed amendment is to further the general health, safety and welfare of the Town of Kiawah Island;**

D. The proposed amendment corrects an error or inconsistency or meets the challenge of a changed condition.

Staff Review:

- The proposed zoning and future land use designation align with the existing land use patterns for the subject property.
- The proposed rezoning supports the goal to *“Complete the Island’s development in a way that maintains the Island’s environmental integrity and natural beauty and is consistent with the Vision of the Town.”* and to *“Develop and maintain an environmentally sustainable system of parks and open spaces which provide access to the beach and river; preserves, protects and enhances natural resources; and meets the diverse recreational needs of the Town’s population.”*
- The proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan.
- Specific properties identified which are not single family residential lots, would be compatible with land use designations of active recreation and open space.

Planning staff finds the proposed amendment satisfies the approval criteria and recommends approval.

PLANNING COMMISSION MEETING June 4th, 2025

Notifications: Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

The Honorable Mayor Bradley Belt
Town of Kiawah Island, South Carolina
4475 Betsy Kerrison Parkway
Johns Island, SC 29455

04.22.25

Mrs. Joanne K. Hennessey
Chair, Planning Commission
Town of Kiawah Island, South Carolina

On behalf of the Ocean Park Home Owners Association (OP HOA) this letter is sent as a request for the Town of Kiawah Island to consider initiating a map amendment to the Zoning Map, as represented in Chapter 12, Article II., Division 2., Sec. 12-62. Zoning Map, to more closely align with the existing/future single family residential development pattern. More specifically, the request is to revise the existing R-2 classification to R-1 for all platted single family residential homesites in order to more accurately represent existing and anticipated home construction. This request is separate and distinct from KIGR holdings within Ocean Park, which are subject to the existing 2010 DA.

Background:

Beginning in 1994, with the original Development Agreement and continued with subsequent renewals in 2005 and 2013, Ocean Park (formerly known as Cougar Island) was designated as R-2 with a density limit of 1.5 DU/ac (360 DUs) and dwelling unit types allowing for only single family detached, including patio homes and zero lot line types. Since initiation of development in 2013, 198 homesites have been platted of which 5 are non-buildable member lots. This represents 100% completion of the homesite development implemented by Kiawah Partners. To date approximately 134 homes have been completed or are under construction with another 20 homes in ARB design review. During the time period of the 2013 DA, the standards of that agreement were in force.

Upon expiration of the 2013 ARDA on December 4, 2023 all development standards reverted to the existing TOKI R-2 standards of Chapter 12, Article II, Division 2., Sec. 12-66, which are exactly the same as the 2013 DA R-2 except for the minimum side yard for lot sizes in the 8,000-11,999 category, which changed from 10' to 15'. This has had no impact to continued design and construction of the majority of homes on large lots; however, homes within Front Nine Lane and the Marsh Walk area that flank the Marsh House, as well as nearby homes / homesites, are directly impacted by the side yard increase. This increase in dimension has resulted in an adverse impact on 57 homes (50 existing / 7 future) that were specifically platted anticipating 10' side yards. Existing homes built / under construction with previous standards are now no-conforming; however, new home design is more adversely impacted by the 50% increase in side yard standards.

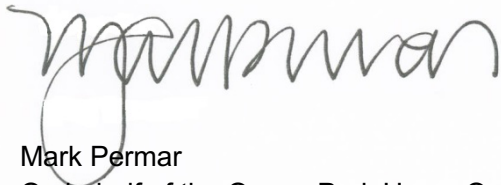
To address this impact there are two paths that could be considered:

- Alt 1: Text Amendment to the R-2 zoning classification to revise the side yard dimension for the 8,000 -11,999 size lot to be consistent with like-kind lots within the R-1 and R-3 classifications. This alternative would impact all R-2 locations within Kiawah Island.
- Alt 2: Map Amendment to change from R-2 to R-1 zoning classification within Ocean Park for the 198 homesites. This alternative would impact only Ocean Park.

Recommendation:

The OP HOA recommends the TOKI consider initiating Alt 2 to specifically address this issue for the impacted property owners. The R-1 classification would result in a zoning standard directly aligned with existing residential development pattern, eliminate the nonconforming status and provide a consistent submittal process for the few remaining homesites. The property owners are prepared to actively support the TOKI in advancing this process, in a manner the TOKI initiated a series of rezonings of various neighborhoods conducted by the TOKI during the termination of ARDA in 2023.

Thank you for your service to the community.

A handwritten signature in black ink, appearing to read "Mark Permar". The signature is written in a cursive style with a large, prominent initial "M".

Mark Permar

On behalf of the Ocean Park Home Owners Association Board and Members

Cc

OP HOA Board Members:

Taylor Clarkson

Paul Curth

Brian Summers

Dan Whalen

COMPREHENSIVE PLAN AMENDMENT REQUEST | FUTURE LAND USE MAP

CASE#: ACP25-000001 | Ocean Park Area

- 1) Request to change the Future Land Use designations from Medium Density Residential to Low Density Residential for the subject properties:**

TMS# 207-00-00-015, 265-16-00-001,-002,-003,-004,-005,-006,-007,-008,-009,-010,-011,-012,-013,-017,-018,-019,-020,-021,-022,-024,-025,-027,-028,-030,-032,-033,-034,-035,-036,-041,-042,-043,-044,-045,-046,-047,-048,-049,-050,-051,-052,-053,-054,-055,-056,-057,-058,-059,-060,-061,-062,-064,-065,-066,-067,-068,-069,-070,-071,-072,-073,-077,-078,-079,-080,-081,-082,-083,-084,-085,-086,-088,-089,-090,-091,-092,-093,-094,-095,-096,-097,-098,-099,-100,-101,-102,-103,-104,-105,-106,-107,-108,-109,-110,-111,-112,-113,-114,-115,-122,-123,-124,-125,-126,-127,-128,-129,-130,-131,-132,-136,-137,-138,-139,-140,-141,-142,-143,-144,-145,-146,-147,-148,-149,-150,-151,-152,-153,-154,-155,-156,-157,-158,-161,-163,-165,-166,-167,-169,-170,-171,-172,-173,-174,-175,-176,-177,-178,-179,-181,-182,-183,-185,-189,-190,-191,-192,-193,-194,-195,-196,-197,-198,-199,-200,-201,-202,-203,-204,-205,-206,-207,-208,-209,-210,-211,-212,-213,-214,-215,-216,-217,-218,-219,-220,-221,-222,-223,-224,-225,-226,-227,-228,-229,-230,-231,-232,-233,-234,-235,-236,-237,-238,-239,-240,-241,-242,-243,-244,-245,-246,-247,-248,-249,-250,-251

- 2) Request to change the Future Land use designation from Medium Density Residential to Civic and Institutional for the subject property TMS# 207-00-00-030.**
- 3) Request to change the Future Land use designation from Medium Density Residential to Active Recreation and Open Space for the subject property TMS# 265-16-00-148.**
- 4) Request to change the Future Land use designations from Low Density Residential to Active Recreation and Open Space for the subject properties TMS# 265-16-00-185 & 207-00-00-020.**
- 5) Request to change the Future Land use designation from Medium Density Residential to Active Recreation Residential and Open Space for the subject property TMS# 265-16-00-186.**

ZONING MAP AMENDMENT REQUEST

CASE#: REZ25-000001 | Ocean Park Area

- 1) Request to rezone from R-2, Residential to R-1, Residential for the subject properties:**

TMS# 207-00-00-015, 265-16-00-001,-002,-003,-004,-005,-006,-007,-008,-009,-010,-011,-012,-013,-017,-018,-019,-020,-021,-022,-024,-025,-027,-028,-030,-032,-033,-034,-035,-036,-041,-042,-043,-044,-045,-046,-047,-048,-049,-050,-051,-052,-053,-054,-055,-056,-057,-058,-059,-060,-061,-062,-064,-065,-066,-067,-068,-069,-070,-071,-072,-073,-077,-078,-079,-080,-081,-082,-083,-084,-085,-086,-088,-089,-090,-091,-092,-093,-094,-095,-096,-097,-098,-099,-100,-101,-102,-103,-104,-105,-106,-107,-108,-109,-110,-111,-112,-113,-114,-115,-122,-123,-124,-125,-126,-127,-128,-129,-130,-131,-132,-136,-137,-138,-139,-140,-141,-142,-143,-144,-145,-146,-147,-148,-149,-150,-151,-152,-153,-154,-155,-156,-157,-158,-161,-163,-165,-166,-167,-169,-170,-171,-172,-173,-174,-175,-176,-177,-178,-179,-181,-182,-183,-185,-189,-190,-191,-192,-193,-194,-195,-196,-197,-198,-199,-200,-201,-202,-203,-204,-205,-206,-207,-208,-209,-210,-211,-212,-213,-214,-215,-216,-217,-218,-219,-220,-221,-222,-223,-224,-225,-226,-227,-228,-229,-230,-231,-232,-233,-234,-235,-236,-237,-238,-239,-240,-241,-242,-243,-244,-245,-246,-247,-248,-249,-250,-251

- 2) Request to rezone from R-2, Residential to CS, Community Support for the subject property TMS# 207-00-00-030.**

- 3) Request to rezone the subject properties TMS# 265-16-00-148 & -185 from R-2, Residential to PR, Parks and Recreation.**

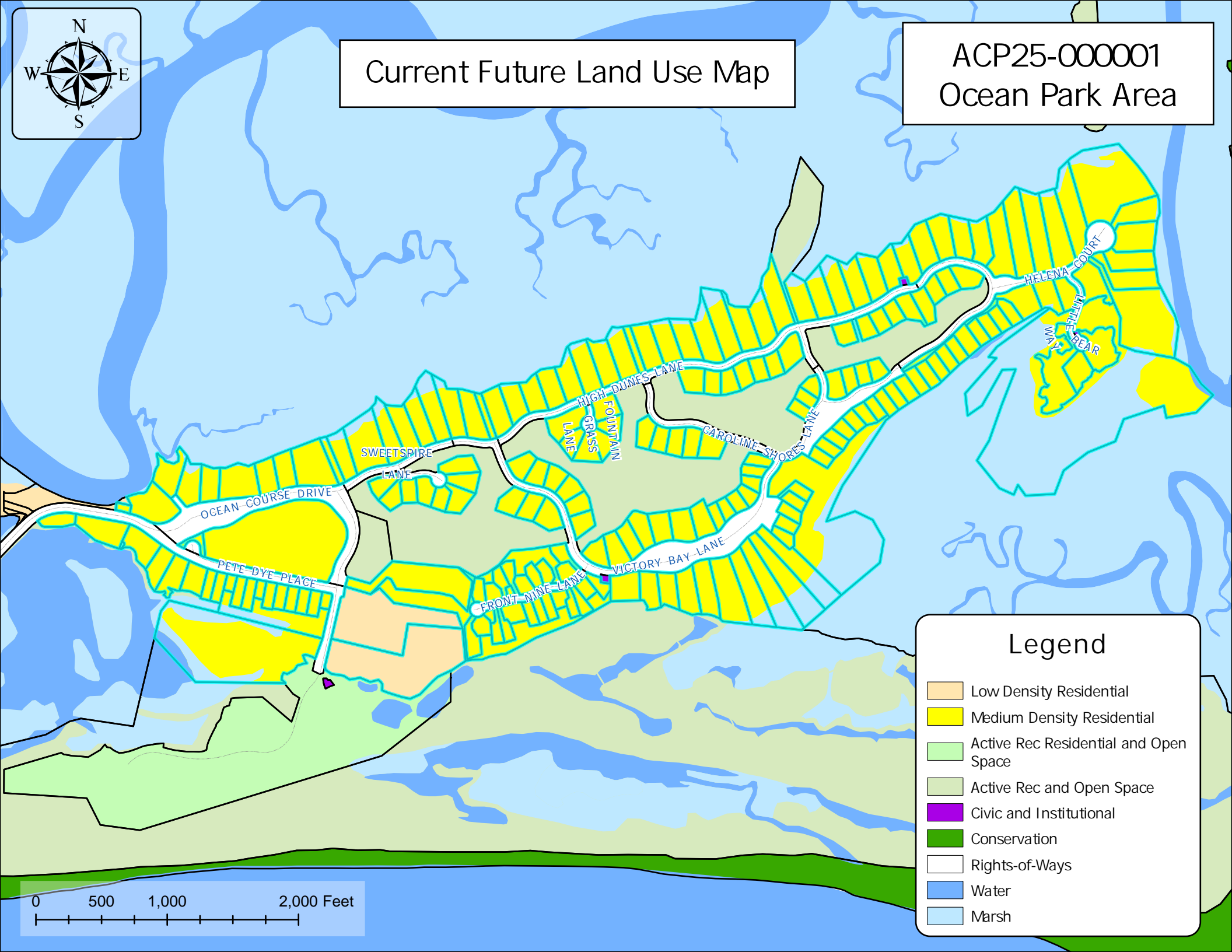
This is a notification to area property owners and other interested parties that the Town of Kiawah will hold a Public Hearing (Tuesday July 1, 2025 at 1:00 PM) at the Kiawah Island Municipal Center, located at 4475 Betsy Kerrison Parkway, Kiawah Island, SC 29455 for the referenced requests. The Planning Commission will consider recommendation on June 4, 2025. [Public Comment Portal available online.](#)





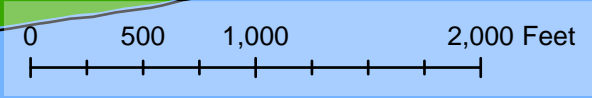
Current Future Land Use Map

ACP25-000001
Ocean Park Area



Legend

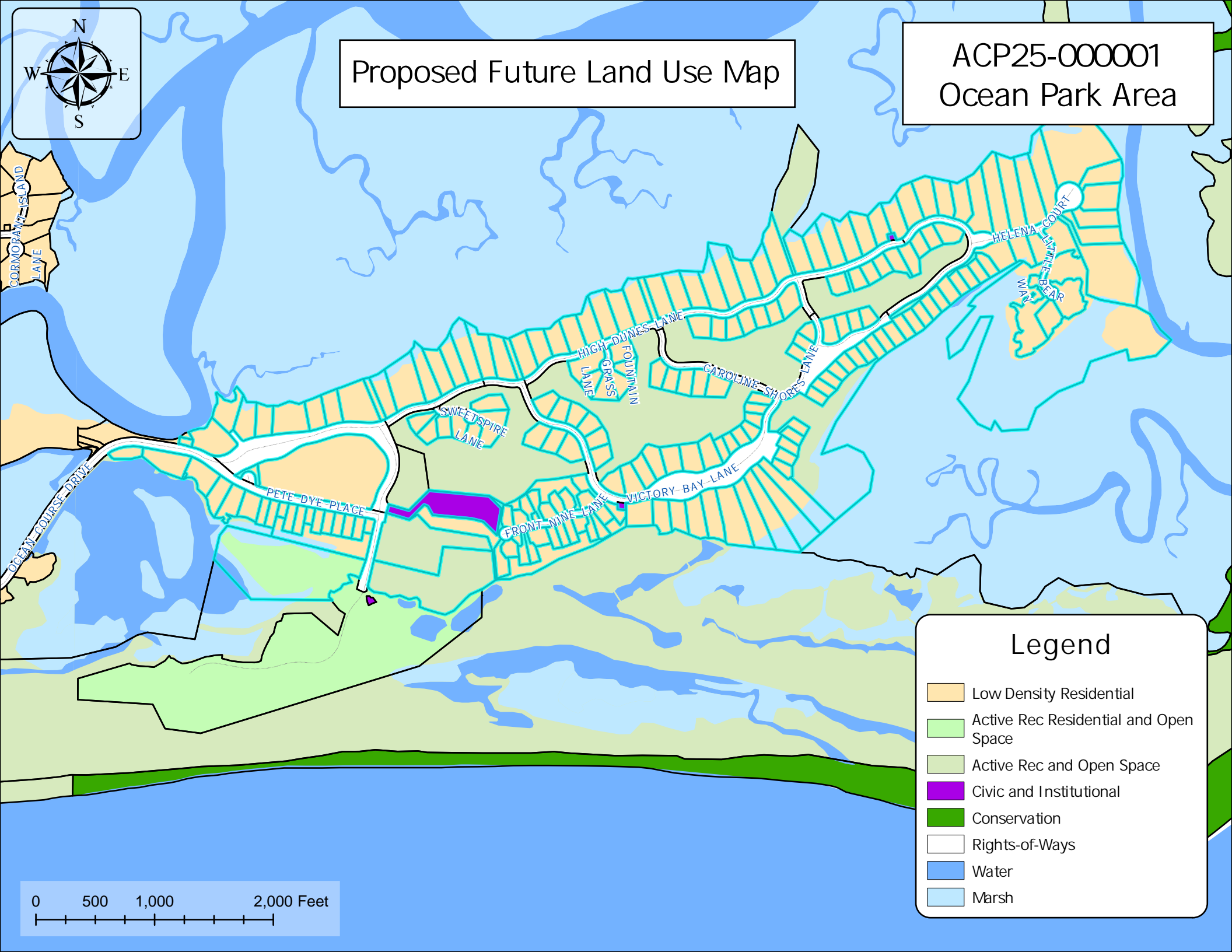
- Low Density Residential
- Medium Density Residential
- Active Rec Residential and Open Space
- Active Rec and Open Space
- Civic and Institutional
- Conservation
- Rights-of-Ways
- Water
- Marsh





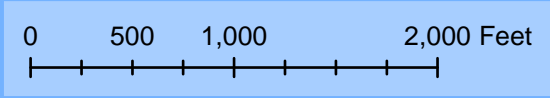
Proposed Future Land Use Map

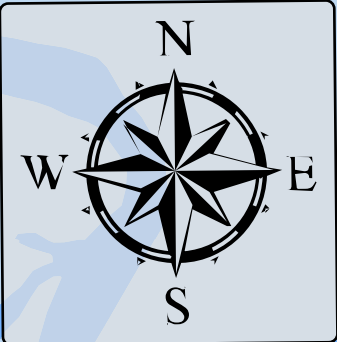
ACP25-000001
Ocean Park Area



Legend

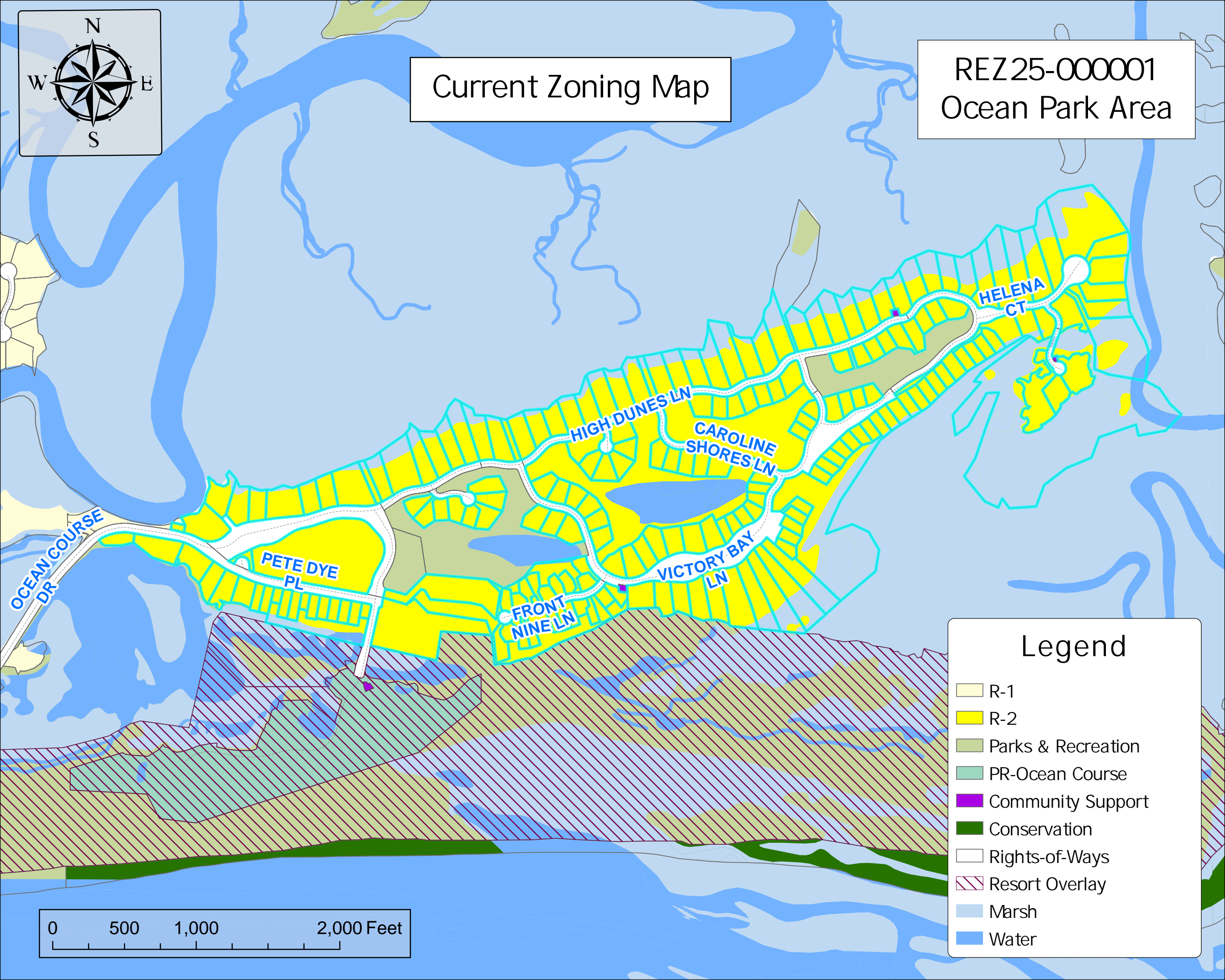
- Low Density Residential
- Active Rec Residential and Open Space
- Active Rec and Open Space
- Civic and Institutional
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- Water
- Marsh





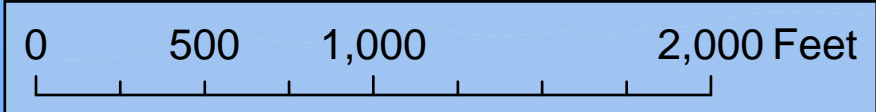
Current Zoning Map

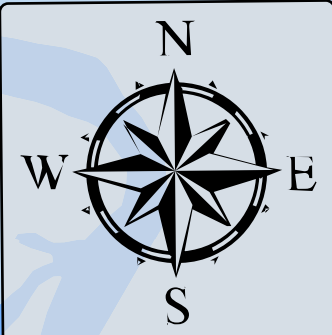
REZ 25-000001
Ocean Park Area



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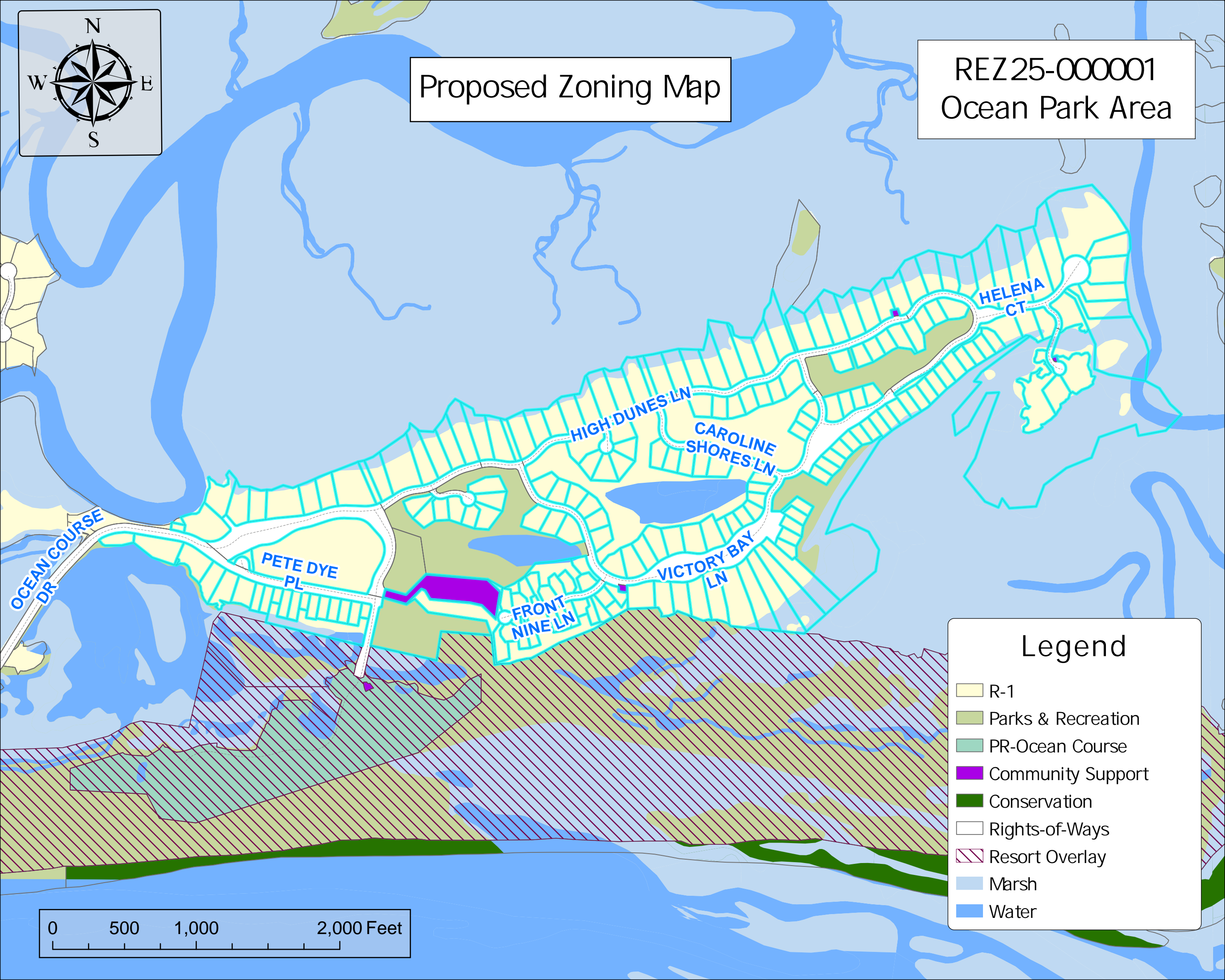
- R-1
- R-2
- Parks & Recreation
- PR-Ocean Course
- Community Support
- Conservation
- Rights-of-Ways
- Resort Overlay
- Marsh
- Water





Proposed Zoning Map

REZ 25-000001
Ocean Park Area



Legend

- R-1
- Parks & Recreation
- PR-Ocean Course
- Community Support
- Conservation
- Rights-of-Ways
- Resort Overlay
- Marsh
- Water

