

PLANNING COMMISSION MEETING

Kiawah Island Municipal Center

August 6, 2025, 1:00 pm

Minutes

I. **Call to Order:** *Ms. Hennessy called the meeting to order at 1:00 pm.*

II. **Roll Call:**

Present: Joanne Hennessy, *Chair*
Larry Iwan, *Vice Chair*
Gene Babinec
Sandy Devine
Maribeth Schmersal
Rob Ryan

Also Present: John Taylor, Jr., *Planning Director*
Daniel Vincent, *Planner 1*
Patrea St. John, *Planner 1*
Mac McQuillin, *Town Attorney*

III. **Approval of Minutes:**

A. Planning Commission Meeting Minutes of July 2, 2025

Mr. Ryan made a motion to approve the minutes of the July, 2025, Planning Commission meeting. Ms. Schmersal seconded the motion, and it was approved unanimously.

IV. **Public Comments:** *(Agenda Items Only)*

Mark Permar, 81 Dungannon Hall, stated he had comments on both old and new business items. He provided a handout for commissioners and requested to offer his comments during the discussion of each agenda item rather than all at once, which was accepted by the Chair.

Ben Daily, owner of Royal Indigo Construction, who has been building on the island for 25 years, provided information about padel courts. He noted that the standard height for Padel court fencing is 4 meters tall (approximately 13.2 feet), which is 1.2 feet taller than the current 12-foot maximum fence height requirement in the proposed regulations.

Mr. Daily explained that Padel courts cannot be modified to smaller dimensions as the game is played off the backboard. He also addressed lighting concerns, noting that his company has worked with various island entities to demonstrate that court lighting can be designed not to impact adjacent properties, the beach, or roadways. He suggested that rather than prohibiting lighting altogether, the town could consider a case-by-case approach for the limited number of properties that could accommodate sports courts.

The Chair acknowledged Mr. Daily's input but emphasized that lighting restrictions are important not only for neighbors but also for wildlife protection. Mr. Daily indicated he would provide additional information to the commission, including details on noise levels, which he noted would be less intrusive than pickleball.

V. Old Business

A. Zoning Text Amendment Application(s):

1) #AZO25-000004 | Use Regulations (Ordinance 2025-10)

An Ordinance to Amend Chapter 12-Land Use Planning and Zoning Ordinance Article II-Zoning Division 3-Use Regulations and Section 12-374 – Definitions to refine and regulate uses which are compatible with the purpose of that district, with or without conditions, or to restrict uses.

(1st Reading Approved by Town Council July 1, 2025)

Mr. Taylor presented the Use Regulations ordinance and explained that Town Council had discussed the accessory uses section and made clarifications to the ordinance at the July 1st Town Council meeting.

The first change was to Section 12-164 regarding fuel stations, clarifying the difference between fuel pumps and fuel bays. The Council reduced the maximum number from 6 to 4 fuel pumps (serving 8 fuel bays) and added a definition for fuel bay to Section 12-374.

The second change broadened the definition of "private tennis courts" to include "Padel, pickleball, or other similar sports courts" in the accessory structures section for residential districts.

A significant discussion followed regarding the scope of "similar sports courts." Commissioners debated whether the language should be broader to include all sports courts or more specific to racket sports. Concerns were raised about the potential noise impacts of sports like basketball compared to tennis or pickleball.

The Commission also discussed the current 20-foot setback requirement for sports courts from adjoining properties, with some commissioners noting this might not be sufficient distance for noise buffering and visual impact. Commissioner Devine suggested that administrative exceptions might be appropriate in some cases, while maintaining stricter standards for others.

Mr. Taylor suggested that the commission could consider adding specific conditions for proper screening, increased distances, and potentially time-of-use restrictions. He also noted that prohibiting lights on sports courts would naturally limit the hours of use.

The Commission agreed to revisit the issue at the September meeting with refined language addressing: (1) broadening the scope to include all sports courts, (2) potentially increasing setback requirements, (3) maintaining the prohibition on lighting, and (4) addressing the height limitation for Padel courts.

Ms. Schmersal made a motion to table the item to allow for clarification of language regarding sports courts. Mr. Ryan seconded the motion, and it was approved unanimously

B. Zoning Text Amendment Application(s):

1) Update Establishing Town of Kiawah Island Architectural Review Controls

Mr. Taylor provided an update on the Town's efforts to establish its own architectural review controls. He explained that the purpose was for the Town to have a vehicle to introduce architectural design standards, noting that the joint Kiawah Island Community Association and Town of Kiawah Island task force looking at transitioning the existing architectural review board has been in a state of uncertainty for over two years.

Ms. Devine and Mr. Ryan were selected at the last meeting to spearhead next steps. They have suggested that staff draft an ordinance for review in September, using an identified model that is

straightforward. The scope would be specific to commercial and multifamily properties at this point.

Mr. Taylor emphasized that the proposed Town's architectural review controls would include any property within the Town's jurisdiction, including any future annexed properties. This would include properties within town boundaries that are not currently subject to the existing ARB oversight.

The Commission agreed to continue the process with the goal of having a draft ordinance to review at the September meeting.

2) Proposed Beachfront Overlay District

Mr. Taylor and Ms. Schmersal presented the proposed beachfront overlay district and provided context through a slide presentation, explaining that the overlay aims to establish a consistent visual, spatial, and ecological transition zone between developed areas and the beach.

Key factors in developing the overlay included:

- Most beachfront properties are single-family residential, while remaining undeveloped lands are primarily non-single family
- Recent multifamily developments on the West End have created larger mass structures with more prominent visual impact
- Kiawah has a unique protection layer where land has been conveyed to the community association for much of the beachfront
- Beachfront setbacks vary across the island, ranging from 20 to 120 feet
- The center part of the island around Eugenia Avenue presents challenges regarding the distance from the baseline, raising long-term resiliency concerns

Mr. Taylor demonstrated an interactive GIS tool that showed how the proposed 150-foot overlay zone would affect different properties along the beachfront. The overlay would establish two zones:

- Zone A (closer to the ocean): No structures permitted
- Zone B (further inland): Height maximum of 10 feet

Mr. Permar commented that applying a 150-foot standard would capture entire houses on Eugenia Avenue, not just partially. He questioned why the overlay extended to 150 feet rather than 100 feet, noting there appeared to be no standards proposed for the area between 100-150 feet.

The Commission discussed how the overlay would affect existing structures, which would be grandfathered but subject to new standards if redeveloped beyond a certain threshold (50% of structure value). They also discussed the impact on pools, potential height restrictions, and administrative exceptions.

Ms. Devine raised questions about lot coverage calculations if the developable area is reduced, and Ms. Schmersal noted they need to better understand where the beach might be less stable and how that affects the overlay parameters.

The Commission agreed to continue working on the proposal with the goal of having something to vote on at the September meeting. Mr. Taylor and Ms. Schmersal would work to refine the concept, addressing the questions raised about the 150-foot distance, modulated building heights, and appropriate standards for different zones.

VI. New Business

A. Zoning Text Amendment Application(s)

#AZO25-000008 Modified Zoning District Standards

An ordinance to Amend Chapter 12- Land Planning and Zoning Ordinance Article II- Zoning, Division 2- Zoning Map/Districts to modify zoning standards including but limited to lot coverage, height, and setbacks within several residential, resort, commercial, community support, and parks and recreation zoning districts.

Mr. Taylor presented proposed changes to zoning district standards that would modify lot coverage, height, and setbacks in various zoning districts. The key changes included:

- R-3 Residential: Reducing multifamily and townhouse maximum lot coverage from 60% to 40%
- Commercial: Reducing maximum lot coverage from 70% to 50%
- RST-1 (Resort): Reducing lot coverage from 70% to 50% and introducing a tiered height system related to setbacks
- RST-2: Elimination of the 4-story/55-foot height option, making 3 stories/55 feet the maximum
- Parks and Recreation: Reducing maximum lot coverage from 70% to 60%

Mr. Permar provided extensive comments, noting that while he supported revisiting zoning standards, he was concerned that the proposed changes would make virtually all existing multifamily properties non-conforming. He suggested:

- Creating new zoning classifications for undeveloped areas rather than making existing developments non-conforming
- Maintaining 70% lot coverage for commercial districts
- Recognizing the existing development agreement with KIGR that allows for expansion of the Sanctuary Hotel with 175 additional rooms
- Considering the West Beach area where significant capital improvements have been made in anticipation of development

The Chair explained that the impetus for these changes came from community input during the comprehensive plan process, with goals to limit density, reduce traffic problems, limit stress on infrastructure, and protect natural habitats.

Several commissioners expressed concerns about the commercial district reduction from 70% to 50% lot coverage, with Mr. Ryan noting this might be too restrictive based on his experience.

Ms. Devine made a motion to approve AZO25-000008 and Ms. Schmursal seconded the motion to open discussion. Mr. Ryan made a motion to amend Section 12-68 Commercial lot coverage to remain at 70%. Ms. Schmursal seconded the motion and the motion passed with 6 ayes and 1 nay vote by Mr. Iwan.

VII. Correspondence/Staff Comments

A. Kiawah Next Update

Mr. Taylor reported that the Comprehensive Plan is scheduled for public hearing at the September Town Council meeting. The plan has been shared with the community for additional comments and will go through the regular process with two readings of Town Council.

B. Development Project Updates

Mr. Taylor noted there were four major projects underway:

- o Seafields
- o MUSC (continuing to move at pace)
- o Night Heron Park Activities Center
- o Ocean Pines (with an update expected next week)

He also mentioned that staff would be meeting with Charleston County the following week to discuss the urban growth boundary, in collaboration with the Town of Seabrook.

C. Resiliency Committee Updates

Ms. St John reported that the Resiliency Committee did not meet in July, but its subcommittees have been active. The Go Green Sub-Committee is working to reinvigorate previous efforts, and the Education Committee is planning a program called "Kiawah Conversations" for the fall, which will include panel discussions and field trips.

VIII. Public Comments:

Mr. Permar thanked the commission for allowing him to participate in the discussions.

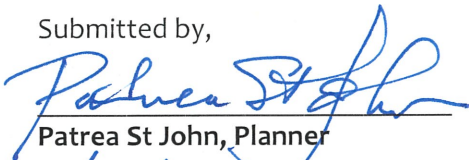
IX. Commissioner Comments:

Mr. Iwan clarified that his no vote on the zoning text amendment – Modified zoning district standards was not against the intent of the changes but rather the process.

X. Adjournment

Mr. Ryan made a motion to adjourn the meeting. Ms. Schmersal seconded the motion. The motion was approved unanimously at 3:20 pm.

Submitted by,



Patrea St John, Planner

9/18/25

Date