

SPECIAL CALL PLANNING COMMISSION MEETING

Kiawah Island Municipal Center

February 26, 2025, 9:00 am

Minutes

I. **Call to Order:** *Mr. Iwan called the meeting to order at 9:04 pm.*

II. **Roll Call:**

Present: Larry Iwan, *Vice Chairman*
Sandy Devine
Maribeth Schmersal

Present via Zoom Gene Babinec

Also Present: John Taylor, Jr., *Planning Director*
Patrea St. John, *Planner I*

III. **Approval of Minutes:**

A. Planning Commission Meeting Minutes of January 8, 2025

Mr. Iwan made a motion to defer the approval of the Planning Commission Meeting Minutes of January 8, 2025, until the next meeting. Mr. Babinec seconded the motion. The motion was approved unanimously.

B. Planning Commission Meeting Minutes of February 5, 2025

Mr. Iwan made a motion to defer the approval of the Planning Commission Meeting Minutes of February 5, 2025, until the next meeting. Mr. Babinec seconded the motion. The motion was approved unanimously.

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

None

V. **Old Business**

A. **Zoning Text Amendment**

1) #AZ025-000001 \ Zoning Permits

Request to amend Section 12-165 – Zoning Permits. And Section 12-374 Definitions to clarify items in which a zoning permit shall be required.

Mr. Taylor stated that the proposed text amendment adds clarity for a few specific items that will require a zoning permit; fences and erosion control devices and docks. Mr. Taylor shared, generally when fences are part of new construction they are reviewed as part of the overall site plan however there have been a few instances of adding fences after construction completion so seeking clarity that all fences will require a zoning permit.

Mr. Taylor shared, the Town currently has a key dock location ordinance and adding this language will require a formal zoning permit to allow review of the state permit for consistency with the local key dock ordinance.

Regarding erosion control devices or structures include bulkheads, revetments, sea walls, living

shorelines which interface the critical area and highlands, the proposed ordinance would allow the review of these devices simultaneously with the state and help facilitate discussions of potential impact to adjacent neighbors.

In 2023, the Town adopted the Comprehensive Marsh Management Plan and one of the recommendations was to regulate bulkheads and other flood/erosion control structures upland of the critical line.

Mr. Babinec asked if there are any standards currently in place for how bulkheads are built or sited and how we actively engage property owners on new requests.

Mr. Taylor discussed the challenges of coordinating and permitting these type projects based on the state's review process and that it has been a best practice to encourage the applicant to reach out to adjacent neighbors.

Ms. Devine questioned what are the unintended consequences we should consider.

Mr. Taylor shared potential issues with the review process if there were no criteria for approval established. If no criteria is established and the Town were to deny a bulkhead, after an engineer states it is the best solution, then the applicant would need to appeal the decision regarding potential protection of their property. Mr. Taylor stated it is important to establish the criteria that provide guidance in approving or denying a bulkhead.

Mr. Iwan inquired that when the standards and particular criteria are developed would they be reviewed by the Planning Commission.

Mr. Taylor replied that initially it would be an application and an effort to engage with the applicant and inquire about possible adjacent property effects but specific standards in the zoning code would be brought to the Planning Commission for review.

Mr. Iwan called for a motion to approve the text amendment in section 12-165 zoning permits.

Ms. Schmersal made a motion to approve the text amendment Zoning Permits. Ms. Devine seconded the motion.

Discussion

Mr. Babinec expressed concern that without standards and guidelines for erosion control devices, this maybe getting ahead of the permitting process.

Mr. Taylor stated we may add some initial criteria such as reaching out to adjacent neighbors, requiring a landscape plan and possibly duplicating state requirements such as rate of erosion.

Mr. Iwan responded that this proposed amendment would start the process and that we would not deny bulkheads until the specific criteria is developed.

Mr. Iwan called for the vote.

The motion to approve the text amendment Zoning Permits was approved with 3 "Aye" vote and 1 "no" vote. (Mr. Babinec voting no.)

Mr. Iwan called for a motion to approve the proposed changes to the Municipal Code Article 17 Tideland Management – Chapter 2 Bank Retention Systems.

Ms. Devine made a motion to recommend approval of the proposed changes to the Municipal Code Article 17 Tideland Management – Chapter 2 Bank Retention Systems. Ms. Schmersal seconded the motion.

The motion was approved unanimously.

B. Discussion of Planning Priorities for 2025

Mr. Taylor stated that completing the Comprehensive Plan and the Beach Management Plan are two plans that are required by the state for this year. In addition, the development of Stormwater management standards and implementation of the Marsh Management Plan are priority for the

island's resilience.

Once the Comprehensive plan is complete Planning Commission requests a proposed summary of recommendations and priorities for those recommendations.

Additional items which will be coming before the Planning Commission

- Cell Phone Coverage
- Use Table in Zoning Ordinance
- Regulatory Ordinances – process and administrative
- New Development Agreement with Resort
- Planned Development for Upper Beachwalker Parcels

VI. Correspondence/Staff Comments:

A. Development Project Updates

Mr. Taylor shared the following updates:

The proposed Orange Hill development will be moving forward with Charleston County.

Main Road Corridor Segment C has been cancelled due to lack of funding.

Mr. Taylor also highlighted that next month's agenda will have subdivision plats for the area around the Cape/turnaround.

VII. Public Comments: none

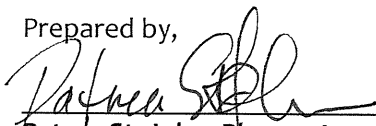
VIII. Commissioner Comments:

Mr. Babinec requested the election of officers be placed on next month's agenda.

IX. Adjournment:

Ms. Devine made a motion to adjourn the meeting at 9:57 am. Mr. Babinec seconded the motion, and it was unanimously approved.

Prepared by,


Patrea St. John, Planner I

3/11/2025
Date