

# Town of Kiawah Island Proposed Beachfront Overlay Zoning District

## Overview

The Town of Kiawah Island's proposed Beachfront Overlay District (BOD) protects the beach/dune system, guides the siting and intensity of development along the beachfront, and ensures long-term shoreline resilience in the period of more frequent and intense storms and natural events. The proposed BOD is consistent with *KiawahNext* the Town's 2025 Comprehensive Plan and aligns with the South Carolina Beachfront Management Act, the Town's Local Comprehensive Beachfront Management Plan, and the Town's Article 16 Beach and Waterways (Beachfront Jurisdiction and Management). The proposed BOD works to preserve the integrity of Kiawah Island's key natural resource addressing dune encroachment and loss of critical habitat while preserving the character. The proposed BOD establishes two buffer zones, protecting the beach/dune system through development standards in height, setbacks, lot coverage, and landscaping. This establishes permitting controls in an effort to avoid irresponsible development while ensuring preservation of natural beach processes as a first line of coastal defense. The proposed BOD is under consideration by the Planning Commission.

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## Why is the Town considering a Beachfront Overlay?

Kiawah Island's beachfront, dune system, and adjacent marshes are defining elements of the Town's natural character, ecological health, and economic vitality. These coastal resources support biodiversity, recreation, tourism, and scenic beauty, while also serving as essential natural infrastructure protecting the island from coastal flooding, storm surge, and erosion. The preservation and proper management of these systems are central to Kiawah Island's identity as a coastal community and to the long-term resilience of Kiawah.

The beaches and dunes are inherently dynamic systems shaped by tides, storms, wind, and long-term sea level trends. Shoreline erosion, accretion, and landward migration are natural processes and will likely intensify as sea level rise combines with more intense and more frequent storms. Structures and development activities built within or adjacent to these natural resources are impacted by and impact the movement of these natural systems. When constructed near shorelines, buildings, accessory structures, decks, walkways, walls, fences, and other man-made improvements must be deliberately sited and constructed to avoid an increase in erosion and/or interference with natural sand movement, marsh health, and floodwater movement. Additionally, during coastal storm and flooding events both predicted and unpredicted, damaged structures may release debris, pollutants, and hazardous materials into the beach and nearshore environment, resulting in harm to these resources, neighboring properties, and sensitive wildlife habitats. Reliance solely on current FEMA Flood Insurance Rate Map (FIRMs) and minimum building code standards is unlikely to adequately protect the beach/dune system whose flora provides natural

infrastructure stabilizing and further protecting properties, buildings, infrastructure, and coastal resources. Development and activities that inhibit these natural processes increase long-term risk to property, accelerate erosion, and threaten the sustainability of the Island's beachfront environment.

Proactive management of development along Kiawah Island's beachfront is the purpose of the Beachfront Overlay Zoning District to support development and redevelopment that:

- Protects the integrity, natural function and resilience of beaches, dunes, and coastal systems thereby supporting coastal resilience that reduces risk to life, property and infrastructure;
- Balances the reasonable use of private property with the long-term public interest in preserving Kiawah Island's coastal resources.
- Protects the aesthetic value and character of Kiawah by Living with Nature as described in the Comprehensive Plan;
- Preserves sensitive wildlife habitat and ecosystems inclusive of the maritime forests;
- Encourages development practices that are adaptable to changing coastal conditions;
- Promotes environmental stewardship aligning with the goals of the Comprehensive Plan; and
- Minimizes future costs associated with erosion, flooding, and storm damage.

The Beachfront Overlay Zoning District is intended to supplement the underlying zoning districts by establishing additional standards and review procedures tailored to the unique environmental and development conditions of Kiawah Island's beachfront. The overlay is not intended to prohibit development, but to ensure that development occurs in a manner that is compatible with long-term shoreline dynamics, coastal resilience, and the Town's Comprehensive Plan vision.

## Why a beachfront overlay matters for Kiawah?

- **Protects the integrity of Kiawah's dunes.** The dune system provides the first line of defense against storm surge and wave energy, traps windblown sand and sustains dune vegetation and wildlife habitat. Local zoning controls restrict or prevent grading, structural encroachment and vegetation loss that weaken dune resilience. For oceanfront developments, dunes are vital natural barriers against storms. Destroying, altering, and replacing these coastal dunes and their deep-rooted native grasses destroys flood protection, increases erosion, harms coastal ecosystems, and often involves invasive species. From the far east end to the far west end of the beachfront, the depth of vegetation and maritime forest differs drastically. A maritime forest is a unique coastal woodland found on barrier islands and mainland shores, characterized by salt-tolerant trees (like Live Oak, Palmetto, Magnolia) adapted to strong winds, salt spray, and sandy soils, acting as vital buffers against storms, stabilizing shorelines, and providing crucial habitats for diverse wildlife, though vulnerable to development and sea-level rise. As a result of

Kiawah's dynamic beach profile and development activity and patterns, preservation of natural systems is critical.

*(Varying depth of natural vegetation and protection)*



- **Protects the aesthetic value and supports development that is compatible with Kiawah's Living with Nature principle.** Low density development that is being designed in harmony with nature is consistent with Kiawah's vision. Tall, massive buildings are inconsistent because they dominate the landscape rather than blending in and meshing with it. Large houses, condominiums, hotels, and other large buildings should be located on large parcels or lots and should be set back from property lines to reduce their visual impact from streets, the beach, other open spaces and neighboring lots. Careful siting and attention to design, particularly building massing, scale and height, will serve to achieve this goal and retain the natural character of Kiawah. As Kiawah enters redevelopment, nearly completing its first development cycle, it is critical that the Town considers zoning measures to ensure character preservation along the beachfront. Furthermore, the Kiawah community has expressed concern and discontent with recent developments on the far west end where development created a larger visual presence and impact on Kiawah's beach profile. Given that the property boundaries for several properties across the ocean front extend to the MHW Line, should the State's jurisdictional baseline standards not be in place, a development's impact to the beach and dune system could be further exacerbated. Local zoning standards and additional restrictions address these raised concerns for both future development and redevelopment.

*(Parcel Boundaries extend to Meah High Water Line)*



- **Protects sensitive habitat and ecosystems and promotes environmental stewardship.** Kiawah's beach and dune system support some of the island's most sensitive and valuable ecosystems. The shoreline provides critical nesting habitat for shorebirds such as terns and plovers, resting areas for migrating birds as Red Knots, and nighttime nesting sites for threatened Loggerhead Sea Turtles. Dunes transition into maritime forests that shelter deer, bobcats, and a wide variety of bird species. There has been some decline in nesting and loss of habitat. Kiawah's dune system includes expansive flora and fauna. ([Dune Plants of Kiawah Island](#) – Kiawah Conservancy). Kiawah's historically healthy bobcat population began declining in 2017 due primarily to increased mortality as a result of anticoagulant poisoning. Bobcats make extensive use of scrub-shrub, forest, and developed areas for nighttime hunting forays. Bobcats prefer scrub-shrub habitat along marsh edges and secondary dunes for daytime resting cover. The Town continues to promote the preservation of critical habitat for wildlife. In combination with seasonal restrictions and habitat protected areas from human activity, protecting these interconnected habitats and dune plants requires limiting disturbance from development activity.
  
- **Creates consistency in an array of development standards along the beachfront.** Kiawah's beachfront has varying property types and applicable zoning standards.

  - There are eight (8) different zoning districts along the beach front with varying development standards.
    - R-1, Residential
    - R-2, Residential
    - R-3, Residential
    - RST-1, Resort
    - RST-2, Resort
    - RST-1/R-3
    - PR, Parks and Recreation
    - KC, Conservation
  - There are parcel boundaries in various sections of the beachfront that extend to the Mean High Water (MHW) Line (West End – Timbers, Cape) (Royal Beach). These platted properties differ from the vast majority of parcels platted along the beachfront.
  - Rear setback standards vary for properties adjacent to the beachfront. They range from 20' to 120' depending on property and zoning district. Rear property setbacks also factor the height of structures as the oceanfront setbacks for resort zoning districts include tiered building heights.

- South Carolina Beachfront jurisdictional lines encroach into platted properties in varied locations across the beach and dune system. These include developed lots along Eugenia Ave, which create areas of concern for long-term resiliency.
- The redevelopment pattern of Eugenia properties has shifted from smaller one story slabs on grade homes to larger structures on piers closer to the ocean. Additionally, until recent adoption by the Town many of the homes were not subject to any architectural design review.
- Based on the current allowances, recent developments have negatively impacted the structure of key dunes along the ocean front with detrimental site grading and the conversion of critical dunes to lawn areas. These are non-natural activities that conflict with natural recovery process for dunes.

*(Areas of dune conversion to lawn)*



- **Embraces ecotourism.** *KiawahNext* directs the Town to synergize ecotourism. The beach is Kiawah’s prominent natural resource and an ecotourism asset. Walking the beach feels natural and not urbanized, viewsheds remain open and uncluttered and wildlife encounters are more likely. The preservation of the scenery and the ecosystem that draws visitors and residents have come to esteem, helps maintain Kiawah’s identity and value as a low-density, nature-first destination rather than a built-out resort beach, in contrast to many other coastal communities. The Town estimates 300,000 annual nonresident stay visitors. It is important that visitors, property owners, and residents understand the value of these natural resources. This preserves the community experience. Under recommended actions of *KiawahNext*, “*The commission should particularly explore opportunities to position Kiawah as a world class ecotourism destination, leveraging Kiawah’s commitment to the Living with Nature philosophy while focusing on the rich and diverse wildlife population and miles of beach, marshes, river, ponds, and lagoons.*”

- **Aligns resiliency goals and reduces demand for hard armoring.** When dune systems are preserved, property owners and the Town are less likely to resort to seawalls or revetments that accelerate adjacent erosion. The increase in number and intensity of both named and unnamed storm events lead to reducing risks of erosion by preserving dune systems. There are higher rates of erosion on the island's beaches overall observed since 2015. Dunes themselves sacrifice themselves to protect inland areas. Without an extensive dune system, significant damage can occur. Eugenia Avenue and Mariners Watch have experienced vulnerability based upon its historical erosion rate. Examples of significant events.
  - Hurricane Matthew (2016), Kiawah's beach suffered extensive [erosion](#) ~50' (ranging from 30-120').
  - Nor'easter (2023) fourth highest water level on record.

## How does the proposed BOD build on Town goals, policy, regulations and other standards?

- **Article 16 — Beaches and Waterways:** The purpose of [Article 16 - Beach and Waterways](#) is to promote the safe and responsible recreational use of the Town's beaches, marine resources, and environs, and to prohibit uses and activities that would interfere with or impede normal recreational uses, adversely impact wildlife and the environment, or endanger members of the public. The most recent Town amendments to this article refine primary dune protections and management actions. It establishes critical protection for beach and dune systems. The proposed BOD parallels these regulations of ensuring responsible development activity within and adjacent to Kiawah's beach and dune system.
- **KiawahNext (2025 Comprehensive Plan Update):** As Kiawah continues to mature, preserving its distinctive character and broad appeal is essential. Much of Kiawah's allure stems from its natural beauty, including ten miles of beach, maritime forest, ponds, tidal streams, and river frontage. KiawahNext calls for a strategic focus on both the challenges and opportunities in its natural resources. Kiawah faced environmental challenges in the past, and these issues are likely to become more pronounced during the next decade. According to the plan, Kiawah's resilience plans and actions should consider several critical factors. The plan emphasizes preserving the island's natural maritime character and focusing resilience across various elements of the Town operations and responsibilities. Additionally, maintaining and supporting existing programs will become increasingly important as the Town's population continues to grow and sea-level rise challenges the shoreline, flora, and fauna. Under Community Experience, Recommended Action 2.4 *Maintain support for wildlife in Living with Nature initiatives: "This support includes developing a comprehensive wildlife corridor plan that identifies, protects, and enhances habitat connectivity across Kiawah. This includes better understanding how endstage development will impact the increasingly concentrated habitats and movement patterns of wildlife. The Town should incorporate native vegetation and buffers into land development regulations, identify and*

*prioritize environmentally sensitive lands on and off Kiawah for conservation, and collaborate with stakeholders to protect wildlife and their habitats.*” The proposed BOD is a direct land-use implementation tool that advances this *KiawahNext* goal by embedding resilience, natural resource and wildlife habitat protection into zoning regulations.

- **South Carolina Jurisdictional Line and regulations:** The South Carolina beachfront jurisdictional lines create a state jurisdictional area where activities associated with habitable structures, pools, renourishment, landscaping, fencing, decks, service lines, and other alterations are reviewed to determine if authorization is required to prevent unwise development and to protect resources along the beachfront. As a known and referenced surveyed line, the proposed BOD uses the state’s jurisdictional baseline for precision in measurements and conflict avoidance. While the state administers beachfront protections, local governments have the ability to further introduce land use controls particularly regarding dune and vegetation management and setbacks from established jurisdictional lines. The proposed BOD adds additional measures of protection which support the same purposes of prevention of unwise development and protection of natural resources.
- **Local Beach Management Plan:** Town of Kiawah Island Local Beach Management Plan (2020) Section 6.1 Policy of Beach Preservation states, “The Beachfront Management Act states very clearly that the policy of South Carolina is to protect, preserve, restore and enhance the beach/dune system. This act also calls for promoting wise use and development of the state’s beachfront by implementing regulatory standards on the ocean side of the DHEC-OCRM (DES-BCM) setback line. Management strategies within this area include limiting the size of habitable structures, requiring oceanfront habitable structures and pools to be located as far landward on a lot as possible, prohibiting new shore-parallel erosion control structures, and promoting beach and dune restoration projects.” Proposed development restrictions under the proposed BOD align with these purposes of beachfront management.
- **Kiawah’s original master plan.** While many of the designs of the developers in the early days created a parklike setting along the beach allowing for the preservation of dune systems, maritime forest, and habitat, areas that were not developed consistently in this method experienced more recent building into this maritime forest and dune system. The duality of impact from natural and manmade actions requires the Town to look forward. The need for a consistent development boundary along the beach front is clear.
- **Site Plan Review Process & Procedures.** There are additional measures that the Town should consider in conjunction with the Wildlife and Natural Resources Department and or Public Works Department. Currently the Town requires staking of boardwalks for review approval to ensure that they are consistent with local and state regulations. Similarly a clear process for dune impact for any development project should be implemented for development projects which encroach on dune systems. These additional administrative steps assist in controlling dune grading and unnecessary vegetation removal.

## Kiawah's current beach (Coastal Science & Engineering's 2024 Monitoring Summary) & Consideration of key indicators.

- Dynamic! Kiawah's beach is one that experiences both accretion and erosion at various periods. Kiawah's monitored sections of beach were described as generally stable in recent updates, with net benefits from north-source sand migration in the short term. However, the monitoring report and town presentations identify localized erosion hotspots and variability along the island that warrant place-specific management and continued monitoring. The CSE 2024 report is a technical basis the Town has used to recommend management triggers, buffers and minimize future risks.
- Hurricane impacts have been variable over the last two to three years, after several consecutive years featuring direct or near-miss impacts to Kiawah Island. Hurricane Matthew in 2016 caused dune recession of 15–40 feet along most of the residential beachfront, with even greater losses west of Beachwalker Park. While walkovers were damaged, property impacts were minimal. Subsequent storms Irma (2017), Florence (2018), Michael (2018), and Dorian (2019)—produced high surf and winds but less beach erosion. Since 2019, hurricane seasons have been relatively quiet, except for Ian (2022) and Idalia (2023), which passed north of the island, bringing offshore winds but no severe impacts. From October 2023 to December 2024, the island experienced relatively calm weather, with no hurricanes impacting the area. Winter storms, featuring strong northeasterly winds, also impact Kiawah Island in some years more than tropical cyclones. Between October 2023 and December 2024, a strong nor'easter in December 2023 triggered the highest non-hurricane water level ever recorded at Charleston Harbor.
- As the Town evaluates the future health of the beach and triggers or criteria which further restricts or relaxes the standards, these are indicators that should determine when mitigation, additional restrictions, or emergency responses are essential:
  - **Shoreline position / shoreline change rate** (annual and multi-year): measured against the Town's baseline (2018 or adopted baseline). Triggers: persistent retreat exceeding defined thresholds (e.g., >X ft/year averaged over 3 years).
  - **Dune toe/crest elevation and dune volume**: loss of elevation or dune volume beyond threshold triggers dune restoration/revegetation requirements.
  - **Berm width and beach width (usable beach width at mean high water)**: narrow usable beach triggers public safety, access and temporary restriction responses.
  - **Vegetation cover and health index** (native dune species presence, percent cover): loss triggers planting/mitigation and prohibition on destructive activities.
  - **Frequency/severity of overwash events and documented storm impact**: repeated overwash may require relocation or modified development standards.

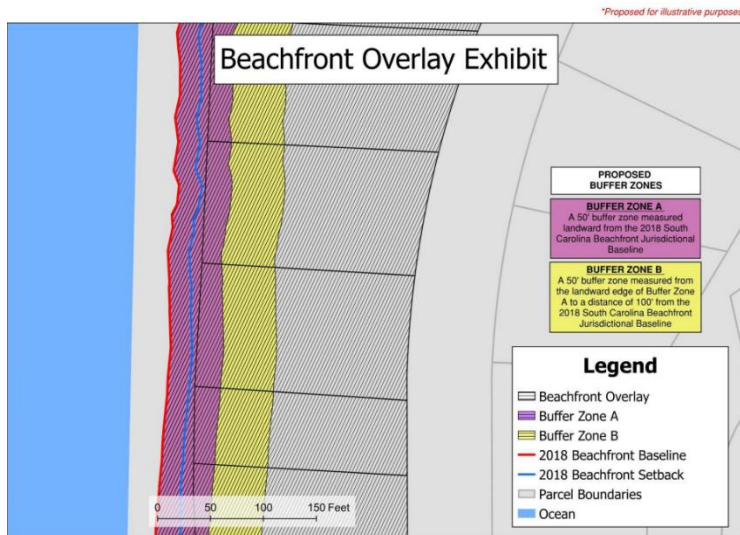
- **Presence/proximity of hard structures or recent armoring** (on or adjacent to parcels): informs incremental restrictions on new structures and incentives/requirements for soft-shoreline approaches.
- **Public access points and safety observations** (erosion-induced hazards): used to prioritize stabilization or managed realignment

## Ordinance Key Elements:

### Proposed 100-foot buffer for Kiawah’s dunes

- The proposed BOD establishes two distinct buffer zones.
- **Buffer Zone A (50')** measured landward from the 2018 SC Beachfront Jurisdictional Baseline. That 50' buffer is intended to protect the most critical dunes and associated vegetation from direct development impacts (grading, utilities, pools, structure footprints). This proposed zone is closest to the ocean and is the most restrictive in nature, not allowing any structures.
  1. **Keeps mechanical disturbance away from the dune toe** where most root systems and sand trapping vegetation are concentrated.
  2. **Provides space for dune migration and natural recovery** under episodic erosion/accretion cycles without immediate structural conflict.
- **Buffer Zone B (50')** measured from the landward edge of Buffer Zone A to a distance of 100' from the 2018 South Carolina Beachfront Jurisdictional Baseline landward from the 2018 SC Beachfront Jurisdictional Baseline. This second 50' buffer is less restrictive and is intended to also provide space for natural recovery. Understanding Kiawah’s existing development patterns, this buffer zone allows flexibility of some structures. This buffer zone allows structures however they must not exceed a maximum building height of 10'. Additionally, any improved areas within this zone shall not exceed 20% of total buffer area. This grants the property owner the ability to develop consistently with existing footprints, however establishing greater protection for dunes on redevelopment of oceanfront properties. The 20% aligns with existing properties that have pools sited within or near critical dunes.
  1. **Creates a consistent regulatory standard for lower buildings and massing along the oceanfront.**
  2. **Establishes structure for reduced secondary and tertiary dune impact** as redevelopment occurs.
- State policy and beach/dune protection rules emphasize preventing destruction of beach/dune vegetation and encourage setbacks to reduce the need for armoring; a 100' buffer is consistent with those statutory

and regulatory goals for critical dune areas. Protecting vegetation within this band reduces both acute storm damage and chronic erosion trends.



## Administrative Relief

Given the imposed standards of the defined buffer zones, the proposed BOD also incorporates administrative relief for thresholds of impacts to buildable areas of properties where relief may be needed. These criteria are consistent with existing framework of administrative relief under Sec. 12-76. - Waterfront development standards applying to properties adjacent to saltwater marshes, wetlands, waterways., *Reductions to OCRM critical line setbacks*. Notwithstanding administrative relief the property owner may always apply to the Board of Zoning Appeals where strict application of the provisions of the overlay would result in undue hardship.

- The subject parcel may be granted relief in the form of a reduction to the front setbacks and or an increase in coverage allowance within the established Buffer Zone B, only when all of the following criteria and conditions have been met:
  - a. At the time that the current platted parcel is submitted for development or additions to the existing development on the parcel, the parcel contains not more than 0.5 highland acres of buildable area.
  - b. An updated survey showing property boundaries and building setbacks, the delineation of the 2018 South Carolina Jurisdictional Lines and established 50' and 100' buffers measured from the Jurisdictional Base line.
  - c. The application of **Buffer Zone A** to the subject property, results in encroachment of the zone into the subject property's Buildable Area.
  - d. The application of **Buffer Zone A** and **Buffer Zone B** to the subject property has also resulted in a decrease in the amount of Buildable Area contained within the parcel of 30% or more,

when the amount of such Buildable Area as it existed on the subdivision plat is compared to such Buildable Area with the applied Buffer Zones of the Beachfront Overlay District.

- Upon all criteria being met, the Planning Director may administratively approve:
  - a. A reduction of the front setback for the subject property up to a minimum setback of 15’.
  - b. An increase in the maximum lot coverage allowances for improved areas within Buffer Zone B pursuant to the standards within Buffer Zone B from 20% to a maximum of 30% coverage.

## **Landscape and Vegetation**

The significant value dune vegetation adds to the beach and dune system has been highlighted. It is important that vegetation is maintained and preserved not only for wildlife habitat and community character, but for the integrity of the dunes supporting resiliency. The proposed BOD, references Sec. 12-129. Tree Preservation and Landscaping Standards.

*“The purpose of these regulations is to provide tree preservation and landscaping standards for all properties within the Town of Kiawah Island's municipal boundaries in order to consistently preserve and enhance Kiawah's natural environment and to protect significant trees and forests for present and future generations. The proper care of trees, shrubs and other landscape plants is important to the implementation of this chapter.”* As is currently allowed, pruning for regular maintenance of trees and shrubs would be exempt and permissible for property owners. As proposed, tree removal within the established buffer zones of the BOD would be subject to review and approval by the Planning Director and would require mitigation.

Regarding golf courses, the proposed BOD exempts golf courses from the landscaping provisions of the established buffer zones. Routine maintenance such as pruning and trimming of trees on golf courses is already an exemption within the tree preservation and landscaping standards. Those provisions do not exempt the removal of any specimen tree on golf courses.

## **Nonconforming Structures**

Nonconforming structures are structures or portions thereof that were lawfully erected or altered, but which do not comply with the regulations applicable to new structures in the zoning district in which they are located. In 2024, the Town amended its nonconforming ordinance. Existing structures legally established prior to the adoption of this proposed article shall be deemed nonconforming. A property owner may rebuild a legally nonconforming structure that is destroyed by involuntary casualty (including, but not limited to fire, explosion, named storms or other natural forces, act of God, or the public enemy) The structure may be replaced with a structure having the same prior nonconforming dimensional states (size, shape, building footprint, height, density, etc.), provided the

replaced structure meets all applicable building code requirements. It is important to note that structures or improvements that have been made illegally do not qualify for this nonconforming status.

### **Walkovers, Seawalls, Bulkheads and Other Hard Erosion Control Structures**

Beach walkovers are common on Kiawah. Town Council has made revisions walkover construction and maintenance standards for those along the oceanfront in effort to ensure consistency with community character, preservation of the dune integrity, and allowance of safe beach operations. Beach walkovers are exempt from the provisions of the proposed BOD. The State's standards must be met and any proposed walkover must be built in accordance with the provisions of the Town of Kiawah Island Municipal Code Article 16 Beaches and Waterways.

South Carolina conducted extensive research and developed clear policies discouraging the construction of seawalls and other hard erosion-control structures due to their environmental, ecological, and aesthetic impacts. The South Carolina Beachfront Management Act explicitly states that such structures can exacerbate beach erosion, degrade public access, and create long-term dependency on costly interventions. Studies by SC DHEC, USGS, and environmental organizations such as SCELPA and the Coastal Conservation League highlight how seawalls increase erosion through wave reflection, reduce biodiversity, and starve adjacent beaches of sediment. State-sponsored monitoring and annual reports emphasize the importance of preserving natural dune systems and implementing living shoreline strategies (e.g., oyster reefs, dune restoration) as resilient and ecologically sound alternatives. These findings are highly relevant for communities like Kiawah Island that are actively pursuing beach resilience and zoning updates. In line with a resiliency focused lens, the proposed BOD prohibits seawalls, bulkheads, and other hard erosion control structures. Additionally, this provision aligns with recommendation of the Comprehensive Marsh Management Plan (2023) to regulate bulkheads and marsh-front berms upland of critical line.

## Process, Timeline and Next Steps

Beginning in February 2025 members of the Planning Commission and Planning Department began discussions regarding enhanced protections for environmentally sensitive properties. Priorities were established to consider the beachfront first followed by marsh front properties. Preliminary discussions were held with Department of Environmental Service Bureau of Coastal Management, the Town Wildlife and Natural Resources Department, and local surveyors to gain greater understanding of best practices, wildlife impact, beach dynamics and the interplay of jurisdictional lines. Subsequently the Town held many public meetings and workshops to discuss the proposed Beachfront Overlay Zoning District. As the proposal continues to be evaluated, public comments are encouraged to be submitted to [tokiplanning@kiawahisland.gov](mailto:tokiPlanning@kiawahisland.gov). Please note the highlighted timeline of engagement over the past year.

- Planning Commission Meeting: March 5, 2025 – Introduction
- Planning Commission Meeting: August 6, 2025 – PC Discussion
- Planning Commission Recommendation: September 10, 2025
- Town Council Workshop: September 23, 2025
- First Reading: October 14, 2025
- Public Hearing: November 4, 2025
- Planning Commission Workshop & Meeting: December 3, 2025
- Planning Commission Workshop: January 16, 2026
- Planning Commission Meeting: Tentative February 4, 2025

At its December 3, 2025 meeting, the Planning Commission tabled recommendation of the ordinance for further revisions. They also agreed to take the provided feedback into consideration and make adjustments to the ordinance. Chair Hennessy emphasized that while they want to move forward with the ordinance, they want to do it right. Specific areas for reconsideration included:

- Potentially varying buffer requirements for different beach segments
- Considered exemptions for the golf courses
- Clarifying language regarding views and transition zones
- Refining the nonconforming status provisions

At its January 16, 2026 workshop, the Planning Commission reviewed the framework and clearly refined purpose and intent of the ordinance and concerns raised to date. Suggestions were raised for the Town to consider proactive approaches of dune enhancement and protection through vegetation planting or renourishment.

## **Consistence with South Carolina Local Government Comprehensive Planning Enabling Act.**

The proposed BOD is consistent with state statute for an overlay zone, pursuant to SECTION 6-29-720. Zoning districts; matters regulated; uniformity; zoning techniques.

*(C) The zoning ordinance may utilize the following or any other zoning and planning techniques for implementation of the goals specified above. Failure to specify a particular technique does not cause use of that technique to be viewed as beyond the power of the local government choosing to use it:*

*(1) "cluster development" or the grouping of residential, commercial, or industrial uses within a subdivision or development site, permitting a reduction in the otherwise applicable lot size, while preserving substantial open space on the remainder of the parcel;*

*(2) "floating zone" or a zone which is described in the text of a zoning ordinance but is unmapped. A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements of the zoning ordinance through legislative action;*

*(3) "performance zoning" or zoning which specifies a minimum requirement or maximum limit on the effects of a land use rather than, or in addition to, specifying the use itself, simultaneously assuring compatibility with surrounding development and increasing a developer's flexibility;*

*(4) "planned development district" or a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development;*

***(5) "overlay zone" or a zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries;***

*(6) "conditional uses" or zoning ordinance provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district. The conditions, restrictions, or limitations must be set forth in the text of the zoning ordinance; and*

*(7) "priority investment zone" in which the governing authority adopts market-based incentives or relaxes or eliminates nonessential housing regulatory requirements, as these terms are defined in this chapter, to encourage*

*private development in the priority investment zone. The governing authority also may provide that traditional neighborhood design and affordable housing, as these terms are defined in this chapter, must be permitted within the priority investment zone.*

## **Key Tools and Resources:**

- [KiawahNext 2025 Comprehensive Plan](#)
- [Flood Mitigation and Sea Level Rise Adaptation for Kiawah Island, SC \(2018\)](#)
- [Kiawah Island 2006 East End Beach Restoration Project Survey Report No. 18 Monitoring Report – Coastal Science Engineering\) 2024](#)
- [Local Comprehensive Beach Management Plan Beach \(2020\)](#)
- [Town of Kiawah Island Comprehensive Marsh Management Plan \(2023\)](#)
- [South Carolina Department of Environmental Services – Bureau of Coastal Management](#)
- [South Carolina DES Regulation 30-21 Beachfront Management Plan](#)
- [Coastal Hazards Overlay District Guide – North Carolina State University, Gavin Smith \(2025\)](#)
- [Barnhardt, W.A. \(ed.\), 2009, Coastal change along the shore of northeastern South Carolina—the South Carolina Coastal Erosion Study: U.S. Geological Survey Circular 1339, 77 p.](#)
- [Kiawah Beachfront Planning Tool](#)
- [Stormwater and Impervious Surfaces - Kiawah Conservancy 2024](#)

**Additional Photos**







**Sec. 12-81. Beachfront Overlay Zoning District.**

(a) *Purpose and intent.* The purpose and intent of the Beachfront Overlay Zoning District (BOD) is to:

- (1) Protects the integrity, natural function and resilience of beaches, dunes, and coastal systems thereby supporting coastal resilience that reduces risk to life, property and infrastructure;
- (2) Balances the reasonable use of private property with the long-term public interest in preserving Kiawah Island's coastal resources.
- (3) Protects the aesthetic value and character of Kiawah by Living with Nature as described in the Comprehensive Plan;
- (4) Preserves sensitive wildlife habitat and ecosystems inclusive of the maritime forests;
- (5) Encourages development practices that are adaptable to changing coastal conditions;
- (6) Promotes environmental stewardship aligning with the goals of the Comprehensive Plan; and
- ~~(1) Minimizes future costs associated with erosion, flooding, and storm damage. Establish a consistent visual, spatial, and ecological transition buffer zone between the built environment and the ocean, beach, and dune system;~~
- (7)
- ~~(1) Protect Kiawah Island's beachfront profile, view corridor and the ecological function of dune systems and maritime forest habitats;~~
- ~~(2) Promote coastal resilience and aesthetic compatibility through zoning and vegetation standards; and~~
- ~~(3) Maintain and enhance ocean views from properties and public vantage points, including boardwalks and beach access paths.~~

Activities or uses that would compromise these purposes and intents shall be prohibited or strictly regulated within the BOD.

(b) *Effect & Applicability of overlay zoning district.* The BOD shall apply to all properties within the established district boundaries as depicted on the official zoning map titled, "Town of Kiawah Island Beachfront Overlay Zoning District."

- (1) The BOD regulations of this section apply in addition to the underlying (base) zoning district regulations. In case of conflict between the regulations of this section and other regulations in this chapter, the regulations of this section shall prevail.
- (2) The Bureau of Coastal Management has direct permitting authority over three beachfront critical areas of the state, the Beach/Dune System, Beaches, and Coastal Waters, pursuant to statutory provisions in S.C. Code Ann. § 48-39-10, et. Seq, and the SCDES's Coastal Division Regulations S.C. Code Reg. §30-1 et. Seq. as amended.

(c) *District boundaries.* The BOD includes parcels located within one hundred and fifty (150) feet of the 2018 South Carolina Beachfront Jurisdictional Setback Line, as established by the State of South Carolina, or parcels adjacent to the primary dune line of the beachfront as determined by the Town of Kiawah Island Beachfront Overlay Zoning District Boundaries. The official zoning map may be supplemented by a GIS overlay to refine exact boundaries.

## DRAFT 02.04.2026

- (1) No less than 120 calendar days after the South Carolina Department of Environmental Bureau of Coastal Management reviews and establishes the position of the beachfront jurisdictional lines, the Planning Commission shall provide a recommendation to the Town Council determining any adjustment to the district boundaries or established buffer zones of the Beachfront Overlay District.

### *(d) Authorized and prohibited uses.*

- (1) Authorized uses. All uses permitted in the underlying zoning district shall be permitted unless otherwise restricted by the provisions of this article.
- (2) Beach walkovers shall be exempt from the provisions of this article and may be permitted in accordance with the Town of Kiawah Island Municipal Code Article 16 Beach Management. Beach walkovers must meet the statutory and regulatory requirements and criteria in S.C. Code Ann. § 48-39-10, et. Seq, and the SCDES's Coastal Division Regulations S.C. Code Reg. §30-1 et. Seq.
- (3) Prohibited uses. Seawalls, bulkheads, and other hard erosion control structures shall be prohibited.

### *(e) Buffer Zones.*

- (1) Buffer Zone A: A fifty (50) foot buffer zone shall be established landward from the 2018 South Carolina Beachfront Jurisdictional Baseline, as depicted in the Town of Kiawah Island Beachfront Overlay Zoning Map. Buffer Zone A shall be measured from the baseline to fifty feet (50') landward from the baseline.
  - a. No structures, including pools, shall be permitted within Buffer Zone A.
- (2) Buffer Zone B: A fifty (50) foot buffer zone shall be established extending from the landward edge of Buffer Zone A (50 feet from the baseline) to a distance of one hundred (100) feet from the 2018 South Carolina Beachfront Jurisdictional Baseline, as depicted in the Town of Kiawah Island Beachfront Overlay Zoning Map. Buffer Zone B shall be measured fifty feet (50') from the baseline measured landward to one hundred feet (100') from the baseline.
  - a. Structures within Buffer Zone B shall not exceed a maximum building height of ten (10) feet as measured from the base building height elevation.
  - b. Improved areas within Buffer Zone B shall not exceed 20% of the total Buffer Zone B area of the subject property. For purposes of application, improved areas includes any physical alteration to the existing site involving construction, as structures, paving, hardscapes, whether impervious or pervious as determined by the Planning Director.
- (3) Buffer Zone Administrative Relief: The subject parcel may be granted relief in the form of a reduction to the front setbacks and or an increase in coverage allowance within the established Buffer Zone B, only when all of the following criteria and conditions have been met:
  - a. At of the time the current platted parcel is submitted for development for changes or additions to the existing development on the parcel, the parcel contains not more than 0.5 highland acres of Buildable Area.
  - b. An updated survey providing property boundaries and building setbacks, the delineation of the 2018 South Carolina Jurisdictional Lines and established 50' and 100' buffers measured from the Jurisdictional Base line.

## DRAFT 02.04.2026

- c. The application of **Buffer Zone A** to the subject property, results in encroachment of the zone into the subject property's Buildable Area.
- d. The application of **Buffer Zone A** and **Buffer Zone B** to the subject property has also resulted in a decrease in the amount of buildable area contained within the parcel of 30% or more, when the amount of such buildable area as it existed on the subdivision plat is compared to such Buildable Area with the applied Buffer Zones of the Beachfront Overlay District.

Upon all criteria being met, the Planning Director may administratively approve:

- a. A reduction of the front setback for the subject property up to a minimum of 15'.
- b. An increase in the maximum lot coverage allowances for improved areas within Buffer Zone B pursuant to the standards within Buffer Zone B from 20% to a maximum of 30% coverage.

- (f) Building height.* Developments within the BOD should incorporate varied heights of a building's elements or sections, rather than maintaining a uniform height throughout the structure, to reduce visual massing toward the ocean.
- (g) Dune protection.* No alteration, grading or site work shall impact the primary dune without prior coordination and written approval from the Town's Environmental & Natural Resources Department. Any activity impacting the primary oceanfront dune requires South Carolina Department of Environmental Service's Bureau of Coastal Management review and authorization, in addition to local approval from the Town's Environmental/Natural Resources Department.
- (h) Tree preservation and landscaping.*
  - (1) Tree Protection and Landscaping Standards (Sec. 12-129) shall apply to the Beachfront Overlay District.
  - (2) Only native South Carolina coastal species may be planted within established Buffer Zones A and B.
  - (3) Invasive plant species are prohibited.
- (i) Lighting.* All lighting within the BOD shall comply with the standards of the Town of Kiawah Island Municipal Code Article 16 Beach Management.
- (j) Nonconformities.* Existing structures legally established prior to the adoption of this article shall be deemed nonconforming.
- (k) Variances.* Relief from the provisions of this section may be granted by the Board of Zoning Appeals where strict application would result in undue hardship, provided such relief does not compromise the public interest or the purposes of this section.