

Town of Kiawah Island Zoning Ordinance Amendment Request
Case AZO25-000005 Case History

Planning Commission Meeting: June 4, 2025
Planning Commission Meeting: July 2, 2025
Public Hearing and First Reading: August 5, 2025
Second Reading:

CASE INFORMATION

Applicant: Town of Kiawah Island

Application: The Town of Kiawah is requesting to amend the *Town of Kiawah Island Land Use Planning and Zoning Ordinance* to amend Sec. 12-103. – Conditions of Use to modify standards regarding communication tower infrastructure in order to enhance public safety and quality of life issues regarding cellular coverage.

Key Factors of the Proposed Ordinance:

The proposed amendment introduces a tower height provision of up to 150' along with clarifying procedurally tower request greater than 150' in height. The proposed amendment clarifies the submittal requirements and simplifies the retention of expert assistance provisions. The proposed amendment also modifies public notice requirements for proposed towers.

Timeline Overview

- December 2024 Town Council Presentation
- February – May 2025: Stakeholder Meetings with Tower Companies and Providers (Ongoing Workgroup, Stakeholder and Staff Engagement)
- May 1, 2025: Recommendation of Infrastructure and Public Works Committee
- June 4, 2025 Planning Commission meeting – action deferred
- June 25, 2025 Stakeholder Meetings Continued
- July 2, 2025 Planning Commission Recommendation

RECOMMENDATION BY THE PLANNING COMMISSION

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 Planning Commission members present, and voting shall be required to approve the amendment.”

DECISION ON AMENDMENT BY THE TOWN COUNCIL

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 §12-158(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.

PLANNING STAFF REVIEW

In the Fall of 2024, planning staff begin engaging with tower companies regarding cellular coverage and opportunities for improvement. At the December 3, 2024 Town Council meeting, representatives from tower companies provide a community update on the challenges to improved coverage for Kiawah.

Over the course of several months, an established work group composed of members of the Infrastructure and Public Works Committee, Planning Commission, and Planning and Public Works staff and Kiawah Island Community Association, have met with various providers to include AT&T, Verizon and T-Mobile to better understand the opportunities and challenges for Kiawah regarding cellular coverage.

The proposed changes are not solely for residents' quality of life but for public safety. Public Safety officials including utilities, code enforcement, Barrier Island Ocean Rescue have shared acknowledged support and or issues with signal at various points throughout the island.

On May 1st the Town's Infrastructure and Public Works Committee made recommendations regarding modification to the Town communication tower ordinance and broader infrastructure, including support of 150' tower heights. Please note this recommendation within support material. This recommendation follows several meetings and workgroup sessions held with providers and cell tower companies regarding the need for additional height because of Kiawah's tremendous tree canopy. Tangential to the proposed ordinance changes, the Infrastructure and Public Works Committee is engaging with providers for comprehensive strategy to address island wide coverage to include Freshfields Village.

Following this recommendation, the Town began a comprehensive revision of its communications tower ordinance. The proposed changes are attached. The proposed ordinance amendment is one of many prongs that are connected to larger desired outcomes regarding infrastructure, in particular improved cellular coverage island wide.

Planning staff finds the proposed amendment satisfies the approval criteria pursuant to §12-158(6) and recommends approval.

PLANNING COMMISSION MEETING JUNE 4, 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.

Action was deferred for further study by the Planning Commission. The Planning Commission after discussion established a subcommittee of Mr. Ryan, Mr. Connolly and Mr. Babinec to further review and return with a recommendation to be shared by the next Planning Commission meeting July 2, 2025.

PLANNING COMMISSION MEETING JULY 2, 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 subcommittee presented a revised draft. The following is a summary of the main changes that were made to the draft language provide by the subcommittee:

Tower height provision - The maximum height for a new tower is now set at 150 feet, but new towers that will be 120 feet or higher require a report from a SC licensed professional engineer to indicate that the height is required because there are no available alternatives on other towers that are in the proximity of the new tower. The report is to be funded by the applicant and should not pose any significant additional burdens as the analysis may be part of their due diligence in constructing a new communications tower.

Stealth tower provision - This provision has been deleted. Based on our limited understanding of communication towers a stealth tower limits the effectiveness of antennas located on a tower. We recognize the trade off between tower aesthetics and effectiveness and we have chosen to prioritize the effectiveness of new towers in the hope that fewer towers may be needed on Kiawah

Site requirements - Given the new communications towers can be higher than the current towers we have increased the minimum distance requirements for a new tower to be at least 200 feet form a residential structure. We have also increased the height requirement for a security fence from six feet to eight feet.

Antenna requirements - We have eliminated the requirement that a new communication tower must house equipment for four carriers. This is an operational decision for the tower manufacturer. Their decision will be based on tower availability on Kiawah and recommendations from a professional engineer.

Balloon test - We have added language to detail public notice requirements for balloon tests. This is a critical notification requirement so that property owners are fully informed of pending changes in nearby communication towers. We have eliminated the provision in this section to allow alternatives to balloon tests. This is too important to consider an alternative that does not meet the time and visibility requirements for the balloon test.

Planning Staff recommended the Planning Commission consider the following:

A collocation and stealth provision remain as tower companies expect to collocate. Collocation aids in reducing the total number of towers. Additionally stealth provisions accommodate towers sited on structures as buildings as present today sited at the Sanctuary Hotel.

Include a provision for how tower heights are administered to prevent interpretation questions in the future.

Modify professional engineer licensed in the State of South Carolina to designated engineer or radio frequency professional. The design and outputs produced for cell towers function a little differently in the communications industry, this allows for the right personnel to provide and or administer the report as well as relaxes the South Carolina requirements as many of teams for the design may not be local to South Carolina.

Standardizing the proposed public notice requirements for balloon testing to the Town's existing public notification requirements.

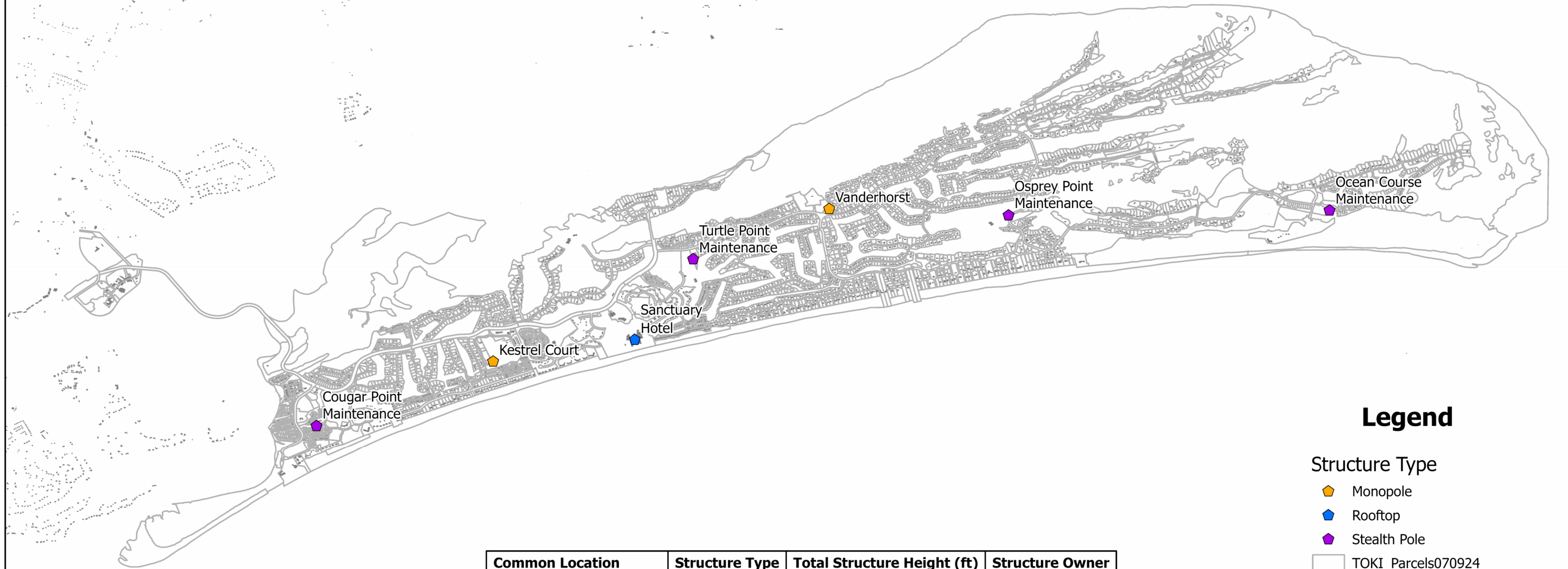
Planning Commission discussed the proposed amendment and engaged with industry representatives.

Planning Commission unanimously (7 to 0) recommended approval of the proposed text amendment.

TOWN COUNCIL MEETING PUBLIC HEARING AND FIRST READING – AUGUST 5, 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.

Kiawah Communication Towers

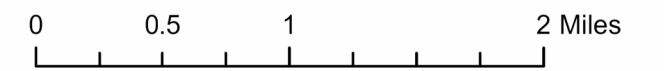


Legend

Structure Type

- ◆ Monopole
- ◆ Rooftop
- ◆ Stealth Pole
- TOKI_Parcels070924
- 2021 Building Footprints

| Common Location | Structure Type | Total Structure Height (ft) | Structure Owner |
|--------------------------|----------------|-----------------------------|-----------------|
| Kestrel Court | Monopole | 173 | American Tower |
| Vanderhorst | Monopole | 105 | Independent |
| Cougar Point Maintenance | Stealth Pole | 80 | Crown Castle |
| Turtle Point Maintenance | Stealth Pole | 80 | Crown Castle |
| Osprey Point Maintenance | Stealth Pole | 97 | Crown Castle |
| Sanctuary Hotel | Rooftop | 65 | Independent |
| Ocean Course Maintenance | Stealth Pole | 70 | Crown Castle |



Infrastructure & Public Works Committee Recommendation to Planning Commission and Town Council on Cellular Communications Coverage Improvements

Background/Problem Statement: There are issues affecting Kiawah cellular coverage for all three major national wireless communications providers. These issues include:

- Coverage gaps resulting in dropped calls or no signal
- Poor signal strength resulting coverage gaps and poor indoor coverage
- Slow data speeds making it difficult to download web pages and use more robust apps

These issues are both quality of life as well as public safety issues. Examples of public safety issues are potential inability to dial 911 in emergencies and that many public safety tools operate across cellular networks. Critical infrastructure such as power, water, and sewer communicate over cellular networks as well.

Discussion:

Members of the I&PWC committee along with Town Staff conducted a series of meetings over the last several months with the three major national wireless communications providers and the two primary tower companies on Kiawah to understand the current coverage provided, what if any limitations constrained them from providing better coverage, and possible solutions to improving coverage (the current Planning Commission Chair and a KICA rep also participated on many of those meetings).

All the providers and tower companies stated the primary limitations to coverage improvement are insufficient tower height to get all their radios above the tree canopy and the requirement for stealth radios which attenuate signal strength.

The I&PWC considered possible concerns about tower height and more visible non-stealth radios. Staff, the I&PWC Chair, and Planning Commission Chair also conducted site visits to evaluate increased height and non-stealth radios. One cell site (Sora Rail) is already 160' and does not seem to adversely affect the aesthetics. It is likely Kiawah will require three additional 150' towers at existing sites to provide needed coverage. The I&PWC believes the need for modern cellular communications for quality of life and public safety supercedes possible aesthetics concerns. The cell tower sites are primarily in remote locations and even the current towers above the tree canopy are not overly noticeable.

Recommendations:

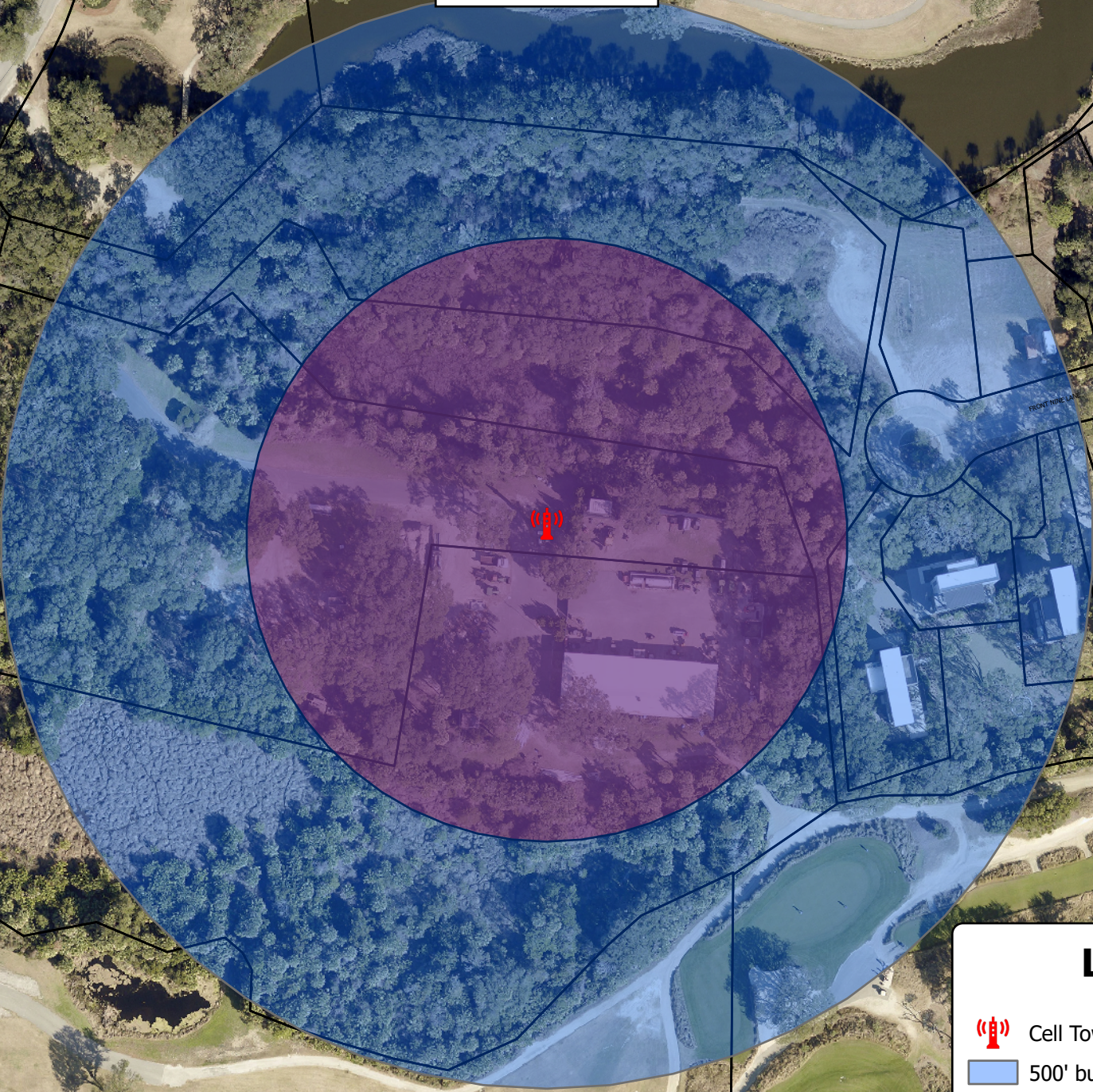
- Amend Town zoning ordinances to allow up to three new 150' cellular towers
 - This was the unanimous recommendation from the wireless and tower providers
 - This allows up to 4 cellular providers on a tower at 120', 130', 140' and 150' levels. 10' vertical separation is required between provider radios. This also allows for a 4th emerging provider to be hosted and provider coverage.

- Note: cellular service is sold to consumers not only directly from the wireless provider but also through 3rd parties. Examples: Xfinity cellular uses the Verizon network, Cricket uses the AT&T network, and Mint Mobile uses the T-Mobile network. Dish is the emerging 4th national carrier and it is reasonable to expect them to need tower placement in the next several years. Allowing for this 4th carrier is an important capital consideration for the tower companies in determining willingness to invest in the new, taller towers.
- Amend Town zoning ordinances to no longer require stealth radios
 - Removing this constraint allows for stronger signals which increases coverage and data speed




Copy to:

Town Administrator
Public Works Director
Planning Director
Clerk

Area Map



Legend

-  Cell Tower
-  500' buffer
-  275' buffer

0 125 250 500 Feet

Town Council
August 5, 2025

ORDINANCE 2025-16

Public Comments

John Taylor

From: Martin Skelly <martinoskelly@gmail.com>
Sent: Monday, July 7, 2025 7:10 AM
To: TOKI Planning
Subject: Cell service support

Dear Sirs & Madams

Thank you for your service for Kiawah. I am grateful.

Please accept this email as my support in the strongest of terms for allowances to the Zoning rules which would allow reliable service from the Cellular providers.

Our home at 91 Bass Creek Lane and the surrounding area are unreliable. This problem means that service providers who try to reach us when helping at our home when we are remote are often frustrating and failures. This problem also means that in the event of a medical emergency, we would have to find someone to drive to an area of good service to request help.

Thank you for your consideration

--

Best regards

Martin Skelly
91 Bass Creek Lane

Want to talk about books?

Recent favorites: He Charged Alone: WW1 Medal of Honor Recipient Private First Class Frank Gaffney by John Strasburg (local Charlestonian), An Unfinished Love Story by Doris Kearns Goodwin, Meditations for Mortals by Oliver Burkeman, How to Smile Thich Nhat Hanh

Send me your recommendations!

John Taylor

From: Michael Azarela <mike.azarela@gmail.com>
Sent: Monday, July 7, 2025 12:55 PM
To: TOKI Planning
Subject: Cell Service

To Whom It May Concern:

Thank you for your service to Kiawah Island. On behalf of my family we are grateful.

Please accept this email as my support in the strongest of terms for allowances to the Zoning rules which would allow reliable service from the cellular providers.

Our home at 173 Bull Thistle Lane and the surrounding area are unreliable. This problem means that service providers who try to reach us when helping at our home when we are remote are often frustrated by the unreliability and failures. This problem also means that in the event of a medical emergency, we would have to find someone to drive to an area of good service to request help.

Thank you for your consideration

--

Regards
Mike Azarela

--

Michael Azarela
mike.azarela@gmail.com
617-719-7241

John Taylor

From: Kim Buck <buckfam4@gmail.com>
Sent: Sunday, June 29, 2025 10:57 AM
To: TOKI Planning
Subject: Cell service

I am contacting you regarding the current issue of poor cell service on the island. Our home is on Blue Heron Pond and we have one person using AT&T and one using Verizon. The coverage for Verizon is effectively non-existent. We have one corner of one room where you can get some service. When the person with AT&T is not there, it is completely unsafe. We are relatively close to the fire station yet getting a call to them for help could be not possible.

Please make correcting this problem a priority for the island.

Kim Buck
2 BHP



Kiawah Island Golf Resort

One Sanctuary Beach Drive

Kiawah Island, SC 29455

05.28.2025

Town of Kiawah Island

Planning Department

4475 Betsy Kerrison Pkwy

Kiawah Island, SC 29455

Subject: Stakeholder Support for Modernizing Communications Tower Regulations (Sec. 12-103)

Dear Planning Director and Members of the Town Council,

On behalf of **Kiawah Island Golf Resort**, I am writing to express our strong support for the Town's ongoing efforts to update and modernize the regulations in **Section 12-103** of the Town Code relating to the siting, construction, and operation of communications towers.

As a premier destination resort that supports over 1,500 employees and welcomes visitors from across the globe, **reliable mobile and wireless connectivity is no longer a luxury—it is an operational and safety necessity.** The existing limitations on tower design and placement no longer reflect the technological or operational demands of modern infrastructure.

Support for Full 150-Foot Tower Height Allowance

We are fully supportive of **authorizing communication towers up to 150 feet in height by default.** In the context of Kiawah Island's natural topography and heavily forested landscapes, this height is essential to **ensure line-of-sight coverage** across large areas, particularly in low-lying or densely wooded zones. Limiting tower height undercuts performance and leads to unnecessary proliferation of low-impact installations.

Additionally, we support **increased flexibility to add new towers where necessary,** especially when doing so addresses gaps in service coverage, supports redundancy, or satisfies demand surges during peak occupancy periods and emergency events.

Request to Eliminate Stealth Tower Requirement

While we understand the original intent behind the stealth tower provision—namely, minimizing visual intrusion—we believe the **requirement to disguise towers as flagpoles,**

trees, or church steeples has become outdated and counterproductive. These installations are:

- **Costlier and slower** to deploy and maintain;
- **Less efficient in terms of signal strength** and carrier capacity;
- Often **less visually appealing over time** due to material degradation or poor camouflage in certain settings.

Instead, we support the use of **tastefully designed, open-structure towers** that are carefully sited and screened using landscaping and setback buffers. This approach better balances performance, aesthetics, and practicality.

Enabling Scalable, Resilient Infrastructure

As the island continues to welcome an expanding number of residents, guests, and digital services, the communications backbone must evolve accordingly. We are particularly aligned with the Town's efforts to:

- Ensure fair, timely, and transparent permitting;
- Establish requirements for structural integrity, removal guarantees, and community notification;
- Encourage carrier collocation where feasible;
- Allow additional towers on the same or nearby parcels when technically justified.

These principles represent a forward-thinking, scalable framework that supports the **long-term connectivity, safety, and economic vitality of Kiawah Island.**

Conclusion

Kiawah Island Golf Resort strongly encourages the adoption of the revised Section 12-103 with the inclusion of these modernization provisions: elimination of the stealth tower requirement, authorization of 150-foot towers, and allowance for additional towers where service demands warrant.

We appreciate the Town's leadership on this issue and remain a committed partner in shaping a more connected, resilient, and guest-friendly Kiawah.

Sincerely,



Roger M. Warren, PGA
President