

TOWN COUNCIL
Municipal Center Council Chambers
October 14, 2025, 1:00 pm

Minutes

I. Call to Order: *Mayor Belt called the meeting to order at 1:00 pm.*

II. Pledge of Allegiance

III. Roll Call:

Present at the Meeting: Bradley Belt, *Mayor*
Russell Berner, *Mayor Pro Tem*
Luke Farrell, *Council Member*
Madeleine Kaye, *Council Member*
Lance Spencer, *Council Member*

Also Present: Stephanie Monroe Tillerson, *Town Administrator*
Mac McQuillin, *Town Attorney*
John Taylor, Jr., *Planning Director*
Jim Jordan, *Environmental and Wildlife Director*
Brian Gottshalk, *Public Works Director*

IV. Approval of Minutes:

A. Minutes of the Town Council Meeting of September 9, 2025

Mayor Belt noted that the minutes from the September 9th Town Council meeting had been circulated to Council Members in advance. He provided two minor corrections to the Clerk, which he described as typos. Council Members suggested no other changes.

The minutes were deemed approved with those corrections.

V. Citizens' Comments (Agenda Items Only):

No citizens provided comments on agenda items.

VI. Updates:

A. Mayor

Mayor Belt reported hosting one of the quarterly Town Hall meetings the previous Wednesday, joined by Kiawah Island Community Association (KICA) Board Chair Kevin Donlon, which he characterized as a very constructive discussion. However, the meeting highlighted ongoing confusion in the community about which entity is responsible for various issues between KICA and the Town of Kiawah Island (TOKI), and sometimes between TOKI and the Architectural Review Board (ARB).

The Mayor emphasized the need to continue educating the community, citing two specific examples. First, regarding e-bikes, he clarified that while there is confusion about whether e-bikes are permitted in the Town of Kiawah Island, the Town does not prohibit e-bikes or low-speed vehicles. He explained that KICA prohibits e-bikes and low-speed vehicles on its commonly owned property, which includes most roads and leisure trails on Kiawah Island proper, but stressed the distinction between Town Municipal Ordinances and KICA rules.

The second issue Mayor Belt addressed was confusion in the owner and builder communities about the Town's and the ARB's respective roles regarding zoning and building permits. He stated emphatically that the Town is solely responsible for issuing zoning permits under the zoning code and building permits under the building code. He clarified that the ARB has no authority whatsoever to grant waivers from the Town zoning or building code requirements, noting that there is a statutory process for obtaining

waivers. The ARB's authority extends only to applying its own standards regarding covered property under the general covenants.

Mayor Belt announced that heavy maintenance work on the roundabout is scheduled to begin within the next week, which may cause modest traffic impacts. This work focuses on tree health and the removal of invasive landscaping, serving as a precursor to a future re-landscaping project.

Finally, the Mayor addressed concerns that the zoning code changes were being "rushed to judgment," noting that the last Council meeting included 2-2.5 hours of discussion on these changes, followed by a 4-hour workshop. He emphasized that these public meetings followed multiple Planning Commission meetings, all of which are public, and that there were opportunities for input at first reading, during the interim period, and at second reading. He encouraged property owners to pay attention to these multi-week or multi-month processes.

B. Council Members

Mayor Pro Tem Berner deferred his comments during the updates due to the lengthy agenda. He also noted that the agenda included a very important Executive Session, which he estimated would take 2 hours in itself. He would submit a motion to have the Council stop its work at 3:00 p.m. and move to Executive Session.

Mayor Pro Tem Berner made a motion to amend the agenda so that at 3:00 p.m., the Council would stop its work and move to Executive Session.

Mayor Belt asked if this was a motion to amend the agenda, which Mayor Pro Tem Berner confirmed. When asked about the unfinished zoning matters, Mayor Pro Tem Berner suggested they would either be carried over to the next Town Council meeting or addressed in a special-call meeting. Mayor Belt asked for a second and noted that the motion would require a two-thirds supermajority to amend the agenda.

Council Member Spencer seconded the motion, expressing concern about having "our wits about us" when entering executive session and preferring to start it earlier in the day rather than very late.

During the discussion, Council Member Kaye asked whether the order of discussion could be rearranged to place less urgent ordinances later in the agenda.

Mayor Belt opposed the motion, stating that important pending matters should not be delayed for an Executive Session where no action would be taken. He suggested scheduling a Special Call Executive Session at a future date instead.

Council Member Spencer supported the motion, stating that the Executive Session topics were important to the Town.

Council Member Farrell expressed support for addressing both pieces of business appropriately, suggesting that the Council address the pending urgent business today and hold an Executive Session at a special-call meeting as early as the next day.

Council Member Spencer clarified that the Executive Session topics were pressing and important for determining strategic issues. Mayor Belt corrected that the purpose of the Executive Session was to receive legal advice, not to decide on strategic issues.

Following the discussion, the vote was called: three in favor (Mayor Pro Tem Berner and Council Members Kaye and Spencer), and two opposed (Mayor Belt and Council Member Farrell). Without a supermajority, the motion failed.

Council Member Kaye reported on several initiatives. She and Jim Jordan had appeared before the KICA board the previous week to ask about actions KICA could take to enhance efforts to save the bobcats. While they did not have specific suggestions, they clearly laid out the situation. The board discussed potentially exploring a rule change to prohibit second-generation anticoagulants (SGAs) on KICA

property behind the gate. She encouraged community members to contact KICA Board Members to voice support for bobcat protection initiatives.

Council Member Kaye displayed a photograph taken seven years ago in Council Member Farrell's neighborhood, showing a bobcat with a roof rat, illustrating how SGAs enter the food chain when bobcats eat treated rats. She emphasized that alternatives as cheap and safe as SGAs exist and urged continued vigilance, encouraging residents to sign the pledge and ensure their pest control companies have also signed.

Council Member Kaye announced that the Bobcats and Bluegrass event would take place on Friday, November 7th, hinting at potential merchandise and encouraging attendance. Mr. Jordan would provide presentations on bobcat protection at the event.

On the Go Green front, Council Member Kaye announced the launch of "Kiawah Conversations," a sister program to the Our World Series, occurring at 3:00 p.m. on Thursday afternoons when Our World is not meeting. The series would feature presentations on resiliency efforts, conservancy, environment, and ecology. The kickoff on November 13th would feature a composting expert, with a field trip to the Material Recovery Facility in North Charleston scheduled for December 4th.

Council Member Kaye concluded by thanking the Kiawah Island Golf Resort for partnering on marathon composting efforts, with the Go Green Committee volunteering to assist.

Council Member Farrell asked Mr. Jordan about creating a list of approved rat poisons or ones to avoid, sharing his experience spending 40 minutes at Home Depot trying to determine what to buy. Mr. Jordan explained that the Save Kiawah Bobcats webpage lists two safe active ingredients and brand names. He clarified that as of January 1st, all SGAs are restricted use and cannot be sold at Home Depot or Lowe's in South Carolina, though they can still be ordered online or potentially found at Tractor Supply. Council Member Farrell suggested monthly email blasts listing safe products rather than requiring residents to visit the website.

Council Member Farrell reported that no Ways and Means meeting was scheduled due to a lack of new business. He went on to detail Friday's Audit Committee meeting, which reviewed the year-end financial audit and, more importantly, a financial controls assessment. The 50-page draft report would be finalized by year-end, with a planned 7-page executive summary. Of 27 findings, eight were material but of little consequence. The assessment found the Town to be very healthy on both financial and financial control fronts, with a corrective action plan to be developed for all findings.

Council Member Farrell reminded everyone about the Garden and Gun event this weekend, emphasizing it was funded through Town State Accommodations Tax monies, though not directly sponsored by the Town.

Council Member Spencer had no comments.

C. Administrator

Ms. Tillerson mentioned receiving the Rational Roads email with a survey about the Transportation Sales Tax on November's ballot. She noted their eighth priority was Bohicket Road south of Plow Ground Road, with suggestions for roundabouts and turn lanes. She encouraged taking the survey, noting that it includes a section for comments where residents can provide input on CARTA (Charleston Area Regional Transportation Authority) services and transportation needs, and that a county representative will be present at next month's Town Council meeting.

Mayor Belt noted that Rational Roads' recommendations typically focus on central and northern Johns Island, with no recommendations for safety improvements on Betsy Kerrison or pedestrian/bike improvements south of River Road and the Betsy Kerrison intersection. He also noted the lack of CARTA service recommendations for areas such as Freshfields Shopping Village that would benefit employees working on Kiawah Island.

VII. Old Business:

- A. To Consider Approval of 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 – Second and Final Reading**

Mr. Taylor recapped the ordinance under consideration for second and final reading. Following the first reading, the ordinance was returned to the Planning Commission, which made recommendations on accessory structures. The Planning Commission’s discussion focused on sports courts —particularly tennis, padel, and pickleball — and on eliminating or mitigating potential impacts from noise, siting, lighting, and buffering.

Based on a similar discussion at the September 23rd Town Council Workshop, the only modification in the second reading was to Section 5—Standards for Accessory Structures in Residential Districts, specifically item B. The ordinance now states that private sports courts may be approved as a special exception by the Board of Zoning Appeals, subject to additional criteria outlined in Section 12-161. Special Exceptions. The sports court must be constructed no less than 30 feet from any adjoining property (increased from 20 feet), no lights shall be permitted, and the sports court must be adequately screened and buffered on all sides. The provision for sport court fences or walls not exceeding 13 feet 6 inches was eliminated.

Mayor Belt provided context, explaining that this formulation sought to balance views between pro-property rights positions and those seeking to ban sports courts altogether. He noted that the current zoning code does not restrict sports courts but specifies that they are accessory structures that may be permitted, subject to the two new conditions. The proposal would require Board of Zoning Appeals (BZA) approval for any sports court, with the BZA applying standards including community impact.

Council Member Farrell questioned several items on the use table, including single-family detached homes in PR-OC zoning, business and professional organizations in PR, and communication towers in RST-1 and RST-2.

Council Members' questions included the elimination of PD, clarification of the differences between conditional and special exceptions, parking in the Use Table for R1, R2, and R3, and the contemplated changes to parking regulations.

Mayor Belt made a motion for approval of the second and final reading of Ordinance 2025-10 as revised. Council Member Farrell seconded the motion.

Council Member Farrell made a motion to amend the Use Table, eliminating residential single-family detached and single-family attached as permitted uses in the PR-OC designation, but retaining duplex and multifamily as conditional uses. Mayor Pro Tem Berner seconded the motion.

After extensive discussion about the Ocean Course cottages and their classification, the Council decided to withdraw the current motion to amend the ordinance and the second.

Council Member Farrell withdrew his motion, with Mayor ProTem Berner withdrawing his second.

Mayor Belt made a motion to amend the PR-OC designation non-residential column to remove both as permitted or conditional uses residential, and add a conditional use for cottages that would describe what the cottages at the Ocean Course currently are; maximum number of bedrooms per cottage, etc.

Following multiple attempts to craft appropriate language, the Council Members agreed to leave the PR-OC provisions as presented and address clarifications in a future amendment.

Mayor Belt withdrew his motion.

Council Member Farrell made a motion to add conditional approval for improvements on communication towers in RST-1 and RST-2. Council Member Spencer seconded the motion, and it was approved unanimously.

Mayor Pro Tem Berner moved to amend Section 12-104, subparagraph 5B, to state that private sports courts are not allowed in residential districts. Council Member Kaye seconded.

Council Member Farrell opposed the motion, calling it an overreach of governmental authority that restricts property rights without a clear community benefit. He argued that on larger lots with proper buffering, noise impacts could be minimal. Mayor Pro Tem Berner responded with three points: Padel courts cannot be adequately screened, existing communities should not suddenly have sports courts appear, and sports courts contradict the ARB's intent to enhance island character, preserve property values, and maintain harmony with the natural environment.

Council Member Farrell felt it was a slippery slope when picking out things to restrict on property rights, and that it could be extended directly to swimming pools for the reasons cited for sports courts. Mayor Pro Tem Berner responded that sports courts typically appear in front yards rather than being hidden in the back of the house, as with pools.

Mayor Belt opposed the motion, but suggested modifying the amendment to state under Standards for Accessory Structures in Residential Districts: "Except as provided below, accessory structures may be allowed in residential districts under the following conditions..." with item C stating "Private sports courts are prohibited."

Mayor Pro Tem Berner revised his motion to reflect the Mayor's suggested language, adding subsection C stating "Private sports courts are prohibited" under Standards for Accessory Structures in Residential Districts. Council Member Kaye reinstated her second. The motion was approved by a 3-2 vote, with Council Members Berner, Kaye, and Spencer voting aye, and Mayor Belt and Council Member Farrell voting nay.

Council Member Kaye moved to approve the second and final reading of Ordinance 2025-10 as amended. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

B. To Consider Approval of Ordinance 2025-19 - An Ordinance To Amend Chapter 12 - Land Use Planning and Zoning Ordinance Article II. - Zoning, Division 2 - Zoning Map/Districts to Modify Base Zoning Standards, including but not Limited to Lot Coverage, Height, and Setbacks Within Several Zoning Districts – Second and Final Reading

Mr. Taylor presented Ordinance 2025-19 and the proposed changes to base zoning districts, primarily amending standards for lot coverage, building heights, and setbacks. The Planning Commission recommendations included:

- No changes were proposed for R-1 and R-2 residential districts.
- For the R-3 zoning district, reducing maximum lot coverage for Townhouses and multifamily from 60% to 40%.
- No changes were proposed for the commercial base zoning districts.
- For the Resort categories RST-1 and RST-2, the recommendation was to align the two zoning districts with tiered maximum building heights. Closer to the ocean, the maximum height is lower. RST-1 would change from 4 stories at 70 feet to 4 stories at 55 feet maximum height, along with an oceanfront and a non-oceanfront setback. Similar tiered approaches were applied to RST-2. Lot coverage would be reduced from 70% to 50%.
- Parks and Recreation (PR) and the Parks and Recreation Ocean Course (PR-OC) zoning districts would see lot coverage reduced from 70% to 60%.
- Graphics in the Rs-R2 overlay district would be modified to reflect Base Building Height (BBH).

Mr. Taylor stated that at the Workshop in September, there was a discussion regarding maximum building heights, specifically for the RST-1 Sanctuary property, and that no recommended changes were made.

Council Member Kaye asked about the lack of rear setbacks for RST-1 and RST-2, and Mr. Taylor clarified that they were in accordance with the oceanfront/non-oceanfront designations.

Council Member Farrell asked about BBHE (Base Building Height Elevation) versus BFE (Base Flood Elevation). Mr. Taylor, along with Mr. Spicher, explained that when new flood maps in 2021 lowered base flood elevations, the Town created BBHE to maintain consistent elevations with the 2004 flood maps, preventing buildings from being constructed at lower elevations. BBHE represents the height at which the building height is measured.

Council Members discussed concerns about the combined impact of reduced lot coverage and increased parking requirements, the application to undeveloped parcels versus existing structures in the RST-1 (East Beach) and RST-2 (West Beach) designations, and the tiered concept used on the oceanfront side.

Council Member Farrell moved to approve Ordinance 2025-19 on second reading. Council Member Kaye seconded the motion, and it was unanimously approved.

VIII. New Business:

- A. To Consider Approval of Ordinance 2025-25 - An Ordinance for the Town of Kiawah Island to Amend Article 4 - Finance and Taxation. Chapter 3. Municipal Business License. Section 4-317. Consent, Franchise, or License Required for Use of Streets and To Consider Approval of Ordinance 2025-26 - An Ordinance for the Town of Kiawah Island to Amend Article 10 - Public Utilities - First Reading**

Mayor Belt explained that these ordinances address issues related to franchise agreements involving multiple utilities operating in the Town. Not all utilities have business licenses or franchise agreements despite using public rights-of-way.

The changes move the agreement provisions from the Business License Section to the Utilities Section. Also added will be requirements for sewer service providers to actually provide service if the Town requires properties to be on sewer, and a provision requiring an operating agreement to either have a franchise agreement and/or an operating agreement. Work will be done to draft a more detailed or robust franchise ordinance and/or a model franchise agreement, including addressing franchise fees, that the Town would then enter into with all its franchise providers.

Mayor Belt noted ongoing discussions with Kiawah Island Utility and Seabrook Island Utility about business licenses and franchise agreements. He also noted that progress has been made with Seabrook Island Utility regarding connecting the Town Center to their system, though engineering and cost issues remain.

Mayor Pro Tem Berner asked about implications for annexed properties. Mayor Belt explained that franchise agreements would likely include provisions exempting utilities from serving future annexed areas unless specifically agreed upon.

Mayor Pro Tem Berner made a motion to approve Ordinances 2025-25 and 2525-26 as proposed on first reading. Council Member Farrell seconded the motion, and it was unanimously approved.

- B. Consideration of Civic and Cultural Center Addition Committee Recommendation to Approve Caplea Coe/H3 as Architect of Record and Authorize the Mayor to Negotiate a Contract**

Mayor Belt provided background and context on the process. The Town issued an RFQ in May that solicited architectural firms' qualifications to participate in a design competition, with approximately a dozen firms submitting their qualifications. He noted that selecting three to participate in the design competition was a difficult challenge, and it was equally difficult for the Design Committee to determine which firm to recommend to the council, as all three were capable of leading the project. The three firms conducted site visits, asked questions to gather information, and submitted their concept presentations for public inspection and comments. Despite being a close decision, the Design Committee unanimously chose Caplea Coe/H3 for their depth, breadth, responsiveness, and engagement.

Mayor Pro Tem Berner highlighted that Caplea Coe/H3 thought outside the box, particularly by recognizing that the front entrance doesn't face the street and by proposing separate entrances for the Municipal Center and the Civic and Cultural facilities.

Council Member Farrell indicated that Caplea Coe/H3 came in significantly above the cost guidance and inquired about the reason.

Steve Coe of Caplea Coe/H3 addressed concerns about their higher cost estimate, explaining they did not want to promise something they could not deliver, given market conditions. There is much work to be done to reach a point where a design meets not only the budget but also the program that serves the Town's needs. He recommended bringing in a contractor early rather than using a standard low-bid process and expressed confidence that the budget would be met throughout the design process.

Council Member Farrell expressed concern about the 20% higher cost estimate and the expectation that the final project will come in even higher. He questioned whether other firms would have made different choices with a higher budget. Mayor Belt indicated that those questions had been addressed to each firm, also noting that the Town was not selecting a design but an architectural firm, and there would be opportunities to scale back elements to meet budget constraints.

Council Member Kaye stated she has no reservations about the budgetary items; her reservations would focus on adequate parking, septic capacity, and building size, particularly the 250-seat auditorium, which seemed too large given parking concerns. Mayor Belt clarified this was not intended as a standalone performing arts center but a multi-purpose facility, with the auditorium sized to accommodate two-thirds of current Kiawah Arts Council programming while considering parking formulas and costs.

Council Member Kaye moved to approve the Design Selection Committee's recommendation to engage Caplea Coe/H3 as Architect of Record and authorize the Mayor to negotiate a contract. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

C. Discussion and Acceptance of Road Conveyance: Betsy Kerrison Parkway from SCDOT and from Charleston County from the roundabout to Resurrection Rd, Approx. 0.365 Miles

Mayor Belt explained the proposal to acquire the portion of Betsy Kerrison Parkway from the roundabout to Resurrection Road, which is currently split between state and county ownership. Benefits would include better control over road maintenance, the ability to connect to Seabrook Island Utility without external approval, the ability to add turn lanes and bike paths, and the ability to change speed limits without external approval.

Mayor Belt stated there have been discussions with the State, which, from a staff perspective, is willing to convey its portion of Betsy Kerrison Parkway. He requested the Council's contingent approval to accept conveyance of SCDOT's (South Carolina Department of Transportation) portion of Betsy Kerrison Parkway, subject to conditions to be discussed. Discussion with Town and Charleston County Counsels has uncovered some complications with the conveyance process.

Mayor Belt stated that the Town has already requested the State's most recent engineering report or assessment of the roadway so the Town could make its own evaluation of the condition of the roadway and the culvert. Brian Gottshalk reported that SCDOT indicated the box culvert was constructed in 2005-2006 with an estimated 75-year lifespan. SCDOT has agreed to conduct a courtesy inspection to assess its condition.

Council Member Farrell asked about costs and deferred maintenance. While there would be no transfer cost, the Town would assume ongoing maintenance obligations, including repaving (estimated at \$1 million per mile) and potential culvert maintenance.

Mayor Belt made a motion for the Council to approve receiving conveyance of the State's portion of Betsy Carson Parkway, approximately a third of a mile, the portion directly above the roundabout across the bridge, and the inbound portion up to Resurrection Road. Council Member Farrell seconded the motion, and it was unanimously approved.

D. To Consider Approval of Ordinance 2025-21 - An Ordinance to Amend Chapter 12 – Land Use Planning and Zoning Ordinance Article II. Zoning, Division 2. Zoning Map/Districts Establishing Section 12-81. Beachfront Overlay Zoning District. To Create A Consistent Visual, Spatial, and Ecological Transition Buffer Zone Between the Built Environment and the Beach and Dune System - First Reading

Mayor Belt stated that this Ordinance is related to the discussions at the Strategic Planning Session about implementing better tools to protect our most critical natural resources as a defense against sea level rise and climate change, in which Councilmember Farrell has been very involved. He noted that a number of provisions had already been put in place outside the zoning code with the new Beach Management Ordinance, and this is a continuation.

Mayor Belt noted that beachfront overlay zoning districts are a standard tool used by beachfront communities to prevent erosion, protect critical habitat for bobcats, nesting shorebirds, and sea turtles, and preserve and maintain Kiawah's aesthetic.

Council Member Farrell explained that the ordinance's genesis was from his work transitioning from the Planning Commission to the Town Council. The Beachfront Overlay or Island Overlay addresses specific dynamics unique to the beach, with separate overlays planned for river and marsh areas. He provided a summary of the purpose and intent of the beach overlay, which is to establish a consistent visual, spatial, and ecological transition buffer zone between the built environment and the ocean/beach/dune system.

Mayor Belt indicated that there will not be a public hearing in conjunction with the first reading. There will still be an opportunity for a Public Hearing, either in conjunction with the second reading or, if necessary, as a separate public hearing.

John Taylor explained the ordinance would apply to any property within 150 feet of the jurisdictional baseline. It proposes two buffer zones: Buffer Zone A (50 feet from the jurisdictional baseline landward), where no structures, including pools, would be permitted, and Buffer Zone B (50 feet from the edge of Buffer Zone A), allowing structures with a maximum 10-foot building height and 20% maximum improved area coverage. The ordinance would prohibit seawalls and bulkheads, exempt walkovers, and allow existing structures to be maintained, with provisions for rebuilding after involuntary destruction. He noted that he had received one formal comment today.

Mayor Pro Tem Berner made a motion to approve Ordinance 2025-21 on first reading. Council Member Kaye seconded the motion.

Council Member Farrell stated that in Buffer Zone B, he was not sure whether to allow any building at all, especially given the 10-foot building height requirement; that's above base flood elevation. He would have to consult with the Planning Commission to clarify their logic. Mr. Taylor responded that the subject property would be subject to the base zoning building heights. In most places where the overlay occurs, it actually adds a more restrictive layer.

Mayor Belt commended Council Member Farrell for his long-standing work on this ordinance, along with the extensive work done by Mr. Taylor and the Planning Commission. He emphasized the importance of taking a hard look at this, noting that there would be upcoming opportunities for public input.

Council Member Farrell noted that the Public hearing for this ordinance would be on November 4th and, given that it is also Town election day, he suggested deferring second reading to the December Town Council meeting.

Following the discussion, the motion to approve Ordinance 2025-21 on first reading was unanimously approved.

E. To Consider Approval of Ordinance 2025-22 - An Ordinance to Establish a Town of Kiawah Island Design Review Board and Process for Architectural Design Review.- Public Hearing and First Reading

Mr. Taylor presented the Town's proposal to create its own review board for architectural controls. This proposes a new design review board along with design standards. The most important background is

that there were efforts between the Town and the Community Association to jointly determine the next phase of what the Architectural Review Award would look like for Kiawah, not necessarily Kiawah property, but the community itself. Those conversations, or at least progress toward that advancement, have stalled, so the Town, its efforts, and its authority, under state statute, find it in their best interest to establish its own Design Review Board.

Mr. Taylor stated that the Design Review Board would be considering architectural standards related to site orientation, building layout, massing and scale, building heights, structure heights, administration, and environmental stewardship in its process and practice. These stages of review present the Town as simply another arm of review focused on architectural standards.

Mayor Pro Tem Berner made a motion to approve Ordinance 2025-22 on first reading. Council Member Farrell seconded the motion.

Mayor Belt provided context, stating the ordinance addresses the Town's public interest in architectural and aesthetic aspects of commercial and multifamily buildings. He noted concerns about the current ARB structure's lack of transparency, accountability, and inherent conflicts of interest, while not impugning the professional qualifications of existing board members.

Mr. Taylor explained that the proposed ordinance differs from the Planning Commission's recommendations by eliminating compensation for Board Members and by providing basic design standards for immediate application. Standards were adapted from Isle of Palms, Sullivan's Island, and Charleston.

Council Member Farrell made a motion to go into the Public Hearing. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

Maura McIlvain raised several concerns: inconsistent language across sections about which types of development are covered, the definition of resident members, the allowance of up to three members from outside the gate, and clarification of when decisions are "rendered" for appeal purposes.

Roger Warren expressed frustration about adding another layer of review, questioning what problems the current ARB process has created that justify the change. Mayor Belt responded that the issues are transparency, accountability, and inherent conflicts of interest in the current structure.

Mayor Pro Tem Berner made a motion to exit the Public Hearing and return to the Regular Session. Council Member Farrell seconded the motion, and it was unanimously approved.

Council Member Farrell made a motion to approve Ordinance 2025-22 as proposed on first reading. Council Member Spencer seconded the motion.

Council Member Kaye, along with Mayor Pro Tem Berner, expressed their ambivalence about the proposed ordinance. They stated they were too tired to vote on such a significant issue and requested more time for discussion. Council Member Farrell supported continuing the discussion, noting gaps in commercial or multifamily residential review and community concerns about sizing, massing, and screening. He conceded that maybe today was not the day to take up this discussion. After further discussion, the Council agreed to schedule a public workshop and/or additional workshops before considering the second reading.

Following the discussion, the motion to approve Ordinance 2025-22 on first reading was approved by a 4-1 vote, with Mayor Pro Tem Berner voting nay.

F. To Consider Approval of Ordinance 2025-23 - An Ordinance To Amend the Town of Kiawah Island Land Use Planning and Zoning Ordinance Article II. - Zoning, Division 4 – Supplemental Regulations, Sec. 12-128. - Access, Parking, and Loading Regulations. To Modify Minimum Parking Standards - Public Hearing and First Reading

Mr. Taylor presented proposed changes to minimum parking standards to address confusion about per-bedroom versus per-dwelling-unit calculations. Key changes included:

- Multifamily parking requirements based on unit size (1.5 spaces for studio/1-bedroom, two spaces for 2+ bedrooms) plus guest parking of 1 space per 4 units; guest parking requirements for duplexes and Townhomes;
- Modified hotel requirements from 1.25 to 1 space per room; employee designation calculation is one space per employee of the largest shift; and provisions for off-site parking for employees, Resort, and recreational uses
- For conference areas and associated uses, the standard for conference areas within a hotel structure is one space per 300 square feet of gross floor area. Additionally, any associated uses would be 75 percent, rather than 50 percent, under the current code. At 75 percent, the parking requirement applies to hotels with restaurants, bars, offices, retail, or any associated uses.
- A maximum of only 30 percent of the required parking may be off-site.
- The required spaces for persons with disabilities can not be located off-site.
- Shared parking or off-street parking must be located within a relatively close distance, with a recommended distance of 500 feet from the primary entrance.
- The requirement that there be a connected, continuous network of sidewalks from that parking area to the proposed use. If a separate parcel is being used, a formal written agreement must be submitted with that parking plan.

Mayor Pro Tem Berner felt this was an opportunity to incorporate a requirement for large commercial parking areas to use pervious materials. Council Members engaged in an in-depth discussion of the previous proposal that considered the requirement for pervious parking, which did not move forward. The Council agreed to revisit the proposal for commercial parking.

Council Member Farrell made a motion to go into the Public Hearing. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

Roger Warren challenged the premise of parking problems at Resort properties, stating that West Beach has 500 parking spaces and requesting data to support the alleged parking issues. He expressed concern about changing standards without consultation. Mayor Belt responded that changes primarily address multifamily residential parking for visitors/guests and actually provide flexibility through shared parking provisions that benefit the resort.

Mayor Pro Tem Berner made a motion to exit the Public Hearing and return to the Regular Session. Council Member Farrell seconded the motion, and it was unanimously approved.

Council Members Berner and Spencer expressed concerns about the complexity and potential overkill of requirements. Council Member Kaye noted fatigue affecting decision-making. The consensus was to table the ordinance for a future workshop.

Council Member Spencer made a motion to table consideration of Ordinance 2025-23 and schedule a public workshop. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

G. To Consider Approval of Ordinance 2025-24 - An Ordinance To Amend The Town Of Kiawah Island Land Use Planning And Zoning Ordinance To Clarify Memberships Of Planning And Zoning Boards - Public Hearing and First Reading

John Taylor presented amendments to clarify membership requirements for the Planning Commission, Board of Zoning Appeals, and Landscape Tree Preservation Board, specifically clarifying that members can be drawn from within the entire Town's municipal boundaries.

Council Member Farrell made a motion to go into the Public Hearing. Mayor Pro Tem Berner seconded the motion, and it was unanimously approved.

No public comments were offered.

Mayor Pro Tem Berner made a motion to exit the Public Hearing and return to the Regular Session. Council Member Farrell seconded the motion, and it was unanimously approved.

Discussion focused on simplifying and standardizing language about residency requirements across all boards, with agreement to change from detailed requirements to simply "legal resident of the Town of Kiawah Island."

Council Member Spencer made a motion to approve Ordinance 2025-24 on first reading with amendments to standardize residency language. Council Member Farrell seconded the motion, and it was unanimously approved.

IX. Citizens' Comments:

No citizens offered additional comments.

X. Executive Session:

Council Member Spencer made a motion to go into Executive Session pursuant to S.C. Code Ann. § 30-4-70(a)(2) to receive legal advice concerning the settlement status of Captain Sams Spit litigation. Council Member Farrell seconded the motion.

After discussion on timing and fatigue, with several Council Members expressing a preference to defer.

Following the discussion, the motion failed by a 3-2 vote, with Council Members Berner, Kaye, and Spencer voting nay.

- A.** Pursuant to S.C. Code Ann. § 30-4-70(a)(2), to Receive Legal Advice Protected by the Attorney-Client Privilege Concerning the Settlement Status of Captain Sams Spit Litigation.

Upon Returning to Open Session, the Council May Take Action on Matters Discussed in Executive Session.

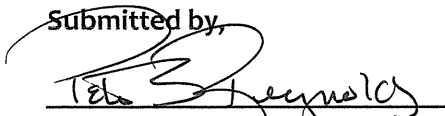
XI. Council Member Comments:

No council members offered comments.

XII. Adjournment:

Mayor Belt adjourned the meeting at 5:45 pm.

Submitted by,


Petra S. Reynolds, Town Clerk

11-18-2025

Date