

**MAYOR:**  
Bradley D. Belt

**MAYOR PRO TEMPORE:**  
Russell A. Berner

**TOWN ADMINISTRATOR:**  
Stephanie Tillerson

**TOWN ATTORNEY:**  
Stafford J. McQuillin III



**COUNCIL MEMBERS:**  
E. Luke Farrell  
Madeleine Kaye  
Lance Spencer

**TOWN COUNCIL**  
**Municipal Center Council Chambers**  
**December 2, 2025, 1:00 pm**

**AGENDA**

- I. **Call to Order:**
- II. **Pledge of Allegiance**
- III. **Roll Call:**
- IV. **Approval of Minutes:**
  - A. Minutes of the Town Council Meeting of November 4, 2025 [Tab 1]
  - B. Minutes of the Special Call Town Council Meeting of November 14, 2025 [Tab 2]
- V. **Citizens' Comments (Agenda Items Only):**
- VI. **Presentations:**
  - A. MUSC Update - Tom Crawford, MUSC Health System Chief Operating Officer
  - B. 2025 Survey Results – Meredith Blair, Communications & Public Affairs Director [Tab 3]
- VII. **Updates:**
  - A. Mayor
  - B. Council Members
  - C. Administrator
- VIII. **Old Business:**
  - A. To Consider Approval of **Ordinance 2025-15** – An Ordinance to Establish Noise Standards Within the Town of Kiawah Island and to Repeal Chapter 8, Sections 15-801 Through 15-807 of the Town Municipal Code – **First Reading** [Tab 4]
  - B. To Consider Approval of **Ordinance 2025-17** - An Ordinance to Amend Article 4, Finance and Taxation, Chapter 3, Municipal Business Licenses, Section 4-321. – Classification and Rates, Appendix A - *Business License Rate Schedule* and Appendix B - *Business License Class Schedule* - **Second and Final Reading** [Tab 5]
  - C. 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.- **Second and Final Reading** [Tab 6]
- IX. **New Business:**
  - A. To Consider Approval of the 2026 Town Meeting Schedules [Tab 7]
  - B. Discussion of the Charitable Grants Guidelines and Applications [Tab 8]
  - C. Discussion of the Ad-Hoc Civic and Cultural Center Addition Construction Committee Charter [Tab 9]

\*Each speaker shall be limited to five minutes. No more than 30 minutes shall be allowed for citizen presentations, comments, and/or questions, and the time shall be divided equally among those requesting to speak.

FOIA: 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.

- X. Citizens' Comments:
- XI. Council Member Comments:
- XII. Adjournment:

\*Each speaker shall be limited to five minutes. No more than 30 minutes shall be allowed for citizen presentations, comments, and/or questions, and the time shall be divided equally among those requesting to speak.

**FOIA:** 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.



**TAB 1**

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# **TOWN COUNCIL**

**Agenda Item**

**TOWN COUNCIL**  
**Municipal Center Council Chambers**  
**November 4, 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*  
Madeleine Kaye, *Council Member*  
Lance Spencer, *Council Member*

**Absent:** Luke Farrell, *Council Member*

**Also Present:** Stephanie Monroe Tillerson, *Town Administrator*  
Mac McQuillin, *Town Attorney*  
John Taylor, Jr., *Planning Director*

The Mayor noted that, notwithstanding the absence of one Council member, a quorum was present.

**IV. Approval of Minutes:**

**A. Minutes of the Town Council Meeting of October 14, 2025**

Mayor Belt stated that the minutes of the Town Council's October 14th meeting had been circulated to Council Members in advance and asked whether there were any edits, corrections, or changes. Council Member Spencer mentioned he had "two administrative things" that he would pass on to Ms. Reynolds. With those changes being made, the minutes were deemed approved.

**B. Minutes of the Special Call Town Council Meeting of October 21, 2025**

Mayor Belt noted that the minutes of the Special Call Town Council meeting from October 21, 2025, had also been circulated in advance. He asked for any edits or changes to those minutes. With no edits noted, the minutes were deemed approved as well.

**V. Citizens' Comments (Agenda Items Only):**

No citizen comments were offered on agenda items.

**VI. Presentations:**

**A. Charleston County Transportation Sales Tax (TST) - Alexa Schoubert**

Devri Detoma, the Deputy Director of Charleston County Public Works, presented on the proposed extension of the transportation sales tax. She explained that Charleston County has had two half-penny sales taxes since 2004, leading to billions of dollars in infrastructure improvements.

Ms. Detoma shared that accomplishments from the existing sales tax include investing over \$4.56 billion in infrastructure improvements, with \$3.4 billion from the sales tax and an additional \$1.2 billion leveraged from external funding sources. The funds have been allocated roughly 12-13% for greenbelts, 62% for infrastructure, and 25% for public transit. She emphasized that they were seeking input on the percentages allocated to these categories if we were to move forward.

A key fact Ms. Detoma highlighted was that "nearly half of every dollar comes from visitors and other sources outside of Charleston County," including commuters from Dorchester and Berkeley Counties, as well as matching funds. She noted they leveraged the \$3.4 million in sales tax proceeds to secure an additional \$1.2 million in outside funding.

Major milestones include resurfacing 895 miles of roads, constructing nearly 50 miles of new bike/pedestrian paths, improving 69 intersections for safety, and protecting nearly half of Charleston County's land as green space.

For public transit, over 125 vehicles have been purchased, over 146 shelters and benches installed, and the LCRT (Lowcountry Rapid Transit) project is set to begin construction in the next couple of years. Service miles have increased by 226%, and passenger trips by 120%.

Ms. Detoma explained the importance of the sales tax extension, noting that the population has grown by more than 33% since 2004, vehicle registrations are up 41%, and they're projected to grow an additional 42,000 in the next decade. She asked the Town to consider providing "a publicly vetted list of what kind of projects you would like to see that would help you support it."

Mayor Pro Tem Burner asked what the county had in mind for where the majority of funds would be spent. Ms. Detoma responded that they haven't started a list yet and are seeking input from municipalities on priorities.

Mayor Belt clarified that this was not the referendum itself but an effort to build early support and help frame the actual referendum language. He noted that the referendum may specify exact percentages for different categories rather than leaving allocation to the county later.

Council Member Spencer emphasized the importance of bike path safety along Main Road, Bohicket Road, and Betsy Kerrison, noting the Town is undertaking a project to connect the Kiawah bike path from Freshfields to Town Hall. He described the dangerous conditions for cyclists on these narrow roads.

Council Member Kaye asked about tracking responses through the QR code survey and how projects would be prioritized. Ms. Detoma explained they haven't gotten that far yet, saying they will present feedback to Charleston County Council in the spring to determine if people support it and what categories everyone's looking at.

Mayor Belt then raised broader concerns about trust and the county's priorities with current funds. He specifically questioned how the \$75 million from the Mark Clark extension project will be allocated. He expressed frustration about the lack of attention to the infrastructure of Lower Johns Island roads, despite Kiawah and Seabrook disproportionately contributing property and accommodations taxes to the county.

Ms. Detoma stated that the County Council has not yet discussed the allocation of those funds, and Segment C of the Main Road corridor project was dropped due to a lack of public support despite projected congestion.

Ms. Tillerson asked for clarification on whether the consolidated lists from municipalities were needed by the end of this year. Ms. Detoma confirmed they were trying to get something by the end of this year, if possible, so that it could be provided to the County Council at the spring 2026 meeting to discuss feedback and decide whether to move forward with a referendum.

## **B. Fiscal Year 2024/2025 Audit Presentation – Mauldin & Jenkins**

Grant Davis, a partner with Mauldin Jenkins, presented the town's fiscal year audit results. He began by congratulating the Town on its Audit Committee and noting that it is rare for a municipality to have one.

Mr. Davis said they had issued "an unmodified or a clean opinion on the financial statements. He also discussed their Yellow Book Report on internal controls and compliance, stating they "did not identify any internal control deficiencies material to the financials or non-compliance."

Mayor Belt clarified: "That's not actually a testing of internal controls; that's not an assessment of internal controls." Mr. Davis confirmed, "That's accurate."

Mr. Davis outlined new accounting standards, GASB (Governmental Accounting Standards Board) 101 and 102, that were implemented, noting that neither had a significant impact on the Town's financial statements. He discussed significant estimates in the financial statements, including pension liability and other post-employment benefits.

Mr. Davis presented financial highlights showing total assets of \$65.5 million versus liabilities of nearly \$6 million, resulting in a net position of nearly \$60 million. He noted an increase in net position of about \$6.5 million from fiscal year 24 to 25. For the General Fund specifically, he highlighted that, with \$31 million in total assets and \$3.2 million in liabilities, the Town had a fund balance of \$28.2 million, of which \$28 million was unassigned. He emphasized the Town's exceptional liquidity: "If you didn't take in another dollar, you could operate at the level you did in fiscal year 25 in terms of spending nearly three more years, which is extremely, extremely healthy."

Mayor Belt thanked Mr. Davis and commended Ms. Szubert and her staff for their extraordinary work, as well as Ways and Means Committee Chairman Farrell for his leadership. He noted the Town's strong Audit Committee and mentioned the separate operational and performance assessments of internal controls, which found no material findings but identified areas for improvement.

Mayor Belt concluded by noting it's somewhat unique that the town is sitting on \$49 million in reserve funds (up from \$46 million at year's end), with the significant majority unrestricted, calling it both a good thing and not so good thing, which we can talk about a little bit further in the context of our next Comprehensive Plan.

### **C. Lowcountry Land Trust - Matt Williams, President & CEO**

Matt Williams shared his conservation origin story of growing up on the Santee Delta, where his father was a biologist specializing in waterfowl management. He emphasized that the delta looks the same today as it did 30 years ago due to conservation efforts.

The Lowcountry Land Trust has been operating for nearly 40 years, working in 17 counties and holding over 540 easements that protect 163,000 acres. They primarily draft conservation easements with willing landowners and conduct fee-simple acquisitions.

Mr. Williams highlighted several recent projects, including Grayson Oaks on Johns Island - 94 acres purchased for \$500,000 below market value using funds from the South Carolina Conservation Bank and Charleston County Greenbelt Fund, now leased to a farmer.

In the Kiawah area, the Land Trust has protected over 620 acres of salt marsh. It is working on several active projects, including Oscar's Place (49 acres) and conservation easements on Ravenswood (700 acres) and Acorn Hill (785 acres). Only 8.4% of Johns Island has been protected compared to 32% of Wadmalaw Island.

Mr. Williams discussed the Angel Oak Preserve project, in which the Land Trust owns 35 acres surrounding the city's 9-acre tree property. They are planning a comprehensive visitor experience with ecological, cultural, historical, and spiritual components, including a raised boardwalk and welcome center to accommodate the 450,000 annual visitors.

Mr. Williams concluded optimistically: "I believe that this is the most exciting time to be involved in conservation in South Carolina. We have federal, state, and county funds flowing. We're doing big things... what we do now and what we'll do in the next 10 to 20 years says a lot about who we are as citizens of the Lowcountry."

Mayor Belt noted the Town allocated through SATAX approximately \$50,000 to support the Angel Oak Preserve in the past year and emphasized how conservation efforts tie into reducing development pressure and traffic needs.

## **VII. Updates:**

### **A. Mayor**

Mayor Belt addressed recent concerns about dogs off-leash, stating that dogs being off-leash is a privilege. It's not a right; some obligations come with that privilege. He stressed that if you want to be off-leash, you must manage your pet and rejected any suggestion that it's somehow the responsibility of a leashed pet and owner to manage the behavior of off-leash dogs. The Mayor warned that failure to follow rules could result in the elimination of off-leash privileges entirely. This will be an enforcement priority for code enforcement, beach patrol, and CSOs (Community Service Officers).

Mayor Belt also highlighted recent work around the roundabout, describing it as a heavy-maintenance project to remove trees, particularly palm trees growing into the canopy of some live oaks, to open sight lines. This is the first phase of a project working with stakeholders, including ARB, to determine which plants can be planted in and around those islands that are both aesthetically pleasing and low-maintenance, and consistent with our grow native initiative.

Mayor Belt noted the Town is being a lot more intentional about maintaining and enhancing the entirety of our right of way and our public roads and right of way, including leisure trails, with more work planned on Kiawah Island Parkway over the coming months, following what was done on Beachwalker Drive earlier in the year.

## **B. Council Members**

**Mayor Pro Tem Burner** mentioned the ongoing contract negotiations with the Civic & Cultural Center project architect and reported on CERT's preparations for the marathon, including unattended bag training. He also reported on hurricane preparations that thankfully weren't needed, and CERT team readiness.

**Council Member Kaye** announced the Go Green Committee, which is part of the Resiliency Committee, will participate in the Resort's composting activities during the marathon for the first time. She anticipated a significant amount of food would be composted and appreciated the Resort's partnership.

Council Member Kaye reported that the Bobcats and Bluegrass event this Friday has reached capacity with 220 registrations. She highlighted attractions such as Rodney Scott and Jim Jordan, plus those cute little things (toy bobcats) being given away if you come. She also noted that their preservation efforts through various avenues appear to be having an impact.

Council Member Kaye mentioned the Resiliency Committee unanimously voted to recommend sustainability features for the construction of the new Civic & Cultural Event Center addition, which she would discuss in more detail later in the meeting.

**Council Member Spencer** announced an Infrastructure and Public Works Committee (I&PWC) meeting on Thursday, with a key topic being the Kiawah Island Utility (KIU) rate increases. A special meeting on November 17th, in which KIU will help the members better understand what's driving those rate increases. The Committee is also examining island transit options, both to and within Kiawah, in partnership with various stakeholders, to better understand what is available and what potential needs are.

Council Member Spencer raised a new concern about short-term rentals. He had seen that property management companies were less than helpful in resolving issues and believes the Town may want to consider accountability measures for property management companies regarding short-term rental issues.

Council Member Spencer announced a Town Veterans Recognition event for Monday, November 10, at 11:00 am in the Council Chambers, noting there are quite a few veterans on Kiawah.

When Mayor Belt asked about updates on cell tower progress, Council Member Spencer reported that Crown Castle is working on a site for a temporary tower at Ocean Course, and that he and Mr. Taylor would meet with Crown Castle on November 18th to assess the other three sites for potential

upgrades. He confirmed there is sufficient interest in justifying a business case to expand and increase coverage at those towers as well.

### **C. Administrator**

Ms. Tillerson deferred most updates but reminded everyone about the Municipal Election. She noted that she received a couple of emails from people who did not realize that today was a municipal election. She urged those who hadn't voted to head over to Sandcastle before 7:00 PM tonight to cast their ballots for the Mayor and two Town Council seats.

Council Member Spencer added that there is no such thing as an uncontested election. So, vote for the candidate on the ballot if you want.

Mayor Belt also reminded everyone about the evening's Kiawah Arts Council program featuring Andrew Armstrong and Genevieve Lewis, world-class pianist and violinist, performing Mozart, Ravel, Gershwin's preludes, and selections from Porgy and Bess at the Seabrook Island Club.

## **VIII. Public Hearings:**

### **A. To Consider Approval of Ordinance 2025-18 - An Ordinance for the Town of Kiawah Island to Amend the Town of Kiawah Island's Comprehensive Plan – Public Hearing**

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

No citizen comments were received.

*Mayor Pro Tem Berner made a motion to close the Public Hearing and return to regular session. Council member Kaye seconded the motion, and it was unanimously approved.*

### **B. 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 – Public Hearing**

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

Mayor Belt clarified that the Public Hearing is intended to gather public input to help the Council's decision-making process on a go-forward basis; no action is being taken regarding the Beach Overlay District at this meeting.

Mr. Taylor introduced the proposed Beachfront Overlay Zoning District, explaining that it was based on a Planning Commission recommendation, with first reading held on October 14th. The purpose includes establishing consistent visual and spatial transitions between the built environment and natural systems, protecting Kiawah's beachfront profile, promoting coastal resiliency, and maintaining ocean views. He emphasized that Kiawah Beach has been one of the most pristine natural resources, so protecting it is a key component of this proposed overlay zoning district.

Mr. Taylor detailed factors the Planning Commission considered: majority of beachfront properties are single-family residential, most undeveloped parcels are on the Ocean Course, recent West Beach developments have created "larger massing in structures" with "a more prominent visual presence on the beach front, which has been concerning to members of the community," and Kiawah's unique protection layer of land dedicated to the community association that provides natural setback from the ocean.

Mr. Taylor explained that the ordinance establishes two buffer zones: *Buffer Zone A* (50 feet from the 2018 beachfront setback baseline), which is the most restrictive. It restricts the types and amounts of structures that can be built and prohibits the use of erosion control devices. *Buffer Zone*

B (another 50 feet inland), allowing structures with a 10-foot maximum height limit and only 20% improved area coverage.

Mr. Taylor clarified that beach walkovers are exempt and that anything legally permitted to date would remain a non-conforming structure: The ordinance does not require anyone to rip up existing walkovers or pools or anything that may fall into one of these proposed buffer zones, nor does it prevent future walkovers.

Mr. Taylor presented a graphic of the proposed Beach Overlay District, noting that the Town has provided an interactive beach overlay tool on its website to help residents better understand how the overlay transposes over their property. He also indicated that several written public comments have been received and will be included with the minutes for the record.

**Hamlin O'Kelly, Attorney with Buist, Byers and Kelly**

Mr. O'Kelly, representing several property owners on Eugenia Avenue, began the citizen comments with a lengthy presentation. He established his firm's credentials and expressed concern that the ordinance constitutes a taking of private property. He argued that nearly 50% of the lots would become undevelopable, devaluing property. He noted that the beach has been stable and accreting due to the Folly Beach jetties, indicating that scientific evidence shows the dune system in the West Beach area is highly stable.

Mr. O'Kelly invoked the *Lucas v. Coastal Council* case, warning that if you enact a regulation that makes a property economically useless or economically detrimentally devalues the property, then you have to pay for just compensation. He argued that residents might not be able to rebuild after fires or storms and concluded by asking those opposed to stand.

Mr. O'Kelly requested more time, workshops, and public input, noting that many affected property owners were unaware of the proposal. When asked, numerous audience members stood to indicate opposition to the ordinance as written.

**Andrew Francis - 7 Turtle Beach Lane**

Mr. Francis stated he was opposed to the ordinance due to potential impacts on property values and the ability to improve property.

**Ondrea Schiciano - 25 Eugenia**

Ms. Schiano expressed respect for the ordinance's intent but concern about property values and the ability to restore homes after damage. She offered to provide suggested language clarifications regarding rebuilding rights.

**Lee Olesky - 63A Eugenia**

Mr. Olesky strongly objected, sharing his experience of rebuilding after a fire and requesting crystal-clear language about rebuilding rights in the event of future hurricanes or fires. He emphasized that he did not want any changes to the current approval processes and threatened litigation if property rights were affected.

**Mary Helen Wade - 4210 Mariners Watch**

Ms. Wade asked about the relationship to the 2026 baseline reconsideration. Mr. Taylor explained the Planning Commission would review the ordinance within 120 days of new lines being established to determine if adjustments were needed.

**Larry Rosenfeld - 99 Jack Stay Court**

Mr. Rosenfeld asked for clarification about where the current dunes are located relative to the proposed buffer zones. Discussion revealed that protected dunes already exist in many of these areas.

Council Members and residents engaged in an extended discussion about the right to rebuild non-conforming structures. Mr. McQuillen clarified that force majeure events would allow exact rebuilding, though normal permitting would still be required. However, voluntary demolition would require compliance with new standards, potentially requiring variances.

**Russell Amundson - 1011 Thrasher Court, Sparrow Pond**

Mr. Amundson commented that the elephant in the room was the six-story building on West Beach, which disrupted beach views and wildlife, suggesting that height and setback should be proportional to one another.

Council Member Kaye asked if rebuilding protections could be written directly into the ordinance. McQuillen confirmed that these protections already exist in the non-conforming ordinance, which was recently revised for clarity.

**Kathleen Rust of 4428 Sea Forrest**

Ms. Rust raised questions about townhomes and villas, asking about the entire structure of condominiums and what would happen if something were to happen. Mayor Belt said that any structure destroyed by a hurricane or fire could be rebuilt exactly where it is without complying with new standards.

Mr. Francis returned with another question: If someone were to voluntarily take down an existing building that they could not rebuild in the same location? Mayor Belt confirmed this was correct - the ordinance is intended to address new development or voluntary teardowns. Francis argued that affects the value... we have what, seven different setbacks right now. Why do we need to change?

Mr. Olesky said, If we have no intention of selling our home, I hope my children and grandchildren get to use it. But if they do want to sell the home in 20 years, it'll be worth a lot less. He warned of a significant financial impact: There are 40 homes... on Eugenia. You're talking about a lot of money, and I think we will litigate... that cannot be the intention of this Town to do that.

Mayor Belt provided context, noting beachfront overlays are traditional planning tools used throughout South Carolina and other coastal areas. He addressed the Lucas case directly: You cited it correctly when you said it renders property useless. That constitutes a compensable taking. But then you said...devalue the property. To be clear, that is not referenced anywhere in Lucas. He emphasized that diminution of value does not in and of itself constitute a taking.

Mayor Belt acknowledged the unique characteristics of Eugenia Avenue properties, with varied setbacks in many cases, explaining that R-2 has 20-foot setback requirements, whereas Eugenia does not. There are all these pre-platted setbacks... only 10-foot setbacks on side setbacks for many of those properties. The setback from the oceanfront varies from property to property. There's no consistency, which is what we're trying to apply here.

The Mayor concluded whether the Planning Commission's proposal gets it exactly right. I don't know. I'm confident that directionally it is where this community, I think, wants to go or needs to go.

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

**IX. Old Business:**

**A. To Consider Approval of Ordinance 2025-18 - An Ordinance for the Town of Kiawah Island to Amend the Town of Kiawah Island's Comprehensive Plan – Second and Final Reading**

Mr. Taylor noted that the Town's Comprehensive Plan was ready for adoption following the Planning Commission's edits. He highlighted minor additions outlined in red, noting that the executive summary, "Kiawah by the Numbers," and the strategic action plan outline the Town's direction regarding its Comprehensive Plan. He outlined some minor additions, including a land preservation program similar to the Lowcountry Land Trust's work, as well as additional resiliency

measures. He particularly noted the addition of ecotourism language at Council Member Kaye's request.

***Council Member Kaye made a motion to approve Ordinance 2025-18, amending the Town of Kiawah Island's Comprehensive Plan on second and final reading. Mayor Pro Tem Berner seconded the motion.***

Council Member Kaye highlighted the "Kiawah by the Numbers" section as an important data source and appreciated the inclusion of all the resiliency elements. She commended Mr. Taylor and the Planning Commission for creating an eminently readable document.

Mayor Belt echoed those comments, praising the extraordinary time and effort of the Planning Commission and staff members Ms. Tillerson and Mr. Taylor. He noted it was a lengthy process, longer than it needed to be, with a couple of course corrections, but felt the result was much better than where we started. He specifically credited Planning Commission members, Ms. Devine, and Ms. Devine, for crafting the visual presentation of data.

The Mayor highlighted the substantive addition of a recommendation to establish a "Greenbelt Program Task Force" that ties into the Lowcountry Land Trust's work, emphasizing supporting conservation initiatives on Kiawah and surrounding properties to reduce traffic and protect habitat.

Mayor Pro Tem Berner noted interesting statistics, including the Resort's 1,700 employees and 300,000 non-resident visitors annually. Mayor Belt emphasized Kiawah's role as a substantial employment base with about 3,000 persons employed by Kiawah-based employers.

Council Member Spencer asked about the next steps for implementing recommendations, such as the land bank. Mayor Belt responded that prioritizing and operationalizing would be addressed at the late January/early February strategic planning meeting. Mr. Taylor noted the Planning Commission has already begun prioritization work.

Mayor Pro Tem Berner raised questions about establishing the Kiawah Island Alliance mentioned in the plan. Mayor Belt explained challenges in defining its role as it would be more of a coordinating body than a decision-making entity, with details to be worked out. He indicated that the Alliance could help develop additional emergency access on and off the island if the Kiawah Island Parkway becomes blocked. This led to a discussion about using leisure trails, golf course trails, or creating emergency routes, with Mayor Pro Tem Berner and Mayor Belt exchanging ideas about boat shuttles versus land routes through vegetation.

***Following the discussion, the motion to approve Ordinance 2025-18 was unanimously approved.***

**B. 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 - Second and Final Reading**

Mr. Taylor explained that the ordinance aimed to clarify the membership of the Planning Commission, the Board of Zoning Appeals, and the Landscape and Tree Preservation Board. He noted municipal boundaries were removed as the only substantive change from the first reading.

***Mayor Pro Tem Berner made a motion to approve Ordinance 2025-24, clarifying the Membership of Planning and Zoning Boards, on second and final reading. Council Member Kaye seconded the motion, and it was unanimously approved.***

**C. 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 - Second and Final Reading**

**D. To Consider Approval of Ordinance 2025-26 - An Ordinance for the Town of Kiawah Island to Amend Article 10 - Public Utilities - Second and Final Reading**

Mayor Belt requested and received unanimous consent to consider both ordinances together. These ordinances move franchise agreement provisions from the business license section to a newly retitled “utilities” article and add requirements that utility providers have to be prepared to provide sewer service to properties required to be on sewer. Mayor Pro Tem Berner added that property owners must pay reasonable connection costs.

***Mayor Pro Tem Berner made a motion to approve both Ordinance 2025-25 and 2025-26 on second and final reading. Council Member Kaye seconded the motion.***

Council Member Spencer asked detailed questions on why only sewers were addressed, why they were moving content between sections, and whether it was duplicative. Mayor Belt explained this was cleaning up existing language, with more comprehensive franchise ordinance work to come later. After an extended discussion, the Mayor and Ms. Tillerson clarified the organizational changes, after which the Council Members understood these were housekeeping measures.

***Following the discussion, the motion was unanimously approved.***

**X. New Business:**

**A. To Consider Approval of Ordinance 2025-17 - An Ordinance To Amend Article 4, Finance And Taxation, Chapter 3, Municipal Business Licenses, Section 4-321. – Classification And Rates, Appendix B: Business License Rate Schedule – First Reading**

Ms. Szubert explained that state law requires municipalities to update business license classifications every two years based on IRS profitability reviews. The latest review from 2019-2021 (COVID years) resulted in new classifications, with a majority of businesses dropping a class; 85% of affected businesses are short-term rentals. If revenues remain the same as last year, this could result in a decrease of approximately \$65,000.

Ms. Szubert recommended not changing the fees despite the potential revenue drop, citing that the estimated accommodation fees are trending upward and that the fee schedule is very well organized and easy to explain, so she would not want to change any class or item. She also noted that the estimated \$65,000 drop is very minimal compared to the total revenues collected from business licenses.

***Council Member Kay made a motion to approve Ordinance 2025-17, accepting the staff's recommendation not to change the fees on first reading. Mayor Pro Tem Berner seconded the motion.***

Mayor Pro Tem Berner strongly objected, expressing a preference not to reduce revenue and suggested adjusting rates to offset the loss. When Ms. Szubert suggested that if Council wanted to change rates, they should do so for everyone across the board, all the classes, Mayor Pro Tem Berner agreed. Ms. Szubert explained that changing the rate per thousand from \$1.95 to \$2.00 would generate an additional \$100,000, more than offsetting the loss.

Discussion revealed the \$65,000 estimate assumes no growth in gross receipts. Ms. Szubert noted that accommodation tax collections indicate that rentals will likely report higher revenues due to inflation and rate increases, potentially offsetting the impact of the classification changes.

Council Member Kaye added that any additional costs passed on to the business will ultimately be passed on to the consumer.

Mayor Belt stated he was comfortable with the staff's recommendation on first reading but open to reconsidering on second reading if the Ways and Means Committee wanted to parse the numbers more carefully.

***Following the discussion, the motion was unanimously approved.***

**B. To Consider Approval of the Contract with Caplea Coe/H3 as Architect of Record for the Design of the Civic and Cultural Center Addition**

***Mayor Pro Tem Berner made a motion to amend the agenda to remove the approval of the Caplea Coe/H3 contract item from New Business. Council Member Kaye seconded the motion.***

Mayor Belt explained that while the Council had authorized contract negotiations and Mayor Pro Tem Berner had been involved in drafting the AIA contract, a complete draft had not been received until last Friday. All the outstanding issues had not been resolved. He expressed the intention to resolve matters quickly and may schedule a Special Call meeting rather than wait another month.

*Following the discussion, the motion was unanimously approved.*

**C. To Consider Approval of the Public Safety Committee Recommendation to Charleston County Council for Appointment of St. Johns Fire District Fire Commissioner**

Mayor Pro Tem Berner, as chair of the Public Safety Committee, explained that Steve Rolando's term as a St. Johns Fire Commissioner was expiring and expressed a desire to continue serving on the Commission. Mayor Pro Tem Berner detailed Mr. Rolando's qualifications: former volunteer firefighter, current commissioner and chair of the Human Resources Committee, and CERT member. He particularly appreciated Rolando's goal to improve the island's emergency medical capability. He noted that the Public Safety Committee unanimously recommended him for reappointment to the St. Johns Fire Commission.

***Mayor Pro Tem Berner made a motion to recommend to the Charleston County Council that Mr. Steve Rolando be reappointed to the St. Johns Fire Commission. Council Member Kaye seconded the motion.***

Mayor Belt noted the process wasn't as robust as it should have been, with limited time for other candidates to apply. He explained that the Town has instituted new policies requiring public notice for board and commission openings. Two other candidates with Kiawah ties expressed interest but were not Kiawah residents as required by state law.

*Following the discussion, the motion was unanimously approved.*

**XI. Citizens' Comments:**

No citizen comments were received.

**XII. Council Member Comments:**

Council Member Kaye noted the meeting's remarkable efficiency.

Mayor Belt thanked everyone for a constructive meeting and said that the date and time of the potential Special Call meeting regarding the architect's contract will be announced.

**XIII. Adjournment:**

***Mayor Belt adjourned the meeting at 4:05 pm.***

**Submitted by,**

\_\_\_\_\_  
**Petra S. Reynolds, Town Clerk**

\_\_\_\_\_  
**Date**



**TAB 2**

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# **TOWN COUNCIL**

**Agenda Item**

# SPECIAL CALL TOWN COUNCIL

Municipal Center Council Chambers

November 14, 9:00 am

## Minutes

I. **Call to Order:** *Mayor Belt called the meeting to order at 9:00 am.*

II. **Roll Call:**

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

**Present Via Zoom:** Luke Farrell, *Council Member*  
Steve Coe, *Caplea Coe Architects, Inc.*  
Patrick Bradley, *Haynesworth Sinkler Boyd*

**Also Present:** Stephanie Monroe Tillerson, *Town Administrator*

III. **Citizens' Comments (Agenda Items Only):**

There were no citizen comments on agenda items.

IV. **New Business:**

A. To Consider Approval of the Contract with Caplea Coe/H3 as the Architect of Record for the Design of the Civic and Cultural Center Addition

Mayor Belt provided background on the agenda item, explaining that at a prior meeting, the Council approved the Design Selection Committee's recommendation of Caplea Coe/H3 as the architect of record for the project and authorized the Mayor to enter into contract negotiations. He noted they had hoped to complete negotiations by the last Council meeting, but did not finalize the contract, which required this special call meeting. The Mayor expressed appreciation to Mr. Coe and his team for their willingness to engage in the back-and-forth negotiations, to Mayor Pro Tem Berner for his comments, and to Mr. Bradley for his assistance with the process.

Mayor Belt entertained a motion to approve Caplea Coe as the architect of record and move forward with the contract.

***Mayor Pro Tem Berner made a motion to approve Caplea Coe as the architect of record and move forward with the contract. Council Member Kaye seconded.***

Mayor Pro Tem Berner proposed adding several requirements to Article 3.1.3: that a schedule be provided within 2 months after agreement execution for the entire project (not just design); that the schedule be updated at least once every 2 months; that it include activities for preparation of drawings for each trade; identify significant phases (schematic, design development, and construction documents); include time for owner review and comment on the design with allowance for revisions; include activities for GMP pricing by the construction manager; and include activities for permitting and governmental approvals.

Mr. Bradley and Mr. Coe confirmed they had no issues with the proposed scheduling additions, as they had already planned to create an overall project schedule including those elements.

***Mayor Pro Tem Berner made a motion to approve the adjustments to Article 3.1.3 as stated and excepted by the counterparties. Council Member Spencer seconded the motion, and it was unanimously approved.***

Mayor Pro Tem Berner then addressed Article 3.1.8 regarding GMP estimating and Article 3.3.7 concerning cost estimates. His primary concern was ensuring the design would stay within budget before retaining the construction manager. He worried that if the project was over budget after schematic design, the Town might have to pay for redesign costs.

Mr. Coe clarified that his firm would be doing cost estimating during schematics, not the construction manager, who would not be on board yet. He confirmed their contract was based on construction costs of \$9.5 million within a total project budget of \$12 million. He assured that if, during schematics, they were over budget, they would continue working without additional charge to provide a design meeting the budget.

Further discussion led to revising the first sentence of Article 3.3.7 from "Upon receipt of the construction manager's review comments and cost estimate" to something like "The architect shall prepare a cost estimate and present it at the conclusion of the schematic design phase."

***Mayor Pro Tem Berner moved to make the change to Article 3.3.7 as discussed by the Mayor and confirmed by Mr. Bradley and Mr. Coe. Council Member Spencer seconded the motion.***

Council Member Farrell questioned whether, as the architecture progresses and costs rise, there is language or a process for the Council to work with the architect and review proposed substitutions or changes. Mayor Belt clarified that it would not be realistic to bring every decision back to Council, and that an established Building Committee would be empowered to make such decisions.

Council Members discussed concerns about the Council not making decisions on changes and about the process used to establish a Building Committee for the construction of the Municipal Center, including a charter that defined its approval parameters and what had to be approved by the Council.

***Following the discussion, the motion was unanimously approved.***

Mayor Pro Tem Berner raised concerns about Article 4.2.3 regarding site visits and inspections. He questioned the meaning of "one inspection for any portion of the work" for substantial completion. Mr. Bradley and Mr. Coe explained that this referred to a single substantial completion inspection for the entire project, since it was not a phased project.

Mr. Coe elaborated on the formal definition of substantial completion - when the project is complete and ready for the owner's intended use. He distinguished this from the regular observations and deficiency lists prepared during their 36 site visits throughout construction. He also noted that if the contractor incorrectly certified that the project was ready for substantial completion inspection, the owner could backcharge the contractor for additional inspection costs.

Mayor Pro Tem Berner expressed satisfaction with this clarification and moved to his final concern regarding Article 4.2.5, which stated that if the job were not completed within 36 months, any architect services would be considered additional services. He was concerned this was unfair, particularly for tasks such as as-built drawings that would be done regardless of timing.

Mr. Coe explained that they would not be double-charging but would only charge for services extended beyond the 36 months. He clarified it would primarily be for continuing site visits, meetings, and efforts to get the contractor to complete the job. Mayor Pro Tem Berner suggested adding clarifying language after "extension of architect services beyond that time" to specify examples like "monthly site visits or other meetings happening beyond the 36 months."

***Mayor Pro Tem Berner moved to amend Article 4.2.5 with the clarifying language discussed. Council Member Spencer seconded the motion, and it was unanimously approved.***

Council Member Farrell asked about the 36-month timeline and whether completing the project sooner would save money. Mr. Bradley explained he had already negotiated an extension from Mr. Coe's initial 30-month proposal to 36 months. Mr. Coe clarified that the 36 inspections were not

ted to months but to a total number of approximately 2 per month over an 18-month construction period.

Council Member Farrell also questioned the 10% markup on reimbursed expenses in Section 11.8.2. Mr. Coe explained that this covered office overhead and invoicing expenses, which Mayor Pro Tem Berner confirmed were normal in the construction industry.

Council Member Spencer raised several points. He noted that the Mayor's name was misspelled on page 27, using this as an example of the need for careful review and sufficient time to thoroughly examine documents. He emphasized the importance of determining which decisions would need to come back to the Council and which could be handled by the Building Committee.

Council Member Spencer also expressed concern about not seeing specific design requirements in the contract package, asking when they would see the actual requirements against which the contract would be executed. He mentioned items like sustainability requirements and LEED (Leadership in Energy and Environmental Design) certification recommendations from the Resilience Committee.

Mayor Belt responded that program parameters had been established during the RFQ and design selection process. He noted that pursuing formal LEED certification was expensive and that they could achieve many objectives without it. The Mayor explained that the architect's initial conceptual design was larger and more expensive than the budget allowed, so the iterative process would involve working with them to narrow it within budget constraints.

The discussion turned to the need for regular updates and the role of the Building Committee. Council Members emphasized the importance of a charter that defines which decisions the committee may make and which require council approval. There was agreement that while tactical decisions, such as floor tile selection, could be delegated to the committee, strategic decisions and regular progress updates should come to the Council.

Mr. Coe offered to provide PowerPoint presentations at project milestones at no additional charge, emphasizing that keeping the client informed leads to better projects. Council members appreciated this commitment to communication and transparency.

***Mayor Pro Tem Berner made a motion to approve the contract with Caplea Coe/H3 as architect of record, as amended. Council Member Spencer seconded the motion, and it was unanimously approved.***

**V. Council Member Comments:**

Council members expressed gratitude to the committee for their work on the project.

**VI. Citizens' Comments:**

A citizen who did not approach the microphone urged the Council to make the auditorium facility as large as possible.

**VII. Adjournment:**

***Mayor Belt thanked Mr. Coe and Mr. Bradley for their participation and adjourned the meeting at 10:05 am.***

**Submitted by,**

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**Petra S. Reynolds, Town Clerk**

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**Date**



**TAB 3**

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# **TOWN COUNCIL**

**Agenda Item**



# 2025 Community Survey Highlights

Meredith Blair, Communications & Public Affairs Director

Dec. 2, 2025 | Town Hall

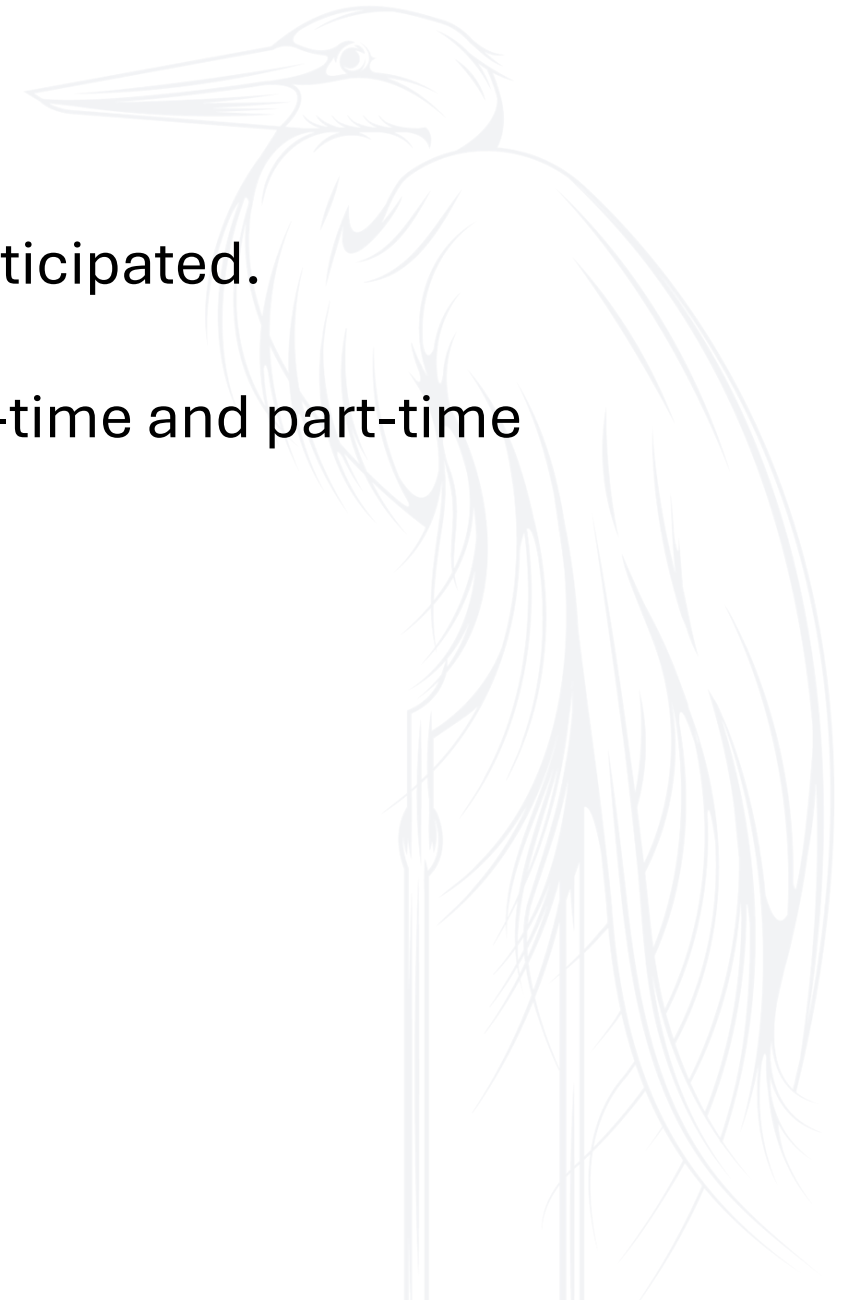




# 2025 Community Participation

**451** community members participated.

**98%** of respondents were full-time and part-time property owners.





## Satisfaction with Town employees and services

More than **73%** are satisfied or very satisfied with the Town's overall services. **This is modestly up from 69% last year.**

More than **74%** are satisfied or very satisfied with their interactions with Town staff. **This is essentially the same as last year (73%).**

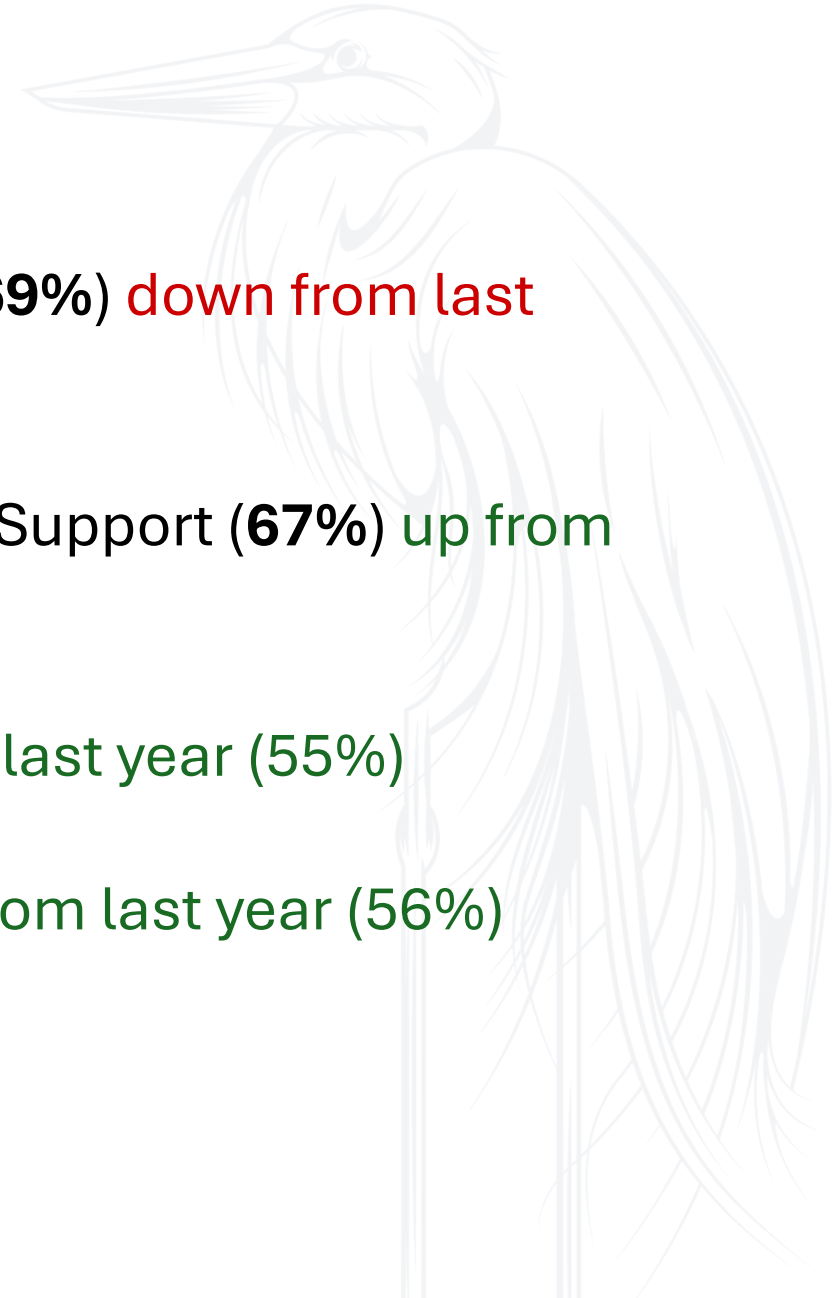




## Satisfaction with Town employees and services

What the Town does WELL:

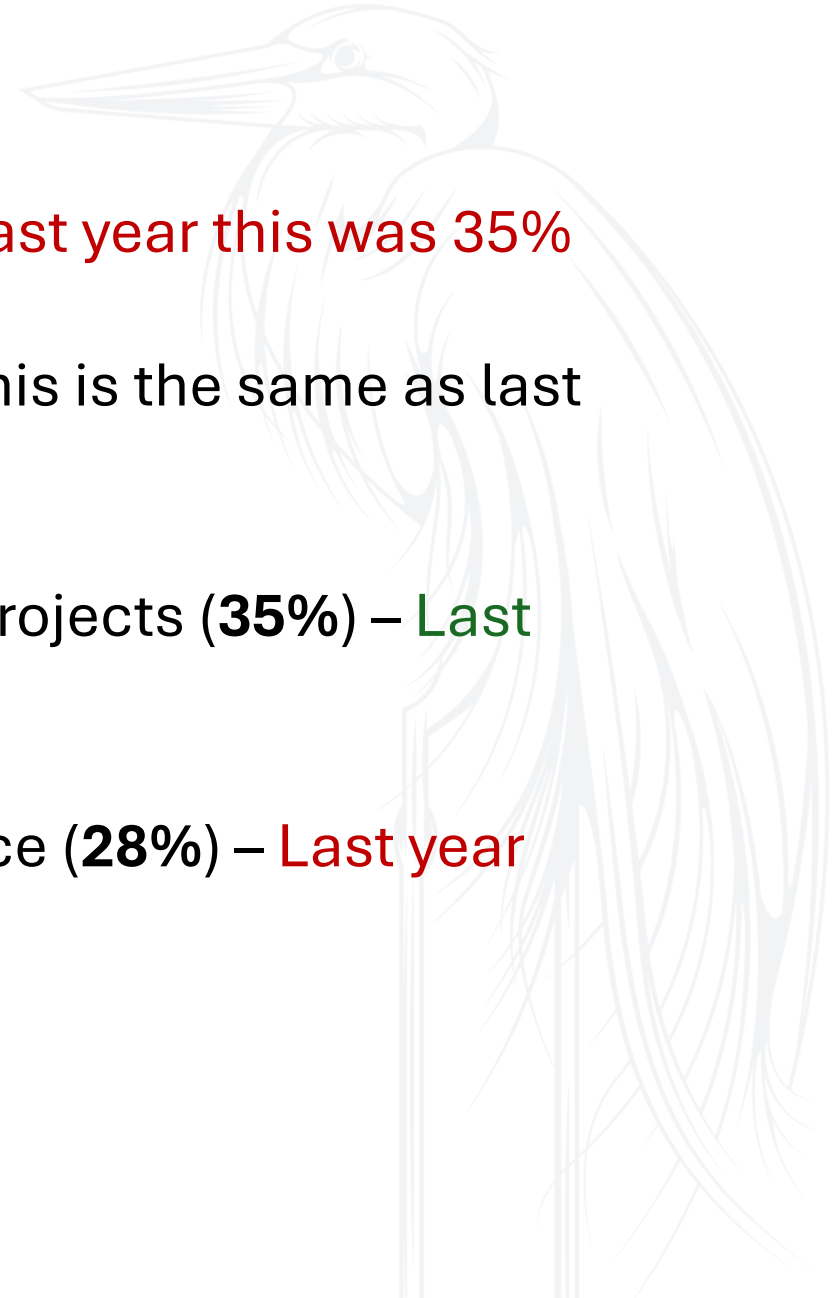
- Emergency Preparedness (**69%**) **down from last year (77%)**
- Environmental and Wildlife Support (**67%**) **up from last year (50%)**
- Beach Patrol (**58%**) **up from last year (55%)**
- Communication (**57%**) **up from last year (56%)**



## Areas to Improve Upon

### Areas to Improve Upon:

- Code Enforcement (**44%**) – Last year this was 35%
- Permitting Process (**40%**) – This is the same as last year
- Planning and Development Projects (**35%**) – Last year this was 56%
- Short-Term Rental Compliance (**28%**) – Last year this was 24%

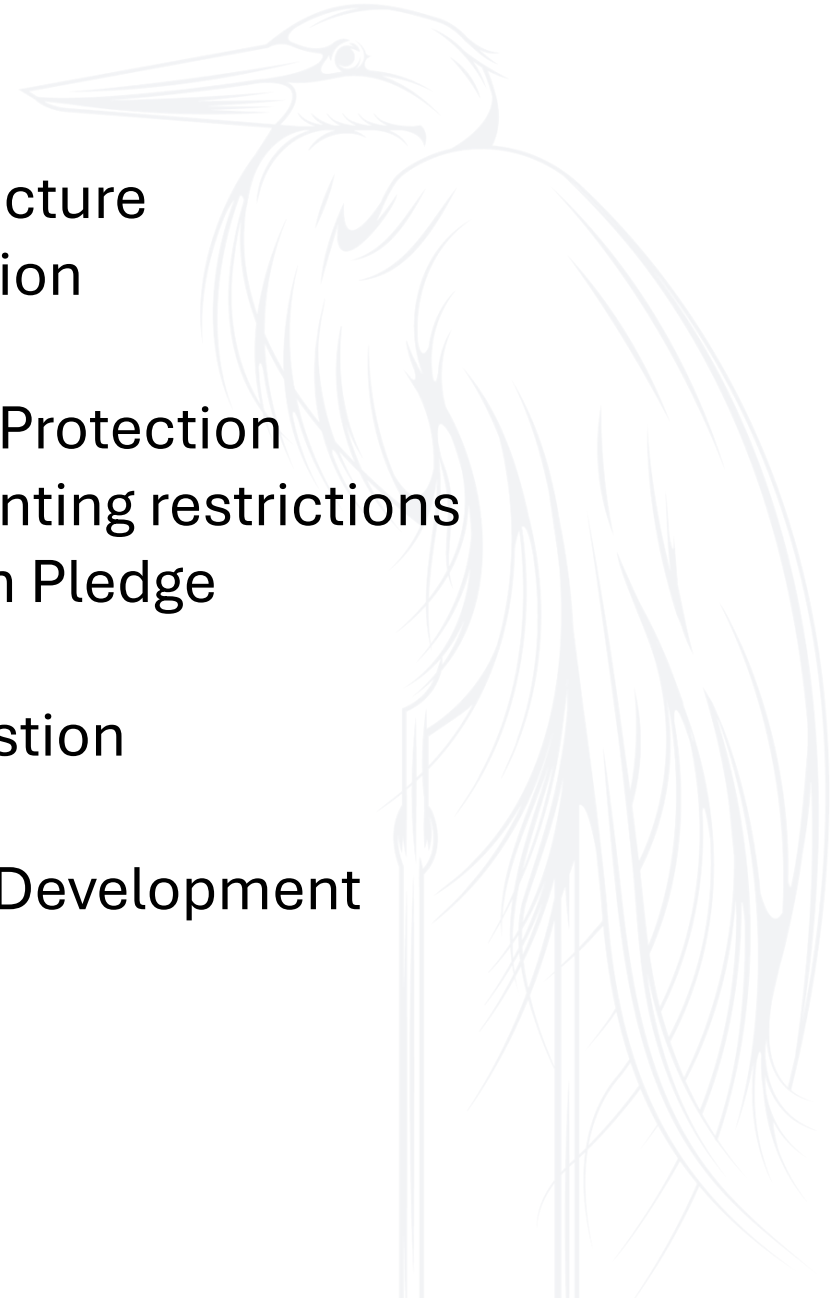




## Key Resident Priorities

### Key Resident Priorities:

- Resiliency
  - Flood mitigation infrastructure
  - Natural habitat preservation
- Wildlife, Specifically Bobcat Protection
  - Support KICA is implementing restrictions
  - Take the Bobcat Guardian Pledge
- Traffic and Main Gate Congestion
- Managing Construction and Development
- Speed Limit Enforcement





## Additional Comments

- *“What happened to the traffic enforcement we saw for a moment in August? Contractors are not complying with speed limits despite claims otherwise.”*
- *“Limit any high-density housing or development that overtaxes the infrastructure.”*
- *“On-island access is a flood gate opened to everyone and anyone who wants access. Fix the 35-minute backup at the gate for the homeowners.”*
- *“Development of the island must be stopped. Kiawah is special because of its pristine and natural beauty. If people don’t want to come here to enjoy the paradise it is, let them go somewhere else.”*



# Survey Results

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The full survey results will be available on the Town's website and sent out in the e-newsletter on **Thursday, December 4, 2025.**



**TAB 4**

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# **TOWN COUNCIL**

**Agenda Item**

TOWN OF KIAWAH ISLAND

**ORDINANCE 2025-15**

**AN ORDINANCE TO ESTABLISH NOISE STANDARDS WITHIN THE TOWN OF KIAWAH ISLAND AND TO REPEAL CHAPTER 8, SECTIONS 15-801 THROUGH 15-807 OF THE TOWN MUNICIPAL CODE**

**WHEREAS**, the Town Council of the Town of Kiawah Island is charged with preserving the public peace and ensuring the health, safety, and general welfare of its residents and visitors; and

**WHEREAS**, the Town has determined that excessive, unnecessary, or unregulated noise can adversely impact the quality of life, disturb the peaceful enjoyment of property, interfere with the use of environmentally sensitive areas, and diminish the overall character of the community; and

**WHEREAS**, the Town Council finds it necessary and appropriate to adopt clear, enforceable, and balanced standards for permissible sound levels and noise-generating activities within the Town’s jurisdiction, including residential, commercial, resort, and public areas; and

**WHEREAS**, the Town Council further finds that Chapter 8, Sections 15-801 through 15-807 of the Town Code, enacted by Ordinance No. 2022-01, should be repealed and replaced with revised provisions that provide enhanced clarity, improve enforceability, and better reflect the Town’s commitment to protecting public peace, health, and welfare.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL:**

**Section 1                      Purpose**

The purpose of this Ordinance is to promote the public peace, health, safety, and welfare of the residents and visitors of the Town of Kiawah Island by establishing clear and enforceable standards regulating noise. These standards are intended to prevent excessive, unnecessary, and disruptive sounds; preserve the quiet character of residential and environmentally sensitive areas; and provide appropriate guidance for permissible noise levels in commercial, resort, and public spaces.

**Section 2                      Ordinance**

The Town of Kiawah Island hereby repeals Chapter 8, Sections 15-801 through 15-807 of the Town Code, as enacted by Ordinance No. 2022-01, and adopts the following provisions as the new Chapter 8 – Prohibited Noise of the Code of Ordinances. These provisions shall be codified and enforced accordingly.

**Section 3**                    **Severability**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

**Section 4**                    **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by the Town Council of the Town of Kiawah Island.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.**

\_\_\_\_\_  
**Bradley D. Belt, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Petra Reynolds, Town Clerk**

1<sup>st</sup> Reading: December 2, 2025

2<sup>nd</sup> Reading: \_\_\_\_\_, 2026.

## **CHAPTER 8. PROHIBITED NOISE**

### **Sec. 15-801. Statement of policy.**

It is the policy of the Town of Kiawah Island to maintain a peaceful community while recognizing that certain noises are generated by the acceptable economic and recreational activity of a vibrant community. The goal of the town is to recognize such activity while ensuring that time periods during which many residents are customarily at rest or have an expectation of peaceful enjoyment of their residences are not disturbed by unacceptable levels or types of noise.

(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

### **Sec. 15-802. Definitions.**

In addition to the common meaning of words, the following definitions shall be used in interpreting this section.

*"A" weighted scale* means the sound pressure level, in decibels, as measured with the sound level meter using the "A" weighted network (scale). The standard unit notation is "dB(A)."

*Amplified sound* means sound augmented by any electronic means which increases the sound level or volume.

*ANSI* means the American National Standards Institute or its successor bodies.

*Complainant* means any owner, lessee, manager, or person with a legal interest in a receiving property who reports to the code enforcement officer or other town authority being disturbed by sound heard in or on outside living space or place of business upon the receiving property and not originating therefrom.

*Construction* means on-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting, and landscaping.

*Daytime hours, weekday.* See Table A.

*Daytime hours, weekend/holiday.* See Table A.

*dB(A)* means sound level in decibels, determined by the "A" weighted scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-197 I, or its successor publication(s).

*Decibel (dB)* means a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio. In its simplest form a decibel is a unit for measuring the loudness of sound.

*Excessive noise* means any unnecessary or unusually loud sound or any sound which disrupts the peace and quiet of any neighborhood and which does annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensibilities.

*Emergency work* means work made necessary to restore property to a safe condition, work required to protect, provide, or prevent persons or property from danger or potential danger, or work by a private or public utility when restoring utility service.

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*Holiday* means any official holiday recognized by the town.

*Nighttime hours, weekday.* See Table A.

*Nighttime hours, weekend/holiday.* See Table A.

*Noise disturbance* means any unreasonably loud or raucous sound or noise which:

- Endangers or injures the health or safety of humans or animals;
- Endangers or injures the personal or real property; or
- Disturbs a person of normal sensitivity.

*Nonresidential property* means properties within the town that are not residential.

*Outdoor entertainment* means any outdoor commercial or fundraising activity offered to, provided for, or attended by one or more persons including the playing of recorded music, radio, stereo, and/or television.

*Outdoor live entertainment* means any activity for the benefit of one or more persons to be performed or conducted in outdoor areas by a person or persons using amplified sound to broadcast their voice, or the sound or noise resulting from the playing of musical instruments or other sounds.

*Person* means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, or agency.

*Plainly audible* means able to be clearly heard by a person of normal sensibilities using only unaided auditory senses. Plainly audible shall refer to a sound heard at a volume level above that of normal conversation and shall not include sounds which are just barely audible. With respect to music and amplified sounds, the detection of rhythmic base reverberating type sound, beat or cadence shall be deemed plainly audible.

*Receiving property* means any residence or place of business on which uninvited noise is plainly audible when measured at the property line most closely facing the source of the noise.

*Residential area* means areas of the town containing single-family and multifamily dwellings, including houses, apartments, and condominiums.

*Sound level* means, in decibels, a weighted sound pressure level determined using a sound level meter whose characteristics and frequency weightings are specified in ANSI standards.

*Sound level meter* is an instrument including a microphone, an amplifier, an output meter, and "A" frequency weighting network for the measurement of sound levels that conforms to American National Standards Institute (ANSI) Standard S 1.4-1971 "Specifications for Sound Level Meters," or the latest revision.

*Sound pressure level* means, in decibels, 20 times the logarithm to base ten of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.

*Sound source* means any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

*Uninvited noise* means noise not originating from the receiving property.

(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

### **Sec. 15-803. General prohibitions.**

- (a) Except as allowed in this article, no person shall willfully engage in any activity on any premises or public area in the town, which produces or constitutes a noise disturbance on occupied neighboring premises or public area.

- (b) *Specific prohibitions.* The following noises are considered a noise disturbance in violation of this section:
- (1) *Horns/signaling devices.* The sounding of any horn or signaling device on any motor vehicle or any street or public place, except as a danger warning.
  - (2) Radios, televisions, musical instruments, and similar devices when operated or played so as to produce or reproduce sound in a manner as to be plainly audible from inside any residence or place of business other than the sound source.
  - (3) Building operation's noise during nighttime hours that is plainly audible from inside a residence or place of business of a receiving property.
  - (4) Amplified sound that is plainly audible from inside a residence or place of business of receiving property not originating from the receiving property.
  - (5) Motor vehicle muffler sounds that are in violation of S.C. Code Ann. 56-5-502.
- (Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

**Sec. 15-804. Decibel level prohibitions.**

Table A (Maximum Noise Limitations)—dB(A) Maximum decibel levels

	Daytime Hours Mon—Thurs 8:00 a.m.—8:00 p.m.	Nighttime Hours Mon—Thurs 8:00 p.m.—8:00 a.m.	Daytime Hours Fri—Sat/Holi day 8:00 a.m.—10:00 p.m.	Nighttime Hours Fri—Sat/Holi day 10:00 p.m.—8:00 a.m.	Daytime Hours Sunday 9:00 a.m.—8:00 p.m.	Nighttime Hours Sunday 8:00 p.m.—8:00 a.m. Monday
Max dB(A) level	70	60	70	60	65	55

- (1) Unless otherwise specifically indicated, it shall be unlawful for any person to cause or allow the emission of sound from any source to exceed the maximum levels specified in the above table, when measured at the property line of the complainant's property. A violation will be determined by the code enforcement officer's use of an authorized decibel meter.
- (2) *Exceptions.* The following activities are not governed by the above decibel level limits, but activities that constitute a noise disturbance or do not comply with the limits set forth herein are violations of this section:
  - a. Emergency warning devices on police, fire, ambulance, or other emergency vehicles;
  - b. Horns or other devices used in attempt to avoid imminent injury to human life or property;
  - c. Emergency work;
  - d. Construction may not start before 7:00 a.m. and must cease by 7:00 p.m. on weekdays, before 8:00 a.m. and must cease by 5:00 p.m. on Saturday, and is not allowed on Sunday, holidays, and other times as occasionally prohibited by the Town of Kiawah Island;
  - e. Commercial lawn care operations, including residential, may not start before 7:00 a.m. and must cease by 7:00 p.m. on weekdays, may not start before 8:00 a.m. and must cease by 5:00 p.m. on Saturday, and are not allowed on Sunday, holidays, and other times as occasionally prohibited by the Town of Kiawah Island;

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- f. Properly installed and operating HVAC systems;
  - g. Golf and tennis:
    - 1. Routine golf course maintenance, mowing and caring for greens, fairways, rough, raking of sand areas, grooming of courts may not start before 6:00 a.m. on any day;
    - 2. Blowing of parking lots and paths may not start before 6:30 a.m.;
    - 3. Other periodic maintenance such as tree trimming, cart path edging, and other non-routine tasks may not start before 7:00 a.m. and must cease by 7:00 p.m. on weekdays and by 5:00 p.m. on Saturday. These activities are not allowed on Sunday, holidays, and other times as occasionally prohibited by the Town of Kiawah Island;
    - 4. Watering of golf courses and tennis courts as required is not subject to the noise limits and may be conducted during the day or night.

(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

**Sec. 15-805. Special events, outdoor entertainment and outdoor live entertainment.**

Events held at the venues of the Kiawah Island Community Association, the Kiawah Island Club, Freshfields and the resort will have daytime hours of 8:00 a.m. to 10:00 p.m. on every day of the week and must comply with the daytime decibel limits in Table A during those hours. Sound and activity associated with other events for which a special events permit has been issued are subject to Table A times and decibel levels. All events covered by this section shall end by their respective daytime hours. In no event shall the activity allowed in this section be in violation of the section 15-803, Specific prohibitions.

(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

**Sec. 15-806. Determination of noise disturbance.**

In determining whether a noise or sound constitutes a noise disturbance violation under this section, the enforcement officer must consider the following items:

- (1) The volume of the noise as measured by a decibel meter at the complainant's property line;
- (2) Whether the nature of the noise is usual or unusual;
- (3) The intensity of the noise;
- (4) The general characteristics of the area where the noise is occurring;
- (5) The time of day or night at which the noise is occurring;
- (6) The reasonable expectation of quiet that could be expected by individuals on public or private property in the vicinity of where such noise is occurring;
- (7) The duration of the noise; or
- (8) Whether the noise is recurrent, intermittent, or constant.

(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

**Sec. 15-807. Penalties.**

Penalties are provided in article 15, General Offenses, chapter 6, General Provisions, section 15-601, Penalties.

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(Ord. No. 2022-01, §§ 1, 2, 5-3-2022)

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Created: 2025-11-13 14:24:37 [EST]

(Supp. No. 26)

## CHAPTER 8. – NOISE CONTROL AND ABATEMENT

**Sec. 15-801. – Purpose.**

The purpose of this Chapter is to promote the public peace, health, safety, and welfare of the residents and visitors of the Town of Kiawah Island by establishing clear and enforceable standards regulating noise. These standards are intended to prevent excessive, unnecessary, and disruptive sounds, preserve the quiet character of residential and environmentally sensitive areas, and provide appropriate guidance for permissible noise levels in commercial, resort, and public spaces. Activities that violate this Chapter will constitute a public nuisance and are subject to enforcement in accordance with the Town's Code of Ordinances and applicable law.

**Sec. 15-802. – Definitions.**

For purposes of this Chapter, the following terms shall have the meanings set forth below:

(a) *Commercial and Resort Area* means any area primarily comprised of commercial or resort buildings or facilities.

(b) *Construction Activity* means any physical work related to building, constructing, altering, repairing, renovating, or demolishing structures, including site preparation, excavation, and utility installation.

(c) *Commercial Landscaping Activity* means any outdoor maintenance, lawn care, or grounds keeping services performed by commercial entities or contractors, including the operation of any powered equipment for the care, maintenance, or improvement of outdoor property.

(d) *Daytime Hours* means the period between 7:00 a.m. and 9:00 p.m. for Residential Areas, and 7:00 a.m. and 10:00 p.m. for Commercial and Resort Areas.

(e) *Nighttime Hours* means the period between 9:00 p.m. and 7:00 a.m. for Residential Areas, and 10:00 p.m. and 7:00 a.m. for Commercial and Resort Areas.

~~(f) –Receiving Property means any residence, business, parcel of land, or adjacent public right-of-way from which noise is heard or measured.~~

(gf) *Residential Area* means any area primarily comprised of residential dwelling units, including areas occupied by Short-Term Rentals.

(hg) *Short-Term Rental* means a dwelling unit that is rented, leased, or otherwise assigned for occupancy or use by the public for a period of less than thirty (30) consecutive days.

(ih) *Sound Level Meter* means a device that meets standards established by the American National Standards Institute (ANSI) for measuring sound in decibels.

(ji) *Golf Course Maintenance* means the operation of equipment or tools used for regular turf care, landscaping, irrigation, or other routine upkeep of golf course grounds and facilities.

(ki) *Town-recognized Holiday* means any holiday officially recognized and published by the Town of Kiawah Island.

(lk) *Town Officials* means Code Enforcement Officers, Community Service Officers, Building Official, and other designated employees or agents of the Town authorized to enforce this Chapter.

### Sec. 15-803. – General Prohibition.

No person shall make, cause, or permit any unreasonably loud, disturbing, or unnecessary noise that disrupts the peace, quiet, or comfort of any person within the Town, or that exceeds the maximum permissible sound levels established in Section 15-804.

### Sec. 15-804. – Sound Limits and Activity Regulations.

(a) The following maximum sound levels, ~~as shall apply. Sound shall be~~ measured at a distance of ten (10) feet from the property line of ~~a Receiving Property, shall apply unless otherwise expressly provided below: the parcel where the sound originates or, where appropriate and practical, at a distance of fifty (50) feet from the noise source. The measurement location shall be determined by the Town Official based on site conditions and public accessibility.~~

(1) Residential Areas:

- a. Daytime Hours: 70 dBA
- b. Nighttime Hours: 60 dBA

(2) Commercial and Resort Areas:

- a. Daytime Hours: 70 dBA
- b. Nighttime Hours: 60 dBA

(b) Construction Activity shall not exceed ~~85-80~~ 80 dBA. If the Town determines that construction activity exceeds 80 dBA, the Contractor shall reduce noise levels or obtain authorization from the Town to continue such activity for a specified duration. ~~and shall be limited to the following hours:~~

- ~~—(1) Monday through Friday: 7:00 a.m. to 7:00 p.m.~~
- ~~—(2) Saturday: 8:00 a.m. to 5:00 p.m.~~

~~Construction Activity is prohibited on Sundays and Town Recognized Holidays, except as provided below. Construction Activity that exceeds the permitted sound level or occurs outside the permitted daily hours (Monday-Saturday) shall require prior written approval by the Town. Construction Activity on Sundays or Town Recognized Holidays may only be approved in emergencies or for critical infrastructure work where no reasonable alternative schedule exists. Such approvals shall be limited to temporary work and shall specify the permitted hours and duration.~~

(c) Commercial Landscaping Activity shall not exceed 80 dBA. ~~and shall be limited to the following hours:~~

- ~~—(1) Monday through Saturday: 8:00 a.m. to 6:00 p.m.~~

~~Any Commercial Landscaping Activity that exceeds the permitted sound level or occurs outside the hours specified herein shall require prior written approval by the Town.~~

~~(d) Golf Course Maintenance shall be permitted between the hours of 6:30 a.m. and 7:00 p.m.~~

(d) Landscaping and other equipment using 2-cycle motors (examples are leaf blowers, weed eaters, tree trimmers, or pruners) are prohibited, effective 6 months from the date of this ordinance

(e) ~~(d)~~ All sound levels shall be measured by a Town Official using a properly calibrated Sound Level Meter.

### Sec. 15-805. – Specific Prohibited Activities.

The following activities are deemed to be public nuisances and are prohibited under this Chapter:

(a) Operating amplified music, radios, televisions, speakers, musical instruments, or similar devices in a manner that is plainly audible inside any other residence or business not associated with the sound source, unless permitted by the Town.

~~(b) Operating Construction Activity or Commercial Landscaping Activity in violation of the permitted hours or sound limits set forth in Section 15-804(b) and (c).~~

~~(b)~~ Allowing an animal to make continuous or repetitive noise for more than ten (10) consecutive minutes ~~such that the noise is plainly audible from a Receiving Property at or beyond the property line of the parcel where the animal is kept.~~

~~(d)~~ Generating excessive noise from events, parties, or gatherings at Short-Term Rentals or other properties, where such noise disrupts adjacent or nearby properties, unless the event is approved or permitted by the Town.

~~(e)~~ Operating a motor vehicle that emits sound in violation of Section 56-5-5020 of the South Carolina Code of Laws.

(e) Operating Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance during the following prohibited hours, regardless of sound level, unless prior written approval is obtained:

(1) Construction Activity:

- a. Between 7:00 p.m. and 7:00 a.m., Monday through Friday
- b. Between 5:00 p.m. and 8:00 a.m., Saturday
- c. At any time on Sundays and Town-Recognized Holidays

(2) Commercial Landscaping Activity:

- a. Between 6:00 p.m. and 8:00 a.m., Monday through Saturday
- b. At any time on Sundays and Town-Recognized Holidays

(3) Golf Course Maintenance:

- a. Between 7:00 p.m. and 6:30 a.m., Monday through Saturday
- ~~b. At any time on Sundays and Town-Recognized Holidays~~

Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance occurring during the prohibited hours listed above, or exceeding the applicable sound limits established in Section 15-804, shall require prior written approval by the Town. Such approval shall only be granted in emergencies or for critical infrastructure work where no reasonable alternative schedule exists. Approvals shall be limited in scope and duration and shall specify the permitted hours of activity.

### Sec. 15-806. – Exemptions.

The provisions of this Chapter shall not apply to:

(a) Emergency vehicles and emergency work, including post-storm cleanup, debris removal, and restoration activities following hurricanes, tropical storms, or other significant weather

events

- (b) Municipal or utility work performed for public safety
- (c) ~~Community events approved and permitted by the Town~~ Town-approved community or special events, including those defined in Section 12-106(3) of the Town's Code of Ordinances
- (d) Beach or wildlife management activities conducted by the Town or its authorized agents
- (e) Other activities authorized by the Town Council

**Sec. 15-807. – Enforcement.**

This Chapter shall be enforced by the Town of Kiawah Island Code Enforcement Officers ~~and other designated Town Officials.~~

Town Officials ~~may issue~~ are authorized to take enforcement action in response to violations of this Chapter, including, but not limited to, issuing verbal warnings, written citations, ~~civil fines, or stop-work orders,~~ as appropriate or initiating penalties as provided in Section 15-808.

Property owners ~~and~~, property managers, contractors, and commercial operators are responsible for ensuring that their guests, tenants, employees, and invitees comply with this Chapter and may be held jointly or individually liable for violations ~~on occurring on, or arising from,~~ their property or operations.

**Sec. 15-808. – Penalties.**

Violations of this Chapter ~~are~~ shall be subject to the following penalties:

- (a) For a first offense, the violator may receive a written warning or be assessed a civil fine not ~~exceeding to exceed~~ one hundred dollars (\$100).
- (b) For a second offense within any twelve (12) ~~months~~ month period, the violator shall ~~incur~~ be assessed a civil fine not ~~exceeding to exceed~~ two hundred fifty dollars (\$250).
- (c) For a third or subsequent offense within the same twelve (12) month period, the violator ~~may face~~ shall be assessed a civil fine not ~~exceeding to exceed~~ five hundred dollars (\$500); ~~and the Town may revoke any applicable Short-Term Rental license.~~

In addition to the fines above, the Town may revoke any applicable short-term rental license in accordance with Section 14-509 of the Town's Code of Ordinances, or revoke or suspend a business license pursuant to the procedures set forth in Section 4-315 of the Town's Code of Ordinances. The Town may also issue stop-work orders or pursue other enforcement remedies as authorized by law.

Each day that a violation continues shall ~~be considered~~ constitute a separate offense.

<b>Summary report:</b>	
<b>Litera Compare for Word 11.11.0.158 Document comparison done on- 7/22/2025 10:33:51 AM</b>	
<b>Style name:</b> Default Style	
<b>Intelligent Table Comparison:</b> Active	
<b>Original filename:</b> Amended v2-7-16-25.docx	
<b>Modified DMS:</b> iw://hsblawfirm.cloudmanage.com/hsbdocs/11615426/1-- Final--Noise Ordinance (TOKI, 7.22.2025).docx	
<b>Changes:</b>	
<u>Add</u>	53
Delete	40
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	<b>93</b>

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**CHAPTER 8. – NOISE CONTROL AND ABATEMENT**

**Sec. 15-801. – Purpose.**

The purpose of this Chapter is to promote the public peace, health, safety, and welfare of the residents and visitors of the Town of Kiawah Island by establishing clear and enforceable standards regulating noise. These standards are intended to prevent excessive, unnecessary, and disruptive sounds, preserve the quiet character of residential and environmentally sensitive areas, and provide appropriate guidance for permissible noise levels in commercial, resort, and public spaces. Activities that violate this Chapter will constitute a public nuisance and are subject to enforcement in accordance with the Town’s Code of Ordinances and applicable law.

**Sec. 15-802. – Definitions.**

For purposes of this Chapter, the following terms shall have the meanings set forth below:

(a) *Commercial and Resort Area* means any area primarily comprised of commercial or resort buildings or facilities.

(b) *Construction Activity* means any physical work related to building, constructing, altering, repairing, renovating, or demolishing structures, including site preparation, excavation, and utility installation.

(c) *Commercial Landscaping Activity* means any outdoor maintenance, lawn care, or grounds keeping services performed by commercial entities or contractors, including the operation of any powered equipment for the care, maintenance, or improvement of outdoor property.

(d) *Daytime Hours* means the period between 7:00 a.m. and 9:00 p.m. for Residential Areas, and 7:00 a.m. and 10:00 p.m. for Commercial and Resort Areas.

(e) *Nighttime Hours* means the period between 9:00 p.m. and 7:00 a.m. for Residential Areas, and 10:00 p.m. and 7:00 a.m. for Commercial and Resort Areas.

(f) *Residential Area* means any area primarily comprised of residential dwelling units, including areas occupied by Short-Term Rentals.

(g) *Short-Term Rental* means a dwelling unit that is rented, leased, or otherwise assigned for occupancy or use by the public for a period of less than thirty (30) consecutive days.

(h) *Sound Level Meter* means a device that meets standards established by the American National Standards Institute (ANSI) for measuring sound in decibels.

(i) *Golf Course Maintenance* means the operation of equipment or tools used for regular turf care, landscaping, irrigation, or other routine upkeep of golf course grounds and facilities.

(j) *Town-recognized Holiday* means any holiday officially recognized and published by the Town of Kiawah Island.

(k) *Town Officials* means Code Enforcement Officers, Community Service Officers, Building Official, and other designated employees or agents of the Town authorized to enforce this Chapter.

**Sec. 15-803. – General Prohibition.**

No person shall make, cause, or permit any unreasonably loud, disturbing, or unnecessary noise that disrupts the peace, quiet, or comfort of any person within the Town, or that exceeds the maximum permissible sound levels established in Section 15-804.

**Sec. 15-804. – Sound Limits and Activity Regulations.**

(a) The following maximum sound levels shall apply. Sound shall be measured at a distance of ten (10) feet from the property line of the parcel where the sound originates or, where appropriate and practical, at a distance of fifty (50) feet from the noise source. The measurement location shall be determined by the Town Official based on site conditions and public accessibility.

(1) Residential Areas:

- a. Daytime Hours: 70 dBA
- b. Nighttime Hours: 60 dBA

(2) Commercial and Resort Areas:

- a. Daytime Hours: 70 dBA
- b. Nighttime Hours: 60 dBA

(b) Construction Activity shall not exceed 80 dBA. If the Town determines that construction activity exceeds 80 dBA, the Contractor shall reduce noise levels or obtain authorization from the Town to continue such activity for a specified duration.

(c) Commercial Landscaping Activity shall not exceed 80 dBA.

(d) Landscaping and other equipment using 2-cycle motors (examples are leaf blowers, weed eaters, tree trimmers, or pruners) are prohibited, effective 6 months from the date of this ordinance

(e) All sound levels shall be measured by a Town Official using a properly calibrated Sound Level Meter.

**Sec. 15-805. – Specific Prohibited Activities.**

The following activities are deemed to be public nuisances and are prohibited under this Chapter:

(a) Operating amplified music, radios, televisions, speakers, musical instruments, or similar devices in a manner that is plainly audible inside any other residence or business not associated with the sound source, unless permitted by the Town.

(b) Allowing an animal to make continuous or repetitive noise for more than ten (10) consecutive minutes that is plainly audible at or beyond the property line of the parcel where the animal is kept.

(c) Generating excessive noise from events, parties, or gatherings at Short-Term Rentals or other properties, where such noise disrupts adjacent or nearby properties, unless the event is approved or permitted by the Town.

(d) Operating a motor vehicle that emits sound in violation of Section 56-5-5020 of the South Carolina Code of Laws.

(e) Operating Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance during the following prohibited hours, regardless of sound level, unless prior

written approval is obtained:

- (1) Construction Activity:
  - a. Between 7:00 p.m. and 7:00 a.m., Monday through Friday
  - b. Between 5:00 p.m. and 8:00 a.m., Saturday
  - c. At any time on Sundays and Town-Recognized Holidays
- (2) Commercial Landscaping Activity:
  - a. Between 6:00 p.m. and 8:00 a.m., Monday through Saturday
  - b. At any time on Sundays and Town-Recognized Holidays
- (3) Golf Course Maintenance:
  - a. Between 7:00 p.m. and 6:30 a.m., Monday through Saturday

Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance occurring during the prohibited hours listed above, or exceeding the applicable sound limits established in Section 15-804, shall require prior written approval by the Town. Such approval shall only be granted in emergencies or for critical infrastructure work where no reasonable alternative schedule exists. Approvals shall be limited in scope and duration and shall specify the permitted hours of activity.

#### **Sec. 15-806. – Exemptions.**

The provisions of this Chapter shall not apply to:

- (a) Emergency vehicles and emergency work, including post-storm cleanup, debris removal, and restoration activities following hurricanes, tropical storms, or other significant weather events
- (b) Municipal or utility work performed for public safety
- (c) Town-approved community or special events, including those defined in Section 12-106(3) of the Town's Code of Ordinances
- (d) Beach or wildlife management activities conducted by the Town or its authorized agents
- (e) Other activities authorized by the Town Council

#### **Sec. 15-807. – Enforcement.**

This Chapter shall be enforced by the Town of Kiawah Island Code Enforcement Officers.

Town Officials are authorized to take enforcement action in response to violations of this Chapter, including, but not limited to, issuing verbal warnings, written citations, stop-work orders, or initiating penalties as provided in Section 15-808.

Property owners, property managers, contractors, and commercial operators are responsible for ensuring that their guests, tenants, employees, and invitees comply with this Chapter and may be held jointly or individually liable for violations occurring on, or arising from, their property or operations.

#### **Sec. 15-808. – Penalties.**

Violations of this Chapter shall be subject to the following penalties:

**(a)** For a first offense, the violator may receive a written warning or be assessed a civil fine not to exceed one hundred dollars (\$100).

**(b)** For a second offense within any twelve (12) month period, the violator shall be assessed a civil fine not to exceed two hundred fifty dollars (\$250).

**(c)** For a third or subsequent offense within the same twelve (12) month period, the violator shall be assessed a civil fine not to exceed five hundred dollars (\$500).

In addition to the fines above, the Town may revoke any applicable short-term rental license in accordance with Section 14-509 of the Town's Code of Ordinances, or revoke or suspend a business license pursuant to the procedures set forth in Section 4-315 of the Town's Code of Ordinances. The Town may also issue stop-work orders or pursue other enforcement remedies as authorized by law.

Each day that a violation continues shall constitute a separate offense.

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**TAB 5**

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# **TOWN COUNCIL**

**Agenda Item**



# Memorandum

**TO:** Mayor and Town Council Members

**FROM:** Dorota Szubert, Finance Director

**SUBJECT:** Business License Class and Rate Schedule Update

**DATE:** December 2, 2025

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**BACKGROUND:** South Carolina Act 176 requires all municipalities and county governments that impose a business license tax to update their business license class schedule every odd-numbered year, with the changes taking effect the following year.

The new class schedule, provided in **Appendix B** of the ordinance, incorporates the latest IRS statistical data on business profitability, as approved by the South Carolina Revenue and Fiscal Affairs Office (RFA).

For 2025, municipalities must adopt the updated schedule by December 31, 2025, in preparation for business license renewals covering the May 1, 2026 – April 30, 2027 license year.

**ANALYSIS:** Approximately 1,800 businesses within the Town will be affected by this update. A detailed breakdown is included in Schedule 1, which provides a rebalancing analysis estimating the potential impact of these class adjustments on Town revenues.

Assuming businesses report the same gross receipts as last year, staff estimates a potential reduction of approximately \$65,000 in business license revenues for 2026. This rebalancing analysis should be viewed as an estimation tool, not an exact forecast.

To offset the potential revenue decrease associated with the updated business license class schedule, staff recommends an increase of \$0.10 in the rate per \$1,000, or fraction thereof, for all business license classes. Based on the rebalancing analysis and assuming businesses report the same gross receipts as last year, this adjustment is expected to approximately offset the projected \$65,000 reduction in FY 2026 business license revenues, resulting in a roughly revenue-neutral impact overall. The recommended rate schedule reflecting this change is included in **Appendix A** of the ordinance.

**ACTION REQUESTED:** Town Council approves the updated class and rate schedule.

## ORDINANCE 2025-17

### AN ORDINANCE TO AMEND ARTICLE 4, FINANCE AND TAXATION, CHAPTER 3, MUNICIPAL BUSINESS LICENSES TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

**WHEREAS**, the Town of Kiawah is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income; and

**WHEREAS**, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the “Standardization Act”), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes; and

**WHEREAS**, the Standardization Act requires that by December 31st of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the “Association”) and adopted by the Director of the Revenue and Fiscal Affairs Office; and

**WHEREAS**, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 2021-14 on December 7, 2021, in order to comply with the requirements of the Standardization Act; and

**WHEREAS**, the Town of Kiawah Island Town Council now wishes to amend Article 4 - Finance and Taxation, Chapter 3 - Municipal Business Licenses, Section 4-321. – Classifications and Rates to adopt the latest “*Standardized Business License Class Schedule*,” as required by the Standardization Act, and to make other minor amendments as recommended by the Association: and

**WHEREAS**, the Town of Kiawah Island Town Council now wishes to amend Article 4 - Finance and Taxation, Chapter 3 - Municipal Business Licenses, Section 4-321. – Classifications and Rates to adopt a new “*Business License Rate Schedule*.”

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.**

#### **Section 1                      Purpose**

The purpose of this Ordinance is to amend Article 4 – Finance and Taxation, Chapter 3 – Municipal Business Licenses, Section 4-321. – Classifications and Rates to adopt a new

“Business License Rate Schedule,” and to adopt the latest “Business License Class Schedule by NAICS Code,” as required by the Standardization Act.

**Section 2**                    **Ordinance**

The Town hereby amends Article 4 – Finance and Taxation, Chapter 3 – Municipal Business Licenses, Section 4-321. – Classifications and Rates as follows:

**Appendix “A”** to the Current Business License Ordinance, the “Business License Rate Schedule,” is hereby amended and restated as set forth on the attached “**Exhibit A**”.

**Appendix “B”** to the Current Business License Ordinance, the “Business License Class Schedule by NAICS Code,” is hereby amended and restated as set forth on the attached “**Exhibit B**”.

**Section 3**                    **Repealer, Effective Date, and Duration**

All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2026.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 2<sup>ND</sup> DAY OF DECEMBER 2025.**

\_\_\_\_\_  
**Badley D. Belt, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Petra S. Reynolds, Town Clerk**

1<sup>st</sup> Reading - November 4, 2025

2<sup>nd</sup> Reading - December 2, 2025

<b>APPENDIX A</b>		
<b>BUSINESS LICENSE RATE SCHEDULE</b>		
	<b>Income: \$0 - \$2,000</b>	<b>Income Over \$2,000</b>
<b>Rate Class</b>	<b>Base Rate</b>	<b>Rate per \$1,000 or Fraction Thereof</b>
1	\$50.00	\$2.05
2	\$55.00	\$2.25
3	\$60.00	\$2.45
4	\$65.00	\$2.65
5	\$70.00	\$2.85
6	\$75.00	\$3.05
7	\$80.00	\$3.25
8.1	\$70.00	\$2.50

**APPENDIX B**

**Amendment to Classes 1 – 8 in Appendix B of the Current Business License Ordinance**

**Classes 1 – 8: Business License Class Schedule by NAICS Codes**

<b>NAICS Sector/ Subsector</b>	<b>Industry Sector</b>	<b>Class</b>
<b>11</b>	Agriculture, forestry, hunting and fishing	1
<b>21</b>	Mining	3
<b>22</b>	Utilities	1
<b>31 - 33</b>	Manufacturing	3
<b>42</b>	Wholesale trade	1
<b>44 - 45</b>	Retail trade	1
<b>48 - 49</b>	Transportation and warehousing	2
<b>51</b>	Information	4
<b>52</b>	Finance and insurance	7
<b>53</b>	Real estate and rental and leasing	6
<b>54</b>	Professional, scientific, and technical services	4
<b>55</b>	Management of companies	7
<b>56</b>	Administrative and support and waste management and remediation services	3
<b>61</b>	Educational services	3
<b>62</b>	Health care and social assistance	3
<b>71</b>	Arts, entertainment, and recreation	3
<b>721</b>	Accommodation	1
<b>722</b>	Food services and drinking places	2
<b>81</b>	Other services	3
<b>Class 8</b>	<b>Subclasses</b>	
<b>23</b>	Construction	8.1
<b>482</b>	Rail Transportation	8.2
<b>517111</b>	Wired Telecommunications Carriers	8.3
<b>517112</b>	Wireless Telecommunications Carriers (except Satellite)	8.3
<b>517122</b>	Agents for Wireless Telecommunications Services	8.3
<b>5241</b>	Insurance Carriers	8.4
<b>5242</b>	Insurance Brokers for non-admitted Insurance Carriers	8.4
<b>713120</b>	Amusement Parks and Arcades	8.51
<b>713290</b>	Nonpayout Amusement Machines	8.52
<b>713990</b>	All Other Amusement and Recreational Industries ( pool tables)	8.6

*2025 Class Schedule is based on a three-year average (2019 - 2021) of IRS statistical data.*



**TAB 6**

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# **TOWN COUNCIL**

**Agenda Item**

**Town of Kiawah Island Zoning Ordinance Amendment Request**  
**Case AZO25-000010 Case History**

**Planning Commission Meeting: September 10, 2025**  
**Town Council Workshop: September 23, 2025**  
**Public Hearing and First Reading: October 14, 2025**  
**Planning Commission Meeting: November 5, 2025**  
**Second Reading: December 2, 2025**

**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 establish a review body to provide a clear and transparent process for the architectural design review of commercial, mixed-use, civic, and multi-family residential developments in the Town of Kiawah Island, ensuring new development projects support community character and environmental stewardship.

The proposed ordinance establishes two new sections as referenced:

- Section 12-24.2. Design Review Board
- Section 12-130. Design Standards.

Background: In 2023, The Town of Kiawah Island and the Kiawah Island Community Association formed the Architectural Review Board Joint Workgroup with the goal of collaborating on the formation of a new, community-led architectural control function. This workgroup initially focused on identifying concerns around the cost, consistency and transparency of the existing architectural control processes on Kiawah. The goal of this transition was to permanently place responsibility for the architectural integrity of Kiawah Island into the hands of property owners. With the efforts, considerations and actions of this transition process to date, there is uncertainty of the comprehensive timeline and future architectural controls for development on Kiawah. With the uncertainty of architectural controls for development in the future for Kiawah Island, the Town of Kiawah Island now finds that it is in the public interest to amend the Town of Kiawah Island Land Use Planning and Zoning Ordinance to establish a body which makes provisions to protect and improve the unique character of Kiawah Island. The Town of Kiawah's proposed design review board will operate and function independently of any existing architectural review controls. The proposed design review board will also administer review of properties within the Town's jurisdiction that would not be subject to any potential design review board controlled by property owners such as Freshfields Village and the Town's municipal center or any potential annexed properties.

Legal Framework: The proposed DRB would be established under the authority of South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Title 6, Chapter 29, SC Code) ( S.C. Code 1976, §§ 6-29-870—6-29-910)

The proposed ordinance establishes a Design Review Board and administration of architectural design controls via an established *Town of Kiawah Island Architectural Design Principles and Guidelines*.

**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**

The next stage of this process in establishing architectural review controls for the Town, is to formulate principles, standards, and or guidelines. Planning staff has incorporated design review frame and recommends refined design principles be established to guide decisions of the proposed design review board. These principles consider the following elements:

- Site Orientation and Building Layout
- Massing and Scale
- Building and Structure Heights
- Fenestration
- Environmental Stewardship

These principles have been incorporated into the proposed ordinance to provide board members a standards to evaluate development projects.

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

#### **PLANNING COMMISSION MEETING SEPTEMBER 10, 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.

**Planning Commission recommend approval by a vote 6 to 0.  
The recommendation incorporates next stages to refine “Town of Kiawah Island Town of Kiawah  
Island Design Review Principles and Guidelines”**

**TOWN COUNCIL WORKSHOP SEPTEMBER 23, 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.

Town Council reviewed and discussed proposed ordinance, discussing compensation of board members and the standards and guidelines of review for the board. Planning staff noted the potential amendments for further discussion and approval at the next Town Council meeting.

**TOWN COUNCIL MEETING OCTOBER 14, 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.

**Town Council voted to approve on first reading (4-1). These changes from PC recommendation include adding the measures of review into the ordinance which the Design Review Board would consider in evaluating development projects. Signage was added to the list of measured categories. Based on the changes the Planning Commission will review prior to second reading. Town Council will consider second reading in December 2025.**

**PLANNING COMMISSION MEETING NOVEMBER 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.

**Planning Commission recommend approval of the ordinance with minor changes to align the title of the standards and guidelines referenced in the two ordinance sections.**

**TOWN COUNCIL MEETING DECEMBER 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.

**Planning staff recommends one minor clarification to Sec. 12-130. Design Standards, subsection (6) Inspections, Violations and Fines to clarify that town staff may inspect any site or development project post occupancy for compliance with approved plans opposed to the current one-year period drafted. This ensures there is not a conflict in staff’s ability to enforce or provide recourse for violations occurring subsequent to a one-year period of occupancy or any inconsistency identified in accordance with approved plans and a required as-built survey.**

**SECTION 6-29-870.**Board of architectural review; membership; officers; rules; meetings; records.

(A) A local government which enacts a zoning ordinance which makes specific provision for the preservation and protection of historic and architecturally valuable districts and neighborhoods or significant or natural scenic areas, or protects or provides, or both, for the unique, special, or desired character of a defined district, corridor, or development area or any combination of it, by means of restriction and conditions governing the right to erect, demolish, remove in whole or in part, or alter the exterior appearance of all buildings or structures within the areas, may provide for appointment of a board of architectural review or similar body.

(B) The board shall consist of not more than ten members to be appointed by the governing body of the municipality or the governing body of the county which may restrict the membership on the board to those professionally qualified persons as it may desire. The governing authority or authorities creating the board may remove any member of the board which it has appointed.

(C) The appointing authorities shall determine the amount of compensation, if any, to be paid to the members of a board of architectural review. None of the members may hold any other public office or position in the municipality or county.

(D) The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. The board shall appoint a secretary who may be an officer of the governing authority or of the board of architectural review. The board shall adopt rules of procedure in accordance with the provisions of any ordinance adopted pursuant to this chapter. Meetings of the board must be held at the call of the chairman and at such other times as the board may determine. The chairman or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which immediately must be filed in the office of the board and must be a public record.

HISTORY: 1994 Act No. 355, Section 1.

**SECTION 6-29-880.**Powers of board of architectural review.

The board of architectural review has those powers involving the structures and neighborhoods as may be determined by the zoning ordinance. Decisions of the zoning administrator or other appropriate administrative official in matters under the purview of the board of architectural review may be appealed to the board where there is an alleged error in any order, requirement, determination, or decision.

HISTORY: 1994 Act No. 355, Section 1.

**SECTION 6-29-890.**Appeal to board of architectural review.

(A) Appeals to the board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality or county. The appeal must be taken within a reasonable time, as provided by the zoning ordinance or rules of the board, or both, by filing with the officer from whom the appeal is taken and with the board of architectural review notice of appeal specifying the grounds of it. The officer from whom the appeal is taken immediately must transmit to the board all the papers constituting the record upon which the action appealed from was taken. Upon a motion by a party or the board's own motion, the board may remand a matter to an administrative official if the board determines the record is insufficient for review. A party's motion for remand may be denied if the board determines that the record is sufficient for review. The board must set a rehearing on the remanded matter without further public notice for a time certain within sixty days unless otherwise agreed to by the parties. The board must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing.

(B) An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record on application, upon notice to the officer from whom the appeal is taken, and on due cause shown.

(C) The board must fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice of the hearing, as well as due notice to the parties in interest, and decide the appeal or other matter within a reasonable time. At the hearing, any party may appear in person, by agent, or by attorney.

HISTORY: 1994 Act No. 355, Section 1; 2003 Act No. 39, Section 7, eff June 2, 2003.

#### Effect of Amendment

The 2003 amendment, in subsection (A) added the last four sentences relating to remand procedures, in subsection (C) substituted "the hearing" for "it" and "appeal or other matter" for "same", and in subsections (A),(B), and (C) made nonsubstantive changes.

**SECTION 6-29-900.**Appeal from board of architectural review to circuit court; pre-litigation mediation; filing requirements.

(A) A person who may have a substantial interest in any decision of the board of architectural review or any officer, or agent of the appropriate governing authority may appeal from any decision of the board to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the board of architectural review.

(B) A property owner whose land is the subject of a decision of the board of architectural review may appeal either:

(1) as provided in subsection (A); or

(2) by filing a notice of appeal with the circuit court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-915.

A notice of appeal and request for pre-litigation mediation must be filed within thirty days after the decision of the board is postmarked.

(C) Any filing of an appeal from a particular board of architectural review decision pursuant to the provisions of this chapter must be given a single docket number, and the appellant must be assessed only one filing fee pursuant to Section 8-21-310(C)(1).

HISTORY: 1994 Act No. 355, Section 1; 2003 Act No. 39, Section 8, eff June 2, 2003.

#### Effect of Amendment

The 2003 amendment added subsections (B) and (C) and designated the existing paragraph as subsection (A).

TOWN OF KIAWAH ISLAND

**ORDINANCE 2025-22**

**AN ORDINANCE TO ESTABLISH A TOWN OF KIAWAH ISLAND DESIGN REVIEW BOARD AND PROCESS FOR ARCHITECTURAL DESIGN REVIEW.**

**WHEREAS**, the Town of Kiawah Island recognizes the need to establish a review body to provide a clear and transparent process for the architectural design review of commercial, mixed-use, civic, and multi-family residential developments within the Town of Kiawah Island; and

**WHEREAS**, to further protect the public interest, the Town seeks to establish a body which makes provisions to protect and improve the unique character of the Town of Kiawah Island.

**WHEREAS**, the text amendment would be consistent with the purposes and intent of the adopted Comprehensive Plan and would not be detrimental to the public health, safety, and welfare of the Town of Kiawah Island; and

**WHEREAS**, the Planning Commission held a meeting on September 10, 2025 and November 5, 2025 at which time a presentation was made by staff, and an opportunity was given for the public to comment on the text amendment request; and

**WHEREAS**, the Planning Commission, after consideration of the staff report, subsequently voted to recommend to Town Council that the proposed amendment be approved; and

**WHEREAS**, Town Council held a Public workshop on September 23, 2025 providing the public an opportunity to comment on the proposed amendment.

**WHEREAS**, Town Council held a Public Hearing on October 14, 2025 providing the public an opportunity to comment on the proposed amendment.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL:**

**Section 1                      Purpose**

The purpose of this Ordinance is to amend Chapter 12 - Land Use Planning and Zoning Ordinance to establish a Design Review Board.

**Section 2                      Ordinance**

- (1) The Town hereby amends Division 1. Generally establishing Sec. 12-24.2 Design Review Board as shown in the attached "Exhibit A" which is hereby incorporated herein by reference.

- (2) The Town hereby amends Division 4. Supplemental Regulations establishing Sec. 12-130. Design Standards as shown in the attached “Exhibit B” which is hereby incorporated herein by reference.

**Section 3**                    **Severability**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

**Section 4**                    **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by the Town Council for the Town of Kiawah Island.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS \_\_\_ DAY OF \_\_\_ 2025.**

\_\_\_\_\_  
**Bradley D. Belt, Mayor**

**ATTEST:**

**By:** \_\_\_\_\_  
**Petra Reynolds, Town Clerk**

1<sup>st</sup> Reading: October 14, 2025

2<sup>nd</sup> Reading:

**Sec. 12-24.2. Design Review Board.**

- (a) *Creation.* The Town of Kiawah Island Design Review Board (DRB) has been created and is authorized to act pursuant to S.C. Code 1976, §§ 6-29-870—6-29-910.
- (b) *Intent.* The intent of establishing the Design Review Board and initiating design review is to enhance the Island's character, preserve property values and protect the unique identity of the Town of Kiawah Island. The Design Review process is intended to promote architectural design that is compatible in mass, scale, site orientation and design with existing development of the Town and in harmony with the natural environment.
- (c) *Composition and appointment of term of office of members.*
- (1) The Design Review Board shall consist of five members, at least three of whom must be property owners or resident members, all to be appointed by the Mayor and approved by the Town Council. At least three members shall be registered design professionals or have relevant professional credentials and expertise in the areas of architecture, landscape architecture, urban planning, construction or similar field. The term "resident member" means a person who resides permanently within the Town of Kiawah Island for not less than eight months of each calendar year.
  - (2) The term of office for members shall be three years from the date of appointment. Any vacancies shall be filled for the unexpired term by the Town Council. The Board members shall serve overlapping terms of three (3) years each. At the time of the creation of the Design Review Board, three of the Board's five (5) members shall serve terms of one (1), two (2) and three (3) years as designated by the Town Council. Their successors shall be appointed for a full three (3) year term. The Board members appointed to fill the additional two (2) places on the Board shall serve terms of two (2) and three (3) years, as designated by Town council and their successors shall be appointed for full three (3) year terms. Members are all eligible for reappointment.
  - (3) No member shall serve more than three consecutive terms of office; provided, however, that such member shall be eligible to hold such office after a break in service of 12 months.
  - (4) No member shall hold an elected public office in the Town of Kiawah Island or Charleston County.
  - (5) The DRB shall elect a chair and vice-chair for one-year terms.
  - (6) The Planning Director or designee shall serve as Secretary of the DRB.
- (d) *Rules of procedures and records.* The DRB shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. The DRB shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such actions, all of which shall immediately be filed in the office of the DRB and shall be a public record. The DRB may purchase equipment and supplies and may employ or contract for such staff and such experts as it considers necessary and consistent with funds appropriated by Town Council.
- (e) *Meetings.* Meetings of the DRB shall be at the call of the Chairperson and at such other times as the DRB may determine.
- (1) All meetings of the DRB shall be open to the public.
  - (2) The Chairperson may call a special meeting of the Design Review Board. In the event that such a special meeting is called, the Chairperson, at their discretion, shall give notice to interested parties that any or all pending matters before the DRB will be heard and considered at such special meeting.
- (f) *Functions and powers.* The Design Review Board shall have the following powers:
- (1) The DRB shall have jurisdiction over all lands within the municipal limits of the Town of Kiawah Island.

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- (2) The DRB shall establish a process for sequenced reviews that will protect and improve the visual and aesthetic character of development within the Town of Kiawah Island.
    - a. Review, approve, approve subject to conditions or deny approval for: construction, enlargement or improvements governed by this Zoning Ordinance that relates to the design, mass, siting or exterior appearance of a structure, except for those actions deemed to be routine maintenance by the Planning Director.
  - (3) The DRB shall review and render decisions using standards and guidelines as referenced within the "Town of Kiawah Island Design Review Standards and Guidelines" on development projects within the municipal limits of the Town of Kiawah Island, excluding single-family residential, except single family residential which are not subject to review or purview of any established architectural review board.
  - (4) The DRB may recommend such legislation as may be needed and practicable to pursue the purpose for which the DRB was established.
- (g) *Filing of applications to the Design Review Board.*
- (1) All applications and matters brought before the DRB shall be heard in the order of filing at the regular meeting of the DRB; provided, however, that the DRB shall set its meeting agenda and determine the number of applications it will hear.
- (h) *Published notice for hearings of the Design Review Board.* Applications considered for a final review decision of the DRB shall be held pursuant to notice provisions as specified in Section 12-156.
- (i) *Decisions of Design Review Board.* The DRB shall approve, approve with conditions or disapprove applications submitted pursuant to this article and the "Town of Kiawah Island Design Review Standards and Guidelines".
- (1) The DRB may grant relief from established standards and guidelines, where exceptional circumstances exist and where the DRB determines that the applicant demonstrates the relief does not adversely affect the character of the properties within the vicinity nor interfere with the purposes of this article.
  - (2) The DRB may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the DRB may consider advisable to protect neighborhood character, aesthetic or property values in the surrounding area, or to promote the public health, safety, or general welfare.
- (j) *Lapse of approval.* DRB approval shall lapse and be of no further effect 18 months after the date the application and development plans were granted approval by the DRB.
- (k) *Minutes of the Design Review Board.* The decisions of the DRB shall be in writing and signed by the Chairperson or designee. The minutes of the DRB shall show the vote of each member upon each question, or if a member is absent or fails to vote, the minutes shall indicate such fact. The decisions of the DRB shall be filed in the offices of the DRB. These decisions shall be a public record.
- (l) *Appeals from Design Review Board decisions.* Any person who may have a substantial interest in any decision of the DRB or any officer or agent of the Town may appeal from any decision of the DRB to the Circuit Court in and for the county by filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the decision of the DRB has been noticed to the applicant.

(Ord. No. 2024-01, § 2(Exh. E), 4-2-2024)

**Sec. 12-130. Design Standards.**

- (1) *Purpose and Intent.* The purpose of these regulations are to provide a clear and transparent process for design review of commercial, mixed-use, civic, and multi-family residential developments in the Town of Kiawah Island, ensuring new development projects support community character and environmental stewardship.

The intent of these regulations is to:

- a. Preserve the natural character of existing neighborhoods;
  - b. Ensure aesthetic compatibility with existing character of Kiawah;
  - c. Promote integrated development with nature;
  - d. Maintain and or improve aesthetic values; and to
  - e. Establish consistent application of minimum standards and guidelines for architectural design.
- (2) *Applicability and Exemptions.* The provisions of this article shall apply to all real property within the municipal limits of the Town of Kiawah Island, excluding single-family residential, except single family residential which are not subject to review or purview of any established architectural review board.
- (3) *Design Standards and Guidelines.* Proposed developments shall be reviewed in accordance the provisions of this article and the “Town of Kiawah Island Design Review Standards and Guidelines”. The following standards shall be utilized by the board and the Planning Director in reviewing the plans, drawings, sketches and other documents as required for review and or approval. These standards are intended to guide property owners and design professionals in achieving thoughtful, context-sensitive architecture that reflects Kiawah Island’s unique character. All projects should reinforce the Town’s principle of Living with Nature within the Comprehensive Plan by integrating built form with the natural landscape, scale, and community character. These standards are not intended to affect the use of property or any by right entitlement of applicable zoning regulations, with the exception of the siting and design of development.
- a. Site Orientation and Layout: Developments should respect the Kiawah’s natural topography, vegetation and ecological systems; prioritize site planning that reduces visual and environmental impacts; orient primary building facades to maximize natural light and ventilation while minimizing heat gain; position buildings to preserve significant trees, wetlands, dunes and other natural features; avoid large expanses of paving; cluster parking areas and screen them with native landscaping; site buildings to maintain view corridors to natural features (marsh, forest edges, ocean); and incorporate pedestrian pathways, shaded outdoor areas, and connections to nearby amenities.
  - b. Massing and Scale: Developments should ensure buildings are appropriately scaled and complement the Town of Kiawah Island’s natural character; break down larger developments into visually cohesive but distinct components; use form and rhythm to harmonize with surrounding development and the natural setting; employ varied rooflines, articulated facades, and step-backs to avoid monolithic appearances; use massing strategies that reflect a hierarchy of forms (primary volume with secondary wings or terraces); break large buildings into smaller scaled segments to maintain pedestrian-friendly proportions; design transitions between building elements to reduce perceived bulk at edges or along public frontages; and consider how massing interacts with the skyline and treeline, ensuring natural dominance.
  - c. Building and Structure Heights: Building heights should reinforce Kiawah’s low-rise, nature-focused identity; transition thoughtfully to surrounding contexts, especially near sensitive habitats and existing neighborhoods; be limited to maintain a harmonious relationship with surrounding vegetation and structure; be step downed along sensitive edges (adjacent single-family areas, critical

area, marsh fronts, or ocean fronts); buildings should use roof forms (hipped, gabled, or gently sloped) to blend with the natural canopy line; screening rooftop mechanicals and utility equipment with architectural enclosures integrated into building design; and avoid flat-topped silhouettes that create stark contrasts with the natural environment.

- d. Fenestration (Windows, Doors, Openings): Openings should contribute to human scale, rhythm, and transparency while respecting privacy and energy performance; fenestration should enhance the building's relationship to the outdoors and natural light; windows and doors should be proportioned and grouped to create balanced compositions; avoid excessive expanses of unbroken glass; use mullions, bays, or screens to provide rhythm; orient and shade fenestration to minimize glare and heat gain while maximizing natural light; employ materials and colors that reduce reflectivity and blend with natural surroundings; encourage the use of porches, loggias, screened rooms, and recessed openings to create depth and shadow; and ground-floor fenestration should promote activity and visual connection with the public realm.
- e. Environmental Stewardship and Process: Developments should protect Kiawah's ecosystems during and after construction; minimize disruption and restore impacted areas; establish tree/vegetation protection zones before construction; employ low-impact construction access and staging to development sites; use native plantings for restoration and landscape; integrate use of pervious materials and nature based solutions for stormwater management; and use sustainable materials and energy-efficient building practices.
- f. Signs: The shape, configuration, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features should not detract from the design of proposed or existing buildings and structures and the surrounding properties.

(4) *Application and Review Stages.*

- a. *Preliminary Review*: Prior to advancing a project, the applicant shall submit for preliminary review and approval to the Design Review Board. Preliminary Review shall not constitute final approval of design.
- b. *Final Review*: Prior to submitting for zoning review and approval, applicants shall receive final Design Review Board approval.

(5) *Design Review Board.*

- a. The Design Review Board shall review with the authority to approve, approve with conditions, or disapprove developments in accordance with the provisions of the article.

(6) *Inspections, Violations, and Fines.*

- a. The Town reserves the right to inspect the site or property at any reasonable time for compliance with approved standards and guidelines. Town staff may inspect the site ~~one year~~ after the issuance of a permanent Certificate of Occupancy in order to ensure compliance with the approved plans.
- b. If the Town finds a development in violation of this article or if an applicant fails to satisfy any condition that was imposed as part of the original or revised approval of the proposed development that was made pursuant to the provisions of this article, the applicant or property owner shall be in violation of this article.
- c. Any applicant or property owner in violation of this ordinance shall be subject to fines or penalties as prescribed in this article and or other remedies and enforcement actions pursuant to section 12-214.



**TAB 7**

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# **TOWN COUNCIL**

**Agenda Item**

**TOWN OF KIAWAH ISLAND**  
**2026 Town Meeting Schedules\***

All meetings are held at the Municipal Center, 4475 Betsy Kerrison Parkway, Kiawah Island, SC.  
Schedules are also available at [www.kiawahisland.org](http://www.kiawahisland.org) or by calling 843-768-9166.

**Town Council**  
**Meetings at 1:00 pm**

January 6<sup>th</sup>  
Council Retreat - TBD  
February 3<sup>rd</sup>  
March 3<sup>rd</sup>  
April 7<sup>th</sup>  
May 5<sup>th</sup>  
June 2<sup>nd</sup>  
July 7<sup>th</sup>  
August 4<sup>th</sup>  
September 1<sup>st</sup>  
October 6<sup>th</sup>  
November 3<sup>rd</sup>  
December 1<sup>st</sup>

**Arts & Cultural Events Council**  
**Meetings at 2:00 pm**

January 8<sup>th</sup>  
January 29<sup>th</sup> – Planning Session  
February 5<sup>th</sup>  
February 24<sup>th</sup> – Planning Session  
March 5<sup>th</sup>  
April 2<sup>nd</sup>  
May 7<sup>th</sup>  
June 4<sup>th</sup>  
August 6<sup>th</sup>  
September 3<sup>rd</sup>  
October 1<sup>st</sup>  
November 5<sup>th</sup>  
December 3<sup>rd</sup>

**Arts Council Board**  
**Meetings at 9:00 am**

January 5<sup>th</sup>  
April 6<sup>th</sup>  
July 6<sup>th</sup>  
October 5<sup>th</sup>

**CERT Team**  
**Meetings at 3:00 pm**

January 21<sup>st</sup>  
April 22<sup>nd</sup>  
July 22<sup>nd</sup>  
October 21<sup>st</sup>

**Board of Zoning Appeals**  
**Meetings at 1:00 pm**

January 26<sup>th</sup>  
February 23<sup>rd</sup>  
March 16<sup>th</sup>  
April 20<sup>th</sup>  
May 18<sup>th</sup>  
June 15<sup>th</sup>  
July 20<sup>th</sup>  
August 17<sup>th</sup>  
September 21<sup>st</sup>  
October 19<sup>th</sup>  
November 16<sup>th</sup>  
December 21<sup>st</sup>

**Environmental Committee**  
**Meetings at 1:00 pm**

January 14<sup>th</sup>  
February 11<sup>th</sup>  
March 11<sup>th</sup>  
April 15<sup>th</sup>  
May 13<sup>th</sup>  
June 10<sup>th</sup>  
July 15<sup>th</sup>  
August 12<sup>th</sup>  
September 9<sup>th</sup>  
October 14<sup>th</sup>  
November 11<sup>th</sup>  
December 9<sup>th</sup>

**Infrastructure & Public Works Committee**  
**Meetings at 10:00 am**

January 8<sup>th</sup>  
February 5<sup>th</sup>  
March 5<sup>th</sup>  
April 2<sup>nd</sup>  
May 7<sup>th</sup>  
June 4<sup>th</sup>  
July 2<sup>nd</sup>  
August 6<sup>th</sup>  
September 3<sup>rd</sup>  
October 1<sup>st</sup>  
November 5<sup>th</sup>  
December 3<sup>rd</sup>

**Planning Commission**  
**Meetings at 2:00 pm**

January 7<sup>th</sup>  
February 4<sup>th</sup>  
March 4<sup>th</sup>  
April 8<sup>th</sup>  
May 6<sup>th</sup>  
June 3<sup>rd</sup>  
July 8<sup>th</sup>  
August 5<sup>th</sup>  
September 2<sup>nd</sup>  
October 7<sup>th</sup>  
November 4<sup>th</sup>  
December 2<sup>nd</sup>

**Public Safety Committee**  
**Meetings at 11:00 am**

January 15<sup>th</sup>  
March 12<sup>th</sup>  
May 14<sup>th</sup>  
July 16<sup>th</sup>  
September 10<sup>th</sup>  
November 12<sup>th</sup>

**Resiliency Committee**  
**Meetings at 1:00 pm**

January 21<sup>st</sup>  
February 18<sup>th</sup>  
March 18<sup>th</sup>  
April 22<sup>nd</sup>  
May 20<sup>th</sup>  
June 17<sup>th</sup>  
July 22<sup>nd</sup>  
August 19<sup>th</sup>  
September 16<sup>th</sup>  
October 21<sup>st</sup>  
November 18<sup>th</sup>  
December 16<sup>th</sup>

**Ways and Means Committee**  
**Meetings at 10:00 am**

January 6<sup>th</sup>  
February 3<sup>rd</sup>  
March 3<sup>rd</sup>  
April 7<sup>th</sup>  
May 5<sup>th</sup>  
June 2<sup>nd</sup>  
July 7<sup>th</sup>  
August 4<sup>th</sup>  
September 1<sup>st</sup>  
October 6<sup>th</sup>  
November 3<sup>rd</sup>  
December 1<sup>st</sup>

\*Rescheduled meetings will be posted on the website

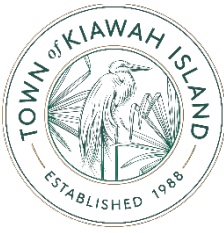


**TAB 8**

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# **TOWN COUNCIL**

**Agenda Item**



# FOR TOWN COUNCIL DISCUSSION

**TO:** Mayor and Town Council  
**FROM:** Stephanie M. Tillerson, Town Administrator  
**SUBJECT:** Charitable Grant Guidelines Review for FY 2025-2026  
**DATE:** December 2, 2025

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During the last charitable contribution distribution, Council discussed the possibility of taking a different approach to the program focus before the new application goes out—potentially adding another category or modifying the current "3 H's" focus. As we approach December, when applications are typically made available, I have provided the historical context below to guide that discussion and request your specific input on the direction for FY 2025-2026.

Additionally, staff is proposing a new mid-year reporting requirement to enhance accountability (detailed below).

**PROGRAM FOCUS HISTORY:** Service area: the geographic focus has always been limited to the Sea Islands.

- FY 2017-2022: No specific program focus - arts, education, cultural, and general charitable organizations were eligible (\$150K budget)
- FY 2022: Budget increased to \$200K, eligibility remained broad
- FY 2023-PRESENT: Added "3 H's" focus - ONLY Hunger, Housing, and Health programs for residents in need (\$200K budget)
  - This eliminated arts, cultural, and educational organizations from eligibility

Note: Even before the formal "3 H's" policy, Council was already shifting priorities. By FY 2019, arts/cultural organizations received no funding despite applying, and 75% of funding went to basic needs.

**HISTORICAL CONTEXT - FUNDING TRENDS FY 2017-2019:** The attached spreadsheet shows funding patterns before the "3 H's" restriction. Council was already shifting priorities away from arts/cultural organizations, even without a formal policy:

**FY 2018 FUNDING** (\$142,711 awarded):

- 42% went to Hunger, Housing, and Health organizations
- 25% went to arts/cultural: Charleston Symphony (\$15K), Gibbes Museum (\$12K), SC Aquarium (\$8K)
- 12% went to educational programs: Begin with Books, Reading Partners, Teachers Supply Closet, Bridges for End of Life
- 21% went to other community benefits: Kiawah Women's Foundation, Barrier Island Little League, etc.

**FY 2019 FUNDING** (\$150,000 awarded):

- 75% went to Hunger, Housing, and Health organizations
- 0% went to arts/cultural organizations - ALL received \$0 despite applying (Charleston Symphony requested \$50K, Gibbes Museum \$5K, Charleston Men's Chorus \$4K, SC Aquarium \$10K)
- 9% went to educational programs: Begin with Books, Reading Partners, Teachers Supply Closet
- 14% went to other community benefits: Kiawah Cares Foundation, Kiawah Women's Foundation, Barrier Island Little League

**KEY OBSERVATION:** By FY 2019, Council had already informally eliminated arts/cultural funding and was allocating 75% to basic needs (Hunger, Housing, Health) - even before Council decided to shift to following only "3 H's" initiatives in FY 2023. The FY 2023 change essentially codified what the Council was already doing in practice.

**YOUR INPUT REQUESTED:**

**1. PROGRAM FOCUS** - Which approach should we take?

- Keep current "3 H's" only (Hunger, Housing, Health)
- Add Education as a 4th category
- Add Youth Development as a 4th category
- Add another category (please specify)
- Return to broad eligibility (pre-FY 2023 approach) with Council discretion
- Should there be funding caps or percentages for each category?

**2. NEW MID-YEAR REPORTING REQUIREMENT** (Proposed): All grantees would submit a progress report at 6 months documenting:

- How grant funds have been spent to date
- Evidence expenditures meet grant requirements
- If unspent, explain why (timing issues, project delays, etc.)
- Progress toward completing the project within 12 months



# 2024-2025 Charitable Grant Guidelines

## **Purpose**

The Town of Kiawah Island is committed to supporting charitable organizations that are recognized as 501(c)(3), non-profit and/or tax-exempt entities providing services to residents in need in the Johns Island and Wadmalaw Island communities.

This document should help charitable organizations better understand the objective and focus of the grants provided by the Town of Kiawah Island and the factors considered in making grant decisions.

## **Funding**

For the 2024-2025 fiscal year, the Town Council has allocated up to \$200,000 for charitable organizations.

## **Core Funding Priorities**

Grants will only be made to applicants providing services that directly meet one or more of the following:

1. **Hunger** – Applicants in this category must have a program that provides hunger relief in at least one of the following three categories:
  - A. Provide food or meals directly on a routine basis to underprivileged recipients qualified by the charity organization
  - B. Provide meals prepared and served by the charity organization in a group meal setting
  - C. Distribute food donations on a regular basis to the community
  - D. Provide food available in an emergency food pantry that can be distributed directly to recipients on a no-cost basis to augment what the recipients may be able to provide on their own
  
2. **Housing** – Applicants in this category must provide housing assistance in one of three ways:
  - A. Provide maintenance to existing housing occupied by qualified recipients. The repairs should be to correct conditions that make the house unlivable or substandard as determined by the organization
  - B. Renovating houses that can be made available to qualified families or individuals at a below-market price or free of charge
  - C. Building new homes to be provided to qualified recipients at below-market prices as determined by the organization
  
3. **Health** – Organizations must directly improve physical or mental health through:
  - A. Direct healthcare services
  - B. Medical treatment programs

- C. Mental health support
- D. Medical transportation assistance
- E. Other demonstrable health improvement initiatives

## **Eligibility**

The Town of Kiawah will consider grant proposals for projects that meet the following criteria:

- Must be a 501(c)(3), non-profit, and/or tax-exempt entity
- Organizations located in Charleston County whose services/programs seek to benefit residents in need in the Johns Island and Wadmalaw Island communities
- Organizations that provide services that are accessible to the public, benefit or enhance the community as a whole
- Demonstrate financial stability
- Projects that result in a measurable impact on the Johns and Wadmalaw Islands communities
- Must complete the funded project within twelve months

## **Priority Consideration**

Preference is given to organizations that:

- Bring the maximum possible amount of funding directly to the people in need
- Primarily rely on Sea Islands volunteer participation
- Collaborate with other organizations
- Leverage their funding sources
- Focus their work primarily on philanthropy and social well-being

## **Funding Restrictions**

Grant proceeds may not be used for the following purposes or projects:

- Projects not predominantly serving Johns and Wadmalaw Island communities
- General operating expenses within the charitable organization, including salaries, building expenses, office supplies, and vehicles
- Endowment or any other marketing-type campaign increasing the funding of the organization
- Any religious instructions, proselytizing, preaching, or providing any verbal or written verbiage leading to the overall, potentially religious mission of the organization
- Political causes, candidates, campaigns, or lobbying programs
- Religious organizations unless the gift is designated to a program that is secular in nature and benefits a broad range of the community (e.g. soup kitchens and homeless shelters). Additionally, the program must have a formal mission and a separate budget and staff
- The Town of Kiawah only funds charitable organizations directly. It does not fund organizations that consolidate donations to be distributed to charitable recipients from these consolidated funds

## **Evaluation**

If the applying organization received funding during the 2023-2024 Budget year of the Town of Kiawah Island, the application for the 2024-2025 Budget year must include:

1. A summary along with supporting documentation on how the funds have been spent in the 2023-2024 period.
2. A detailed explanation and reasoning on the designated form in the application if the granted funds were not fully expended

A lack of transparency related to both topics will result in the denial of the application.

The evaluation of any application will only be based on the information provided on the application during a potential meeting and site visit of the organization and experiences from prior years.

### **Application Process**

- Complete the Charitable Giving Application
- Provide proof of designation as a non-profit organization that has been recognized as Tax Exempt from the Internal Revenue Code is required
- Provide a draft budget for funding the project or program
- Submit a cover letter on the organization's letterhead that outlines the funding request
- Submit the application and requested documentation either email or mailed to the Town of Kiawah Island, Petra Reynolds, Town Clerk. Supporting documentation, as requested above and on the attached "Charitable Grant Application," is required

### **Additional Application Process Information**

- A staff workgroup will conduct reviews of the applications, leading potentially to meetings with the applying organization and site visits, which need to be accommodated
- This staff workgroup will then provide funding recommendations to the Ways & Means Committee for recommendation to the Town Council for final approval
- Your presence is not required at either meeting but is strongly encouraged
- Requesting organizations will be notified in writing of the Council's decision by April or May 2025
- All payments will be made directly to the requesting and approved organization in the form of a check
- Payments will not be sent to third parties or individuals



**Town of Kiawah Island Charitable Grant Application**

**Fiscal Year 2024-2025**

**APPLICATION DEADLINE: 3:00 pm**

**Friday, January 17, 2025**

**NAME OF ORGANIZATION** \_\_\_\_\_

**NAME OF APPLICANT** \_\_\_\_\_

Date of application: \_\_\_\_\_ Amount of request: \$ \_\_\_\_\_

Name of organization: \_\_\_\_\_

Address: \_\_\_\_\_

Name and position of person submitting request: \_\_\_\_\_

Email address: \_\_\_\_\_

Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

Website address: \_\_\_\_\_

**MISSION STATEMENT:**



**Town of Kiawah Island Charitable Grant Application**

**Fiscal Year 2024-2025**

**APPLICATION DEADLINE: 3:00 pm**

**Friday, January 17, 2025**

**Briefly describe your organization's goals and objectives.**

**PROJECT TITLE:**

---

**Give a brief project overview:**

**Briefly describe the proposed project, and how does this project advance the mission of the organization?**

**Does it build on existing programs or services? If so, how?**



## Town of Kiawah Island Charitable Grant Application

Fiscal Year 2024-2025

**APPLICATION DEADLINE: 3:00 pm**

**Friday, January 17, 2025**

**Number of people served by the organization annually:**

**Geographic area served:**

**Demographics of those served by the proposed project (i.e., Age, income, ethnicity, education level....)**

**Include a timeline or date(s) of the project.**

**What are the outcomes you hope to achieve through this project and how will you know if your outcomes are achieved?**



**Town of Kiawah Island Charitable Grant Application**

**Fiscal Year 2024-2025**

**APPLICATION DEADLINE: 3:00 pm**

**Friday, January 17, 2025**

**What is your measure of success?**

**If the project involves partners, List who they are and what role they will have.**

**What will it cost to execute this project and what amount is being requested? Provide a detailed budget of expenditures for this project and list other sources of funding if applicable.**

**If the applying organization received funding in the last year, please provide details on how the funds were spent:**

Cost Category	Funds Awarded	Funds Spent	
		To Date	Final

Cost Category examples: supplies, equipment, staffing, transportation... etc.



## Town of Kiawah Island Charitable Grant Application

Fiscal Year 2024-2025

**APPLICATION DEADLINE: 3:00 pm**

**Friday, January 17, 2025**

### Other Comments:

### Required Attachments:

- ✓ Verification of tax-exempt status (IRS determination letter)
- ✓ List of Board of Directors, Officers, and Staff
- ✓ Annual Budget

If the Town provides funds, I agree to provide the Town of Kiawah Island a copy of the audited financial statements.

This organization assumes full legal responsibility for any suit or action at law or equity, and any or all claims arising from this project/activity and do hereby indemnify and hold harmless the Town of Kiawah Island from any liability in any action at law or equity associated with its support for this project/activity.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Date

The completed application and attachments can be emailed to the Town Clerk at [preynolds@kiawahisland.org](mailto:preynolds@kiawahisland.org) or mailed to:

Town of Kiawah Island  
Attn: Town Clerk  
4475 Betsy Kerrison Parkway  
Kiawah Island, SC 29455

**Town of Kiawah Island  
2019 Worksheet of Charitable Grants Applications**

Tab	Organizations Name:				2017	2017	2018	2018	2019	2019	2019	2019	2019
					Requested	Awarded	Request	Awarded	Requested	Request Change	Staff Recommendations	Ways & Means Recommendations	Recommendations to Town Council
1	AMOR Healing Kitchen	Maria Kelly	amor.healing@gmail.com	843-819-0257					\$ 2,800.00		\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
2	Bach Society of Charleston	Sugar Slabaugh	info@BachSocietyofCharleston.org	859-230-7791					\$ 15,000.00	\$ 8,000.00	\$ -	\$ -	\$ -
3	Backpack Buddies Seabrook Island	Joanne Threlfall	backpackbuddiesseabrookisland@gmail.com	203-417-8518	\$ 2,500.00	\$ 2,000.00	\$ 2,500.00	\$ 2,000.00	\$ 2,500.00		\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4	Barrier Island Free Medical Clinic, Inc	Brenda Falls	brenda.falls@gmail.com	843-266-9800	\$ 25,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
5	Barrier Island Little League	Todd Gerhart	barrierislandlittleleague@gmail.com	248-719-0076			\$ 4,998.12	\$ 5,000.00	\$ 8,000.00		\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
6	Begin with Books	Patty Bennett	patty.bennett@frontier.com	843-801-1228	\$ 5,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00	\$ 7,500.00		\$ 2,000.00	\$ 2,500.00	\$ 2,500.00
7	Bridges for End-of Life	Jonathan wright	jonathan@bridgessc.org	843-216-7323	\$ 1,789.00	\$ 1,000.00			\$ 2,150.00		\$ 2,150.00	\$ 2,150.00	\$ 2,150.00
8	Charleston Area Therapeutic Riding	Amanda A. Gerald	info@catr-program.org	843-559-6040	\$ 7,076.00		\$ 7,076.00	\$ 7,076.00	\$ 7,076.00		\$ 7,076.00	\$ 7,076.00	\$ 7,076.00
9	Charleston Men's Chorus	Stewart Mixon	boardpres@charlestonmenschorus.org	843-224-7181					\$ 4,000.00		\$ -	\$ -	\$ -
10	Charleston Symphony Orchestra	Alana Morrall	amorrall@charlestonSymphony.org	843-723-7528	\$ 30,000.00	\$ 15,000.00	\$ 15,000.00	\$ 4,500.00	\$ 50,000.00	\$ 15,000.00	\$ -	\$ -	\$ -
11	Gibbes Museum of Art	Rebecca Hiester	rhiester@gibbesmuseum.org	843-722-2706	\$ 20,000.00	\$ 12,000.00	\$ 25,000.00	\$ 5,085.00	\$ 5,085.00		\$ -	\$ -	\$ -
12	Helping and Lending Outreach Support (HALOS)	Kim Clifton	kim@charlestonhalos.org	843-990-9564					\$ 10,000.00		\$ 3,850.00	\$ 3,850.00	\$ 3,850.00
13	Hebron Zion Presbyterian Church	F. Rene Garrett	HebronZionchurch@aol.com	843-559-0865	\$ 3,000.00		\$ 15,000.00	\$ -	\$ 2,000.00		\$ -	\$ -	\$ -
14	Kiawah Cares Foundation	Holly Newman	kiawahcares@kica.us	843-768-9194					\$ 25,000.00		\$ -	\$ -	\$ 9,424.00
15	Kiawah Womens Foundation	Theresa Widuch	kwfoundation@comcast.net	843-768-9576	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00		\$ 7,000.00	\$ 7,000.00	\$ 7,000.00
16	Lowcountry Food Bank	Kelly Kelley	kkelley@lcfbank.org	843-747-8146	\$ 9,160.00	\$ 5,000.00	\$ 9,450.00	\$ 9,450.00	\$ 9,500.00		\$ 9,500.00	\$ 9,500.00	\$ 9,500.00
17	Operation Home	Mariam C. Langley	miriam@operationhome.org	843-212-8935					\$ 10,000.00		\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
18	Operation Sight	Cindi Solomon	info@operationsight.org	877-354-4822	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00		\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
19	Our Lady of Mercy Community Outreach Services	Kristin Raymond	Kristin.raymond@olmoutreach.org	843-559-4109	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
20	Reading Partners	Bonnie Bella	bonnie.bella@readingpartners.org	843-696-2148	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
21	Respite Care Charleston	Sara Perry	sara@RespiteCareCharleston.org	843-647-7405			\$ 4,000.00	\$ 4,000.00	\$ 10,000.00		\$ 4,000.00	\$ 5,500.00	\$ 5,500.00
22	Scope 50	John Reynolds	JohnR99773@aol.com	843-768-0434	\$ 15,000.00	\$ 1,000.00			\$ 5,000.00		\$ -	\$ -	\$ -
23	Sea Islands Blessing Baasket	Jada Phillis	jadacphillips@yahoo.com	704-401-6824					\$ 5,000.00		\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
24	Sea Island Cares	Sidney Fraizer	sf29455@comcast.net	843-209-9320			\$ 17,000.00	\$ -	\$ 5,000.00		\$ -	\$ -	\$ -
25	Sea Island Habitat for Humanity	Peter Mathis	peter@seaislandhabitat.org	843-768-0998	\$ 15,000.00	\$ 12,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
26	Sea Islands Water Wellness Mission	John Carpenter	JTCarpenter1313@gmail.com	309-648-8249			\$ 14,900.00	\$ 14,600.00	\$ 26,000.00		\$ 19,500.00	\$ 19,500.00	\$ 19,500.00
27	South Carolina Aquarium	Chloe Garrison	cgarrison@scaquarium.org	843-579-8627	\$ 25,000.00	\$ 8,000.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 5,000.00	\$ -	\$ -	\$ -
28	South Carolina Environmental Law Project	Amy Armstrong	amy@scelp.org	843-527-0078					\$ 10,000.00		\$ -	\$ -	\$ -
29	Sweetgrass Garden Co-op	Dale Snyder	dale.snyder@att.net	843-270-0889	\$ 5,000.00	\$ 2,500.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00		\$ -	\$ -	\$ -
30	Teachers Supply Closet	Lynette Duggins	lynette@teacherssupplycloset.org	843-529-4931	\$ 11,500.00	\$ 9,000.00	\$ 11,000.00	\$ 10,000.00	\$ 11,000.00		\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
	<b>Total Requests</b>						\$ 216,924.12	\$ 142,711.00	\$ 318,611.00		\$ 138,576.00	\$ 140,576.00	\$ 150,000.00
	<b>Total Budgeted Funds to be awarded</b>								\$ 150,000.00		\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
	<b>Amount in excess of Budget</b>								\$ 168,611.00		\$ (11,424.00)	\$ (9,424.00)	\$ -



**TAB 9**

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# **TOWN COUNCIL**

**Agenda Item**

## **TOWN OF KIAWAH ISLAND**

### **Ad Hoc Civic and Cultural Center Addition Committee**

#### **CHARTER**

1. The Civic and Cultural Center Addition Committee (CCCAC) for the Town of Kiawah shall be an ad hoc committee of the Town and shall advise and make recommendations to the Town Council on matters relating to the design, planning, and construction of the Civic and Cultural Center addition. The project consists of a new wing addition of approximately 12,000 square feet, including an auditorium, multipurpose community room, foyer/lobby, and supporting facilities, to be constructed within the approved project budget.
2. The Committee shall work in coordination with the Architect of Record, Caplea Coe Architects, Inc. (pursuant to AIA Document B133-2019 executed November 11, 2025), and the Construction Manager at Risk (once selected) throughout all phases of the project.
3. Committee Composition and Structure:
  - a. The Committee shall consist of no more than seven (7) members total: the Mayor, who shall serve as Chair; one (1) additional Town Council member; and up to five (5) community members with relevant experience in construction, engineering, architecture, design, project management, finance, or related fields.
  - b. The Mayor shall appoint each community member with the Town Council's consent and shall designate an additional Council member. Members shall serve at the pleasure of the Mayor and Town Council for the duration of the project.
4. Committee Authority: The CCCAC shall function primarily in an advisory capacity to the Mayor and Town Council. The Committee shall:
  - c. Review and make recommendations on major project decisions, including but not limited to design phase approvals, Construction Manager at Risk selection, change orders, budget modifications, and schedule changes.
  - d. Have approval authority for: Committee meeting minutes, project schedules prepared by the Architect or Construction Manager, and administrative matters related to Committee operations.
  - e. The Committee shall not have authority to enter into contracts, obligate Town funds, or make binding commitments on behalf of the Town. All contractual obligations and expenditures require approval by the Mayor and/or Town Council in accordance with the Town's Procurement Policy.
5. Regular meetings of the Committee shall be held not less than once every month during active project phases, with more frequent meetings (including weekly meetings) during intensive design and review periods as determined by the Chair

of the Committee. The Committee may hold such special meetings as it deems appropriate. Meetings of the Committee shall comply with the South Carolina Freedom of Information Act.

6. In the discharge of its duties, the CCCAC shall:
  - f. Review and provide recommendations on design phase deliverables prepared by the Architect of Record, including:
    - i. Schematic Design Documents;
    - ii. Design Development Documents, to commence following Owner approval of Schematic Design;
    - iii. Construction Documents, with bid documents targeted for completion by Fall 2026; and
    - iv. Cost estimates and budget reconciliations at the conclusion of each design phase.
  - g. Review and provide input on the Request for Qualifications (RFQ) for the Construction Manager at Risk (CMAR) prior to its issuance.
  - h. Participate in the selection process for the Construction Manager at Risk and provide recommendations to the Mayor and Town Council.
  - i. Review and provide input on sustainable design principles and features for the project, including but not limited to energy efficiency measures, renewable energy options (such as solar panels), pervious paving, stormwater management, and landscape sustainability features.
  - j. Review and provide input on major furniture, fixtures, and equipment (FF&E) selections for the facility, working with the Architect of Record to ensure selections align with project budget and functional requirements.
  - k. Monitor adherence to the project schedule and encourage acceleration where feasible, including key milestones: Bid Documents completion (Fall 2026), Construction Commencement (Q1 2027), Substantial Completion (Q2 2028), and Acoustic Tuning/Final Completion (Q3 2028).
  - l. Conduct periodic review of the approved project budget and ongoing project costs to ensure alignment with Council-approved budgets and identify potential cost overruns or savings.
  - m. Receive and review monthly progress reports from the Architect of Record, Project Manager/Owner's Representative, and Construction Manager at Risk during design and construction phases. The Project Manager shall report directly to the Mayor and the Town Administrator.
  - n. Review commissioning reports and participate in the building commissioning process to ensure all systems and equipment are properly installed, tested, and functioning as designed.

- o. Submit progress reports to the Town Council monthly during design and construction, including statements on design progress, construction status, estimated completion dates, any significant problems and proposed resolutions, any anticipated cost overruns or savings, and any contemplated modifications to project scope with supporting reasons.
- p. Review all change orders and provide recommendations to approve, approve with conditions, or deny. Each change order shall be evaluated individually. No change order shall be subdivided to avoid the approval requirements of this section. The Committee's recommendations shall be forwarded to the appropriate approval authority as follows:
  - v. Change orders under \$20,000: Committee recommendation to the Mayor for approval;
  - vi. Change orders of \$20,000 or greater but less than \$100,000: Committee recommendation to the Mayor, with reporting to the Ways and Means Committee prior to approval;
  - vii. Change orders of \$100,000 or greater: Committee recommendation to Town Council for approval, following reporting to the Ways and Means Committee.
- 7. Duration and Sunset: This ad hoc committee shall continue in existence until final project completion, defined as the later of: (1) final acceptance of all construction work and issuance of the final Certificate for Payment by the Architect; (2) completion of all commissioning activities and acoustic tuning; (3) resolution of all outstanding project issues including warranties and closeout documentation; or (4) formal dissolution by Town Council. The Committee shall submit a final report to the Town Council upon project completion, after which the Committee shall be dissolved.



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**TOWN COUNCIL**

**Reference Item**



# TOWN OF KIAWAH ISLAND

## Architect Design Competition Civic and Cultural Center Addition

### Overview

The purpose of the Design Competition is to receive Conceptual Designs for a new civic and cultural center wing or addition to the existing Town Hall building (“Project”), creating dedicated space for cultural events, performing arts programs, and community gatherings. This expansion is intended to address the current lack of accessible, quality venues for such activities for residents and visitors, while also relieving space constraints within existing Town Hall facilities.

The primary components of the Project are an acoustically engineered 250–300 seat auditorium/recital hall and flexible community meeting rooms, complemented by open gathering areas and supporting facilities. The goal is for the addition to integrate seamlessly with the existing Town Hall from a functional and operational perspective. Design elements do not need to replicate, but should not be discordant with, the existing Town Hall. It is anticipated that the new addition will take advantage of the natural features of the municipal center property, ideally providing physical and visual access to iconic grand oaks and estuarine marsh, and enhancing the natural beauty as envisioned in the site’s original development plan. Incorporating the addition into the existing Town Hall would allow for shared infrastructure and operational efficiencies compared to a standalone facility.

This project is intended to support two core programmatic goals:

1. To provide an accessible, high-quality venue for cultural and performing arts programming with reduced logistical costs and increased artistic flexibility compared to venues currently used by arts and cultural events groups in the community.
2. To offer flexible meeting and gathering spaces for civic organizations and community groups, meeting a growing need for affordable, dedicated venues in the Town.

While space flexibility is desirable, it should be noted that as a civic facility, revenue generation is not a primary consideration, and it is not anticipated that the facility will be used for private or corporate events or receptions (as there are other private facilities in the Town that can accommodate such needs).

### Project Program

Following are anticipated core program design elements for the Project:

- Auditorium
  - Approximately 250-300 seats (with raked elevation if site conditions allow).
  - Comfortable seating is a priority.
  - Fixed seating is assumed, although retractable seating can be considered.
  - Excellent acoustics suitable for spoken-word events, acoustic instruments, as well as amplified performances.
  - Ability to “tune” the room.
  - Minimal interference from outside noise.
  - Built-in microphone inputs, speakers, mixer and sound equipment.
  - Noise reduction HVAC.
  - Lighting grid and equipment with easy access for hanging and focusing.
  - Film/video projection capabilities. High-quality projector and screen for front projection.
  - Storage for 7’ grand piano.
  - Backstage dressing rooms with bathroom(s) for performers.
  - Storage capabilities (sound, extra lighting, cables, small sets, props, costumes, rolled up dance floor).
  
- Multipurpose Community Room(s)
  - Community meeting room(s), ideally one dividable space, should be able to accommodate 40-60 seated in a larger combined space and 16-20 in a hollow square format in a smaller divided space.
  - A/V capability
  - Outdoor access.
  - Catering staging area.
  - Moveable chairs and tables with storage room.
  
- Foyer/Lobby Area
  - Open lobby area sized to hold patrons before, during and after performances or as separately used gathering space.
  - Suitable for art installations and educational/historic information.
  - Restrooms for auditorium capacity (additional restrooms accessible in the Town Hall).
  - Volunteer/staff storage room (coats, purses, etc.).
  - Space for mobile bar and catered food purchase (including storage).
  
- Loading dock with ability to load directly onto the stage. Include parking for bus/truck.
  
- All utilities (plumbing, mechanical, electrical, fire, security)
  - Facility currently on septic and capacity needs to be assessed although it is anticipated that the facility will be connected to public water and wastewater system.

- Parking plan should incorporate existing municipal center parking spaces and add parking as needed to meet auditorium size requirements. Additional parking should be pervious surface to extent possible. Field areas could be used for overflow parking.
- Landscape and site considerations. Non-specimen and low-graded specimen trees can be removed as necessary to accommodate building placement, added parking, building access, and create viewscales. Facility resiliency, particularly to address potential site flooding risks, will need to be addressed. The project is wholly within the Town's boundaries. Permitting will include state environment reviews as may be necessary.

Based on preliminary assessments, the overall size of the addition, including all interior elements, but exclusive of any exterior features, is anticipated to be approximately 12,000sf of conditioned space. A feasibility study prepared for the Town by Webb Management and Theatre Consultants Collaborative in 2023 assumed a 1.3x soft cost multiplier and construction costs ranging between \$600-800 per GSF based on regional examples for a "high quality performance space with excellent acoustics and technical capabilities." Taking into consideration inflation and a "Kiawah premium", it is anticipated that construction costs would be on the high end of that range, resulting in a notional construction and soft cost budget of \$12 million.