

PLANNING COMMISSION MEETING

Kiawah Island Municipal Center

April 6, 2022; 3:00PM

Minutes

I. **Call to Order:** *Mr. Peterson called the meeting to order at 3:00 pm.*

II. **Roll Call:**

Present: Fred Peterson, *Chairman*
Brit Stenson, *Vice Chairman*
Andy Capelli
Bill Dowdy
Larry Iwan
Madeleine Kaye
Joanne Hennessy

Also Present: John Moffitt, *Council Liaison*
John Taylor, Jr., *Planning Director*
Petra Reynolds, *Town Clerk*

Mr. Peterson asked to amend the agenda to allow Mr. Taylor to introduce the Marsh Management consultant team that will be working on developing the Town's Marsh Management Plan.

- Keith Bowers and Jessica Norris – *Biohabitats* - an ecological restoration and conservation firm
- Nicole Elko – *Elko Consulting* – technical expertise

III. **Approval of Minutes:**

A. Planning Commission Meeting Minutes of January 12, 2022

Mr. Iwan made a motion to approve the minutes of the January 12, 2022, Planning Commission Meeting. Mr. Dowdy seconded the motion.

Following the notation of a correction that needed to be made, the minutes were unanimously approved as amended.

IV. **New Business:**

Mr. Taylor provided background on a recent annexation request, which initiated community concern regarding the annexation process; detailed discussion by Council and Planning staff, which resulted in the development of an annexation policy plan, and recommended ordinance amendments which included more community involvement within the annexation and planned development process.

A. **Zoning Ordinance Amendment Applications:**

1) **Zoning Ordinance Text Amendment Request:**

AZO22-000001: Request to amend Section 12-79. Designation of Annexed Territory

Mr. Taylor stated the proposed purpose and intent of Section 12-79 is to describe the Town's policies and procedures for the annexation of property located outside of the Town's boundaries, and the amendment to Section 12-79 was requested to provide additional clarity

on the process by which annexation and rezonings specifically planned development applications may run succinctly and to provide more opportunity for public input within this process.

Mr. Taylor reviewed the term “annexation” and the key factors of the proposed amendments:

- provides clarity to the authority of annexation powers.
- clearly affirms that annexation petitions and zoning map amendment applications may be submitted concurrently.
- establishes a base zoning designation for properties requesting annexation that do not declare a specific zoning designation.

Mr. Taylor stated that Town staff held community workshops on February 8th and February 22nd to present the proposed amendments.

Mr. Capelli made a motion to recommend to Town Council the approval of Zoning Ordinance Text Amendment Request AZO22-000001: Request to amend Section 12-79. Designation of Annexed Territory. Mr. Stenson seconded the motion.

Commissioners’ discussion of the proposed amendments included:

- clarification of language in zoning designation
- recommendation of the proposed amendments prior to the approval of the Town’s Annexation Policy Plan and Procedures Manual, along with the suggestion of additional language

Ms. Hennessy made a motion to add “as of [approval date] and as periodically amended” to item (C) Annexation Policy. Mr. Stenson seconded the motion.

Further discussion included Mr. Capelli’s additional language changes and reviewing the policy manual prior to ensure overall consistency with the zoning ordinance prior to voting on the recommendation of the text amendments. Commissioners agreed to discuss the proposed annexation policy manual before taking any action on the proposed zoning ordinance text amendments.

Mr. Peterson made a motion to table the motion made to recommend to Town Council the approval of Zoning Ordinance Text Amendment Request AZO22-000001. Mr. Capelli seconded the motion, and it was unanimously approved.

Mr. Taylor reviewed the development of the Town’s Annexation Policy Plan and Procedures Manual, stating that the document’s purpose was to, along with State criteria, provide Council, staff, and applicants a guide to submitting and evaluating an annexation request.

Mr. Taylor provided an overview of the chapters of the policy plan manual, with Commissioners providing feedback on concerns and suggested language changes.

Following the in-depth discussion, the following language changes were recommended:

- Chapter 2 | Annexation Assessment
 - 2.3 - **Guiding Principles for Assessment of Annexations** – Bullet #9 - Consideration of the annexation area’s existing condition of utilities infrastructure and future needs for expansion improvements - Include the word “traffic or traffic impact.”

Ms. Hennessy made a motion to include “traffic impact” in 2.3, Bullet #9. The motion was seconded by Ms. Kaye and unanimously approved.

- **2.1 - Best Interest of the Town of Kiawah Island Community - Strike the word Community from the heading**

Mr. Stenson made a motion to recommend to Town Council the proposed changes in the approval of the Town’s Annexation Policy Plan and Procedures Manual with the two suggested language changes. The motion was seconded by Mr. Dowdy.

Following further discussion, the motion was unanimously approved.

Commissioners further discussed the request to amend Section 12-79. - Designation of Annexed Territory.

Mr. Iwan made a motion to recommend to Town Council the approval of Zoning Ordinance Text Amendment Request AZO22-000001: Request to amend Section 12-79 with the additional language “as of [approval date] and as periodically amended” to (C) Annexation Policy. The motion was seconded by Mr. Dowdy.

Mr. Capelli made a motion to amend (C) Annexation Policy to replace the word “follow” to “consider.” The motion was seconded by Ms. Kaye.

Following further discussion, the motion was not approved, with six voting “no” to one voting “yes.”

Ms. Hennessy restated the motion to recommend to Town Council the approval of Zoning Ordinance Text Amendment Request AZO22-000001 with the additional language to (C) Annexation Policy. The motion was seconded by Mr. Stenson and was unanimously approved.

2) Zoning Ordinance Text Amendment Request:

AZO22-000002: Request to amend Section 12-159. Planned Developments

Mr. Taylor stated the purpose and intent of Section 12-159 are to encourage innovative site planning for residential, commercial, and institutional developments within Planned Development Districts, and the amendment to Section 12-159 was requested to enhance the process and procedures of planned development applications and to increase and refine the public engagement opportunities for planned development applications with the context of zoning amendment applications including properties beyond the corporate limits of the Town of Kiawah Island considering annexation.

Mr. Taylor reviewed the term “Planned Development” and the key factors of the proposed amendments:

- increases the opportunity for public engagement with Planned Development applications including required community workshop(s).
 - Conceptual PC review
 - Community workshops
- provides additional planned development stipulations for analysis and review.
 - Stormwater
 - Approval criteria

Mr. Taylor stated that Town staff held community workshops on February 8th and February 22nd to present the proposed amendments. The documents presented to the Planning Commission

have been reviewed by Town staff and recommended for approval.

Mr. Taylor provided an overview of the proposed amendments of Section 12-159, with Commissioners providing feedback on concerns and suggested language changes.

Following the in-depth discussion, the following language changes were recommended:

- Section 12-159. - Planned Developments
 - (b) *Purpose and intent* - strike the word “community” and replace it with “Town of Kiawah Island.”

Mr. Iwan made a motion to strike the word “community” and replace it with “Town of Kiawah Island” in item (b) Purpose and intent. The motion was seconded by Mr. Stenson and was unanimously approved.

- (c) *Applicability* - add approval date and as amended clause to capture any amendments to the policy manual

Ms. Hennessy made a motion add approval date and as amended clause to capture any amendments to the policy manual in item (c) Applicability. The motion was seconded by Mr. Dowdy and was unanimously approved.

- (d) *Development Standards* – strike “an overriding” and replace it with “the”

Mr. Capelli made a motion to strike an overriding” and replace it with “the” in item (d) Development Standards. The motion was seconded by Ms. Kaye and was unanimously approved.

- (f) *Planned development procedure*
 - (2) *Formal Submittal* - strike “or its designee.”

Mr. Iwan made a motion to strike “or its designee” in item (f)(2) Formal Submittal. The motion was seconded by Ms. Kaye and was unanimously approved.

- (4) *Community Workshop*
 - (i) strike “ensure” and replace it with “allows for”
 - (ii) strike “and try to mitigate.”
 - (iv) add “s” to “neighbor.”

Ms. Kaye made a motion to strike “ensure” and replace it with “allows for” in item (4)(i), strike “and try to mitigate” in item (4)(ii) and add “s” to “neighbor” to item (4)(iv). The motion was seconded by Mr. Dowdy and was unanimously approved.

- O. Strike entire section O. that requires providing a list of professionals

Mr. Iwan made a motion to strike entire section O. The motion was seconded by Mr. Stenson and was unanimously approved.

Mr. Capelli made a motion to recommend to Town Council the approval of Zoning Ordinance Text Amendment Request AZO22-000002 as amended. The motion was seconded by Mr. Stenson and was unanimously approved.

B. Main Road Corridor Segment C: Project Update Presentation

Mr. Taylor stated that meetings had been consistently taking place with Charleston County staff to identify and understand the County’s position in the Main Road Corridor Segment C process. In

the past year, there have been five alternatives submitted and vetted by the community; the public responses were used to modify some of the existing alternatives. Those, along with new alternatives, will be presented at the upcoming public workshops that have been planned for April 28th and May 12th. Information and materials will be released to the community to encourage participation so that the viewpoints of Kiawah residents are represented.

C. Development Agreement Update: Presentation of Remaining Entitlements for Kiawah Partners

Mr. Taylor presented a graphic developed to provide a snapshot of the Development Agreement Cap and the remaining entitlements in Parcel 13, Captain Sam's, Freshfields Village, and Upper Beachwalker and shared staff will be providing more clarity with a detailed exhibit regarding remaining entitlements.

V. Correspondence/Staff Comments:

None

VI. Council Liaison Comments:

None

VII. Public Comments:

None

VIII. Commissioner Comments:

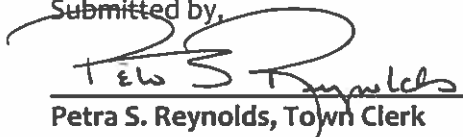
Mr. Stenson stated that he would be moving to Los Angeles and resigning his position on the Planning Commission.

Mr. Capelli made comments on a turbo roundabout, the article written on the traffic study, and the passing of Mr. Tedesco, a former Planning Commissioner.

IX. Adjournment:

Mr. Iwan made a motion to adjourn the meeting at 5:30 pm. Mr. Dowdy seconded the motion, and it was unanimously passed.

Submitted by,


Petra S. Reynolds, Town Clerk

Approved by


Fred M. Peterson, Chairman

6.28.2022
Date