



TOWN OF *Kiawah Island*®

Mayor

Craig E. Weaver

Council Members

Jack Koach

Diana L. Mezzanotte

Chris Widuch

John R. Wilson

Town Administrator

Stephanie Monroe Tillerson

4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455 | (843) 768-9166 | Fax (843) 768-4764 | www.kiawahisland.org

TOWN COUNCIL MEETING

Kiawah Island Municipal Center

Council Chambers

May 1, 2018; 2:00 PM

AGENDA

- I. Call to Order:
- II. Pledge of Allegiance
- III. Approval of Minutes:
 - A. Minutes of the Town Council Meeting of April 3, 2018 [Tab 1]
- IV. Mayor's Update:
- V. Citizens' Comments (Agenda Items Only)
- VI. Presentation:
 - A. Steve Traynum, Coastal Science & Engineering – Annual Monitoring Report [Tab 2]
- VII. Old Business:
 - None
- VIII. Consent:
 - B. **Ordinance 2018-02** – to amend Section 12-78, Dock Key Locations to allow a floating dock for property located at 248 Eagle Point Road (TMS# 265-02-00-162). – **Second Reading** [Tab 3]
 - C. **Ordinance 2018-03** – to amend the Town of Kiawah Island Dock Key Locations Map for the property located at 248 Eagle Point Road (TMS# 265-02-00-162) from the Fixed Dock designation to a Floating Dock designation. – **Second Reading** [Tab 4]
 - D. **Ordinance 2018-04** – to create a new Future Land Use Category Active Recreation, Residential and Open Space; and to change the existing Future Land Use designation for the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from Active Recreation and Open Space to Active Recreation, Residential, and Open Space. – **Second Reading** [Tab 5]
 - E. **Ordinance 2018-05** – to create a new zoning district, PR-OC: Parks and Recreation - Ocean Course – **Second Reading** [Tab 6]
 - F. **Ordinance 2018-06** – to rezone the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from the Parks and Recreation (PR) Zoning District to the Parks and Recreation – Ocean Course (PR-OC) Zoning District. (28.753 acres) – **Second Reading** [Tab 7]
- IX. New Business:
 - A. To Consider Approval of the of the SATAX Funding Amounts [Tab 8]
 - B. **Ordinance 2018-07** – To Amend Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 – Permits – **First Reading** [Tab 9]
 - C. **Ordinance 2018-08** – To Adopt the Fiscal Year 2018-2019 Budget for The Town of Kiawah Island, SC (7/1/18 Through 6/30/19) – **First Reading** [Tab 10]
- X. Other Business:
 - None

- XI. Town Administrator's Report:**
- XII. Council Member:**
 - a. Committee Updates
 - b. General Comments
- XIII. Citizens' Comments:**
- XIV. Executive Session:**
 - A. To Receive Legal Advice from the Town Attorney regarding Filing a Civil Lawsuit Against the Former Town Administrator, Former Town Treasurer, and Former Auditors
- XV. New Business:**
 - D. To Consider Approval to take action against the Former Town Administrator, Former Treasurer, and Former Auditors.
- XVI. Adjournment:**

TOWN COUNCIL MEETING

Kiawah Island Municipal Center

Council Chambers

April 3, 2018; 2:00 PM

AGENDA

I. Call to Order: *Mayor Weaver called the meeting to order at 2:00 pm.*

II. Pledge of Allegiance

Present at the meeting: Craig Weaver, Mayor
John R. Wilson
Diana Mezzanotte
Jack Koach
Chris Widuch

Also Present: Stephanie Monroe Tillerson, Town Administrator
Dwayne Green, Town Attorney
Petra Reynolds, Town Clerk

III. Approval of Minutes:

A. Minutes of the Town Council Meeting of March 6, 2018

Mr. Widuch made a motion to approve the minutes of the March 6, 2018 Town Council Meeting. The motion was seconded by Mr. Wilson and the minutes were unanimously approved.

IV. Mayor's Update:

Mayor Weaver reported that the Planning Commission meeting that was scheduled for tomorrow has been canceled. He stated the only scheduled agenda item, the consideration of the final plat for Parcel 13 by Kiawah Partners, has been deferred to the May meeting.

Mayor Weaver reported on the development of a Johns Island Growth Management Committee to bring together individuals who have an interest, involvement and stake in Johns Island to include the City of Charleston, Kiawah, Seabrook, Charleston County and Johns Island. The Committee will be comprised of elected officials, neighborhood representatives, development community members, and agency leaders to oversee a Johns Island Capital Improvement Plan. Some of the objectives will be to improve the quality of life on Johns Island through transportation enhancements, affordable housing opportunities, preservation of open space and rural land, and mixed use developments that offer a variety of residential, commercial, employment, institutional, recreational, public safety, and open space opportunities and to accommodate the projected pace of residential and commercial growth on Johns Island prioritize and to identify funding sources for community infrastructure needs on Johns Island over the next ten years. Mayor Weaver stated he will be representing Kiawah at the first scheduled meeting of the Committee on Tuesday, April 17, 2018.

Mayor Weaver stated at the last Council meeting there was a discussion and vote to authorize the Town to enter onto a contract with the South Carolina Environmental Law Project (SCELP) in its potential litigation regarding offshore oil exploration. He indicated an agreement with acceptable

terms was reached and the Town, along with several other communities, is now one of the potential names communities should this come to a legal action.

V. Citizens' Comments (Agenda Items Only)

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick asked if in Council's consideration of the Carolina Waste Contract will also include the discussion of staff's recommendation to not give those residents that have back door service the same subsidy given those that have curbside service and the potential effect on cottages, regimes and condo owners.

Mayor Weaver stated that the item on the agenda is only consideration of the Carolina Waste Contract. He indicated that most residents receive solid waste services at no cost with charges applied only to other services. Part of the budget discussion has included a review of the fee structure, which has not been adjusted in several years but will not be discussed today.

VI. Presentation:

A. Communication and Wildlife Departments

Jim Jordan and Stephanie Braswell Edgerton presented the second video in the "Wild About" series. Mr. Jordan explained the series are short videos on various wildlife related topics and research done by the Wildlife Department. The first video released in February was on Marsh Sparrows with the second released in March is on the Town's Bobcat population. Mrs. Braswell Edgerton stated the video series can be found on the Town's Wildlife website and have been viewed around the world.

**VII. Old Business:
None**

VIII. New Business:

Mayor Weaver indicated the ordinances under consideration have a Public Hearing which will be convened following the presented overview of the ordinances. He noted that the Planning Commission has reviewed and recommended approval by Town Council.

A. Ordinance 2018-02 – to amend Section 12-78, Dock Key Locations to allow a floating dock for property located at 248 Eagle Point Road (TMS# 265-02-00-162). - Public Hearing and First Reading

B. Ordinance 2018-03 - to amend the Town of Kiawah Island Dock Key Locations Map for the property located at 248 Eagle Point Road (TMS# 265-02-00-162) from the Fixed Dock designation to a Floating Dock designation. - Public Hearing and First Reading

Mr. Taylor stated Ordinances 2018-02 and 2018-03 are a text and map amendment to the Town's Dock Key Locations which is used to control the proliferation of docks on the island. He noted the two types docks, fixed and floating, and reviewed the application from Eagle Point Partners requesting the amendment of a fixed location and the creation of a new designation for a floating location. Mr. Taylor indicated the applicant had also submitted an application to OCRM for a bridge to allow access to the proposed new dock location.

Mayor Weaver opened the Public Hearing for any comment.

Ray Pantlik – representative for Eagle Point Partners

Mr. Pantlik gave a more detailed review of the reason for the applicant's request. He noted that while the property was located in a Key Location, with the Town's and OCRM regulations and the lots location on the surrounding creeks a dock with access was not feasible requiring the application for the requested amendments.

Charles Lipuma – 201 Horned Greebe Court

Mr. Lipuma asked for clarification on points of the presentation. He questioned why the change from the fixed to floating dock classification and the disposition of the new designation if the bridge is not approved by OCRM.

Mayor Weaver closed the Public Hearing.

Mr. Widuch made a motion to approve the first reading of Ordinance 2018-02 – to amend Section 12-78, Dock Key Locations to allow a floating dock for property located at 248 Eagle Point Road. The motion was seconded by Mrs. Mezzanotte.

Following further discussion, the motion was unanimously passed.

Mr. Wilson made a motion to approve the first reading of Ordinance 2018-03 - to amend the Town of Kiawah Island Dock Key Locations Map for the property located at 248 Eagle Point Road from the Fixed Dock designation to a Floating Dock designation. The motion was seconded by Mrs. Mezzanotte and was unanimously passed.

Mr. Taylor reviewed Ordinances 2018-04, 2018-05, 2018-06 which include a Comprehensive Plan amendment, text amendment and zoning map amendment applications in accordance to property on the Ocean Course. The applications submitted by the Ocean Course Golf Club include the creation of a new Future Land Use category, the creation of a new zoning classification which will parallel the new Future Land Use category and rezoning of the property. He noted the Planning Commission reviewed and recommended approval

- C. Ordinance 2018-04 - to create a new Future Land Use Category Active Recreation, Residential and Open Space; and to change the existing Future Land Use designation for the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from Active Recreation and Open Space to Active Recreation, Residential, and Open Space. - Public Hearing and First Reading**
- D. Ordinance 2018-05 - to create a new zoning district, PR-OC: Parks and Recreation - Ocean Course - Public Hearing and First Reading**
- E. Ordinance 2018-06 - to rezone the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from the Parks and Recreation (PR) Zoning District to the Parks and Recreation – Ocean Course (PR-OC) Zoning District. (28.753 acres) - Public Hearing and First Reading**

Mayor Weaver opened the Public Hearing for any comment.

Charles Lipuma – 201 Horned Grebe Court

Mr. Lipuma stated that in the Development Agreement there is a maximum the number of bedrooms that are permitted. He questioned if there is any impact to increase or decrease that maximum.

Mark Permar – Representative of the Ocean Course Golf Club

Mr. Permar stated the three amendment applications are aligned with the previously approved plat as well as the language and stipulations of the most recently approved Development Agreement. He commented on Mr. Lipuma's earlier question by stating the bedroom count limitations are specific to the two Resort Village areas and in terms of alignment with residential pattern there have to meet other standards related to that.

Mayor Weaver closed the Public Hearing.

Mr. Wilson made a motion to approve the first reading of Ordinance 2018-04 - to create a new Future Land Use Category Active Recreation, Residential and Open Space; and to change the existing Future Land Use designation for the property located at 1000 Ocean Course Drive from Active Recreation and Open Space to Active Recreation, Residential, and Open Space. The motion was seconded by Mrs. Mezzanotte.

Following further discussion, the motion was unanimously passed.

Mr. Widuch made a motion to approve the first reading of Ordinance 2018-05 - to create a new zoning district, PR-OC: Parks and Recreation - Ocean Course. The motion was seconded by Mrs. Mezzanotte and was unanimously passed.

Mr. Wilson made a motion to approve the first reading of Ordinance 2018-06 - to rezone the property located at 1000 Ocean Course Drive from the Parks and Recreation (PR) Zoning District to the Parks and Recreation – Ocean Course (PR-OC) Zoning District. The motion was seconded by Mrs. Mezzanotte and was unanimously passed.

F. To Consider Approval of the AirMedCare Contract Renewal

Mr. Widuch stated the AirMedCare Contract reviewed by the Public Safety and Ways and Means Committee who recommend approval of a third year of providing the helicopter transport service to the island residents. The terms and conditions of the contract remain the same as previous years.

Mr. Widuch made a motion to recommend to Town Council the approval of the AirMedCare Contract in the amount of \$8,163.00. The motion was seconded by Mr. Wilson and was unanimously approved.

G. To Consider Approval of the Summit Building Services Contract Amendment

Ms. Tillerson stated that the Town currently has a contract with Summit Building Services for janitorial services at the Municipal Building. The initial work schedule was based on twice weekly cleaning services as was in our previous building's service. Upon reaching the mid-year point, staff has determined the twice weekly cleaning schedule is not sufficient to maintain the building to our standards. Staff is requesting the contract between the Town and Summit Building Services be amended to three-time weekly cleanings that will be performed on Tuesday, Thursday and Saturday. This agreement will amend the present contract by fifty (\$50.00) per week to nine

thousand eight hundred fifty-one (\$9,851.00) per annum. The contract was reviewed and recommended for approval by the Ways and Means Committee.

Mr. Wilson made a motion to recommend to Town Council the approval of the Summit Building Services Contract Amendment for an additional weekly cleaning at a cost of \$50.00 per week. The motion was seconded by Mrs. Mezzanotte and was unanimously approved.

H. To Consider Approval of the Proposal from Carolina Waste for Solid Waste Services

Mayor Weaver stated the contract was reviewed and recommended for approval by the Ways and Means Committee.

Ms. Tillerson stated the present contract with Carolina Waste is ending June of 2018. The Town issued a request for proposals (RFP) and received two proposals:

Carolina Waste Services – Present contractor - Proposed Annual Cost	\$951,743.00
Republic Services – Previous contractor – Proposed Annual Cost	\$2,576,092.00

Ms. Tillerson stated that as part of the RFP was the request to provide technology to better track the performance of the different services. Staff reviewed and compared the operating costs factors as submitted by both companies and is recommended the selection of the submitted proposal from Carolina Waste and Recycling, LLC based upon their past service record and the overall cost of the contract which does not have a significant increase.

Mr. Koach made a motion to recommend to Town Council the approval of the proposal from Carolina Waste and Recycling for Solid Waste Services in the amount of \$951,743.00. The motion was seconded by Mr. Wilson and was unanimously approved.

I. Discussion of a new Charleston County Sherriff's Office Staffing Model

Mayor Weaver stated that the Public Safety Committee and Mr. Widuch had over the past months reviewed the current and long-term law enforcement model with the Charleston County Sheriff's Office (CCSO) and developed an alternative staffing approach. He stated that following the presentation of an overview of the new approach for Council comment and feedback and if there are no objections by the members of Council, for discussion to begin with Charleston County.

Mr. Widuch stated the Law Enforcement AdHoc Committee was formed in Fall of 2017 to review what the best law enforcement model should be for Kiawah into the future in light of continued growth.

Mr. Widuch stated that the current model with the CCSO is that Kiawah employs, as W2 employees, 39 deputies who are off duty from their primary assignments. The contract calls for three deputies on Shift 1 (7 am - 3 pm), four deputies on Shift 2, and three deputies on shift 3. If the all shifts were full covered the contract cost would be \$1.1 million. Current staffing on average is, 2.25 deputies on Shift 1; three deputies on shift 2, and two deputies on shift 3 at a cost of \$700,000.00 to \$750,000.00 per year. Mr. Widuch noted the weak points of the current model has been identified as:

- (1) CCSO is challenged when trying to provide additional deputies for staffing,
- (2) liability of the deputies as Town W2 employees.

The subcommittee looked at several surrounding communities: Folly Beach, Isle of Palms, and Hilton Head, and concluded the best approach would be to change the current model to have CCSO hire and provide full time deputies assigned to Kiawah.

The subcommittee met with the CCSO on two occasions and recommended to the Public Safety Committee that Kiawah spend the next two years transitioning to a full time, CCSO staffed, law enforcement model.

The benefits of this approach have been identified as:

- (1) Full time, assigned to Kiawah deputies who will better know the community and its residents and business owners,
- (2) The Town will no longer pay deputies on W-2s, reducing potential liability in the event of an incident,
- (3) The ability to grow the force if needed in the event of increased need, eliminating the capacity problem we have today.

He explained that each new hire carries an \$85,000 up front cost with an annual cost thereafter run roughly \$85,000.00 per year. The subcommittee recommended hiring four deputies working twelve-hour shifts in FY 2018-2019 and an additional four deputies in FY 2019-2020 providing 24 hours per day coverage

The members of Public Safety Committee discussed this issue to include a CCSO representative, and recommended approval.

Discussion included the advantages of having the same deputies on the island, the reduction of liability with the elimination of the deputies as W2 employees and visibility of deputies in marked vehicles. Members also discussed the upfront cost of \$1,100,000.00 for the first year but compared it to the cost of the current model if it were fully staffed, the need to still have off-duty deputy coverage for certain weekends, events, high season periods. Approval of the Charleston County Council is required once the CCSO contract negotiations are completed, review and approved by the Ways and Means Committee.

J. Discussion of the Building Permit Process

Mayor Weaver indicated the discussion of the building permitting processes addresses concerns of homeowners over the impact and cost permits, licenses and simplifying the processes.

Mr. Widuch indicated the Building Services staff reviewed the permitting process to see if it could be made more user friendly while still conforming to the FEMA guidelines. A very strict reading of FEMA guidelines imply that a Town needs to track improvements done to homes in order to know when certain thresholds of improvements have been reached, such a policy reduces their exposure to flood claims in the long run. (i.e. an owner who spends invests 50% or more of his home's value into the structure is required to bring the property into compliance of all current codes.)

After going through these regulations, and reviewing how other communities in our region interpret these regulations, we believe a more liberal interpretation is allowed. Charleston County and Mt. Pleasant are models in this interpretation.

Mr. Widuch indicated that staff is trying to run some numbers to determine if the possibly exists to raise the dollar amount threshold at which residents must secure a trade permit for things like interior painting, wallpaper, carpeting, etc. or whether to eliminate trade permits altogether. The

Town will continue to require permits on any activity which requires an inspection. In broad category, this means plumbing, propane, electrical, mechanical, and structural.

A recommendation to eliminate trade permits would result in a loss of revenue. While the amounts are not easily obtained and are requiring some manual review, there is the potential of raising the fee structure on the higher end to recoup some lost funding. Mr. Widuch indicated that he is waiting on a good estimate of revenue before making a recommendation.

Mr. Widuch indicated that staff would like some guidance on whether Council is willing to sacrifice some revenue to reduce the customer burdens to secure permits for work as low as \$1000, and on whether Council has any interest in reviewing the Fee Schedule to consider raising fees on the higher end to partially offset lost revenue elsewhere.

Discussion included if there would be any benefit to the residents from the contractors, and the impact on the workload of Town staff with the elimination of the trade permits. Members agreed that the idea of raising the threshold amount or the elimination of trade permits, but not in favor of increasing fees elsewhere.

IX. Other Business:

None

X. Town Administrator's Report:

None

XI. Council Member:

- a. Committee Updates
- b. General Comments

Mrs. Mezzanotte reported on a new subcommittee of the Environmental Committee will begin meeting at the end of April to document Kiawah is landscaping issues and develop a plan to improve esthetics, wildlife benefits, and storm water management.

Mrs. Mezzanotte reported on the Charleston Visitors Bureau "Parking Options on the Peninsula" poster which outlines parking options for downtown workers and encourages use of the "Park and Go." She also noted the CVB will be giving a presentation to Town Council at its May 1st meeting.

Mrs. Mezzanotte reported on the Sea Level Rise Committee's meeting with Tony Elder with the Community Association to discuss Emergency Management procedures and gave a listing of upcoming discussion items for April.

Mr. Wilson reported that the budget process was moving along with the final budget being reviewed at the next Ways and Means Committee meeting and making a recommendation to Town Council for approval. The approval process will require two readings at the May and June Council meetings and a Public Hearing.

Mr. Wilson reported that the issue of I-526 has been raised again with the County suggesting the location of a funding source, but with the State Infrastructure Bank's lack of interest in spending money in Charleston County and the permitting process the likelihood of completion is far into the future.

Mr. Koach stated that at the last Council meeting there was a discussion on taking legal action against the former auditors and asked for an update.

Mr. Green stated that with Council authorization, he was able to receive and review information from the current auditors to set forth the perimeters of the demand letter, which could go out as early as this week.

Mayor Weaver stated that over the past years, Council has had discussion relating to alternatives in the overall management of the Arts and Cultural program. He indicated the Town has explored if there were any advantages to making the Arts Council a non-profit origination or 501 (c)(3) that is Town controlled and funded. He noted that there are some long-term advantages that have been identified, and that he will be meeting with the members of the Arts Council on Thursday to give them an overview and to get their feedback.

XII. Citizens' Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick thanked Council for their Charitable Contribution support for the Sea Island Habitat for Humanity. She stated that Women Build was coming up next week and noted that the recipient of the home that was being built for a Community Association Employee. She also indicated that contributions could be made specifically to Sea Island Habitat for Humanity – Women Build.

Mrs. Kulick asked Town staff to look into making allowances for those individuals that have temporary mobility issues.

Mrs. Kulick asked if the Mayor and Mayor-pro Tem would be continuing the practice of meeting with the Chair and Vice Chair of the Community Association Board.

Mrs. Kulick stated it was reported that the delay of the review of the final plat that included Duneside road was for the completion of a traffic study. She noted her confusion, thinking a study had already been done. She stated that with the anticipated development of the area she suggested that traffic study included the Timbers, along with all of the Partners property in West Beach including Captain Sam's Spit.

Mayor Weaver stated that it his intention to resume the monthly meeting with the Community Association Board. He noted that scheduling a time was a challenge but would be worked out.

Mayor Weaver stated that the consideration of the final plat falls under the purview of the Planning Commission and that Council had no authority or involvement but will forward her concerns.

Dennis McGill – 100 Pleasant Valley

Mr. McGill read from a statement prepared and presented to members of Council that detailed his concerns with errors he felt were made by the forensic auditor in the calculation of salary and then the calculation of repayment agreement of the Town Clerk.

THE TOWN OF KIAWAH ISLAND

ORDINANCE 2018-02

**AN ORDINANCE TO AMEND CHAPTER 12 - LAND USE PLANNING AND ZONING, ARTICLE
II. - ZONING, DIVISION 2. - ZONING MAP/DISTRICTS, SECTIONS 12-78. – KEY DOCK
LOCATIONS**

WHEREAS, Section 12-78. - Dock Key Locations provides for the designation of certain property locations within the Town's boundaries where docks are permitted; and

WHEREAS, this Section 12-78(b) provides for two basic types of docks, "Fixed Docks" and "Floating Docks"; and

WHEREAS, that certain property on Kiawah Island bearing TMS No. 265-02-00-162 located at 248 Eagle Point Road is currently designated as a property which allows a "Fixed Dock" (which currently exists); and

WHEREAS, the property owner has applied for an amendment to Section 12-78 that would allow a "Floating Dock" rather than a "Fixed Dock"; and

WHEREAS, the Planning Commission held a meeting on March 7, 2018, at which time a presentation was made by staff and the applicant, 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 at that meeting to recommend to Town Council that the subject request be approved; and

WHEREAS, a properly noticed public hearing was held on April 3, 2018 providing the public an opportunity to comment on the proposed text amendments.

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

This Ordinance is adopted to amend Section 12-78. - Dock Key Locations of the Municipal Code of the Town of Kiawah Island.

SECTION 2 Ordinance

Section 12-78. - Dock Key Locations Table 2N. – Town of Kiawah Island Key Locations Floating

Docks is hereby amended to create a new Key Location Designation - #36; Location – Eagle Point, East, “**Attachment A**,” to designate TMS No. 265-02-00-162 located at 248 Eagle Point Road as a property allowing a "Floating Dock."

Section 12-78. - Dock Key Locations Table 2O. – Town of Kiawah Island Key Locations Fixed Docks is hereby amended the shoreline of Key Location Designation - G; Location – Eagle Point, East “**Attachment B**.”

All other portions of Section 12-78. - Dock Key Locations shall remain in full force and effect.

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 of property, 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 second reading approval.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 1ST DAY OF MAY 2018.**

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: April 3, 2018

Second Reading: May 1, 2018

Section 12-78. Dock Key Locations

Table 2N. Town of Kiawah Island Key Locations Floating Docks

Key Location		Authorized Shoreline (linear ft.)	Docks Authorized	
Designation ^(a)	Location		Nos.	Site ^(b) /Use
33	Ocean Course Drive	500	1	Lot Nos. 64 and 65
34	Club Cottages		3	Lot Nos. 6, 7 and 8
35	Cougar Island, E. Tip	1,100	TBD	Cougar Island, E. Tip
36	Eagle Point East	200	1	Lot 248
^(a) Numerals indicate floating docks and letters indicate fixed docks.				
^(b) Numerals with slash, e.g., " 21/22 " typically indicates that two lots share a single dock.				
^(c) Neighborhood docks serve just the local area or regime.				
^(d) Commercial dock is owned by Kiawah Island Golf Resort.				
^(e) Community docks are KICA property and serve the entire island.				

* Create new floating dock Key Location Designation #36

Section 12-78. Dock Key Locations

Table 20. Town of Kiawah Island Key Locations Fixed Docks

Key Location		Authorized Shoreline (linear ft.)	Docks Authorized	
Designation ^(a)	Location		Nos.	Site ^(b) /Use
A	Old Dock Rd./Ruddy Turnstone		6	Lot Nos. 500, 512, 513, 514, 515 and 517
B	The Settlement, East	1,050	TBD	The Settlement, East
C	Bass Pond, East		1	Bass Pond Community Dock ^(c)
D	Terrapin Island		1	Lot No. 15
E	Blue Heron, North		1	Lot No. 158
G	Eagle Point, East	1,100 600	TBD	Eagle Point, East
H	Falcon Point Rd., East		1	Lot No. 67

* Modify authorized shoreline of existing Key Location Designation G

Town of Kiawah Island

ORDINANCE 2018-03

**AN ORDINANCE TO AMEND CHAPTER 12 - LAND USE PLANNING AND ZONING,
ARTICLE II. - ZONING, DIVISION 2. - ZONING MAP/DISTRICTS, SECTION 12-62. - ZONING
MAP, EXHIBIT 12A-2 KEY LOCATIONS MAP**

WHEREAS, the Town of Kiawah Island amended the text of Chapter 12, Land Use Planning and Zoning of The Town of Kiawah Island, South Carolina Zoning Ordinance, By Amending Article II, Division 2, Zoning Map/Districts Section 12-78. - Dock Key Locations; and

WHEREAS, this amendment created a new Key Location Designation #36 and amended the shoreline of Key Location Designation - G; and

WHEREAS, the Planning Commission held a meeting on March 7, 2018 at which time a presentation was made by staff and the applicant, 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 at that meeting to recommend to Town Council that the subject request be approved; and

WHEREAS, a properly noticed public hearing was held on April 3, 2018 providing the public an opportunity to comment on the proposed zoning map change.

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 Amendment

That the Town of Kiawah Island Key Dock Locations Map, be, and the same hereby amended as follows in **“Attachment A.”**

SECTION 2 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 of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3 Effective Date and Duration

This Ordinance shall be effective upon second reading approval.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 1ST DAY OF MAY 2018.**

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: April 3, 2018

Second Reading: May 1, 2018

KEY LOCATIONS

FLOATING DOCK LOCATIONS

- Beachwalker Park - 1
- Inlet Cove - 2
- Kiawah River Commons - 3
- Little Rabbit - 4
- Mingo Point - 5
- Old Dock Road - 6
- The Settlement, West - 7
- Rhett's Bluff, North - 8
- Capt Maynard's, North - 9
- Capt Maynard's, South - 10
- Rhett's Bluff, South - 11
- Vanderhorst House - 12
- Terrapin Island - 13
- Preserve, North East Tip - 14
- Cormorant Island, North - 15
- Eagle Point, Central - 16
- Eagle Point, West - 17
- Salt Cedar Lane, East Tip - 18
- Salt Cedar Lane, East - 19

- Preserve, South - 20
- Salt Cedar Lane, Central - 21
- Salt Cedar, West - 22
- Cougar Island, West Tip - 24
- Cormorant Island, South - 25
- Cougar Island, West Tip - 26
- Old Dock Road, East - 27
- Summer Islands, East - 28
- Summer Islands, West - 29
- Old Dock Rd / Ruddy Turnstone - A
- The Settlement, East - B
- Bass Pond, East - C
- Old Dock Rd, West - 31
- Old Dock Rd, West Tip - 32
- Ocean Course Drive - 33
- Club Cottages - 34
- Cougar Island, East Tip - 35
- Eagle Point East - 36

FIXED DOCK LOCATIONS

- Blue Heron, North - E
- Eagle Point, East - G
- Falcon Point Rd, East - H
- Blue Heron, West - J
- Cougar Island, West - K
- Ocean Course Drive - N
- Falcon Point, East - O
- Shell Creek Landing, East - R
- Shell Creek Landing, South - S
- Club Cottages - T
- Marsh Cottages - U
- Ocean Oaks - V
- Ibis Pond - W
- Willet Pond - X
- Blue Heron, North - Y
- Osprey Entry - Z
- Bass Pond, West - AA
- Egret Pond - BB



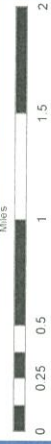
Town of Kiawah Island Key Locations Map

ORDINANCE 2003-005 ADOPTED AUGUST 12, 2003
ORDINANCE 2005-008 ADOPTED OCTOBER 12, 2005

* SUBJECT TO ANY CURRENT DEVELOPMENT AGREEMENT

Water Features
Water
Marsh

CONSTRUCTED DOCKS



PRINTED 04/26/2018
CHARLES FOX CO PLANNING DEPT.
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TOWN OF KIAWAH ISLAND

ORDINANCE 2018-04

TO AMEND THE TOWN OF KIAWAH ISLAND COMPREHENSIVE PLAN – LAND USE ELEMENT – FUTURE LAND USE CATEGORIES AND COMPREHENSIVE PLAN MAP IX.2, FUTURE LAND USE; TO CHANGE THE FUTURE LAND USE DESIGNATION FOR THE SUBJECT PROPERTY (265-16-00-184) FROM “ACTIVE RECREATION AND OPEN SPACE” TO “ACTIVE RECREATION, RESIDENTIAL AND OPEN SPACE”

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to add a new Future Land Use category of Active Recreation, Residential and Open Space; and

WHEREAS, the amendment would allow for the sensitive integration of recreation and open space uses with limited residential; and

Whereas, this Comprehensive Plan Map amendment is compatible with surrounding land uses and is not detrimental to the public health, safety and welfare; and

WHEREAS, the Planning Commission held a meeting on March 7, 2018, at which time a presentation was made by staff and the applicant, and an opportunity was given for the public to comment on the amendment request; and

WHEREAS, the Planning Commission, after consideration of the staff report, subsequently voted at that meeting to recommend to Town Council that the subject request be approved; and

WHEREAS, a properly noticed Public Hearing was held on April 3, 2018 providing the public an opportunity to comment on the proposed amendment; and

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

This Ordinance is adopted to amend the Town of Kiawah Island Comprehensive Plan Future Land Use Element, Future Land Use categories and Comprehensive Plan Map IX.2, Future Land Use; to change the Future Land Use designation for the subject property (265-16-00-184) from “Active Recreation and Open Space” to “Active Recreation, Residential and Opens Space”.

SECTION 2 Amendment

Active Recreation, Residential and Open Space

This category provides and is intended to promote the development of Recreational facilities, including golf courses, with limited Residential in varied format, including single family detached/attached, duplexes and multifamily within a natural setting.

That the Town of Kiawah Island Comprehensive Plan Map IX.2 Future Land Use, be, and the same hereby amended as follows in “**Attachment A.**”

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 of property, 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 second reading approval.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 1ST DAY OF MAY 2018.**

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: April 3, 2018

Second Reading: May 1, 2018



FUTURE LAND USE MAP

FUTURE LAND USE*

- ACTIVE REC AND OPEN SPACE
- ACTIVE REC RESIDENTIAL AND OPEN SPACE
- CONSERVATION
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE
- RESORT
- COMMERCIAL
- PLANNED DEVELOPMENT
- CIVIC AND INSTITUTIONAL
- RIGHT-OF-WAY
- WATER
- MARSH

MUNICIPAL BOUNDARIES

- COUNTY OF CHARLESTON
- TOWN OF SEABROOK ISLAND

*SUBJECT TO ANY CURRENT DEVELOPMENT AGREEMENT

Town of Kiawah Island Future Land Use

Printing Date: 04/18/2018
 File: kiaFLU
 Charleston County Planning
 Prepared By: phj/vt



TOWN OF KIAWAH ISLAND

ORDINANCE 2018-05

TO AMEND THE TEXT OF CHAPTER 12, LAND USE PLANNING AND ZONING OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA ZONING ORDINANCE, BY AMENDING ARTICLE II, DIVISION 2, ZONING MAP/DISTRICTS BY ADDING A NEW ZONING CLASSIFICATION, “PR-OC, PARKS AND RECREATION – OCEAN COURSE” AND ITS DEFINITION; AND AMENDING SECTION 12-102 BY ADDING THE NEW ZONING CLASSIFICATION (PR-OC) TO TABLE 3A. AUTHORIZED USES IN ZONING DISTRICTS, OF THE ZONING ORDINANCE OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to add a new zoning classification PR-OC, Parks and Recreation – Ocean Course and its definition; and by amending the Authorized Uses in Zoning Districts Table to add PR-OC with its permitted uses by right and by condition; and

WHEREAS, the text amendment would be compatible with surrounding land uses and would not be detrimental to the public health, safety and welfare; and

WHEREAS, the Planning Commission held a meeting on March 7, 2018, at which time a presentation was made by staff and the applicant, 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 at that meeting to recommend to Town Council that the subject request be approved; and

WHEREAS, a properly noticed Public Hearing was held on April 3, 2018 providing the public an opportunity to comment on the proposed amendments; and

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 Amendment

That the Town of Kiawah Island Zoning Ordinance, be, and the same hereby amended as follows in “Attachment A.”.

SECTION 2 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 of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3 Effective Date and Duration

This Ordinance shall be effective upon second reading approval.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 1st DAY OF MAY 2018.**

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: April 3, 2018

Second Reading: May 1, 2018

Legend:

Text = new text

~~Text~~ = deleted text**Sec. 12-72.1 - PR, Parks and Recreation – Ocean Course District.**

- (a) *Purpose and intent.* The purpose of the PR, Parks and Recreation District is to provide community parks and recreation facilities, including parks, open spaces, golf courses, ~~and~~ tennis courts **and limited residential associated with the golf course operation**. This district provides for both active and passive use of land. Accessory structures which support or compliment the parks/recreation use may be permitted as conditional or special exception uses.
- (b) *District regulations.* The following apply to the PR zoning district:
- (1) Lot standards (setbacks, lot coverage, etc.) for accessory structures in this district are listed in table 2L in this subsection (b);
 - (2) Authorized uses for this district are listed in table 3A in section 12-102(c);
 - (3) Parking standards are given in section 12-128.
 - (4) **Maximum Dwelling Units for this district shall be no greater than twenty-six (26) Dwelling units total, of which no more than six (6) may be single family attached, duplexes or multi-family.**
 - (5) **Maximum residential density shall be no more than one (1) Dwelling unit per 1.1 acres.**
 - (6) **Up to six dwelling units may be attached to and integrated with non-residential buildings, but there shall be no more than four (4) Dwelling units in any building within this district.**

Table 2L. Lot Standards for Accessory Structures in the PR, Parks and Recreation Zoning District, and PR-OC Zoning District		
Minimum area (square feet) ⁽¹⁾		20,000
Minimum lot depth (feet)		120
Minimum width (feet)		150
Maximum floor area ratio		0.2
Maximum lot coverage		70 percent
Maximum height		
	Stories	2
	Feet	35
Minimum setbacks (feet) ⁽²⁾		
	Front	25
	Side	25
	Rear	25
⁽¹⁾ Smaller lots for accessory structures may be permitted by the TownCouncil as part of a planned development.		
⁽²⁾ Canopies connected to the main building shall be set back a minimum of 20 feet from any property line.		

(Code 1993, § 12A-212; Ord. No. 2005-08, § 12A-212, 10-12-2005)

Table 3A. Authorized Uses in Zoning Districts

P=Permitted Use C=Conditional Use S=Special Exception

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS											Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC		
RESIDENTIAL													
	1) Single-Family Detached	P	P	P						C		I	
	1) Single-Family Attached, also known as Townhouses or Patio Homes		P	P						C		I	
	1) Duplex		P	P						C		I	
	1) Multi-Family (including Townhouses and Apartments)			P						C		I	
CIVIC / INSTITUTIONAL													
	COURTS AND PUBLIC SAFETY								P				
EDUCATIONAL SERVICES	Court of Law								P				
	Safety Services, including Emergency Medical or Ambulance Service, Fire Protection, or Police Protection								P				
	Day Care									C		I	
	Pre-school or Educational Nursery				C					C		2	
HEALTH CARE SERVICES	Personal Improvement Education, including Golf or Fine Arts Schools					C	C			C		2	
	Physicians' and Dentists' Offices										C	3	
	Medical Clinics-Outpatient Services											3	

PR-OC

P

P

P

P

C

PR-OC

P

P

P

P

C

1) Dwelling units may be attached to and integrated with non-residential buildings, but shall be no more than four (4) dwelling units in any building within the PR-OC district

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

draft 01.22.18

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS										Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC	
MUSEUMS, HISTORICAL SITES AND SIMILAR INSTITUTIONS												
	Historical Sites	C	C	C	P	C	C	C	P	C		4
	Libraries or Archives				P	C	C	C		C		4
	Museums or Art Galleries				P	C	C	C		C		4
	Nature Exhibitions					C	C		P	C		4
POSTAL SERVICE	Botanical Gardens or Arboretums				P	C	C		P	C		4
	Postal Service, United States				P					C		5
RECREATION AND ENTERTAINMENT												
	Community Recreation, including Sports Activities, Playgrounds and Athletic Areas, or Swimming Areas (beaches and pools)				C	C	C		C			6
	Golf Courses or Country Clubs								C			6
	Parks	P	P	P	P	C	C	C	P	C	P	6
	Motion Picture and Live Theaters				C	C	C					6
RELIGIOUS, CIVIC, PROFESSIONAL AND SIMILAR ORGANIZATIONS	Recreation or Vacation Camps				C				C			6
	Recreational Equipment Storage				C	C	C	C	C			6
	Business and Professional Organizations				P							
	Social or Civic Organizations, including Youth Organizations, Sororities, or Fraternities				P							
	Church, Synagogue, Temple or Religious Assembly				P			P				

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

draft 01.22.18

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS											Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC		
UTILITIES AND WASTE-RELATED USES													
	Utility Service, Major												
	Electric Substation				S	S	S	S		C		1	
	Electrical or Telephone Switching Facilities							C				7	
	Electricity or Water Maintenance Facilities							P					
	Sewage Pumping Control Stations	S	S	S	C	C	C	P	C	C		7	
	Sewage Sludge Drying Beds							P					
	Water Pressure Control Stations				C	C	C	P	C			7	
	Water or Sewage Treatment Facilities							P					
	Water Storage Tanks							P		C		1	
COMMERCIAL ACCOMMODATIONS	Utility Service, Minor												
	Electric or Gas Power Distribution	C	C	C	C	C	C	P	C	C		7	
	Sewage Collection Service Lines	C	C	C	C	C	C	P	C	C		7	
FINANCIAL SERVICES	Hotels or Inns					C/S	C/S					8	
	Banks				C							9	
	Financial Services, including Loan or Lending Services, Savings and Loan Institutions, or Stock and Bond Brokers				C							9	

PR-OC

C

C

C

C

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS										Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC	
FOOD AND BEVERAGE SERVICES												
	Bar or Lounge (Alcoholic Beverages), including Taverns, Cocktail Lounges, or Member Exclusive Bars or Lounges				S	S	S					
	Catering Services				C	C	C					10
	Restaurant, General, including Cafeterias, Diners, Delicatessens, or Full-Service Restaurants, or accessory uses to a Golf Course, Club House, or Recreational Area (without alcoholic beverages)				P	C	C		S	C		10
	Restaurant, General, including Cafeterias, Diners, Delicatessens, Full-Service Restaurants, or accessory uses to a Golf Course, Club House, or Recreational Area (with alcoholic beverages)				C	C	C		C/S	C		10
INFORMATION INDUSTRIES												
	Advertising Services (not including advertising signs)				C							11
	News Syndicate Services				P							
	Radio and Television Broadcasting Studios (only)				C	C	C					11
	Data Processing Services				P							

draft 01.22.18

PR-OC

S

C/S

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

draft 01.22.18

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS										Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC	
OFFICES												
	<i>Real Estate Sales and Services</i>				P	P	P			C		1
	Administrative or Business Office, including Bookkeeping Services, Couriers, Insurance Offices, Personnel Offices, Real Estate Services, Secretarial Services or Travel Arrangement or Ticketing Services				P							
	Government Offices				P			C		C		12
	Legal and other Professional Services, including Accounting, Tax Preparation, Architectural, or Engineering				P							
OTHER NONRESIDENTIAL DEVELOPMENT												
	Communications Towers											
	Convention Center or Visitors Bureaus				C			C	C	C		13
REPAIR AND MAINTENANCE SERVICES												14
	Repair Service, Consumer, including Appliance, Shoe, Watch, Furniture, Jewelry, or Musical Instrument Repair Shops				C							15
	Vehicle Service, Limited, including Automotive Oil Change or Lubrication Shops, or Car Washes (enclosed area only)				C			C				15

PR-OC

C

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

draft 01.22.18

Ordin. 07-122

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS											Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	CS	PR	PD	KC		
RETAIL SALES													
	Non-store Retailers												
	Direct Selling Establishments				C							16	
	Electronic Shopping or Mail-Order Houses				C							16	
	Building Materials or Garden Equipment and Supplies Retailers												
	Hardware Stores				C							16	
	Home Improvement Centers				C								
	Garden Supplies Centers or Nursery and Greenhouse Retail Centers				C							16	
	Paint, Varnish, Glass, or Wallpaper Stores				C							16	
	Food Sales, including Grocery Stores, Meat Markets or Butchers, Retail Bakeries, or Candy Shops				C							16	
	Liquor, Beer, or Wine Sales				C							16	
	Retail Sales or Services, General												
	Antique Stores				C							16	
	Department Store or Limited Price Variety Stores				C							16	
	Art, Hobby, Musical Instrument, Toy, or Related Products Stores				C	C	C					16	
	Sporting Goods or Bicycle retail and rental				C	C	C					16	
	Book, Stationary, Newspaper, or Magazine retail				C	C	C					16	
	Cameras or Photographic Supplies Stores				C	C	C					16	
	Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Stores, Florists				C	C	C		C			16	
	Convenience Stores (less than 5000 sq. ft. gross floor area per establishment)				C	C	C					16	
	Drug Stores or Pharmacies (less than 5000 sq. ft. gross floor area per establishment)				C	C	C					16	
	Electronics, Appliance, Electrical Supplies, or Related Products Stores				C							16	
	Furniture, Cabinet, Home Furnishings, or Related Products Stores				C							16	
	Gifts, Novelties and Souvenir Stores				C	C	C					16	
	Optical Goods				C							16	

TABLE 3A AUTHORIZED USES IN ZONING DISTRICTS

draft 01.22.18

USE CATEGORY	PRINCIPAL USES	ZONING DISTRICTS										Conditional Use Reference
		R-1	R-2	R-3	C	RST-1	RST-2	C/S	PR	PD	KC	
RETAIL SALES												
	Private Postal or Mailing Services				C							16
	Tobacconists				C	C	C					16
RETAIL OR PERSONAL SERVICES	Service Stations, Gasoline (with or without convenience stores)				C							16
	Consumer Convenience Services											
	Locksmiths				C							16
	Tailors or Seamstresses				C	C	C					16
	Hair, Nail, or Skin Care Services, including Barber Shops or Beauty Salons				C	C	C					16
	Personal Improvement Services, including Health or Physical Fitness Studios, Reducing Studios, and Spas				C	C	C					16
	Photographic Services, including one-hour photo finishing				C	C	C					16
CONSTRUCTION SERVICES												
WAREHOUSE AND STORAGE FACILITIES	Construction Services							C				17
VEHICLE STORAGE	Warehouse and Storage Facilities							C				18
RECYCLING SERVICES	Vehicle Storage, including boat or RV Storage							C				19
TRANSPORTATION	Recycling Collection, Drop-Off							C				20
	Taxi Stands				C	C	C					
	Bus Passenger Stands				C	C	C					21

TOWN OF KIAWAH ISLAND

ORDINANCE 2018-06

AN ORDINANCE TO AMEND CHAPTER 12 - LAND USE PLANNING AND ZONING, ARTICLE II. - ZONING, DIVISION 2. - ZONING MAP/DISTRICTS, SECTION 12-62. - ZONING MAP BY REZONING THE PROPERTY LOCATED AT OCEAN COURSE DRIVE (265-16-00-184) FROM THE PARKS AND RECREATION (PR) ZONING DISTRICT TO THE PARKS AND RECREATIONAL – OCEAN COURSE (PR-OC) AUTHORIZED USES IN ZONING DISTRICTS, OF THE ZONING ORDINANCE OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to rezone the property located at Ocean Course Drive (265-16-00-184) from the Parks and Recreation (PR) zoning district to the Parks and Recreational – Ocean Course (PR-OC) zoning district; and by amending the zoning map with its permitted uses by right and by condition; and

WHEREAS, the zoning map amendment would be compatible with surrounding land uses and would not be detrimental to the public health, safety and welfare; and

WHEREAS, the Planning Commission held a meeting on March 7, 2018, at which time a presentation was made by staff and the applicant, 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 at that meeting to recommend to Town Council that the subject request be approved; and

WHEREAS, Town Council held a Public Hearing on April 3, 2018, providing the public an opportunity to comment on the proposed amendments; and

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 Amendment

That the Town of Kiawah Island Zoning Ordinance, be, and the same hereby amended as follows in “Attachment A.”.

SECTION 2 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 of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3 Effective Date and Duration

This Ordinance shall be effective upon second reading approval.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 1st DAY OF MAY 2018.**

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: April 3, 2018

Second Reading: May 1, 2018

Case # ZREZ-01-18-00077
Town of Kiawah Island
TMS # 265-16-00-184

Attachment A



[illegible]

Recap by Organization

Other

NOTE: These line items involves State ATAX revenues. As such, the anticipated applicants must fully account to the Town and satisfy the Town that the applicants funds were approximately expended in accordance with ATAX requirements, and then the Town will disburse the funds accordingly.

THE TOWN OF KIAWAH ISLAND

ORDINANCE 2018-07

AN ORDINANCE TO AMEND ARTICLE 9 – BUILDING AND BUILDING CODES, CHAPTER 4 – PERMITS, LICENSES AND FEES, DIVISION 1 - PERMITS

WHEREAS, the Town of Kiawah Island Municipal Code currently contains Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 - Permits; Sec. 9.182 – Trade Permit, Sec. 9.183 - Work exempt from permit, Sec 9.185 Repairs, and;

WHEREAS, the Town wishes to regulate the requirement to obtain a trade permit prior to engaging in or offering to engage in the business of construction trades on the properties known as the Town of Kiawah Island, and;

WHEREAS, the Town wishes to amend the current section relating to the requirement of trade permits and work exempt from permitting.

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 adopt the amendment of Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 - Permits; Sec. 9.182 – Trade Permit and Sec. 9.183 - Work exempt from permit and Sec 9.185 Repairs.

SECTION 2 Ordinance

Sec. 9.182 Trade Permit

The Town hereby repeals Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 - Permits; Sec. 9.182 – Trade Permit and designates it as “reserved.”

Sec. 9.183 Work Exempt from Permitting

Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 – Sec. 9.183 - Work Exempt from Permit is amended as follows:

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Residential Trade Permits shall not be required for the following:

Building:

- (1) Floor Covering,

- (2) Interior and Exterior Trim Carpentry,
- (3) Dry Wall,
- (4) Painting/Wallpaper,
- (5) Counter Tops,
- (6) Tiling,
- (7) Cabinets,
- (8) Gutters,
- (9) Signs,
- (10) Irrigation,
- (11) Landscaping,
- (12) Siding,
- (13) Stucco,
- (14) Low voltage systems not associated with life and safety applications,
- (15) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²),
- (16) Fences not in excess of seven feet high,
- (17) Oil derricks,
- (18) Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids,
- (19) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed two to one,
- (20) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route,
- (21) Temporary motion picture, television and theater stage sets and scenery,
- (22) Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground,
- (23) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems,
- (24) Swings and other playground equipment accessory to detached one- and two-family dwellings,
- (25) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies,
- (26) Movable cases, counters and partitions not over five feet nine inches (1,753 mm) in height.

Electrical:

Minor repairs not requiring an inspection.

Sec. 9.185 Repairs

Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 – Sec. 9.185 – Repairs is amended as follows:

Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

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 Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 5th DAY OF JUNE 2018.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk

First Reading: May 1, 2018

Second Reading: June 5, 2018

TOWN OF KIAWAH ISLAND
ORDINANCE 2018-08

**AN ORDINANCE TO ADOPT THE FISCAL YEAR 2018-2019 BUDGET FOR
THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA
(7/1/18 THROUGH 6/30/19)**

WHEREAS, the Town of Kiawah Island requires a budget to guide and direct its receipt and expenditure of revenues during Fiscal Year 2018-2019; and

WHEREAS, Section 5-7-260 of the South Carolina Code of Laws, 1976, as amended, requires that certain acts by municipal councils be done by ordinance, including the adoption of a budget; and

WHEREAS, the annual budget shall be based upon estimated revenues and shall provide appropriations for Town operations and debt service for all Town departments; and

WHEREAS, South Carolina law requires that a duly noticed public hearing be held prior to the adoption of a municipal budget; and

WHEREAS, this duly noticed public hearing was held on the 5th of June 2018, the public an opportunity to comment on the proposed budget; and

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

This Ordinance is adopted to provide the Town of Kiawah Island with an operating budget for Fiscal Year 2018-2019.

Section 2 Creation of the Fiscal Year 2018-2018 Budget for the Town of Kiawah Island, South Carolina

By passage of this Ordinance, the Town of Kiawah Island adopts as its budget for Fiscal Year 2018-2019 “**Exhibit A**,” incorporated fully herein by reference, said budget subject to all terms and restrictions pursuant to Ordinances 93-6 and 98-7 (ordinances establishing budget preparation and administrative procedures).

Section 3 Budget Amendment

Council reserves the right to amend and alter any appropriation contained herein.

Section 4 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 part had not been included. If said Ordinance, or any provision thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 5 Effective Date and Duration

This Ordinance shall be effective from July 1, 2018, to June 30, 2019.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 5th DAY OF JUNE 2018.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk

First Reading: May 1, 2018

Public Hearing: June 5, 2018

Second Reading: June 5, 2018