



Town of *Kiawah Island*

TOWN COUNCIL MEETING

Municipal Center Council Chambers

May 3, 2022; 2:00 PM

Mayor

John. D. Labriola

Council Members

F. Daniel Prickett

Maryanne Connelly

John Moffitt

Scott M. Parker, MD

Town Administrator

Stephanie Monroe Tillerson

AGENDA

- I. Call to Order:
- II. Pledge of Allegiance
- III. Roll Call:
- IV. Approval of Minutes:
 - A. Minutes of the Town Council Workshop of February 22, 2022 [Tab 1]
 - B. Minutes of the Special Call Town Council Meeting of March 28, 2022 [Tab 2]
 - C. Minutes of the Town Council Meeting of April 5, 2022 [Tab 3]
- V. Mayor's Update:
- VI. Citizens' Comments (Agenda Items Only):
- VII. Public Hearing
 - A. To Consider Approval of **Ordinance 2022-02** - An Ordinance to Amend the Town of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning Ordinance – Article II. – Zoning, Division 2. – Zoning Map/Districts, Section 12-79. Designation of Annexed Territory – **Public Hearing and First Reading** [Tab 4]
 - B. To Consider Approval of **Ordinance 2022-03** - An Ordinance to Amend the Town Of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning – Article II. – Zoning, Division 5. – General Procedural Requirements, Section 12-159. Planned Development – **Public Hearing and First Reading** [Tab 5]
- VIII. Old Business:
 - A. To Consider Approval of **Ordinance 2022-01** - An Ordinance of The Town Council of the Town of Kiawah Island Repealing Section 15-306 (Noise) of the Kiawah Island Municipal Code and Adding Chapter 8 –Noise Prohibited – **Second Reading** [Tab 6]
- IX. New Business:
 - A. To Consider Approval of the Fiscal Year 2022/2023 State ATAX Funding Amounts [Tab 7]
 - B. To Consider Approval of **Ordinance 2022-03** - An Ordinance to Adopt the Fiscal Year 2021-2022 Budget for the Town of Kiawah Island, South Carolina (7/1/22 Through 6/30/23) – **First Reading** [Tab 8]
 - C. Discussion on the Development Agreement Dwelling Unit Cap
 - D. To Consider Approval of the Planning Commissioner Appointment [Tab 9]
 - E. To Consider Approval of the Amendment to the existing Arts and Cultural Events Charter [Tab 10]
 - F. To Consider Approval of the Amendment to the existing Arts Council Board Charter [Tab 11]
- X. Town Administrator's Report:
- XI. Council Member:
 - a. Committee Updates
 - b. General Comments
- XII. Citizens' Comments:
- XIII. Adjournment:



TAB 1

TOWN COUNCIL

Agenda Item

**TOWN COUNCIL
SPECIAL CALL WORKSHOP
Municipal Center Council Chambers
February 22, 2022; 10:00 am**

Minutes

I. Call to Order: *Mayor Labriola called the meeting to order at 10:00 am.*

Present at meeting: John D. Labriola, *Mayor*
Dan Prickett, *Mayor Pro Tem*
Maryanne Connelly, *Councilmember*
John Moffitt, *Councilmember*
Dr. Scott Parker, *Councilmember*

Also Present: Stephanie Tillerson, *Town Administrator*
Joe Wilson, *Town Attorney*
John Taylor, Jr., *Town Planning Manager*
Petra Reynolds, *Town Clerk*

II. Old Business:

A. Discussion of the Draft Annexation Policy Plan & Procedures Manual

Mayor Labriola stated that this was the third meeting on the annexation process. At the previous two meetings, staff presented to Council the sections with the changes suggested by the community. At today's meeting, the format will provide an opportunity for citizens to comment on the materials posted on the website for the community to review.

The proposed policy and zoning ordinance amendments presented will include the latest revisions and be reviewed section by section to make them easier to follow. At the end of the session will be citizens' comments to provide input on the documents to Council. At the conclusion of the meeting, if Council feels there has been sufficient dialogue, clarity, and understanding of the annexation policy, it will be presented at the March Town Council meeting for approval by resolution. If not, workshops would continue to be scheduled. If Council feels that there has been sufficient dialogue, clarity, and understanding of the proposed zoning ordinance amendments, they will be forwarded to the Planning Commission for their review and recommendation.

Ms. Tillerson stated that some of the changes that the community group suggested had already been incorporated into the policy. She reviewed a presentation that included the staff suggested language, the group suggested wording, and the staff recommendations for changes or additions to the group suggested language:

- **Section 1.2 – Town's Comprehensive Plan**

Public Comments on the proposed change were made by:

- Tim Hazel – 283 Governor's Drive

- **Section 1.3 - Initiation of Annexation Application and Review by Municipality**

Mr. Wilson reviewed and discussed with Council his concern with the suggested language changes.

Public Comments on the proposed change were made by:

- Tim Hazel – 283 Governor's Drive

- Brad Belt – 151 Bobcat Lane

- **Section 2.1 - Best Interest of Municipality**

Councilmembers engaged in an in-depth discussion of the language; “Therefore, Town Council has the duty to objectively weigh all of the relevant factors and make an informed, non-biased decision on each proposed Annexation” and the proposed addition of the definition of the term “citizens.”

Public Comments on the proposed change were made by:

- Tim Hazel – 283 Governor’s Drive
- David DeStefano – 31 Burroughs Hall
- Jim Jarosik – 425 Sea Lavender Court
- Mariellen Perugini – 24 Rhett’s Bluff Road

- **Section 2.2 - Feasibility Study and Cost/Benefit Analysis**

Public Comments on the proposed change were made by:

- Tim Hazel – 283 Governor’s Drive
- Brad McIlvain – 146 Blue Heron Pond Road
- Jim Jarosik – 425 Sea Lavender Court

- **Section 2.3 – Guiding Principles for Assessment of Annexation**

Council members discussed concerns about adding “community benefit agreement” in the language.

Public Comments on the proposed change were made by:

- Tim Hazel – 283 Governor’s Drive
- Brad Belt – 151 Bobcat Lane

- **Chapter 5 – Annexation Narratives**

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor’s Drive

General Public Comments on the policy were made by:

- David DeStefano – 31 Burroughs Hall
- Mariellen Perugini – 24 Rhett’s Bluff Road
- Kathy Pumphrey – 525 Bufflehead
- Roger Warren – 8 Sand Alley

Following the discussion, Councilmembers agreed to direct Ms. Tillerson to continue to work with the community to finalize language that has been an issue and present the Annexation Policy at the April Town Council meeting for approval consideration.

Mr. Taylor stated the presentation did not include the minor changes in the suggested changes from the group, only the substantive changes requiring further discussion of the Council. He noted that the Planning Commission would review the proposed zoning ordinance amendments as part of the process.

Mr. Taylor began his detailed review of the staff language, the group suggested wording, and the staff recommendations for changes or additions to the group suggested language:

- **Zoning Ordinance Sec. 12-79 - Designation of Annexed Territory**

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor’s Drive

Discussion of Section (d)2 included a general description of the state's vested rights statute. Mr. Wilson explained that generally, the vested rights for a developer do not arise until the Town approves a plat with designated buildable lots or building permit application. The language of (d)2 will not allow the approval of any permit application until the annexation is complete and thereby solves any vested rights concerns.

With no additional comments, Mr. Taylor confirmed that the zoning ordinance document would be presented to the Planning Commission for review.

- **Zoning Ordinance Sec. 12-159 – Planned Development**

- **Purpose and intent**

- **(c) Applicability**

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor's Drive

- **(d) Development Standards**

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor's Drive

- **(f)(4) Community Workshop**

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor's Drive

- **(f)(5)ii - Stormwater**

- **Approval criteria**

Mr. Wilson explained his concern with the “mandatory” nature of language in the group suggested language and the change to making those items separate factors for Town Council to consider.

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor's Drive

Discussion included the group suggested language presented an absolute that the Town nor the Community would be responsible for the cost of improvements necessary caused by the proposed development; and placed those costs on the developer. Ms. Tillerson stated that staff recommendation does not include the language because future Councils, after a feasibility study, may decide to take on some costs of improvements or services of development.

Public Comment on the proposed change was made by:

- Tim Hazel – 283 Governor's Drive
 - Maura McIlvain – 146 Blue Heron Pond Road
 - Brad Belt – 151 Bobcat Lane

General Public Comments on the policy were made by:

- Maura McIlvain – 146 Blue Heron Pond Road

Ms. Tillerson stated that additional changes would be made to the proposed zoning ordinance amendments. After review, they would either come back to Council for approval or would be sent to the Planning Commission for their recommendation.

Councilmember Connelly thanked Ms. Tillerson, Mr. Taylor, and any other staff members that assisted in the development of the documents and also thanked the community group, especially Mr. Hazel, for his work and input.

Mayor Pro Tem Prickett stated that the input provided was very much appreciated by the Town and thanked everyone.

III. Citizens' Comments:

IV. Adjournment:

Mayor Labriola adjourned the meeting at 12:13 pm.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



TAB 2

TOWN COUNCIL

Agenda Item

TOWN COUNCIL
SPECIAL CALL MEETING
Municipal Center Council Chambers
March 28, 2022; 2:00 pm

Minutes

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

Present at Meeting: Dan Prickett, *Mayor Pro Tem*
Maryanne Connelly, *Councilmember*
John Moffitt, *Councilmember*
Dr. Scott Parker, *Councilmember*

Present via Zoom: John D. Labriola, *Mayor*
Joe Wilson, *Town Attorney*

Also Present: Stephanie Tillerson, *Town Administrator*
John Taylor, Jr., *Planning Manager*
Petra Reynolds, *Town Clerk*

Present via Zoom: Joe Wilson, *Town Attorney*
Jack Pringle, *Attorney representing the Town*

II. New Business:

A. To Discuss and Approve the Settlement Agreement between the Parties of Record in the Kiawah Island Utility Rate Case Pending Before the South Carolina Public Service Commission.

Mayor Labriola stated that the purpose of the meeting was to receive an update from Mr. Pringle on the work done relative to the Kiawah Island Utility (KIU) rate increase request.

Mr. Pringle stated that the rate increase case filed by KIU last fall sought \$1,355,000.00 or 14.1% in additional revenues. The Town, along with the SC Office of Regulatory Staff and the SC Department of Consumer Affairs (Consumer Advocate), intervened in the case by reviewing the requested discovery and pre-filed testimony. Settlement discussions prior to the hearing have resulted in a proposal that included a reduction to \$555,000.00 or a 5.76% increase in revenues, allowing \$1,800,000.00 of the second water line construction expenses to be placed on its balance sheet as a regulatory asset, agreement by KIU to be regulated as a rate of return based utility, and a lower 8.69% rate of return on equity. As a part of the settlement, the base rates for water and sewer would not change, with incremental increases to usage-based or consumption services.

Councilmembers engaged in an in-depth discussion of the proposed settlement, including the percentage of rate of return of equity and increase in revenues in comparison to other utility rate cases; the percentage of the average bill would increase with the original rate increase request vs. the proposed rate increase, and the KIU total revenue base and total revenues after the proposed increase.

Mr. Paul Hennessy, 12 Blue Heron Pond Road, asked for consideration of;

- the long term implications of the moving KIU to a rate of return on equity-based utility,
- if the proposed settlement rate increase is comparable to the rates of similar communities and utilities,
- why there would not be a full hearing if a settlement is reached,

- the opinion of the consumer advocate on the settlement, and
- if the settlement, compared to other communities, is fair to both the residential and commercial water users.

Mr. Pringle responded to each of the points in Mr. Hennessy's comments.

Councilmember Connelly made a motion to approve the Settlement Agreement between the Parties of Record in the Kiawah Island Utility Rate Case Pending Before the South Carolina Public Service Commission. Councilmember Parker seconded the motion, and it was unanimously passed.

III. Adjournment:

Mayor Pro Tem Prickett made a motion the adjourn the meeting at 2:46 pm. Councilmember Parker seconded the motion, and it was unanimously passed.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



TAB 3

TOWN COUNCIL

Agenda Item

TOWN COUNCIL MEETING

Municipal Center Council Chambers

April 5, 2022; 2:00 PM

Minutes

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

II. **Pledge of Allegiance**

III. **Roll Call:**

Present at Meeting: John D. Labriola, Mayor
Dan Prickett, Mayor Pro Tem
Maryanne Connelly, Councilmember
John Moffitt, Councilmember
Dr. Scott Parker, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
John Taylor, Jr., Planning Manager
Petra Reynolds, Town Clerk
Tommy Manuel, Kiawah ARB Director
Jennifer Hayes, ARB Landscape Coordinator
Amanda Mole, ARB Architect Member, and ARB Board Chairman
Mark Permar, ARB Architect Member

IV. **Approval of Minutes:**

A. Minutes of the Town Council Retreat of January 13, 2022

Mayor Pro Tem Prickett made a motion to approve the minutes of the January 31, 2022, Town Council Retreat. Councilmember Parker seconded the motion, and it was unanimously approved.

B. Minutes of the Town Council Retreat of January 14, 2022

Mayor Pro Tem Prickett made a motion to approve the minutes of the January 14, 2022, Town Council Retreat. Councilmember Connelly seconded the motion, and it was unanimously approved.

C. Minutes of the Town Council Workshop of February 8, 2022

Councilmember Connelly made a motion to approve the minutes of the February 8, 2022, Town Council Workshop. Councilmember Moffitt seconded the motion, and it was unanimously approved.

D. Minutes of the Town Council Workshop of February 22, 2022

Minutes were deferred until the next meeting

E. Minutes of the Special Call Town Council Meeting of March 1, 2022

Mayor Pro Tem Prickett made a motion to approve the minutes of the March 1, 2022, Town Council Meeting. Councilmember Moffitt seconded the motion, and it was unanimously approved.

V. **Mayor's Update:**

Mayor Labriola stated that the Town intervened in the Kiawah Island Utility (KIU) rate increase case. Mr. Pringle, the attorney representing the Town, provided an update on March 28. The case has since been concluded with a substantial reduction in the proposed rate increase that KIU requested.

VI. Citizens' Comments (Agenda Items Only):

Maura McIlveen – 146 Blue Heron Pond Road

Ms. McIlveen stated that members of the *Reform it Now* group have attended both Council and meetings with staff to work on an annexation manual and revisions to the planned development ordinance. She noted a recent impasse on language in the manual, but with the Mayor's help, a resolution had been reached this morning.

Ms. McIlveen stated that as a resident, she was concerned with the Architectural Review Board (ARB) issue. She expressed her distress with the language used in the notice released by the Town.

Brad Belt – 151 Bobcat Lane, member of the Riverview POA Board

Mr. Belt expressed his disappointment at not having the opportunity to respond to the ARB presentation. He noted that the issue was not just with The Cape but with future development and if the same types of actions and behaviors which recently destroyed critical maritime habitat can be expected in the future. Mr. Belt read excerpts from the Town's vision statement and the ARB's *Designing with Nature* standards. He expressed his view that the entitlements taken by ARB and the developer were beyond what is limited by the Development Agreement and his hope that the Town would look out for the community's interest and hold the developer accountable.

VII. Presentation:

A. Architectural Review Board Regarding The Cape – Tommy Manuel, ARB Director, Kiawah Partners

Mr. Manuel began by reviewing the ARB website noting the documents available and that inquiries from the community are welcome. He outlined the phases of ARB's project review process, including the *Designing with Nature* guidelines, noting that the same process was carried through regarding The Cape development.

Mr. Manuel stated the documents specifically relating to The Cape project were provided by the developer, East West Partners, and their design team. The documents included the site development, tree protection, landscape plan, and mitigation requirements. Ms. Hayes detailed the timeline and documents provided during the preliminary project review, final board review, and permitting process. Specific plans, overall planting plan or schematic design plan, plat schedule, and tree protection and fencing plan were selected, and the plan notes were reviewed to address the concerns raised by the community. Also included images from the final landscape submittals showing the intended landscape at the end of the project, the re-creation of some dune areas within the project, the creation of substantial buffers along the side property lines, and the dune garden area. Also reviewed was a tree count analysis, how many trees would be required to settle the project into an environment that set the perimeter of 70% of existing trees for The Cape project, along with a detailed review of the unapproved design changes to the original landscape plan and the mitigation plan.

Discussion included the compliance of the mitigation plan on the project completion, frequency of ARB project site reviews, ARB board project review process, language used in the Town's

notification, the unapproved design changes were discovered in July of last year, and that the ARB approved the mitigation plan submitted by the contractor.

Mayor Labriola confirmed that the ARB could be contacted directly for any community questions, concerns, or comments. Mr. Manual indicated that a full description of each of the steps taken within the process would be shared. Ms. Hayes added that any private project information would require the developer's approval.

VIII. Old Business:

None

IX. Consent:

- A. To Consider Approval of the Proposal from Revize for Website Redesign
- B. To Consider Approval of the AirMedCare Contract Renewal
- C. To Consider Approval of the Purchase of New Town Vehicles

Mayor Labriola indicated that the three consent items were considered and recommended for approval by the Ways and Means Committee.

Councilmember Parker made a motion to approve the Proposal from Revize for Website Redesign, the AirMedCare Contract Renewal, and the Purchase of New Town Vehicles. Councilmember Connolly seconded the motion, and it was unanimously approved.

X. New Business:

- A. To Consider Approval of **Ordinance 2022-01** - An Ordinance of The Town Council of the Town of Kiawah Island Repealing Section 15-306 (Noise) of the Kiawah Island Municipal Code and Adding Chapter 8 –Noise Prohibited – **First Reading**

Councilmember Moffit indicated that after the first reading of a noise ordinance at a previous Council meeting, the Mayor expressed his concern with the language, specifically with the ambiguous nature of the word “disturbed.” He requested that the ordinance be less ambiguous, easier to understand, and enforced with less subjectivity. As a result, a workgroup was formed with four residents and representatives of the Town, the Resort, the Kiawah Island Community Association, and the Beach Patrol.

The workgroup looked at ordinances from other coastal communities. The developed ordinance is structured and addresses what constitutes prohibited noise, and the hours of the day and night that noise is prohibited. Maximum decibel levels to be used as a threshold of a violation that is clear, easily understood, and easily enforced.

Councilmember Connolly made a motion to approve the first reading of Ordinance 2022-01 - An ordinance of The Town Council of the Town of Kiawah Island repealing Section 15-306 (Noise) of the Kiawah Island Municipal Code and adding Chapter 8 – Noise Prohibited. Councilmember Moffitt seconded the motion.

Councilmember Parker indicated that the hard work and input received were shown in the presented ordinance and asked for clarification on some areas of concern. Mayor Pro Tem Prickett indicated that he appreciated that members of the workgroup included representatives of the entities involved.

Following the discussion, the motion to approve the first reading of Ordinance 2022-01 was unanimously approved.

B. To Consider Approval of the Charitable Grant Recommendations

Mayor Labriola indicated that the Ways and Means Committee reviewed the Charitable Grant recommendations. The presented funding recommendations reflected the adjustments requested by the Committee and were recommended to Council for approval.

Councilmember Parker made a motion to approve the 2022 Charitable Grant Recommendations. Mayor Pro Tem Prickett seconded the motion.

Councilmember Connelly discussed the Keeper of the Wild application, noting the programs address the health and well-being of the island's wildlife. She recommended that the organization receive a \$2000.00 funding allocation.

Mayor Pro Tem Prickett made a motion to approve the 2022 Charitable Grant Recommendations from the Ways and Means Committee in the amount of \$195,704.00. Councilmember Parker seconded the motion. Councilmember Connelly recused herself from the vote on the motion.

Councilmember Connelly made a motion to allocate a \$2,000.00 Charitable Grant to the Keeper of the Wild - Wildlife Rescue and Sanctuary. Councilmember Moffitt seconded the motion.

Following discussion, the motion to allocate a \$2,000.00 Charitable Grant to the Keeper of the Wild was unanimously approved.

Following the amendment to the motion to approve the 2022 Charitable Grant Recommendations, the amended motion was approved with Councilmember Connelly recusing herself from the vote.

C. Discussion of the Annexation Policy Plan and Procedures Manual

Ms. Tillerson stated that the Annexation Policy does not require Planning Commission approval but will be shared when the two text amendments are presented to the Commission at the April 6 meeting. If the Planning Commission recommends no substantive changes, the text amendment ordinances will be presented for Council consideration and first reading approval at the May Town Council meeting. Following the required Public Hearing, the second reading of the text amendment ordinances and the resolution to adopt the Annexation Policy and Procedures Manual will be presented for consideration and approval at the June Town Council Meeting.

XI. Town Administrator's Report:

Mr. Gottshalk provided an update on the Sora Rail project by stating that the architect has indicated that construction-ready drawings will be provided in the current week. Preparations are being made to send the project out for construction bidding once the drawings are in hand. Discussion included if the project could be completed by July 4.

Mr. Gottshalk stated the Town Hall Landscape project had been completed except for small colorful perennial plantings that will be installed once they are received. Councilmembers noted how much better the landscaping and sightlines look. Councilmember Connelly added at request to have flowering plantings around the entry sign.

Mr. Gottshalk stated that Truluck Construction, the Beachwalker Drive Safety Improvement project contractor, has communicated that they will have a crew on the project to begin construction as early as the end of the week. Communication of the construction schedule will be sent out to the community in an eBlast tomorrow.

- XII. Council Member:**
- a. Committee Updates
 - b. General Comments

Councilmember Connelly expressed that the Town's new Public Safety Director, Mr. Harris, has already made significant contributions to the community and to the Town's ability to enforce Town regulations.

Councilmember Connelly indicated that many of the previous comments received centered around the lack of enforcement of island speed limits. The issue is being resolved with deputies ticketing the speeders, and the results have shown that the majority of the speeders are not visitors but rather residents.

Councilmember Connelly stated that Mr. Harris has also developed a great relationship with the KICA representative, Mr. Ritchie. They will be working together on some of the other major issues, such as traffic.

Mayor Pro Tem Prickett stated that he, along with the Mayor, Ms. Tillerson, and Mr. Taylor, had the opportunity to meet with Charleston County Staff on Segment "C" of the JI roads project. Later this week, or early the next, there will probably be an announcement of a new set of options for Segment "C" consideration. On April 28 and May 12, public meetings will be held to discuss the new options, and he stressed the importance of looking at the information, attending the meetings, and making your voice heard.

XIII. Citizens' Comments:

XIV. Adjournment:

Councilmember Connelly made a motion the adjourn the meeting at 3:24 pm. Councilmember Parker seconded the motion, and it was unanimously passed.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



TAB 4

TOWN COUNCIL

Agenda Item

Town of Kiawah Island Zoning Ordinance Amendment Request

Case AZO22-000001 History

Planning Commission Meeting: April 6, 2022
Public Hearing and First Reading: May 3, 2022
Second Reading: TBD

CASE INFORMATION

Applicant: Town of Kiawah Island

Application:

The purpose and intent of the *Section 12-79. Designation of Annexed Territory* is to provide processing procedures for development applications within newly annexed areas.

The Town is requesting to amend the *Town of Kiawah Island Land Use and Planning Ordinance Sec. 12-79. Designation of Annexed Territory* 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.

In the Fall of 2021, the Town received an annexation petition in request to annex a portion of lands adjacent to Freshfields Village (Andell Tract) located within Unincorporated Charleston County. Along with this request, the property owners sought a mixed used development with the intent of a Planned Development. This application was withdrawn. During the 2022 Town Council retreat, staff and council explored ways by which the existing ordinance can be strengthened.

An Annexation Application is a request by a private property owner or owners or government entity (the "Applicant") to incorporate their property into the Town pursuant to the terms and processes provided herein. Consistent with the S.C. Code of Laws Title 5, Chapter 3, the Town regards Annexation as a voluntary process and does not initiate annexations except for property owned by the Town. It is not the intent of the proposed amendments to develop procedures to forcefully annex areas beyond the current Town limits but to provide a clearer means for the criteria in which the Town approves a request for annexation.

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

Town staff has held multiple community workshops to present the proposed amendments. Public workshops also reviewed the drafted proposed Town of Kiawah Island Annexation Policy Manual. Public workshops were held on February 8, 2022 and February 22, 2022. The Town of Kiawah Island Annexation Policy Manual is to be reviewed by Town Council.

Please see exhibits attached for the proposed language of the requested amendment.

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 AND APPLICANT'S RESPONSE

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;

Whereas the Comprehensive Plan Land Use Element Goal 4 states "*Thoroughly evaluate any annexation proposals*" and Implementation Strategy a. states "*Ensure that annexation proposals protect environmentally sensitive areas, are consistent with the Town's Vision, the spirit of this Comprehensive Plan, and enhance the character of Kiawah Island.*" the proposed amendment is consistent with the purposes and intent of the Kiawah Island Comprehensive Plan

b. The proposed amendment is consistent with the purposes and intent of this article;

The proposed amendment modifies the purpose and intent to allow consistency between annexation petitions and zoning map amendment request.

c. The purpose of the proposed amendment is to further the general health, safety and welfare of the Town of Kiawah Island;

The proposed amendment furthers the general health, safety and welfare of the Town of Kiawah Island by providing enhancing the review process for proposed annexation petitions.

d. The proposed amendment corrects an error or inconsistency or meets the challenge of a changed condition.

The proposed text amendment provides clarity to the annexation process by which a zoning map amendment application is considered for properties adjacent to the Town of Kiawah Island corporate limits.

PLANNING COMMISSION MEETING

Notifications: Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

The Planning Commission recommends approval by a vote 7-0.

Sec. 12-79. Designation of annexed territory.

- (a) *Purpose and intent.* This section describes the ~~processing~~ **Town's policies and procedures for annexation of property located outside of the Town's boundaries** ~~development applications located within newly annexed areas.~~
- (b) *Authority.* Changing the corporate limits of a municipality is authorized by S.C. Code Ann. § 5-3-10 through 5-3-315, as amended.
- (c) *Annexation Policy.* Applications for annexation of territory located outside of Town's corporate limits shall follow the Town's Annexation Policy Plan and Procedures Manual adopted by resolution as of (approval date) and as periodically amended.
- (d). ~~*Planning pause moratorium.* No development applications shall be filed for 30 days from the date of annexation for any territory annexed to the Town. This 30-day moratorium is a planning pause moratorium to allow the Town Planning Commission to initiate proceedings to designate permanent zoning for the newly annexed territory. The Town Council may extend the 30-day planning pause by ordinance for an additional period of time deemed reasonable by the Town Council.~~ ***Zoning Designation.* Zoning of the proposed annexation is an important factor in the review and analysis of an annexation petition.**
- (i) A Zoning Map Amendment application requesting the permanent zoning district(s) for the annexation area may be submitted concurrently with the annexation petition pursuant to Section 12-158.
 - (ii) No permit applications shall be filed until proceedings to designate permanent zoning for the newly annexed territory pursuant to Section 12-158 or Section 12-159 as applicable have been completed.
 - (iii) If a zoning map amendment application requesting a specific zoning designation does not accompany the annexation petition, the territory shall be subject to the R-1, Residential Zoning District designation at the time of annexation.

(Code 1993, § 12A-220; Ord. No. 94-12, § 2(12A-206), 9-26-1994; Ord. No. 2005-08, § 12A-220, 10-12-2005)

TOWN OF KIAWAH ISLAND

ORDINANCE 2022-02

AN ORDINANCE TO AMEND THE TOWN OF KIAWAH ISLAND MUNICIPAL CODE CHAPTER 12 - LAND USE PLANNING AND ZONING ORDINANCE – ARTICLE II. – ZONING, DIVISION 2. – ZONING MAP/DISTRICTS, SECTION 12-79. DESIGNATION OF ANNEXED TERRITORY.

WHEREAS, the Town of Kiawah Island Municipal Code currently contains *Chapter 12 - Land Use Planning and Zoning*; and

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to amend the *Town of Kiawah Island Land Use Planning and Zoning Ordinance, Sec. 12- 79. Designation of Annexed Territory* to provide additional clarity on the process by which annexation and rezoning specifically planned development applications may run succinctly and to provide more opportunity for public input within this process; and

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 Town of Kiawah Island held multiple public workshops on February 8, 2022 and February 22, 2022, providing the public an opportunity to comment on the proposed amendment; and

WHEREAS, the Planning Commission held a meeting on April 6, 2022, 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 subject request be approved; and

WHEREAS, Town Council held a Public Hearing on May 3, 2022, 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 the Town of Kiawah Island Municipal Code, Chapter 12 - Land Use Planning and Zoning - Section 12-79 . Designation of Annexed Territory to provide additional clarity on the process by which annexation and rezoning specifically planned development applications may run succinctly and to provide more opportunity for public input within this process.

Section 2 Ordinance Amendment

Section 12-79. Designation of Annexed Territory shall be amended as follows:

- (a) *Purpose and intent.* This section describes the Town's policies and procedures for annexation of property located outside of the Town's boundaries.
- (b) *Authority.* Changing the corporate limits of a municipality is authorized by S.C. Code Ann.§ 5-3-10 through 5- 3-315, as amended.
- (c) *Annexation Policy.* Applications for annexation of territory located outside of Town's

corporate limits shall follow the Town's Annexation Policy Plan and Procedures Manual adopted by resolution as of (approval date) and as periodically amended.

- (d) *Zoning Designation.* Zoning of the proposed annexation is an important factor in the review and analysis of an annexation petition.
- (i) A Zoning Map Amendment application requesting the permanent zoning district(s) for the annexation area may be submitted concurrently with the annexation petition pursuant to Section 12- 158.
 - (ii) No permit applications shall be filed until proceedings to designate permanent zoning for the newly annexed territory pursuant to Section 12-158 or Section 12-159 as applicable have been completed.
 - (iii) If a zoning map amendment application requesting a specific zoning designation does not accompany the annexation petition, the territory shall be subject to the R-1, Residential Zoning District designation at the time of annexation.

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 _____ 2022.**

John D. Labriola, Mayor

Petra S. Reynolds, Town Clerk

First Reading:
Public Hearing:
Second Reading:

Town of Kiawah Island

Town Council

Town of Kiawah Island Municipal Center
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455



May 3, 2022

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Town of Kiawah Island

Zoning Text Amendment Applications

Planning Commission Meeting: April 6, 2022
Public Hearing and First Reading: May 3, 2022
Second Reading: TBD

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.

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Application Information

Zoning District Text Amendment Application
Case # AZO22-000001:

Request to amend the *Town of Kiawah Island Land Use and Planning Ordinance Sec. 12- 79. Designation of Annexed Territory* 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.

Purpose and Intent: The proposed purpose and intent of the Section 12-79. Designation of Annexed Territory is to describe the Town’s policies and procedures for annexation of property located outside of the Town’s boundaries.

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Proposed Text Amendment #AZO22-000001

KEY TERMS

“Annexation”

An Annexation Application is a request by a private property owner or owners or government entity (the "Applicant") to incorporate their property into the Town pursuant to the terms and processes provided herein. Consistent with the S.C. Code of Laws Title 5, Chapter 3, the Town regards Annexation as a voluntary process and does not initiate annexations except for property owned by the Town.

An Ordinance is required to extend the corporate boundaries of the Town by annexation

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Proposed Text Amendment #AZO22-000001

Key Factors of the proposed text amendment.

The proposed amendment...

- 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.

Proposed Text Amendment #AZO22-000001

Community Workshops

Town staff has held multiple community workshops to present the proposed amendment. Public workshops also reviewed the drafted proposed Town of Kiawah Island Annexation Policy Manual. The Town of Kiawah Island Annexation Policy Manual is to be reviewed by Town Council.

Public community workshops were held on February 8, 2022 and February 22, 2022.

Zoning Ordinance Text & Map Amendment Applications: Recommendation by the Planning Commission

Section 12-158(3) of the Zoning Ordinance states “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 the Planning Commission members present and voting shall be required to approve the amendment.”**

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Zoning Ordinance Text and Map Amendment Applications: Decision on Amendment by the Town Council

Section 12-158(5) states “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.”**

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Planning Commission Recommendation

The Town of Kiawah Island Planning Commission voted on April 6, 2022 recommending unanimous approval of the proposed amendment by a vote of 7 to 0.



TAB 5

TOWN COUNCIL

Agenda Item

Town of Kiawah Island Zoning Ordinance Amendment Request

Case AZO22-000002 History

Planning Commission Meeting: April 6, 2022
Public Hearing and First Reading: May 3, 2022
Second Reading: TBD

CASE INFORMATION

Applicant: Town of Kiawah Island

Application:

The purpose and intent of the *Section 12-159. Planned Development.* is to encourage innovative site planning for residential, commercial and institutional developments within Planned Development Districts.

The Town is requesting to amend the *Town of Kiawah Island Land Use and Planning Ordinance Sec. 12-159. Planned Development* to enhance the process and procedures of planned development applications and to increase and refine the public engagement opportunities for planned development applications with context of zoning amendment applications including properties beyond the corporate limits of the Town of Kiawah Island considering annexation.

In the Fall of 2021, the Town received an annexation petition in request to annex a portion of lands adjacent to Freshfields Village (Andell Tract) located within Unincorporated Charleston County. Along with this request, the property owners sought a mixed-used development with the intent of a Planned Development. The annexation petition was withdrawn. During the 2022 Town Council retreat, staff and council explored ways by which the existing ordinance can be strengthened.

Planned Developments provide a unique opportunity to customized zoning standards. Standards are specifically defined by the developer of the property. Where strict application of standards exist, planned developments may provide flexibility in development that will result in improved design, character and quality of mixed use developments and preserve natural and scenic features of open spaces.

The proposed amendment increases the opportunity for public engagement with Planned Development applications including required community workshop(s). The proposed amendment provides additional planned development stipulations for analysis and review.

The proposed amendment connects the planned development procedures to the proposed Town of Kiawah Island Annexation Policy Manual and defines the process by which a planned development application may be submitted concurrently along with an annexation petition for properties that are the subject of the petition for annexation into the Town of Kiawah Island.

Town staff has held multiple community workshops to present the proposed amendments. Public workshops also reviewed the drafted proposed Town of Kiawah Island Annexation Policy Manual. Public workshops were held on February 8, 2022 and February 22, 2022. The Town of Kiawah Island Annexation Policy Manual is to be reviewed by Town Council.

Please see exhibits attached for the proposed language of the requested amendment.

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 AND APPLICANT’S RESPONSE

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;

Whereas the Comprehensive Plan Land Use Element Goal 2 states “*provide for high quality, orderly, and controlled development and redevelopment*” and Implementation Strategy a. states “*Ensure development criteria and standards are determined to be consistent with the Vision Statement of the Island and this Plan.*” the proposed amendment is consistent with the purposes and intent of the Kiawah Island Comprehensive Plan

b. The proposed amendment is consistent with the purposes and intent of this article;

The proposed amendment is consistent with the purposes and intent of this article. The revised language strengthens the overall purpose 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;

The proposed amendment furthers the general health, safety and welfare of the Town of Kiawah Island by providing an enhanced review process for planned development applications.

d. The proposed amendment corrects an error or inconsistency or meets the challenge of a changed condition.

The proposed text amendment provides clarity to the existing planned development stipulations and review process and additionally provides clarity by which an annexation application may be submitted concurrently for properties adjacent to the Town of Kiawah Island corporate limits.

PLANNING COMMISSION MEETING APRIL 6, 2022

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.

Vote: Recommendation of approval passed by a vote of 7 to 0.

Sec. 12-159. Planned development.

- (a) *Definition.* The term "planned development," is as defined by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, S.C. Code 1976, § 6-29-740, and is a type of zoning district (PD, Planned Development District) and a type of development plan. PD zoning districts are inextricably linked to planned development plans, in that no rights of development apply to a PD zoning designation other than those of the approved planned development plan.
- (b) *Purpose and intent.* These Planned Development provisions are intended to encourage innovative site planning for residential, commercial and institutional developments within Planned Development Districts. Planned Development Districts may provide for variations from other ordinances and the regulations of other established zoning districts established within the Town concerning use, setbacks, lot size, density, bulk, and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the interests of the Town of Kiawah Island, public health, safety, and general welfare. The PD, Planned Development District regulations of this article are intended to encourage achievement of the goals of the Town of Kiawah Island Comprehensive Plan and to allow flexibility in development that will result in improved design, character, and quality of new mixed use developments and preserve natural and scenic features of open spaces. The following objectives may be attained through the use of the planned development process:
- (1) A maximum choice in the types of environments available to the public by allowing a development that would not be possible under the strict application of the standards of this article that were designated primarily for development on individual lots;
 - (2) A greater freedom in selecting the means to provide access, light, open space and design amenities;
 - (3) Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements;
 - (4) A development pattern in harmony with the land use density, transportation facilities and community facilities objectives of the Comprehensive Plan;
 - (5) The permanent preservation of common open space, recreation areas and facilities;
 - (6) An efficient use of the land resulting in more economical networks of utilities, streets, public grounds and buildings, and other facilities;
 - (7) A creative approach to the use of land and related physical facilities that results in better development and design and the construction of amenities; and
 - (8) A development pattern that incorporates adequate public safety and transportation-related measures in its design and complements the developed properties in the vicinity and the natural features of the site.
- (c) *Applicability.* The Town's zoning district designation of PD, Planned Development District shall apply to existing areas shown as such on the Town Zoning Map as planned development. Areas designated as Planned Development and may also be incorporated into any zoning district subject to planned development criteria and contained herein and a minimum lot size of four acres. Areas within approved PD Development Plan(s) shall be indicated on the Town Zoning Map by way of amendment to the Zoning Map. The review and approval of a PD Development Plan shall be subject to the PD, Planned Development District regulations of this article. Planned development applications may be submitted along with annexation petitions for properties that are the subject of petition for annexation into the Town and such annexation petition and Planned Development Applications shall adhere to the provisions of this article and the Town's Annexation Policy Plan & Procedures Manual as of (approval date) and as periodically amended.
- (d) *Development standards.* Development standards pertaining to density, lot size, location, and arrangement of buildings and structures, lot dimensions, and landscaping are waived shall be defined in the Planned Development districts. The development standards set forth in this subsection, those in the approved planned development stipulations, and any in the approved planned development sketch plans shall apply the following standards outlined below. The development standards of existing zoning districts in which a subject property(ies) was located at the time of submission of the application to rezone to the Planned Development District may be

altered pursuant to this Article, only if the Town Council determines that the development will serve the public interest and or a public safety concern. Applicants shall not propose alteration of the following standards except where the Planning Director determines that the proposed standards of the development are compatible with the standards of development on adjacent properties and or the community standards.÷

- (1-) *Dimensional standards.* Each lot located on the perimeter of the planned development shall maintain the rear yard setback requirements and any buffer requirements of the adjacent zoning district.
- (2-) *Architectural standards.* Architectural design shall comply with all other requirements of this article or other ordinances of the Town of Kiawah Island.
- (3-) *Lots to abut upon common open space.* Residential properties shall maximize exposure to common open space or similar areas.
- (4-) *Access.*
 - (i) Areas between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.
 - (ii) Primary vehicular access to commercial development shall be through limited access roads.
- (5-) *Commercial areas.*
 - (i) Commercial areas and adjacent residential areas shall be directly connected through paved sidewalks, trails or other pedestrian infrastructure.
 - (ii) Commercial areas shall be planned as groups having common parking areas and common ingress and egress points.
- (6-) *Signs.* Signs shall comply with the Architectural Review Board standards.
- (7-) *Parking.* Parking shall be provided in accordance with the standards of this article. Modifications to the parking standards may be proposed in a planned development request where the Town Council determines that the amount of parking requested proposed, and its location is sufficient for the uses proposed.
- (8-) *Resource areas.* Planned developments shall protect any resources determined significant by the Town Council including, but not limited to, wetlands, mature trees, scenic views, water access and shoreline buffers, and habitat of species designated as of Federal, State and or Local concern.

€(e). *Common open space.* A proposed development that is applying for a higher density than the base zoning district allows shall designate a minimum amount of the usable land area as common open space. This common open space shall be located to preserve any significant resources. Where common open space is designated, the following standards apply:

- (1-) The common open space area shall be detailed on each sketch plan and recorded with the final plat or separate instrument.
- (2-) The proposed common open space shall be usable and appropriate to the size of the development and to the new residents of the planned development. The purpose of common open space is to permit areas, which could otherwise be developed into buildable lots or otherwise sold individually, to provide a significant amenity to the residents who will interact with the open space on a daily basis. It is not the purpose of common open space to permit open space for land that is otherwise unusable on a daily basis by residents. Common open space may include unimproved land, landscaped areas, improved recreation areas, recreational buildings and structures totally accessory to recreational uses, as well as freshwater wetland areas and water surfaces, all located within the development. Natural landscapes, such as wetlands, may also be considered as open space if preserved intact and if they include a recreation component (e.g., trails, etc.). The term "usable" means the open space includes uses or facilities that are adaptable to recreational or leisure use and are accessible to the residents of the proposed development or the general public, such as seating areas, picnic shelter, community garden, pedestrian and bicycle trail access to a designated greenway, public square, swimming pools, playing fields, or a new playground. The use or facility must be approved by Town Council in accordance with the approval and conveyance procedures in subsection (8)c.6 of this section.

- (3-) Land designated as common open space shall not be occupied by streets, drives, parking areas or structures, other than recreational structures.
 - (4-) All property owners in the planned development shall have access to the open space by means of a public or private street or walkway in an easement a minimum of 20 feet in width.
 - (5-) Common open space shall be provided within each phase of the planned development in sufficient amounts to serve the expected population of that phase.
 - (6-) The applicant must have proof of commitment from the entity that will be responsible for the common open space prior to the Planning Commission Meeting for which the case is scheduled. The common open space shall be conveyed prior to recording the final plat, in accordance with one of the following methods:
 - (i) By dedication to the Town or its designee as publicly owned open space. Parks, open space, and recreation facilities proposed for dedication to the Town must be acceptable to the Town Council with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide an environmental assessment), and budgetary and maintenance terms.
 - (ii) By leasing or conveying title (including beneficial ownership) to a corporation, homeowner's association or other legal entity. The terms of such lease ~~or~~ other instrument of conveyance must restrict the use of the area to open space/recreational uses.
- (f.) ~~d-~~ *Planned development procedure.* This procedure involves a preapplication conference ~~meeting~~ and approval of a PD ~~d~~Development ~~p~~Plan and PD ~~Z~~zoning ~~M~~map amendment.
- (1-) *Pre-application conference Meeting.* Before submitting a PD ~~D~~development ~~P~~plan for a planned development, the applicant shall confer with the Planning Director and any other officials designated by the Planning Director. The purpose of this pre-application conference ~~meeting~~ is to discuss the proposal and the applicable development review and approval procedures.
 - (2-) *Formal Submittal.* Upon receiving input from Staff at the pre-application meeting, the applicant shall submit the planned development and required submittal materials where the Planning Director will review the submission for completeness.
 - (3). *Conceptual PD Development Plan Presentation.* At least one time prior to formal application submittal, Planned Development applicants shall present their Conceptual PD Development Plan to the Town of Kiawah Island Planning Commission at a Planning Commission workshop. This presentation shall be for discussion and feedback purposes only and no action shall be taken on the Conceptual PD Development Plan at the workshop.
 - (i) At least 20 days prior to the Planning Commission workshop, the applicant shall submit a memo and presentation describing the proposed PD Development Plan.
 - (ii) This requirement applies to Planned Developments that contain 50 or more dwelling units and/or 5 or more acres of nonresidential development.
 - (iii) The Planning Commission or Planning Director may require applicants for Planned Developments that do not meet the thresholds in sub-section 2ii, above, to present the proposed Development at a Planning Commission workshop prior to submitting a formal application.
 - (4) *Community Workshop.* After the pre-application meeting, the applicant shall hold at least one community workshop. The Planning Director may recommend additional community workshops, as necessary before a formal application is to be considered by the Planning Commission. The purpose of a community workshop is to:
 - (i) Allows for early citizen participation in an informal forum, in conjunction with the development applications; and
 - (ii) Provide an applicant the opportunity to understand any impacts an application may have on an affected community.
 - (iii) A community workshop is not intended to produce complete consensus on all applications, but to encourage engagement between an applicant and neighbors.

- (iv) It shall be the responsibility of the applicant to provide neighbor and parties in interest notice of the community workshop with the following notice details:

Indicate the date, time, and place of the public hearing or date of action that is the subject of the notice;

Describe the property involved in the application by street address and, if required, by legal description;

Describe the nature, scope, and purpose of the application or proposal; and

Indicate where additional information on the matter can be obtained.

(5) *Planned development plan.*

- (i) *Application.* After the required pre-application ~~conference~~-meeting and community workshop, a complete application for PD development plan approval must be submitted to the Planning Director on a form established by the Planning Director including an approved and recorded plat showing the current property lines of the property/properties to be included in the planned development, a current recorded deed and applicable fees. The PD development plan application shall include the requested planned development stipulations and sketch plan. The sketch plan shall be drawn to scale.
- (ii) *Planned development stipulations.* The following shall be included in the requested planned development stipulations:
- A. The name of the planned development, not duplicating the name of any other planned development or subdivision, the final plat of which has been recorded in Charleston County, South Carolina;
 - B. A statement of objectives of the proposed development;
 - C. The total acreage of the planned development, broken down into total acreage, total highland acreage, total freshwater wetland acreage and total critical line wetland or marsh acreage;
 - D. A table of proposed land uses including:
 - i. A table of proposed maximum and average residential densities for each residential use;
 - ii. The maximum total acreage of each residential use;
 - iii. The maximum allowable number of each type of residential unit requested;
 - iv. The maximum proposed floor area ratios (percent of lot in relation to building floor area), and the maximum building/lot coverage for each nonresidential use;
 - v. All dimensional and lot standards requested, including waterfront development standards where applicable, for each land use type designated;
 - E. An analysis of the impact of the proposed development on existing public facilities and services (e.g., roads and streets, water, sewer, etc.). Any proposed future improvements to these facilities and services to be made as part of the planned development shall also be included;
 - F. A traffic study for planned developments that:
 - i. Contain 50 or more units; or
 - ii. Are comprised of five or more acres;
 - G. A development schedule with a generalized phasing schedule, if appropriate. The phasing schedule shall include the number of dwelling units, total acreage of each residential use, total gross floor area of each nonresidential use, and percentage of common open space to be included in each phase;

- H. A statement indicating how any common open space/recreation areas will be owned or managed;
 - I. A statement defining proposed stormwater system design approach and system integration within the proposed plan and how the system will be owned and maintained. Statement should include conceptual stormwater system design configuration including site specific natural and man-made features (e.g. wetland, ditches, canals, rivers, water bodies) incorporated within the stormwater management system.
 - ~~H~~J. A statement indicating how all roads will be owned and maintained;
 - ~~J~~K. A statement of inclusion and compliance with processes included in this chapter that are not mentioned in the planned development stipulations;
 - ~~K~~L. A statement of agreement to proceed with proposed development in accordance with the provisions of these zoning regulations, applicable provisions of the Town of Kiawah Island Comprehensive Plan, and with such conditions as may be attached to any rezoning to the applicable PD district;
 - ~~L~~M. A statement that the provisions of section 12-163, variances, shall not apply to the planned development and that all major changes to the planned development must be approved by Town Council. The Planning Director shall determine whether a proposed modification affecting one or more Parcels in a previously approved PD Development Plan is considered a minor or major modification;
 - i. Minor modifications are categorized as:
 - a. Increase in Common Open Space area;
 - b. Decrease in residential Density or number of Dwelling Units;
 - c. Increase in Setbacks;
 - d. Increase in the area, dimensions, and/or Density of Landscape Buffers;
 - e. Decrease in Building Floor Area;
 - f. Decrease in the number or size of Signs;
 - g. Minor shifts in the layout of the land uses in the Sketch Plan; and
 - h. Minor shifts in the location of access points or internal Roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues;
 - ii. Any modification not considered "minor" pursuant to section i., above, is considered a major modification. Major modifications require an amendment to the PD Development Plan, in accordance with the procedure specified in this Article;
 - ~~M~~N. Letters of coordination from all agencies from which the applicant must either:
 - i. Obtain permits; or
 - ii. Obtain services and/or facilities;
 - ~~N~~~~—~~O. Any other information that the Planning Director determines is necessary to determine whether the application complies with the standards established in this section.
- (iii) *Sketch plan.* Multiple sketch plans may be submitted and the sketch plans shall be drawn to scale. The following shall be included on the requested sketch plan:
- A. The general location and amount of land proposed for each land use including single-family residential, multifamily residential, institutional, office, commercial, industrial, common open space/recreation, street use, etc.;
 - B. Conceptual lot lines;
 - C. Pedestrian and motor traffic circulation;

- D. Location, acreage, and type (freshwater or critical line/marsh) of all wetlands as they exist prior to development. The location and acreage of all freshwater wetlands to be developed upon shall be indicated;
 - E. Architectural elevations for each type of residential and nonresidential unit;
 - F. The general location, size and capacity of all existing and proposed water and sewer lines;
 - G. Areas to be included in each phase of development, including the location of all common open space areas;
 - H. The location of all construction entrances;
 - I. A landscaping sketch plan, including the location and composition of all screening and buffering materials;
 - J. A utility sketch plan with the location of any on-site natural areas, buffers, trees and sidewalks that may be impacted by utility facilities including existing and proposed location of any easements or rights-of-way;
 - K. Any other information that the Planning Director determines is necessary to determine whether the application complies with the standards established in this section.
- (iv) *Planning Director review and report.* Once an application is deemed complete and to contain all information required herein by the Planning Director, the application will be scheduled for a Planning Commission meeting and the applicant and other interested parties will be notified in accordance with this article. The Planning Director shall prepare a staff report that reviews the PD development plan application in light of the underlying zoning district standards contained in division 2 of this article, and all other applicable development standards and planning policies.
- (v) *Planning Commission review and recommendation.* The Planning Commission shall review the proposed PD development plan and adopt a resolution recommending that the Town Council approve, approve with conditions or deny the proposed development plan. The Planning Commission's recommendation shall be based on the approval criteria set forth in subsection (8)d.2(vii) of this section. The Planning Commission shall submit its recommendation to the Town Council within 30 calendar days of the Planning Commission meeting at which the PD development plan was introduced. At any time prior to action by the Planning Commission, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings and the Planning Director shall represent the planning staff. A majority vote of the entire Planning Commission membership in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this article. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.
- (vi) *Town council hearing and decision.* After receiving the recommendation of the Planning Commission, the Town Council shall hold at least one public hearing, and any time after the close of the public hearing, take action to approve, approve with conditions or deny the proposed PD development plan based on the approval criteria set forth in subsection (8)d.2(vii) of this section. If the Town Council takes action to approve the PD development plan, it shall establish required timeframes for development of the entire planned development and its individual phases, if any. Within ten working days of approval by Town Council of a planned development, the applicant shall submit three copies of the approved planned development guidelines and sketch plan to the department. This plan shall contain all changes and conditions approved by Town Council.
- (vii) *Approval criteria.* Applications for PD development plan approval may be approved only if the Town Council determines that the following criteria are met:
- A. The PD development plan complies with the standards contained in this article;

- B. The development is consistent with the comprehensive plan and other adopted policy documents; and
- C. The Town and other applicable agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

Town Council will also consider:

- A. The development's impact on health, safety, and general welfare of the public;
- B. The development's potential adverse impact on the natural environment, including air, water, noise, stormwater management, wildlife and vegetation;
- C. The development's potential adverse impact on existing infrastructure including potential cost of construction, land acquisition or any other necessary infrastructure improvements to support the proposed development; and
- D. Any other factors that the Town Council deems appropriate to consider.

(viii) *Identification of zoning maps.* Approved planned developments shall be indicated on the official zoning map.

(ix) *Compliance with other regulations.* Unless expressly stated in this section or approved at the time of a planned development approval, all applicable standards of this article and other law shall apply to development within a planned development. Planned developments may provide for variations from other ordinances and the regulations of other established zoning districts concerning use, setbacks, lot area, density, bulk and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare.

(x) *Subdivision of land located within approved planned developments.* All subdivision of land located within approved planned developments shall be consistent with the stipulations approved by Town Council, and shall satisfy the requirements of this article.

(Code 1993, § 12A-505; Ord. No. 94-12, § 2(12A-508), 9-26-1994; Ord. No. 2005-08, § 12A-505, 10-12-2005)

TOWN OF KIAWAH ISLAND

ORDINANCE 2022-03

**AN ORDINANCE TO AMEND THE TOWN OF KIAWAH ISLAND MUNICIPAL CODE CHAPTER 12
- LAND USE PLANNING AND ZONING – ARTICLE II. – ZONING, DIVISION 5. – GENERAL
PROCEDURAL REQUIREMENTS, SECTION 12-159. PLANNED DEVELOPMENT.**

WHEREAS, the Town of Kiawah Island Municipal Code currently contains *Chapter 12 - Land Use Planning and Zoning*; and

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to amend the *Town of Kiawah Island Land Use Planning and Zoning Ordinance, Sec. 12- 159. Planned Development* to increase the opportunity for public engagement with Planned Development applications including required community workshops and to provide additional planned development stipulations for analysis and review; and

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 Town of Kiawah Island held multiple public workshops on February 8, 2022 and February 22, 2022, providing the public an opportunity to comment on the proposed amendment; and

WHEREAS, the Planning Commission held a meeting on April 6, 2022, 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 subject request be approved; and

WHEREAS, Town Council held a Public Hearing on May 3, 2022, 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 the Town of Kiawah Island Municipal Code, Chapter 12 - Land Use Planning and Zoning Ordinance - Section 12-159. Planned Development.

Section 2 **Ordinance Amendment**

Section 12-159. Planned Development of the Town of Kiawah Island Land Use and Planning Zoning Ordinance, 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 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 _____ 2022.**

John D. Labriola, Mayor

Petra S. Reynolds, Town Clerk

First Reading:

Public Hearing:

Second Reading:

Sec. 12-159. Planned Development.

- (a) *Definition.* The term "planned development," is as defined by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, S.C. Code 1976, § 6-29-740, and is a type of zoning district (PD, Planned Development District) and a type of development plan. PD zoning districts are inextricably linked to planned development plans, in that no rights of development apply to a PD zoning designation other than those of the approved planned development plan.
- (b) *Purpose and intent.* These Planned Development provisions are intended to encourage innovative site planning for residential, commercial, and institutional developments within Planned Development Districts. Planned Development Districts may provide for variations from other ordinances and the regulations of other established zoning districts established within the Town concerning use, setbacks, lot size, density, bulk, and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the interests of the Town of Kiawah Island, public health, safety, and general welfare. The PD, Planned Development District regulations of this article are intended to encourage achievement of the goals of the Town of Kiawah Island Comprehensive Plan and to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments and preserve natural and scenic features of open spaces. The following objectives may be attained through the use of the planned development process:
- (1) A maximum choice in the types of environments available to the public by allowing a development that would not be possible under the strict application of the standards of this article that were designated primarily for development on individual lots;
 - (2) A greater freedom in selecting the means to provide access, light, open space, and design amenities;
 - (3) Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land use arrangements;
 - (4) A development pattern in harmony with the land use density, transportation facilities and community facilities objectives of the Comprehensive Plan;
 - (5) The permanent preservation of common open space, recreation areas and facilities;
 - (6) An efficient use of the land resulting in more economical networks of utilities, streets, public grounds and buildings, and other facilities;
 - (7) A creative approach to the use of land and related physical facilities that results in better development and design and the construction of amenities; and
 - (8) A development pattern that incorporates adequate public safety and transportation-related measures in its design and complements the developed properties in the vicinity and the natural features of the site.
- (c) *Applicability.* The Town's zoning district designation of PD, Planned Development District shall apply to areas shown as such on the Town Zoning Map as planned development. Areas designated as Planned Development may also be incorporated into any zoning district subject to planned development criteria and containing a minimum lot size of four acres. Areas within approved PD Development Plan(s) shall be indicated on the Town Zoning Map by way of amendment to the Zoning Map. The review and approval of a PD Development Plan shall be subject to the PD, Planned Development District regulations of this article. Planned development applications may be submitted along with annexation petitions for properties that are the subject of petition for annexation into the Town and such annexation petition and Planned Development Applications shall adhere to the provisions of this article and the Town's Annexation Policy Plan & Procedures Manual as of (approval date) and as periodically amended.
- (d) *Development standards.* Development standards pertaining to density, lot size, location, and arrangement of buildings and structures, lot dimensions, and landscaping shall be defined in Planned Development districts. The development standards set forth in this subsection, those in the approved planned development stipulations, and any in the approved planned development sketch plans shall apply the following standards outlined below. The development standards of existing zoning districts in which a subject property(ies) was located at the time of submission of the application to rezone to the Planned Development District may be altered pursuant to this Article, only if the Town Council determines that the development will serve the public interest and or a public safety concern. Applicants shall not propose alteration of the following standards except where the Planning

Director determines that the proposed standards of the development are compatible with the standards of development on adjacent properties and or the community standards.

- (1) *Dimensional standards.* Each lot located on the perimeter of the planned development shall maintain the rear yard setback requirements and any buffer requirements of the adjacent zoning district.
 - (2) *Architectural standards.* Architectural design shall comply with all other requirements of this article or other ordinances of the Town of Kiawah Island.
 - (3) *Lots to abut upon common open space.* Residential properties shall maximize exposure to common open space or similar areas.
 - (4) *Access.*
 - (i) Areas between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.
 - (ii) Primary vehicular access to commercial development shall be through limited access roads.
 - (5) *Commercial areas.*
 - (i) Commercial areas and adjacent residential areas shall be directly connected through paved sidewalks, trails, or other pedestrian infrastructure.
 - (ii) Commercial areas shall be planned as groups having common parking areas and common ingress and egress points.
 - (6) *Signs.* Signs shall comply with the Architectural Review Board standards.
 - (7) *Parking.* Parking shall be provided in accordance with the standards of this article. Modifications to the parking standards may be proposed in a planned development request where the Town Council determines that the amount of parking proposed, and its location is sufficient for the uses proposed.
 - (8) *Resource areas.* Planned developments shall protect any resources determined significant by the Town Council including, but not limited to, wetlands, mature trees, scenic views, water access and shoreline buffers, and habitat of species designated as of Federal, State or Local concern.
- (e). *Common open space.* A proposed development that is applying for a higher density than the base zoning district allows shall designate a minimum amount of the usable land area as common open space. This common open space shall be located to preserve any significant resources. Where common open space is designated, the following standards apply:
- (1) The common open space area shall be detailed on each sketch plan and recorded with the final plat or separate instrument.
 - (2) The proposed common open space shall be usable and appropriate to the size of the development and to the new residents of the planned development. The purpose of common open space is to permit areas, which could otherwise be developed into buildable lots or otherwise sold individually, to provide a significant amenity to the residents who will interact with the open space on a daily basis. It is not the purpose of common open space to permit open space for land that is otherwise unusable on a daily basis by residents. Common open space may include unimproved land, landscaped areas, improved recreation areas, recreational buildings, and structures totally accessory to recreational uses, as well as freshwater wetland areas and water surfaces, all located within the development. Natural landscapes, such as wetlands, may also be considered as open space if preserved intact and if they include a recreation component (e.g., trails, etc.). The term "usable" means the open space includes uses or facilities that are adaptable to recreational or leisure use and are accessible to the residents of the proposed development or the general public, such as seating areas, picnic shelter, community garden, pedestrian and bicycle trail access to a designated greenway, public square, swimming pools, playing fields, or a new playground. The use or facility must be approved by Town Council in accordance with the approval and conveyance procedures in subsection (8)c.6 of this section.
 - (3) Land designated as common open space shall not be occupied by streets, drives, parking areas or structures, other than recreational structures.

- (4) All property owners in the planned development shall have access to the open space by means of a public or private street or walkway in an easement a minimum of 20 feet in width.
 - (5) Common open space shall be provided within each phase of the planned development in sufficient amounts to serve the expected population of that phase.
 - (6) The applicant must have proof of commitment from the entity that will be responsible for the common open space prior to the Planning Commission Meeting for which the case is scheduled. The common open space shall be conveyed prior to recording the final plat, in accordance with one of the following methods:
 - (iii) By dedication to the Town or its designee as publicly owned open space. Parks, open space, and recreation facilities proposed for dedication to the Town must be acceptable to the Town Council with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide an environmental assessment), and budgetary and maintenance terms.
 - (ii) By leasing or conveying title (including beneficial ownership) to a corporation, homeowner's association, or other legal entity. The terms of such lease or other instrument of conveyance must restrict the use of the area to open space/recreational uses.
- (f.) *Planned development procedure.* This procedure involves a preapplication meeting and approval of a PD Development Plan and PD Zoning Map amendment.
- (1) *Pre-application Meeting.* Before submitting a PD Development Plan for a planned development, the applicant shall confer with the Planning Director and any other officials designated by the Planning Director. The purpose of this pre-application meeting is to discuss the proposal and the applicable development review and approval procedures.
 - (2) *Formal Submittal.* Upon receiving input from Staff at the pre-application meeting, the applicant shall submit the planned development and required submittal materials where the Planning Director will review the submission for completeness.
 - (3) *Conceptual PD Development Plan Presentation.* At least one time prior to formal application submittal, Planned Development applicants shall present their Conceptual PD Development Plan to the Town of Kiawah Island Planning Commission at a Planning Commission workshop. This presentation shall be for discussion and feedback purposes only and no action shall be taken on the Conceptual PD Development Plan at the workshop.
 - (i) At least 20 days prior to the Planning Commission workshop, the applicant shall submit a memo and presentation describing the proposed PD Development Plan.
 - (ii) This requirement applies to Planned Developments that contain 50 or more dwelling units and/or 5 or more acres of nonresidential development.
 - (iii) The Planning Commission or Planning Director may require applicants for Planned Developments that do not meet the thresholds in sub-section ii, above, to present the proposed Development at a Planning Commission workshop prior to submitting a formal application.
 - (4) *Community Workshop.* After the pre-application meeting, the applicant shall hold at least one community workshop. The Planning Director may recommend additional community workshops, as necessary before a formal application is to be considered by the Planning Commission. The purpose of a community workshop is to:
 - (i) Allows for early citizen participation in an informal forum, in conjunction with the development applications; and
 - (ii) Provide an applicant the opportunity to understand any impacts an application may have on an affected community.
 - (iii) A community workshop is not intended to produce complete consensus on all applications, but to encourage engagement between an applicant and neighbors.
 - (iv) It shall be the responsibility of the applicant to provide neighbors and parties in interest notice of the community workshop with the following notice details:

Indicate the date, time, and place of the public hearing or date of action that is the subject of the notice;

Describe the property involved in the application by street address and, if required, by legal description;

Describe the nature, scope, and purpose of the application or proposal; and

Indicate where additional information on the matter can be obtained.

(5) *Planned development plan.*

- (i) *Application.* After the required pre-application meeting and community workshop, a complete application for PD development plan approval must be submitted to the Planning Director on a form established by the Planning Director including an approved and recorded plat showing the current property lines of the property/properties to be included in the planned development, a current recorded deed, and applicable fees. The PD development plan application shall include the requested planned development stipulations and sketch plan. The sketch plan shall be drawn to scale.
- (ii) *Planned development stipulations.* The following shall be included in the requested planned development stipulations:
 - A. The name of the planned development, not duplicating the name of any other planned development or subdivision, the final plat of which has been recorded in Charleston County, South Carolina;
 - B. A statement of objectives of the proposed development;
 - C. The total acreage of the planned development, broken down into total acreage, total highland acreage, total freshwater wetland acreage and total critical line wetland or marsh acreage;
 - D. A table of proposed land uses including:
 - i. A table of proposed maximum and average residential densities for each residential use;
 - ii. The maximum total acreage of each residential use;
 - iii. The maximum allowable number of each type of residential unit requested;
 - iv. The maximum proposed floor area ratios (percent of lot in relation to building floor area), and the maximum building/lot coverage for each nonresidential use;
 - v. All dimensional and lot standards requested, including waterfront development standards where applicable, for each land use type designated;
 - E. An analysis of the impact of the proposed development on existing public facilities and services (e.g., roads and streets, water, sewer, etc.). Any proposed future improvements to these facilities and services to be made as part of the planned development shall also be included;
 - F. A traffic study for planned developments that:
 - i. Contain 50 or more units; or
 - ii. Are comprised of five or more acres;
 - G. A development schedule with a generalized phasing schedule, if appropriate. The phasing schedule shall include the number of dwelling units, total acreage of each residential use, total gross floor area of each nonresidential use, and percentage of common open space to be included in each phase;
 - H. A statement indicating how any common open space/recreation areas will be owned or managed;
 - I. A statement defining proposed stormwater system design approach and system integration within the proposed plan and how the system will be owned and maintained. Statement should include conceptual stormwater system design configuration including site specific natural and

man-made features (e.g. wetland, ditches, canals, rivers, water bodies) incorporated within the stormwater management system.

- J. A statement indicating how all roads will be owned and maintained;
 - K. A statement of inclusion and compliance with processes included in this chapter that are not mentioned in the planned development stipulations;
 - L. A statement of agreement to proceed with proposed development in accordance with the provisions of these zoning regulations, applicable provisions of the Town of Kiawah Island Comprehensive Plan, and with such conditions as may be attached to any rezoning to the applicable PD district;
 - M. A statement that the provisions of section 12-163, variances, shall not apply to the planned development and that all major changes to the planned development must be approved by Town Council. The Planning Director shall determine whether a proposed modification affecting one or more Parcels in a previously approved PD Development Plan is considered a minor or major modification;
 - i. Minor modifications are categorized as:
 - a. Increase in Common Open Space area;
 - b. Decrease in residential Density or number of Dwelling Units;
 - c. Increase in Setbacks;
 - d. Increase in the area, dimensions, and/or Density of Landscape Buffers;
 - e. Decrease in Building Floor Area;
 - f. Decrease in the number or size of Signs;
 - g. Minor shifts in the layout of the land uses in the Sketch Plan; and
 - h. Minor shifts in the location of access points or internal Roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues;
 - ii. Any modification not considered "minor" pursuant to section i., above, is considered a major modification. Major modifications require an amendment to the PD Development Plan, in accordance with the procedure specified in this Article;
 - N. Letters of coordination from all agencies from which the applicant must either:
 - i. Obtain permits; or
 - ii. Obtain services and/or facilities;
 - O. Any other information that the Planning Director determines is necessary to determine whether the application complies with the standards established in this section.
- (iii) *Sketch plan.* Multiple sketch plans may be submitted, and the sketch plans shall be drawn to scale. The following shall be included on the requested sketch plan:
- A. The general location and amount of land proposed for each land use including single-family residential, multifamily residential, institutional, office, commercial, industrial, common open space/recreation, street use, etc.;
 - B. Conceptual lot lines;
 - C. Pedestrian and motor traffic circulation;
 - D. Location, acreage, and type (freshwater or critical line/marsh) of all wetlands as they exist prior to development. The location and acreage of all freshwater wetlands to be developed upon shall be indicated;
 - E. Architectural elevations for each type of residential and nonresidential unit;
 - F. The general location, size and capacity of all existing and proposed water and sewer lines;

- G. Areas to be included in each phase of development, including the location of all common open space areas;
 - H. The location of all construction entrances;
 - I. A landscaping sketch plan, including the location and composition of all screening and buffering materials;
 - J. A utility sketch plan with the location of any on-site natural areas, buffers, trees and sidewalks that may be impacted by utility facilities including existing and proposed location of any easements or rights-of-way;
 - K. Any other information that the Planning Director determines is necessary to determine whether the application complies with the standards established in this section.
- (iv) *Planning Director review and report.* Once an application is deemed complete and to contain all information required herein by the Planning Director, the application will be scheduled for a Planning Commission meeting and the applicant and other interested parties will be notified in accordance with this article. The Planning Director shall prepare a staff report that reviews the PD development plan application in light of the underlying zoning district standards contained in division 2 of this article, and all other applicable development standards and planning policies.
- (v) *Planning Commission review and recommendation.* The Planning Commission shall review the proposed PD development plan and adopt a resolution recommending that the Town Council approve, approve with conditions, or deny the proposed development plan. The Planning Commission's recommendation shall be based on the approval criteria set forth in subsection (8)d.2(vii) of this section. The Planning Commission shall submit its recommendation to the Town Council within 30 calendar days of the Planning Commission meeting at which the PD development plan was introduced. At any time prior to action by the Planning Commission, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings and the Planning Director shall represent the planning staff. A majority vote of the entire Planning Commission membership in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this article. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.
- (vi) *Town council hearing and decision.* After receiving the recommendation of the Planning Commission, the Town Council shall hold at least one public hearing, and any time after the close of the public hearing, take action to approve, approve with conditions or deny the proposed PD development plan based on the approval criteria set forth in subsection (8)d.2(vii) of this section. If the Town Council takes action to approve the PD development plan, it shall establish required timeframes for development of the entire planned development and its individual phases, if any. Within ten working days of approval by Town Council of a planned development, the applicant shall submit three copies of the approved planned development guidelines and sketch plan to the department. This plan shall contain all changes and conditions approved by Town Council.
- (vii) *Approval criteria.* Applications for PD development plan approval may be approved only if the Town Council determines that the following criteria are met:
- A. The PD development plan complies with the standards contained in this article;
 - B. The development is consistent with the comprehensive plan and other adopted policy documents; and
 - C. The Town and other applicable agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.
- Town Council will also consider:
- A. The development's impact on health, safety, and general welfare of the public;

- B. The development's potential adverse impact on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;
- C. The development's potential adverse impact on existing infrastructure including potential cost of construction, land acquisition or any other necessary infrastructure improvements to support the proposed development; and
- D. Any other factors that the Town Council deems appropriate to consider.

(viii) *Identification of zoning maps.* Approved planned developments shall be indicated on the official zoning map.

(ix) *Compliance with other regulations.* Unless expressly stated in this section or approved at the time of a planned development approval, all applicable standards of this article and other law shall apply to development within a planned development. Planned developments may provide for variations from other ordinances and the regulations of other established zoning districts concerning use, setbacks, lot area, density, bulk, and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare.

(x) *Subdivision of land located within approved planned developments.* All subdivision of land located within approved planned developments shall be consistent with the stipulations approved by Town Council and shall satisfy the requirements of this article.

Town of Kiawah Island Town Council

Town of Kiawah Island Municipal Center
4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455



May 3, 2022

1

Town of Kiawah Island Zoning Text Amendment Applications

Planning Commission Meeting: April 6, 2022
Public Hearing and First Reading: May 3, 2022
Second Reading: TBD

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.

2

Application Information

Zoning District Text Amendment Application

Case # AZO22-000002:

Request to amend the Town of Kiawah Island Land Use and Planning Ordinance Sec. 12- 159. Planned Development to enhance the process and procedures of planned development applications and to increase and refine the public engagement opportunities for planned development applications with context of zoning amendment applications including properties beyond the corporate limits of the Town of Kiawah Island considering annexation.

Purpose and Intent: The purpose and intent of the Section 12-159. Planned Development. is to encourage innovative site planning for residential, commercial and institutional developments within Planned Development Districts.

3

Proposed Text Amendment #AZO22-000002

KEY TERMS

“Planned Development”

Planned Developments provide a unique opportunity to customized zoning standards. Standards are specifically defined by the developer of the property. Where strict application of standards exist, planned developments may provide flexibility in development that will result in improved design, character and quality of mixed use developments and preserve natural and scenic features of open spaces.

4

Proposed Text Amendment #AZO22-000002

Key Factors of the proposed text amendment.

The proposed amendment...

- 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

Proposed Text Amendment #AZO22-000002

Community Workshops

Town staff has held multiple community workshops to present the proposed amendment. Public workshops also reviewed the drafted proposed Town of Kiawah Island Annexation Policy Manual. The Town of Kiawah Island Annexation Policy Manual is to be reviewed by Town Council.

Public community workshops were held on February 8, 2022 and February 22, 2022.

Zoning Ordinance Text & Map Amendment Applications: Recommendation by the Planning Commission

Section 12-158(3) of the Zoning Ordinance states “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 the Planning Commission members present and voting shall be required to approve the amendment.”**

7

Zoning Ordinance Text and Map Amendment Applications: Decision on Amendment by the Town Council

Section 12-158(5) states “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.”**

8



Planning Commission Recommendation

The Town of Kiawah Island Planning Commission voted on April 6, 2022 recommending unanimous approval of the proposed amendment by a vote of 7 to 0.



FYI

TOWN COUNCIL

Reference Item

ANNEXATION POLICY PLAN & PROCEDURES MANUAL



Town of Kiawah Island
Effective Date:

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CHAPTER 1 | ANNEXATION AUTHORITY AND METHODS

1.1 AUTHORITY

Changing the corporate limits of a municipality is authorized by S.C. Code Ann. §§ 5-3-10 through 5-3-315, as amended.

1.2 TOWN'S COMPREHENSIVE PLAN

The Town of Kiawah Island 2015 Comprehensive Plan, or as amended (the Plan) establishes that the Town of Kiawah Island (Town) "is oriented toward residential, parks, open space, recreation, and limited commercial development to service residents and visitors." The Plan lists five goals to help the Town further realize its Vision when evaluating proposals for change to include thoroughly evaluating any annexation proposals to ensure the protection of environmentally sensitive areas, is consistent with the Town's Vision, the spirit of the Town's Comprehensive Plan, and enhance the character of Kiawah Island.

1.3 INITIATION OF ANNEXATION APPLICATION AND REVIEW BY MUNICIPALITY

An Annexation Application is a request by a private property owner or owners or government entity (the "Applicant") to incorporate their property into the Town pursuant to the terms and processes provided herein. Consistent with the S.C. Code of Laws Title 5, Chapter 3, the Town regards Annexation as a voluntary process and does not initiate annexations except for property owned by the Town.

1.4 ANNEXATION METHODS

Three methods of Annexation for privately owned property are authorized:

- 100 percent property owner petition and ordinance method [S.C. Code Ann. §5-3-150(3)], as amended
- 75 percent freeholder petition and ordinance method [S.C. Code Ann. §5-3-150(1)], as amended
- 25 percent elector petition and election method [S.C. Code Ann. §5-3-300 – 315], as amended

Annexations of corporate, church or publicly owned property are dealt with in several statutes tailored to fit the type of property and body which holds the title. In addition, the Annexation of the following types of property may be accomplished by Petition or consent of the owner and adoption of an ordinance. More information can be found in the S.C. Code Ann. §§ 5-3-10 through 5-3-315. These annexation procedures are treated individually in detail in the following pages.

CHAPTER 2 | ANNEXATION ASSESSMENT

2.1 BEST INTEREST OF THE TOWN OF KIAWAH ISLAND

Annexation is transferring parcels of land from unincorporated areas of Charleston County into the service area and jurisdiction of the Town of Kiawah Island. Annexation and the imposition of land development regulations may also be used as a management tool to implement the Comprehensive Plan.

The Town Council of Kiawah Island is responsible for approving all applications for the proposed Annexation. The Town Council will execute these responsibilities by objectively weighing all relevant factors and making an informed decision on each proposed Application for Annexation.

2.2 FEASIBILITY STUDY AND COST/BENEFIT ANALYSIS

The purpose of a feasibility study and cost/benefit analysis is to review and examine the strengths and weaknesses of any proposed Annexation objectively and rationally. The Town Council requires a Feasibility Study and Cost/Benefit Analysis for all Annexation Applications. Town Staff or an independent consultant may prepare the Feasibility Study. If the Mayor and Town Council determine that an independent consultant be utilized, the cost for the Study will be the applicant's responsibility, and payment for the Study will be due upon selection of a consultant.

The Study will be completed prior to the Planning Commission Public Hearing for presentation at that meeting. The Study should address public services the Town will assume or provide, fees required for those services, an estimate of revenue to the Town, and a timetable for services. In addition, the Study must address to the satisfaction of the Town, but not limited to the following:

- Inventory of existing outside services;
- Identification of the provider of each service, contractual obligations, including the availability of service if desired after Annexation;
- If any part of the area to be annexed is currently served by a special service district, the anticipated cost to the Town of complying with S.C. Code Ann. §§ 5-3-310 through 5-3-315, as amended;
- Identification of efficient service areas and areas which cannot be fully served;
- Determination of the level of additional services needed;
- Determination of the most cost-effective way to provide services to the area;
- Projected timetable for the provision of services;
- Revenues required to support services;
- Estimated revenues from taxes (e.g., accommodation and hospitality), fees, and service charges;
- Comparison of cost to property owners before and after Annexation;
- Identification of burdens and benefits of Annexation;
- Projected level of fees required to support services; and
- Possible environmental impact of the proposed Annexation.

2.3 GUIDING PRINCIPLES FOR ASSESSMENT OF ANNEXATIONS

Annexation should be of mutual benefit to the applicant (s), the Town of Kiawah, and its citizens in terms of cost and services received. Each Annexation Application involves many unique factors and will be reviewed based upon its own individual merits. The Town sets forth the following guiding principles and considerations for assessing Annexation Applications:

- Meets the principles, policies, and procedures outlined in this Manual;

- Annexation of the property is in the best interest of the Town and the citizens;
- Avoids creating new enclaves (or donut holes) in the Town of Kiawah Municipal Boundary;
- Consistency with the recommendations of the Town of Kiawah Comprehensive Plan, including the Future Annexation Map;
- Appropriateness of requested zoning district(s), land use regulations, development standards, and environmental regulations;
- Consider the costs, benefits, and estimated revenues for a proposed annexation before taking action on the Annexation Application.
- Annexation will not create a measurably reduced level of service(s) provided to existing community and property owners;
- The fiscal impact of providing municipal services;
- Consideration of the annexation area's existing condition of utilities, infrastructure, traffic and future needs for expansion improvements;
- The full impact that Annexation will have on law enforcement fire and emergency services and utility services;
- Demonstrates potential for the diversification of the economic base and job opportunities;
- Consideration and utilization of Development Agreements for the proposed annexation area when applicable;
- Applicant's understanding of all potential costs/benefits associated with Annexation; and
- Input provided by the public and affected agencies during the review process.

CHAPTER 3 | ANNEXATION GENERAL PROVISIONS

General state statutory provisions applicable to annexations as they currently stand are described below. Each authorized annexation method is explained individually, including the statutory legal and procedural requirements. A checklist of steps necessary to complete the process and sample forms where appropriate. The applicable state statutes may be amended and reviewed for such amendments.

3.1 CONTIGUITY

Property annexed pursuant to S.C. Code Ann. § 5-3-150 or § 5-3-300 must be "contiguous" to the annexing municipality. "Contiguous" is defined by S.C. Code Ann. § 5-3-305, as amended, and means property that is adjacent to a municipality and shares a continuous border. Contiguity is not established by a road, waterway, right-of-way, easement, railroad track, marshland, or utility line which connects one property to another; however, if the connecting road, waterway, easement, railroad track, marshland, or utility line intervenes between two properties, which but for the intervening connector would be adjacent and share a continuous border, the intervening connector does not destroy continuity.

3.2 PETITIONS

A Petition is required for 75 percent and 25 percent annexations. The Petition must be dated before the first signature is affixed. All necessary signatures must be obtained within six months from the Petition Date. The Petition and all signatures are open for public inspection at any time.

3.3 PROPERTY OWNER

For 100 percent annexations, "property owner" means all persons or entities owning real property.

3.4 FREEHOLDER

For the 100 percent, 75 percent, and 25 percent Annexation Methods, and reduction of municipal boundaries under S.C. Code Ann. § 5-3-280, a "freeholder" is any person at least 18 years of age, and any firm or corporation, who or which owns legal title to a present possessory interest in real estate equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, and future interests) and who owns, at the date of the Petition or of the referendum, at least an undivided one-tenth (1/10) interest in a single tract and whose name appears on the county tax records as an owner of real estate. S.C. Code Ann. § 5-3-240.

A property owner is counted as one (1) freeholder regardless of the number of parcels of land owned by that freeholder in the area to be annexed.

3.5 ELECTOR

For the 25 percent elector method, an "elector" is a registered qualified voter who is a resident in the area proposed for Annexation.

3.6 ZONING

The Zoning of the proposed Annexation is an essential factor in reviewing and analyzing an Annexation Application. Therefore, a Zoning Map Amendment Application requesting the Zoning District(s) for the annexation area shall be submitted concurrently with the Annexation Application.

3.7 CONCURRENT APPLICATIONS

Depending on the requested Zoning of the Annexation, other applications may be required. These applications shall be submitted concurrently with the Annexation Application and Zoning Map

Amendment Applications to allow for a complete and thorough review and consideration. These applications include Development Agreement, Concept Plan, and/or Initial Master Plan as applicable.

3.8 ASSESSED VALUE OF REAL PROPERTY

- 25 Percent Method. The assessed value of the real property of any single freeholder shall not at the time of a proposed annexation exceed 25 percent of the assessed value of real property of the existing area of the municipality. S.C. Code Ann. § 5-3-235. This limitation does not apply to any other methods of Annexation. S.C. Code Ann. § 5-3-300(l) contains opt-out provisions for the owner of 25 percent or more of the assessed value of land in the area to be annexed and for the owner of agricultural property.
- 75 Percent Method. Annexation pursuant to the 75 percent petition and ordinance method in S.C. Code Ann. § 5-3-150(1) requires signatures of owners of 75 percent of freeholders owning at least 75 percent of the assessed value of property in the area to be annexed. When reassessment occurs after the Petition is started, but before it is acted upon, it appears from the definition of freeholder in S.C. Code Ann. § 5-3-240 that the assessed value as of the Petition date should be used.

3.9 PUBLIC PROCESS

Notification and involvement throughout the annexation process are essential parts of the public process. Therefore, Annexation Applications are subject to Public Notice requirements as follows:

- Public Notification. Upon receipt of an application for approval that requires a public hearing, the Town shall fix a reasonable time for the hearing. Public notice of the public hearing must be published at least thirty (30) days prior to the hearing date in a newspaper of general circulation in the community. In addition, public notices shall also be electronically published on the Town website and emailed to those upon request.
- Posting of Property. Where the public hearing will be for a specific site, public notice signs shall be placed on the subject property as per the following method:
 - The Planning Manager or its designee shall post an adequate number of "notice of public hearing" signs on the property at least thirty (30) days prior to the date of the public hearing. All signs shall be removed within thirty (30) days after the public hearing.
 - Only official Town signs shall be posted and shall be placed in conspicuous locations on the subject property(s), with at least one sign placed at a location visible from a public thoroughfare.
- Mailing. To assure adjacent property owners and affected public entities are provided adequate public notice of the Application, no less than thirty (30) days prior to the public hearing, the applicant shall send a public notification to all owners of real property within five hundred (500) feet of the subject property as well as the Charleston County Administrator, St. Johns Fire District, and Public Service providers. A sample public hearing notification letter including a map, complete legal description of the area to be annexed, and an official listing of adjacent property owners and other agencies shall be provided to the Applicant by Town Staff no less than 30 days prior to the public hearing. No less than fifteen (15) days prior to the public hearing, the applicant shall submit a notarized, stamped, and sealed Affidavit of Compliance to the Planning Manager or its designee. The Affidavit must contain a list of all property owners contacted.

- Public Notice Compliance. Failure to comply with the public notice requirements shall result in the removal of the Application from the public hearing agenda.

3.10 ELECTION PRE-CLEARANCE FOR 25 PERCENT METHOD

If the election(s) initiated by 25 percent petition pursuant to S.C. Code Ann. § 5-3-300 will be held on a date which has not already been cleared under § 5 of the Voting Rights Act for a county election, it may be necessary to submit the proposed date to the U.S. Attorney General and/or the Department of Justice before giving public notice of the election.

3.11 ELECTION TIME LIMITATION

Annexations are deemed complete upon the adoption of an ordinance. When an annexation is defeated in an election by voters within the Town or the proposed annexed territory, another annexation election in the territory cannot be initiated within twenty-four (24) months after the election. S.C. Code Ann. § 5-3-210.

3.12 ORDINANCES

Ordinances for the incorporation of annexed property into the Town of Kiawah Island necessarily incorporate the amendment of a zoning map and therefore must follow the procedure set forth in S.C. Code Ann. § 6-29-760 and, therefore, require a public hearing, regardless of annexation method. (Property owned by the Town or adjacent County can be annexed by Resolution, so these provisions are not applicable in that situation. S.C. Code Ann. § 5-3-100) Additionally, no governing body member who owns property or stock in a corporation owning property in the area proposed to be annexed is eligible to vote on the ordinance.

3.13 APPEALS

When the limits of a municipality are ordered extended, no contest thereabout shall be allowed unless the person interested therein files, within sixty (60) days after the result has been published or declared, with both the clerk of the municipality and the clerk of court of the County in which the municipality is located, a notice of his intention to contest the Annexation, nor unless, within ninety (90) days from the time the result has been published or declared, an action is commenced in the Charleston County Court of Common Pleas and the original summons and complaint is filed with the Charleston County Clerk of Court. S.C. Code Ann. § 5-3-270.

CHAPTER 4 | ANNEXATION PETITION APPLICATION

4.1 APPLICATION MINIMUM SUBMITTAL REQUIREMENTS

All Annexation Applicants are required to provide the following upon submittal:

- Completed Annexation Application.
- Completed Annexation Petition (type will depend on the annexation method chosen by the applicant).
- Copy(s) of all documents, recorded with the Charleston County Register of Deeds, including:
 - Deed(s);
 - Plat(s);
 - Covenants and Restriction(s);
 - Easement(s); and
 - Agreement(s).
- Location Map of proposed Annexation Area showing:
 - Existing Structures;
 - Current Charleston County Zoning District(s); and
 - Adjacent Property Owners.
- Annexation Letter of Intent:
 - Reason for annexation request and anticipated benefits;
 - Parcel numbers and acreage of each;
 - Contact information for the property owner(s), applicant, attorney, and any other applicable consultant/firm;
 - Existing structure(s);
 - Current Special Districts (overlay, tax, and/or conservation);
 - Current Charleston County Zoning District(s) and Land Use(s);
 - Proposed Zoning District(s) and Land Use(s);
 - Current versus Proposed Zoning District and Land Use Comparison;
 - Consistency with Comprehensive Plan, Future Annexation Area Map, and Future Land Use Map;
 - Estimate of the current population of Annexation Area; and
 - Current utility service providers.
- Photographs of:
 - Existing Structures and Land Use; and
 - Adjacent Property.
- Parcel History letter from Charleston County providing:
 - Application(s) submitted for the past 10 years and their status; and
 - Any zoning, land development, building, or county code violations for the past 10 years and their status.
- Submittal of Zoning Map Amendment Application.
- Submittal of concurrent applications, as applicable, including:
 - Development Agreement;
 - Concept Plan; and/or
 - Planned Unit Development Master Plan.
- Application Fee made payable to the Town of Kiawah Island.

CHAPTER 5 | ANNEXATION NARRATIVES

The Town recognizes that many Annexation Applications include a proposed change to the Town's Zoning Map. Therefore, any annexation necessarily requires compliance with State laws for amending zoning maps, S.C. Code Ann. § 6-29-760, including notice, a public hearing, and additional requirements. The Procedures set forth herein are intended to incorporate the process for amending zoning maps into the annexation process and comply with State law for both processes.

5.1 100 PERCENT PETITION AND ORDINANCE METHOD

Annexation of any area or property contiguous to the Town may be initiated by filing an Annexation Application signed by all persons or entities owning real estate in the area requesting Annexation. Upon agreement to accept the Petition and annex the area and enactment of an ordinance by Town Council declaring the area annexed, the Annexation is complete. S.C. Code Ann. § 5-3-150(3).

Procedure

Procedure Step 1. Pre-Application Meeting	Applicant & Staff
Prior to filing an Annexation Application, the applicant is required to consult with the Planning Manager or its designee at a Pre-Application Meeting for comments and advice on the appropriate application process and the procedures and specifications necessary and applicable standards required by Town of Kiawah applicable ordinances.	
Step 2. Application Check-In Meeting	Applicant & Staff
Upon receiving input from Staff at the Pre-Application Meeting, the applicant shall submit the Annexation Application and required submittal materials during a mandatory Application Check-In Meeting where the Planning Manager or its designee will review the submission for completeness.	
Step 3. Review by Planning Manager	Staff
If the Planning Manager determines that the Annexation Application is complete, the Application shall advance as prescribed in the Town of Kiawah Island Annexation Policy and Procedure Manual.	
Step 4. Drafting of Annexation Map	Staff
Staff will assist the applicant in the drafting of the final annexation map.	
Step 5. Town Council Intent to Annex Initial Briefing and Acceptance of Annexation Application	Applicant, Staff & Town Council
Town Council will consider the applicant's "intent to annex" for the annexation petition for an initial briefing or "intent to annex". Town Council discussion items for the initial meeting include development agreement (if applicable) and recommended Zoning. This initial meeting allows Town Council to review the "intent to annex" and to initiate the review process to determine if the Annexation of property into the Town would be mutually beneficial to all. The Mayor may create an Annexation Ad Hoc Committee. If Town Council desires to consider the proposed Annexation, Council may accept for consideration via the review process herein the annexation application by majority vote and forward the request to the Annexation Ad Hoc, if applicable.	
Step 6. Annexation Ad Hoc Committee	Applicant, Staff & Annexation Ad Hoc Committee
If applicable, per Town Council direction, the Annexation Ad Hoc Committee shall conduct meetings until the terms of the development agreement or other negotiations are complete. The Application (s) then proceed to Planning Commission for a workshop followed by Public Hearing and recommendation to Town Council.	
Step 7. Planning Commission Public Workshop	Applicant, Staff & Planning Commission
In order to inform the public of the steps, preliminary costs and benefits, as well as a tentative timetable, Planning Commission will hold a public workshop. This will be a forum for the voicing of any concerns or comments. Staff and Planning Commission will also address the Comprehensive Plan, Future Land Use Map and Zoning Districts.	
Step 8. Drafting of Feasibility Study	Staff
The Town Administrator will initiate the preparation of the Annexation Studies and, if applicable pursuant to Section 2.2, request that bids be submitted for its completion and select a consultant for its preparation.	
Step 9. Public Notification	Applicant & Staff

The applicant sends notification letters to each adjacent property owner and submits the registered mail receipts to the Town no later than thirty (30) days prior to the Planning Commission meeting.	
Step 10. Planning Commission Public Hearing and Recommendation	Applicant, Staff & Planning Commission
The Planning Commission holds a public hearing and makes recommendations to Town Council, which will be forwarded to Town Council for consideration. At this time, the Annexation Studies will be presented to the Planning Commission.	
Step 11. Town Council Public Hearing and 1st Reading	Applicant, Staff & Town Council
Town Council will hold the First Reading of the ordinance for the Annexation Petition, Zoning Map Amendment, and any concurrent applications.	
Step 12. Public Notification	Applicant & Staff
The applicant sends notification letters to each adjacent property owner and submits a copy of the same to the Town no later than thirty (30) days prior to the Town Council meeting.	
Step 13. Town Council 2nd and Final Reading	Applicant, Staff & Town Council
Town Council will hold a Public Hearing and 2nd and Final Reading of the Ordinances for the Annexation Application, Zoning Map Amendment, and any concurrent applications.	
Step 14. Annexation Notifications	Staff
Upon adoption of the Annexation Application by ordinance, the Town shall file written notice in accordance with this Manual.	

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5.2 75 PETITION AND ORDINANCE METHOD

Annexation of any area or property contiguous to the Town may be initiated by filing a petition signed by 75 percent or more of the freeholders owning at least 75 percent of the assessed value of property in the area to be annexed. The Petition must be dated before the first signature is affixed, and all necessary signatures must be obtained within six months from the Petition Date. The Petition and all signatures are open for public inspection at any time. Upon agreement to accept the Petition and annex the area, compliance with required procedures, and enactment of an ordinance by the governing body declaring the area annexed, the Annexation is complete. S.C. Code Ann. § 5-3-150(3) & S.C. Code Ann. § 5-3-150(1).

Procedure

Procedure Step 1. Pre-Application Meeting	Applicant/Petitioner & Staff
Prior to filing an Annexation Application, the applicant is required to consult with the Planning Manager or its designee at a Pre-Application Meeting for comments and advice on the appropriate application process and the procedures and specifications necessary and applicable standards required by Town of Kiawah Island applicable ordinances.	
Step 2. Application Check-In Meeting	Applicant/Petitioner & Staff
Upon receiving input from Staff at the Pre-Application Meeting, the applicant shall submit the Annexation Application and required submittal materials during a mandatory Application Check-In Meeting. The Planning Manager or its designee will review the submission for completeness.	
Step 3. Review by Planning Manager	Staff
If the Planning Manager determines that the Annexation Application is complete, the Application shall advance as prescribed in the Town of Kiawah Island Annexation Policy Plan and Procedure Manual.	
Step 4. Drafting of the Preliminary Annexation Map	Applicant/Petitioner & Staff
With the input and assistance of the interested parties, Staff will assist in preparing the first draft of the annexation map detailing the parcel(s) under consideration.	
Step 5. Town Council Notification of Annexation Application	Applicant/Petitioner, Staff & Town Council
Staff will notify Town Council of the Annexation Application at the next available Town Council meeting. This notification serves to provide a basic overview of the Application, such as the Annexation Area, current Zoning, and proposed Zoning. Additionally, Staff will outline the next steps leading to the Petition submittal as well as the subsequent adoption process.	
Step 6. Planning Commission 1st Public Workshop	Applicant/Petitioner, Staff & Planning Commission
To inform the public of the steps, initial costs, and benefits, as well as a tentative timetable, the first in a series of public workshops will be held. This will be the first forum to voice any concerns or comments and ensure that all applicable parcels have been included in the subject area. Staff and Planning Commission will also address the Comprehensive Plan, Future Land Use Map, and Zoning Districts.	
Step 7. Drafting of Final Annexation Map and Petition	Applicant/Petitioner & Staff
Staff will assist the Petitioner in drafting the final annexation map and Petition. The documents will be given to those initiating the Annexation with copies available at Town Hall.	
Step 8. Submission of Petition	Applicant/Petitioner & Staff
Once the initiating party has obtained the requisite number of signatures, the completed Petition will be submitted to the Town for verification by the Charleston County Election Commission.	
Step 9. Challenge to Annexation	Applicant/Petitioner & Staff
A suit to challenge the Annexation may be filed by the municipality, any resident of the municipality, or any resident or owner of property in the area to be annexed.	
Step 10. Planning Commission 2nd Public Workshop	Applicant/Petitioner, Staff & Planning Commission

Once the Petition is certified, and all property owners eligible for opt-out have been notified, a public workshop will be held to discuss the remainder of the process. Any changes to the annexation map that may have occurred due to the opt-out provision will be detailed. The public will be informed of the impending feasibility study and the timetable for completion.	
Step 11. Updated Timetable	Staff
The Town, in conjunction with the initiating party, will recommend a new timetable for action on the petition based on the scheduled completion and analysis of the feasibility study and Staff's completion of a land-use survey and recommended Zoning of the subject area.	
Step 12. Town Council 1st Reading	Applicant/Petitioner, Staff & Town Council
Town Council will hold First Reading "intent to annex" for the annexation petition for an initial briefing or "intent to annex". Town Council discussion items for the initial meeting include development agreement (if applicable) and recommended Zoning. This initial meeting allows Town Council to review the "intent to annex" and determine if the Annexation of property into the Town would be mutually beneficial to all. If applicable, the Town Council may also refer the annexation request to the Annexation Ad Hoc Committee.	
Step 13. Drafting of Feasibility Study Scope and Bids	Staff
Dependent on the size and scope of the Annexation, the Town Administrator will initiate a formal cost/benefit analysis or outline the scope of the Study and request that bids be submitted for its completion, as applicable.	
Step 14. Contract for the Completion of Feasibility Study	Staff
Once the Petition is certified by a resolution of Town Council or the Charleston County Election Commission, a contract for the completion of the feasibility study may be enacted.	
Step 15. Annexation Ad Hoc Committee	Applicant/Petitioner, Staff & Annexation Ad Hoc Committee
If applicable, per the Mayor's direction, the Annexation Ad Hoc Committee shall conduct meetings until the terms of the development agreement or other negotiations are complete. The Application (s) then proceed to Planning Commission for Public Hearing and recommendation.	
Step 16. Public Notification	Applicant/Petitioner & Staff
The applicant sends notification letters to each adjacent property owner and submits a copy to the Town no later than thirty (30) days prior to the Planning Commission meeting.	
Step 17. Planning Commission Public Hearing and Recommendation	Applicant/Petitioner, Staff & Planning Commission
The Planning Commission holds a public hearing and makes recommendations to Town Council for each applicable Application (s), including Zoning, land use, and Planned Unit Development Concept Plan and/or Initial Master Plan approval, as appropriate. The Zoning Map Amendment and applicable concurrent applications will be forwarded to Town Council for second and final Reading.	
Step 18. Town Council Public Hearing, Second and Final Reading	Applicant/Petitioner, Staff & Town Council
Not less than thirty days before acting on an annexation petition, the Town must give notice of a public hearing by publication in a newspaper of general circulation in the community, by posting the notice of the public hearing on the municipal website, and by written notification to the taxpayer of record of all properties within the area proposed to be annexed, written notification to the taxpayer of record of all properties within a radius of five hundred (500) feet, to the chief administrative officer of the County, to all public service or special purpose districts, and all fire departments, whether volunteer or full time. This public hearing must include a map of the proposed annexation area, a complete legal description of the proposed annexation area, a statement as to what public services are to be assumed or provided by the municipality, and the fees required for these services. The notice must include a projected timetable for the provision or assumption of these services. Town Council will hold a Public Hearing and 2 nd and Final Reading of the Annexation and Zoning Map Amendment and any concurrent applications.	
Step 19. Annexation Notification	Staff
Upon adoption of the annexation petition by ordinance, the Town shall file written notice in accordance with this Manual.	

5.3 ANNEXATION BY ELECTOR PETITION AND ELECTION 25 PERCENT PETITION AND ELECTION METHOD

The 25 percent petition and election method of Annexation authorized by S.C. Code Ann. § 5-3300 adopted in 1988 was not constitutional prior to the 2000 amendment because the election was initiated by a freeholder petition. The amendment changed this provision to a petition of 25 percent of qualified electors residing in the area to be annexed and makes a third method of Annexation of private property available. The procedure for this method is specified in detail in the statute and must be carefully followed.

It should be noted that the election in the area to be annexed is conducted by the Charleston County Election Commission, but the election within the Town is initiated pursuant to S.C. Code Ann. § 5-3-300(F), (G), and (H) by Petition of 5 percent of municipal electors is a municipal election conducted by the Charleston County Election Commission for the Town of Kiawah Island.

Procedure

Step 1. Pre-Application Meeting	Applicant/Petitioner & Staff
Prior to filing an Annexation Application, the applicant is required to consult with the Planning Manager or its designee at a Pre-Application Meeting for comments and advice on the appropriate application process and the procedures and specifications necessary and applicable standards required by Town of Kiawah Island applicable ordinances.	
Step 2. Application Check-In Meeting	Applicant/Petitioner & Staff
Upon receiving input from Staff at the Pre-Application Meeting, the applicant shall submit the Annexation Application and required submittal materials during a mandatory Application Check-In Meeting. The Planning Manager or its designee will review the submission for completeness.	
Step 3. Review by Planning Manager	Staff
If the Planning Manager determines that the Annexation Application is complete, the Application shall advance as prescribed in the Town of Kiawah Island's Annexation Policy Plan and Procedure Manual.	
Step 4. Drafting of the Preliminary Annexation Map	Applicant/Petitioner & Staff
With the input and assistance of the interested parties, Staff will assist in preparing the first draft of the annexation map detailing the parcel(s) under consideration.	
Step 5. Town Council Notification of Annexation Application	Applicant/Petitioner, Staff & Town Council
Staff will notify Town Council of the Annexation Application at the next available Town Council meeting. This notification serves to provide a basic overview of the Application, such as Annexation Area, current Zoning, and proposed Zoning. Additionally, Staff will outline the next steps leading to the Petition submittal as well as the subsequent adoption process.	
Step 6. Planning Commission 1st Public Workshop	Applicant/Petitioner, Staff & Planning Commission
To inform the public of the steps, preliminary costs, and benefits, as well as a tentative timetable, the first in a series of public workshops will be held. This will be the first forum to voice any concerns or comments and ensure that all applicable parcels have been included in the subject area. Staff will also address the Comprehensive Plan, Future Land Use Map, and Zoning Districts.	
Step 7. Drafting of Final Annexation Map and Petition	Applicant/Petitioner & Staff
Staff will assist the Petitioner in drafting the final annexation map and Petition. The documents will be given to those initiating the Annexation with copies available at Town Hall. Also, during this step, Staff will collect and organize the necessary parcel-based information and determine if anyone landholder meets the 25 percent of the assessed property value opt-out provision.	
Step 8. Drafting of Final Annexation Map and Petition	Applicant/Petitioner & Staff
Once the initiating party has obtained the requisite number of signatures, the completed Petition will be submitted to Town Council for verification. The Petition must contain a description of the area to be annexed,	

the signature of the qualified elector, the address of residence, and the act or code section pursuant to which the proposed Annexation is to be accomplished - § 5-3-300.	
Step 9. Town Council Petition Certification Resolution	Staff & Town Council
If the Council finds the Petition has been signed by 25 percent or more of qualified resident electors, it will certify that fact to the Charleston County Election Commission by Resolution.	
Step 10. Notification of Opt-Out Freeholders	Staff
If applicable, the Town will send written notification via certified return receipt letter to any property owners eligible for the opt-out provision. Those eligible are freeholders owning 25 percent of the assessed value of property to be annexed or freeholders owning 10 acres or more of agricultural real property. If the freeholder files a written notice with the municipal clerk objecting to the Annexation, the freeholder's property must be excluded from the annexation area. If the freeholder does not reply at least ten days before the election, the area is included in the area to be annexed.	
Step 11. Planning Commission 2nd Public Workshop	Applicant/Petitioner, Staff & Planning Commission
Once the Petition is certified, and all property owners eligible for opt-out have been notified, a public workshop will be held to discuss the remainder of the process. Any changes to the annexation map that may have occurred due to the opt-out provision will be detailed, and the public will be informed of the impending feasibility study and the timetable for completion.	
Step 12. Updated Timetable	Staff
In conjunction with the initiating party, the Town will recommend a new timetable for action on the Petition based on the scheduled completion and analysis of the feasibility study and Staff's completion of a land-use survey and recommended Zoning of the subject area.	
Step 13. Town Council Public Hearing and 1st Reading	Applicant/Petitioner, Staff & Town Council
A public hearing will be conducted as required for the 25 percent annexation method. The results of the feasibility study will be published and evaluated, and all costs, fees, and public service changes that will be made as a result of the Annexation. Town Council will hold First Reading "intent to annex" for the annexation petition for an initial briefing or "intent to annex". Town Council discussion items for the initial meeting include development agreement (if applicable) and recommended Zoning. This initial meeting allows Town Council to review the "intent to annex" and determine if the Annexation of property into the Town of Kiawah Island would be mutually beneficial to all. If applicable, the Town Council may also refer the annexation request to the Annexation Ad Hoc Committee.	
Step 14. Drafting of Feasibility Study Scope and Bids	Staff
Dependent on the size and scope of the Annexation, the Town Administrator will initiate a formal cost/benefit analysis or outline the scope of the Study and request that bids be submitted for its completion, as applicable.	
Step 15. Contract for the Completion of Feasibility Study	Staff
Once the Petition is certified by a resolution of the Town Council or the Charleston County Election Commission, a contract for the completion of the feasibility study may be enacted.	
Step 16. Annexation Ad Hoc Committee	Applicant/Petitioner, Staff & Annexation Ad Hoc Committee
If applicable, per Town Council direction, the Annexation Ad Hoc Committee shall conduct meetings until the terms of the development agreement or other negotiations are complete. The Application (s) then proceed to Planning Commission for Public Hearing and recommendation.	
Step 17. Planning Commission Public Hearing and Recommendation	Applicant/Petitioner, Staff & Planning Commission
The Planning Commission holds a public hearing and makes recommendations to Town Council for each applicable Application (s), including Zoning, land use, and Planned Unit Development Concept Plan and/or Initial Master Plan approval, as appropriate. The Zoning Map Amendment and applicable concurrent applications will be forwarded to Town Council for Second and Final Reading.	
Step 18. Call for Election	Charleston County Election Commission
Once the Petition is certified, the Charleston County Election Commission will call for a special election to be held within the proposed annexation area under S.C. Code Ann. Title 7 Chap. 13 & 17. The election is for qualified registered electors residing in the proposed annexation area. Furthermore, the election must take place within the subject area. Pre-clearance under § 5 of the Voting Rights Act may be necessary for a date that has not been cleared for a county election.	

The Commission shall give 30 days' newspaper notice in the area to be annexed. Registered qualified electors residing within the area to be annexed vote in the election. Election box or boxes shall be in the area proposed to be annexed. The election commission shall certify the election result to Town Council.	
Step 19. Publishing of Results	Staff
Town Council must publish the election results if a majority of the qualified electors vote in favor of the Petition to annex. However, suppose a majority of all eligible and qualified voters do not vote in favor of the ordinance. In that case, the motion dies and may not be initiated for twenty-four (24) months from the day of the election.	
Step 20. Publishing of Fact	Staff
After the results of the election are made public, Town Council must publish in a newspaper of general circulation a notice containing:	
<ul style="list-style-type: none"> a. A description of the area being annexed; b. The code section under which the proposed area is being annexed; c. A statement that qualified electors in the area voted to be annexed; and d. A statement that Town Council may approve the Petition unless a petition signed by five percent or more of the electors within the municipality is presented to the Town Council within (30) days from the date of the notice requesting an election to be held within the municipality on the question of the Annexation. 	
Step 21. Municipal Election	Charleston County Election Commission
If a five percent petition is received and certified, a municipal election of all qualified voters in the Town of Kiawah (not including those in the annexation subject area) must be called pursuant to S.C. Code Ann. Title Chap. 13 & 17. Town Council must give at least thirty (30) days' notice.	
If a 5 percent petition is presented to Town Council, the Council must delay the final Reading of the annexation ordinance and certify the Petition to the Charleston County Election Commission.	
<ul style="list-style-type: none"> a. The municipal election must be conducted under S.C. Code Ann. Title 7 Chap. 13 and 17. b. The Commission shall give at least 30 days' newspaper notice of the election. c. If a majority of electors of the municipality vote in favor of the Annexation, Council shall give final Reading to the ordinance declaring the area annexed. d. If a majority of votes are opposed the Annexation, Council shall publish the results and table the proposed annexation ordinance. Another annexation election may not be initiated within the territory for 24 months from the date of the vote. S.C. Code Ann. § 5-3-210. 	
If no 5 percent petition is presented to Council, the Annexation may be completed by enacting the ordinance 30 days after publication of the notice.	
Step 22. Town Council Public Hearing, Second and Final Reading	Applicant/Petitioner, Staff & Town Council
Town Council will hold a Public Hearing and 2nd and Final Reading of the Annexation and Zoning Map Amendment and any concurrent applications.	
Step 23. Annexation Notification	Staff
Upon adoption of the annexation petition by ordinance, the Town shall file written notice in accordance with this Manual.	

CHAPTER 6 | APPENDICES

100 PERCENT ANNEXATION FORM

TO THE MAYOR AND COUNCIL OF THE TOWN OF KIAWAH ISLAND:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby Petition for Annexation of said territory into the Town by ordinance effective as soon hereafter as possible, pursuant to S.C. Code Ann. § 5-3-150(3).

The territory to be annexed is described as follows:

The property is designated as follows on the County tax maps: _____

It is requested that the property be zoned as follows: _____

Signature

Date

Print Name

Street Address, City, Zip

=====
FOR MUNICIPAL USE:

Petition received by _____, Date _____

Description and Ownership verified by _____, Date _____

Recommendation: _____

By: _____, Date _____

75 PERCENT PETITION FORM

TO THE MAYOR AND COUNCIL OF THE TOWN OF KIAWAH ISLAND:

The undersigned, being at least 75 percent of the freeholders owning at least 75 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat, hereby Petition for Annexation of said territory to the Town by ordinance effective as soon hereafter as possible, pursuant to S.C. Code Ann. § 5-3-150(1).

The territory to be annexed is described as follows:

A plat of the area must be attached.

The property is designated as follows on the County tax maps: _____

It is requested that the property be zoned as follows: _____

The Petition must be dated before the first signature is affixed, and all signatures must be obtained within six months of that date. The first signature was affixed on this Petition on _____.

Signature

Date

Print Name

Street Address, City, Zip

=====

FOR MUNICIPAL USE:

Petition received by _____, Date _____

Description and Ownership verified by _____, Date _____

Recommendation: _____

By: _____, Date _____

NOTICE OF PUBLIC HEARING ON ANNEXATION

The Mayor and Council of the Town of Kiawah Island will conduct a public hearing at Town Hall _____ on _____, 20____, at _____ o'clock_m pursuant to S.C. Code Ann. § 5-3-150(1) on a petition for annexation of the following property:

The following services for the area will be assumed or provided by the Town on the following timetable:

The taxes and fees required for these services are:

DRAFT

The Petition requests that the property be zoned_____.

The Petition is available for public inspection at the Town Clerk's office in Town Hall during normal business hours.

PUBLICATION CHECKLIST - 30 DAYS PRIOR TO HEARING:

- ☐ Publish in a newspaper of general circulation in the community.
- ☐ Post on the municipal website.
- ☐ Mail copy of the notice to taxpayers of record of properties in area to be annexed.
- ☐ Mail to the chief administrative officer of the County.
- ☐ Mail to all public service or special purpose districts in the area to be annexed.
- ☐ Mail to all fire departments, whether volunteer or full time, in the area to be annexed.

25 PERCENT PETITION FORM

TO THE MAYOR AND COUNCIL OF THE TOWN OF KIAWAH ISLAND:

The undersigned qualified elector's resident within the territory described below hereby Petition for an election in said territory pursuant to S.C. Code Ann. § 5-3-300, et seq., on the question of extension of the corporate limits of the municipality by Annexation of the described territory.

The territory to be annexed is described as follows:

The property is designated as follows on the County tax maps: _____

It is requested that the property be zoned as follows: _____

The Petition must be dated before the first signature is affixed, and all signatures must be obtained within six months of that date. The first signature was affixed on this Petition on _____.

Signature

Date

Print Name

Street Address, City, Zip

=====

FOR MUNICIPAL USE:

Petition received by _____, Date _____

Description and Ownership verified by _____, Date _____

Recommendation: _____

By: _____, Date _____

RESOLUTION CERTIFYING 25 PERCENT ANNEXATION PETITION

BE IT RESOLVED by the Mayor and Council of the Town of Kiawah Island, South Carolina, this _____ day of _____, 20____, as follows:

It is hereby certified that the Town of Kiawah Island has received petitions signed by 25 percent or more of the qualified electors residing within the area described below, which is proposed to be annexed into the Town pursuant to S.C. Code Ann. § 5-3-300, et seq., and the Charleston County Election Commission is hereby requested to conduct an election to be held on _____, 20____, within the area proposed to be annexed on the question of extension of the corporate limits of the municipality by Annexation of the following described area:

The Charleston County Election Commission is requested to certify the results of the election to Town Council.

MAYOR:

Attest:

TOWN CLERK

=====

[NOTE: If the election is to be held on a date which has not already been precleared under § 5 of the Voting Rights Act for a county election, it may be necessary to submit the proposed date to the U.S. Attorney General before giving public notice of the election. The attorney general has 60 days in which to respond to a complete submission.]

LETTER TO COUNTY ELECTION COMMISSION REQUESTING ANNEXATION ELECTION

To: Charleston County Commissioners of Election

Ladies and Gentlemen:

We enclose a copy of the Resolution adopted by the Town Council of the Town of Kiawah Island on _____, 20____, certifying that a proper petition has been received asking for annexation of the area described in the resolution generally known as _____ and requesting a special election in the described area on _____, 20____, pursuant to S.C. Code Ann. § 5-3-300, et seq., on the question of the annexation.

The election is not a municipal election, but it is a special county election which must be conducted pursuant to S.C. Code Title 7, Chapters 13 and 17, as provided by S.C. Code Ann. § 5-3-300(D).

We also enclose a Notice of Election for your convenience in giving the necessary notice by newspaper at least 30 days prior to the date set for the election in accordance with S.C. Code Ann. § 5-3-300(D), and a form which you may use to report the results of the election.

Because the proposed election date is not a date already precleared by the U.S. Attorney General under § 5 of the Voting Rights Act for a county election, it was set to allow enough time for a § 5 submission and response.

Yours very truly,

Town Clerk

cc: Municipal Attorney
County Attorney

NOTICE TO OWNERS OF PROPERTY ELIGIBLE FOR EXCLUSION

To: Owners of 25 percent of the assessed value of property to be annexed and (*if applicable*, owners of the agricultural property) in the area to be annexed

Pursuant to S.C. Code Ann. § 5-3-300(I), please take notice that the area described in the enclosed Resolution of the Town Council of the Town of Kiawah Island has been proposed for Annexation to the municipality upon favorable vote of electors in the area in an election to be held on _____, 20____.

You may be a freeholder of property eligible for exclusion from the Annexation. Written notice of your objection to the Annexation of your property must be filed with the undersigned Town Clerk at least ten (10) days prior to the election.

Please refer to S.C. Code Ann. § 5-3-300(I) to determine eligibility for exclusion. A copy is enclosed.

Date mailed _____

Sincerely,

Town Clerk

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE TO ANNEXATION ELECTION

Date: _____

In accordance with the certificate of the Town Council of the Town of Kiawah Island, South Carolina, and pursuant to S.C. Code Ann. § 5-3-300, a special election will be held in the territory described below on _____, 20_, for the purpose of determining whether said territory shall be annexed to the Town of Kiawah Island, South Carolina.

The territory proposed to be annexed is described as follows:

Polling places where registered voters residing in the described area may vote are located at:

The polls will be open from 7:00 AM to 7:00 PM.

Sincerely,

_____, Chairman,

Charleston County Election Commission

CERTIFICATION OF ELECTION RESULTS BY COUNTY ELECTION COMMISSION

To: Mayor and Council, Town of Kiawah Island

Re: Annexation Election

Area: _____

Pursuant to S.C. Code Ann. § 5-3-300(D), the results of the annexation election conducted this date in the above area described in the Resolution Certifying the 25 percent Annexation Petition is certified to be as follows:

In favor of annexation _____ votes

Opposed to annexation _____ votes

Contested ballots _____

TOTAL BALLOTS _____

CHARLESTON COUNTY ELECTION COMMISSION

Date: _____

By: _____

RESOLUTION PUBLISHING ELECTION RESULTS

BE IT RESOLVED by the Mayor and Council of the Town of Kiawah Island this _____ day of _____, 20____, as follows:

Pursuant to S.C. Code Ann. § 5-3-300, et seq., an annexation election was held in the area described in the attached notice by the Charleston County Election Commission which has reported the attached results of election which are hereby published.

The Town Clerk is hereby directed to publish the newspaper notice of intent to annex attached hereto as required by S.C. Code Ann. § 5-3-300(E).

MAYOR

Attest:

TOWN CLERK

DRAFT

NOTICE OF INTENT TO ANNEX

Pursuant to S.C. Code Ann. § 5-3-300, et seq., the qualified electors of the area described below voted in an election on _____, 20_, to be annexed to the Town of Kiawah Island. Town Council intends to approve the Annexation by ordinance 30 days hereafter unless a petition signed by five percent or more of the electors within the Town of Kiawah Island is presented to Town Council within 30 days from the date of publication of this notice requesting an election within the Town of Kiawah Island on the question of Annexation of the following area:

DRAFT

[NOTE: This notice must be run in a newspaper of general circulation within the Town after the results of the annexation election are published by written Resolution of Town council. If a petition is received, an election within the Town must be held pursuant to S.C. Code Ann. § 5-3-300(G), and Annexation must be approved by majority vote.]



TAB 6

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND

ORDINANCE 2022-01

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KIAWAH ISLAND
REPEALING SECTION 15-306 (NOISE) OF THE KIAWAH ISLAND MUNICIPAL CODE AND
ADDING CHAPTER 8 –NOISE PROHIBITED**

WHEREAS, the Town of Kiawah Island Code of Ordinances currently contains Article 15, Chapter 3, Section 15-306 governing prohibited noise;

WHEREAS, the Town Council of the Town of Kiawah Island believes that certain adjustments and amendments need to be made to Section 15-306;

WHEREAS, the Town Council wishes to repeal Section 15-306 and adding Chapter 8 governing prohibited noise;

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 repeal Article 15. - General Offenses, Chapter 3. - Offenses Against Public Safety, Section 15-306 - Prohibited Noise, and to replace it with Article 15, Chapter 8. –Prohibited Noise.

Section 2 **Ordinance**

The Town hereby repeals Article 15. - General Offenses, Chapter 3. - Offences Against Public Safety, Section 15-306. - Prohibited Noise in its entirety and adding Chapter 8 – Prohibited Noise.

Article 15. - General Offenses, Chapter 8. – Prohibited Noise, is hereby created as follows:

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.

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

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

ANSI: American National Standards Institute or its successor bodies.

Complainant: 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: 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): Sound level in decibels, determined by the "A" weighted scale of a standard sound levelmeter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-1971, or its successor publication(s).

Decibel (dB): 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: 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: 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.

Holiday: Any official holiday recognized by the Town.

Nighttime Hours, Weekday: See Table A.

Nighttime Hours, Weekend/Holiday: See Table A.

Noise Disturbance: 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: Properties within the Town that are not residential.

Outdoor entertainment: 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: 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: Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, or agency.

Plainly Audible: 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: 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: Areas of the Town containing single-family and multifamily dwellings, including houses, apartments, and condominiums.

Sound level: 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: In decibels, twenty (20) times the logarithm to base 10 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: Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

Uninvited Noise: Noise not originating from the receiving property.

Sec. 15-803. General Prohibitions

1) 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.

2) **Specific Prohibitions:** The following noises are considered a noise disturbance in violation of this Section:

- (a) 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.
- (b) 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.
- (c) Building operation's noise during nighttime hours that is plainly audible from inside a residence or place of business of a receiving property.
- (d) Amplified sound that is plainly audible from inside a residence or place of business of receiving property not originating from the receiving property.
- (e) Motor vehicle muffler sounds that are in violation of S. C. Code Ann 56-5-502.

Section 15-804 Decibel Level Prohibitions

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

	Daytime Hours Mon – Thurs 8AM – 8PM	Nighttime Hours Mon – Thurs 8PM – 8AM	Daytime Hours Fri - Sat / Holiday 8AM – 10PM	Nighttime Hours Fri - Sat / Holiday 10PM – 8AM	Daytime Hours Sunday 9AM – 8PM	Nighttime Hours Sunday 8PM – 8AM 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 AM and must cease by 7:00 PM on weekdays, before 8AM and must cease by 5PM 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 AM and must cease by 7:00 PM on weekdays, may not start before 8:00 AM and must cease by 5:00 PM on Saturday, and are not allowed on Sunday, holidays, and other times as occasionally prohibited by the Town of Kiawah Island;
- (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 AM on any day;
 - (2) Blowing of parking lots and paths may not start before 6:30AM;
 - (3) Other periodic maintenance such as tree trimming, cart path edging, and other non-routine tasks may not start before 7:00 AM and must cease by 7:00 PM on weekdays and by 5:00 PM 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.

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 AM to 10:00 PM 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 Sec. 15-803. – Specific Prohibitions.

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:

- (a) The volume of the noise as measured by a decibel meter at the complainant's property line;
- (b) Whether the nature of the noise is usual or unusual;
- (c) The intensity of the noise;
- (d) The general characteristics of the area where the noise is occurring;
- (e) The time of day or night at which the noise is occurring;
- (f) 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;
- (g) The duration of the noise; or

(h) Whether the noise is recurrent, intermittent, or constant.

Sec. 15-807. Penalties

Penalties are provided in Article 15. - General Offences, Chapter 6. - General Provisions, Sec. 15-601. - Penalties.

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 3rd DAY OF MAY, 2022.

John Labriola, Mayor

ATTEST:

By: _____
Petra Reynolds, Town Clerk

1st Reading: April 5, 2022

2nd Reading: May 3, 2022



TAB 7

TOWN COUNCIL

Agenda Item

Town of Kiawah Island SATAX Funding Recommenations FY 2022-2023							
Category #	Project	Applicant Sponsor	2021/2022 Funded Amount	2022/2023 Requested Amount	SATAX Committee Funding Recommendation	Ways & Means Funding Recommendation	Town Council Funding Recommmendation
1	Destination Marketing & Advertising	Andell Inn	\$ 47,764	\$ 89,664	\$ 89,664	\$ 89,664	
4	Kiawah Lifeguard Training Equipment	Charleston County Life Association		\$ 14,058	\$ 14,058	\$ 14,058	
2	Events Promotion	Freshfields Village	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	
1	Tourism Marketing & Advertising	Freshfields Village	\$ 58,000	\$ 60,000	\$ 60,000	\$ 60,000	
1	Marketing of Kiawah Island Events & Holiday Programing	Kiawah Island Golf Resort	\$ 607,000	\$ 475,000	\$ 475,000	\$ 475,000	
4	Beach Patrol Services	Town of Kiawah Island	\$ 100,000	\$ 467,200	\$ 467,200	\$ 467,200	
4	Charleston County Sheriff Deputies	Town of Kiawah Island	\$ 423,000	\$ 781,608	\$ 700,000	\$ 700,000	
	A National & Regional Influencer Event	Freshfields Village	\$ 236,000				
	Kiawah Island Map and Guest Guide	Kiawah Island Community Association	\$ 15,000				
	South Atlantic Lifesaving Association Regional Meeting	Charleston County Life Association	\$ 9,000				
		Totals for Year Ending	\$ 1,525,764	\$ 1,917,530	\$ 1,835,922	\$ 1,835,922	\$ -

Total Available for Funding	\$ 2,093,764	2,400,000	\$ 2,400,000	\$ 2,400,000	\$ 2,400,000	\$ 2,400,000
Total in excess of Funding	\$ (568,000)	(482,470)	\$ (564,078)	\$ (564,078)	\$ (564,078)	(2,400,000)

State Gudelines for each category:

Tourism-related expenditures include:

1 advertising and promotion of tourism so as to develop and increase tourist attendance through the generation of publicity

2 promotion of the arts and cultural events

3 construction, maintenance, and operation of facilities for civic and cultural activities including construction and maintenance of access and other nearby roads and utilities for the facilities

4 the criminal justice system, law enforcement, fire protection, solid waste collection, and health facilities when required to serve tourists and tourist facilities. This is based on the estimated percentage of costs directly attributed to tourists

5 public facilities such as restrooms, dressing rooms, parks, and parking lots



TAB 8

TOWN COUNCIL

Agenda Item

NARRATIVE HIGHLIGHTS

REVENUES

For past few years, we have been in challenging fiscal environment, facing high levels of uncertainty. The Town's reliance on tourism and business activity on the Island as its only revenue generators, is very sensitive. Despite that, thanks to effective financial planning, the Town continues to maintain a stable fiscal position. In the past, in preparation of the revenue projections we have used historical trends, running averages, and economic conditions, however the pandemic has presented relatively new dynamics which are difficult to quantify. Our current year annualized revenues of \$12.9M are anticipated to exceed budgeted revenues of \$9.3M by 38%, or \$3.6M.

As we start to prepare next year budget there is still very high level of uncertainty, to be conservative, yet consider latest dynamics on the Island we are budgeting the majority of the revenues less than the current year, but still higher than the historic averages. Overall, the total budgeted revenues FY2023 of \$12M are 6%, or \$823K lower than current year projections and the total expenditures of \$11.3M are 13% , or \$1.3M higher than current year projections.

The comparisons below are made to FY2022 annualized.

- ✓ Building Permits revenue is estimated to decrease 20%, or \$300k, mostly due to a slowdown in new construction activity on the Island. We are also expecting one-time permit revenue from Seafields project and the final phase of the Cape development.
- ✓ Business Licenses revenue is budgeted with no change.
- ✓ Franchise Fees with Berkley Electric Company, Beach Services and Other Franchise fees are estimated with no change.
- ✓ Local Option Sales Tax is budgeted with no change.
- ✓ State Accommodation Tax revenue is projected to decrease 10%, or \$225K. We are predicting tourism related revenues having a momentum in the current fiscal year and slightly decreasing in the next year, however still exceeding pre-pandemic levels.
- ✓ Local Accommodation Tax revenue is budgeted with 19%, or 247K decrease.
- ✓ County Accommodation Tax revenue is budgeted to decrease 19%, or \$99K.
- ✓ Hospitality Tax revenue is budgeted to decrease 20%, or \$149K.
- ✓ Solid Waste revenue is budgeted with no change.
- ✓ Interest Revenue is budgeted with no change.
- ✓ Other revenues include the following sources:
 1. Aid to Subdivision - \$44K, 25%, or \$9K increase
 2. Planning Fees - \$10K, no change.
 3. Court Fees & Fines - \$30K, 20%, or \$5K increase
 4. Beverage Permits revenue - \$45K, no change.
 5. Victim's Assistance Fees - \$10K, no change.
 6. Miscellaneous revenue - \$35K, no change.

EXPENDITURES

- ✓ The personnel cost shows a 23%, or \$512K increase compared to FY2022 projections. This increase is attributable to the following items:
 1. The draft includes an aggregated total of 8%, or \$140K for salary increases, included in the Administration department
 2. The budget includes funding for 24 regular, full-time employees compared to 23 employees in FY22, with 4 of 22 starting mid-year and 1 projected to start in May. It includes a request for 1 new position – Planner I/ Environmental Specialist (\$55K). It also has a request for PT help with deer surveys (\$4K).
 3. The budget includes a 1%, or \$31K increase in SC Retirement System, effective July 1, 2022.
 4. This budget includes an 18%, or \$45K increase in Town's health insurance contributions effective January 1, 2023.
 5. The budget includes \$5K request for tuition reimbursement.
- ✓ This budget includes continued funding for law enforcement coverage on the Island. The cost for off-duty deputies shows a 16%, or 72K increase, attributable to a \$10 hourly rate increase effective January 1, 2022. For deputies contracted with Charleston County on the first shift, we anticipate a 24%, or 85K increase related to replacing 2 vehicles (assuming trade-in value of \$25K each) with the equipment and a 2% payroll increase.
- ✓ STR Code Enforcement is budgeted with no change. However, this contract expires in February 2023, and we will likely see an increase. At this time, the staff is also assessing the level of services needed for after-hours code enforcement.
- ✓ The cost for beach patrol shows an increase of 50%, or 195K, due to the contract cost increase.
- ✓ Utilities and Supplies show an increase of 1%, or \$2K and consist of the following line items:
 1. Utilities are budgeted with no change.
 2. Supplies show a 1%, or \$700 increase.
 3. Minor Assets show a 7%, or \$1.6K increase.
- ✓ Communication cost increases 2%, or \$1.4K, compared to FY2022 projections.
- ✓ Waste management is budgeted with 9%, or \$100K increase to account for CPI adjustment proposed by Carolina Waste.
- ✓ Insurance cost increases 11%, or \$17K attributable to an addition of pollution policy at Kestrel Court and an estimated 10% increase in premiums.
- ✓ Professional Services are budgeted with no change and include the following:
 1. \$100K for Town Attorney (\$90K -contract and \$10k for additional services not covered under contract)
 2. \$10K for the Town Prosecutor
 3. \$27K for annual audit
 4. \$10K for Misc.
- ✓ Consultant cost shows a 26%, or \$71K increase. Under the line-item Consultants, funding was budgeted for various services, including:
 1. \$21K for annual actuarial evaluation and miscellaneous consulting services
 2. \$16K for deer removal/ processing
 3. \$46K for marsh management plan (the contract was approved in February 2022, assuming 75% billed in FY23)
 4. \$50k placeholder for a feasibility study for a cultural and community center

5. \$16k for website design (assuming 33% billed in FY23)
 6. \$100k placeholder for comprehensive plan consultant
 7. \$6K for stenographers
 8. \$30k for structural consultants to be used for upcoming commercial projects
 9. \$15K for documents management
 10. \$45K for KI Parkway and Beachwalker intersection improvements design (contract with Kimley Horn was approved in February 2022, assuming 50% billed in FY23)
- ✓ Maintenance cost shows 3%, or \$15K increase when compared to FY2022 projections and consists of the following:
 1. Software Maintenance shows a 4%, or \$8K increase, compared to current year projections related to upgrades to digital building codes.
 2. Building and Vehicle Maintenance shows a 36%, or \$27K increase related to the Town's fleet and garage workshop.
 3. Landscaping Maintenance shows a 5%, or \$20K decrease, attributable to most of the MC landscaping modifications being done in the current year. However, the draft includes a request for an additional \$20k to enhance the landscaping around the town hall.
 - ✓ Travel & Training shows a 61%, or approximately \$25K increase, compared to current year projections. The increase relates to the rise in the number of Town's employees.
 - ✓ Rental cost for the copiers and postage machine shows a 7%, or \$3k increase.
 - ✓ Tourism & Recreation shows a 9%, or approximately \$205K decrease compared to the current year projections. The line item consists of funding for the following items:

<u>Funding Sources:</u>	<u>GF</u>	<u>SATAX</u>	<u>CATAX</u>	<u>LATAX</u>	<u>HTAX</u>	<u>Total</u>
Arts & Cultural	\$115,000			\$140,000	\$22,000	\$297,000
Same as current year						
Promotional Fund		\$604,500				\$604,500
A decrease of \$398k when compared to current year projections.						
SATAX Applicants*		\$751,192				\$751,192
A decrease of \$337K when compared to current year projections.						
Beach monitoring			\$50,000			\$50,000
An increase of \$10K when compared to current year projections.						
Wildlife			\$150,900	\$6,000		\$156,900
An increase of \$28K when compared to current year projections.						
KI Conservancy			\$35,000			\$35,000
A decrease of \$15K when compared to current year projections. The decrease relates to a housing for the bird banders provided by the Town; it offsets the increase in the Wildlife line item.						

* Total for SATAX applicants does not include funding for deputies and beach patrol as included in other cost categories. We are, assuming 80% of the total cost for beach patrol and \$700k for deputies cost , as recommended by SATAX Committee, will be funded from SATAX; therefore, SATAX applicants included in the Tourism and Recreation line item is reduced for those 2 applications...

- ✓ Other Cost line item shows a 10%, or \$38k increase and includes banking and credit card cost, printing, catering, community activities and outreach, dues and subscriptions, contingency, and miscellaneous expenditures. The increase is primarily attributable to increased banking costs and credit card processing fees.
- ✓ The budget reflects requests for the following capital expenditures:
 1. \$925K- placeholder for KI Parkway and Beachwalker Dr intersection improvements
 2. \$120K -2vehicles:
 - \$60K new- for the Building Department (new position)
 - \$60K-new- for the Wildlife Department
 3. \$70K- sound equipment

✓ The budget includes the following interfund transfers:

1. \$168,000 from GF to AC -\$118,000 for Arts Council event-\$50,000 for feasibility study for Cultural and Community Center
2. \$226,181 from LATAX to AC for cultural events and partial salaries
3. \$210,000 from LATAX to Capital Fund for future beach renourishment
4. \$210,000 from LATAX to Capital Fund to an emergency fund
5. \$226,181 from LATAX to GF for 45% of the cost for Beachwalker Dr and Kiawah Island Parkway intersection improvements
6. \$50,000 from Beverage Tax Fund to Capital Fund for future infrastructure repairs
7. \$22,000 from Hospitality Tax Fund to AC for cultural events
8. \$120,000 from Hospitality Tax Fund to Capital Fund for future infrastructure repairs
9. \$120,000 from Hospitality Tax Fund to Capital to emergency fund
10. \$388,000 from Hospitality Tax Fund to GF for 40% of the cost for Beachwalker Dr and Kiawah Island Parkway intersection improvements

TOWN OF KIAWAH ISLAND
ORDINANCE 2022-04

**AN ORDINANCE TO ADOPT THE FISCAL YEAR 2021-2022 BUDGET FOR
THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA
(7/1/22 THROUGH 6/30/23)**

WHEREAS, the Town of Kiawah Island requires a budget to guide and direct its receipt and expenditure of revenues during Fiscal Year 2022-2023; 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 23rd of May 2022, 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 2022-2023.

Section 2 Creation of the Fiscal Year 2021-2022 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 2022-2023 “**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, 2022, to June 30, 2023.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 7th DAY OF JUNE 2022.

John D. Labriola, Mayor

Petra S. Reynolds, Town Clerk

First Reading: May 3, 2022

Public Hearing: May 23, 2022

Second Reading: June 7, 2022

Town of Kiawah Island
Budget FY2023 to Annualized Budget FY2022
All Funds Consolidated
Cash Basis

			Budgeted Sources & Uses					
	Actuals FY 2021	Budgeted FY2022	Annualized FY2022	Budget FY2023	FY2022 Annualized Variance \$	FY2022 Annualized Variance %	FY2021 Actuals Variance \$	FY2021 Actuals Variance %
Revenues*:								
Building Permits	\$ 1,217,867	\$ 900,000	\$ 1,500,000	\$ 1,200,000	\$ (300,000)	-20%	\$ (17,867)	-1%
Building Permits/Special Projects	322,051	100,000	305,197	500,000	194,803	64%	177,949	55%
Business Licenses	3,386,599	2,695,000	3,200,000	3,200,000	-	0%	(186,599)	-6%
Franchisee Fees	964,496	860,000	970,000	970,000	-	0%	5,504	1%
Local Option tax	760,172	597,453	768,382	768,382	-	0%	8,210	1%
State ATAX	2,802,651	1,617,505	2,324,696	2,100,000	(224,696)	-10%	(702,651)	-25%
Local ATAX	1,384,691	986,392	1,296,920	1,050,000	(246,920)	-19%	(334,691)	-24%
County ATAX	484,000	200,000	518,768	420,000	(98,768)	-19%	(64,000)	-13%
Hospitality Tax	667,602	576,884	748,857	600,000	(148,857)	-20%	(67,602)	-10%
Solid Waste Fees	596,087	610,000	610,000	610,000	-	0%	13,913	2%
Interest	38,087	34,000	35,000	35,000	-	0%	(3,087)	-8%
Other	160,585	160,000	174,000	187,000	13,000	7%	26,415	16%
One Time -ARP Funding	-	-	440,343	440,343	-	0%	440,343	N/A
Total Revenues	\$ 12,784,888	\$ 9,337,234	\$ 12,892,163	\$ 12,080,725	\$ (811,438)	-6%	\$ (1,144,506)	-9%
Expenses:								
Salaries	1,292,561	1,390,994	1,570,690	1,901,847	331,157	21%	609,286	47%
Overtime	2,046	3,867	3,300	4,400	1,100	33%	2,354	115%
Benefits	344,480	437,968	490,342	634,830	144,489	29%	290,350	84%
Payroll Tax	116,480	131,063	139,236	174,879	35,643	26%	58,399	50%
Employee Subtotal	1,755,567	1,963,891	2,203,568	2,715,957	512,389	23%	960,390	55%
Public Safety/Payroll and Related Cost/ Off Duty Deputies	430,561	439,631	439,631	511,202	71,571	16%	80,641	19%
Public Safety/CCSO Contract	384,217	356,624	356,624	441,808	85,184	24%	57,591	15%
STR Code Enforcement	299,018	288,580	288,580	288,580	-	0%	(10,438)	-3%
Beach Patrol	325,699	327,674	388,687	584,000	195,313	50%	258,301	79%
Utilities & Supplies	232,497	251,400	244,707	248,000	3,293	1%	15,503	7%
Communications	59,797	68,320	74,577	76,360	1,783	2%	16,563	28%
Waste Management	1,084,601	1,053,000	1,103,000	1,203,000	100,000	9%	118,399	11%
Insurance	138,781	150,824	155,936	172,769	16,833	11%	33,988	24%
Professional Services	152,464	141,000	146,900	146,900	-	0%	(5,564)	-4%
Consultants	170,224	211,000	274,966	345,665	70,699	26%	175,441	103%
Maintenance	435,529	471,800	503,724	518,350	14,626	3%	82,821	19%
Travel & Training	33,607	54,000	41,900	67,270	25,370	61%	33,663	100%
Rentals	38,458	45,000	42,000	45,000	3,000	7%	6,542	17%
Tourism & Recreations	1,670,920	2,032,283	2,181,273	1,976,200	(205,073)	-9%	305,280	18%
Contributions	150,023	200,000	201,800	200,000	(1,800)	-1%	49,977	33%
Other	261,191	341,434	367,175	404,920	37,745	10%	143,729	55%
Capital Outlay:								
Building	-	150,000	227,745	-	(227,745)	-100%	-	N/A
Infrastructure and Landscaping	704,079	100,000	330,000	925,000	595,000	180%	220,921	31%
Vehicles	35,839	90,000	99,491	120,000	20,509	21%	84,161	235%
Other	66,972	40,000	50,000	70,000	20,000	40%	3,028	5%
MUSC Pledge	-	-	200,000	200,000	-	0%	200,000	N/A
Total Expenses	8,430,044	8,776,462	9,922,284	11,260,980	1,338,696	13%	2,830,936	34%
Net Changes in Fund Balance	\$ 4,354,844	\$ 560,772	\$ 2,969,879	\$ 819,745	\$ (2,150,135)	72%	\$ (3,535,099)	-81%

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
ALL FUNDS

	2022-2023 Budget										
	General Fund Budget	State Accom Tax Fund Budget	County Accom Tax Fund Budget	Local Accom Tax Fund Budget	Beverage Tax Fund Budget	Hospitality Tax Fund Budget	Victims Assist Fund Budget	Arts and Cultural Events	Capital Fund Budget	Emergency Fund Budget	Total Funds Budget
Revenues & Other Sources :											
Accommodations Tax	\$ 85,000	\$ 2,015,000	\$ 420,000	\$ 1,050,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,570,000
Hospitality Tax	-	-	-	-	-	600,000	-	-	-	-	600,000
Aid to subdivisions	47,000	-	-	-	-	-	-	-	-	-	47,000
Zoning Permits	10,000	-	-	-	-	-	-	-	-	-	10,000
Business License Revenue	3,200,000	-	-	-	-	-	-	-	-	-	3,200,000
Building Permits	1,200,000	-	-	-	-	-	-	-	-	-	1,200,000
Building Permits/Special Projects	500,000	-	-	-	-	-	-	-	-	-	500,000
Local Option Sales Tax	768,382	-	-	-	-	-	-	-	-	-	768,382
Franchise Fee - Electric	430,000	-	-	-	-	-	-	-	-	-	430,000
Franchise Fee -Beach	400,000	-	-	-	-	-	-	-	-	-	400,000
Franchise Fee - Other	140,000	-	-	-	-	-	-	-	-	-	140,000
Fines & Forfeitures	30,000	-	-	-	-	-	10,000	-	-	-	40,000
Interest Revenue	10,000	2,000	2,000	6,000	-	5,000	-	-	9,000	1,000	35,000
Solid Waste Collections	610,000	-	-	-	-	-	-	-	-	-	610,000
Beverage Tax / Permits	-	-	-	-	45,000	-	-	-	-	-	45,000
Miscellaneous Revenue	35,000	-	-	-	-	-	-	10,000	-	-	45,000
One-Time APR Funding	440,343	-	-	-	-	-	-	-	-	-	440,343
Transfers In	-	-	-	-	-	-	-	416,181	380,000	330,000	1,126,181
Total Revenues & Other Sources	7,905,725	2,017,000	422,000	1,056,000	45,000	605,000	10,000	426,181	389,000	331,000	13,206,906
Expenditures & Uses :											
Salary and Benefits/Regular Employees	2,419,053	-	-	223,723	-	-	-	73,181	-	-	2,715,957
Salary and Benefits/Deputies	56,280	387,358	-	67,564	-	-	-	-	-	-	511,202
Public Safety/CCSO Contract	66,271	312,642	-	62,894	-	-	-	-	-	-	441,808
STR Code Enforcement	288,580	-	-	-	-	-	-	-	-	-	288,580
Beach Patrol	-	467,200	116,800	-	-	-	-	-	-	-	584,000
Utilities & Supplies	134,500	-	35,000	2,500	-	73,000	-	3,000	-	-	248,000
Communication	76,360	-	-	-	-	-	-	-	-	-	76,360
Waste Management	1,120,000	-	30,000	53,000	-	-	-	-	-	-	1,203,000
Professional Services	146,900	-	-	-	-	-	-	-	-	-	146,900
Consulting	295,665	-	-	-	-	-	-	50,000	-	-	345,665
Maintenance	358,050	-	26,900	-	-	133,400	-	-	-	-	518,350
Insurance	172,769	-	-	-	-	-	-	-	-	-	172,769
Travel & Training	67,270	-	-	-	-	-	-	-	-	-	67,270
Rentals	45,000	-	-	-	-	-	-	-	-	-	45,000
Tourism Related Cost	-	1,437,300	235,900	6,000	-	-	-	297,000	-	-	1,976,200
Contributions	200,000	-	-	-	-	-	-	-	-	-	200,000
Capital Outlay	290,500	-	-	436,500	-	388,000	-	-	-	-	1,115,000
Other	491,920	-	-	-	-	-	10,000	3,000	-	-	504,920
Contingency	100,000	-	-	-	-	-	-	-	-	-	100,000
Transfers Out	168,000	-	-	646,181	50,000	262,000	-	-	-	-	1,126,181
Total Expenditures & Uses	6,497,118	2,604,500	444,600	1,498,362	50,000	856,400	10,000	426,181	-	-	12,387,161
Change in Fund Balance	\$ 1,408,606	\$ (587,500)	\$ (22,600)	\$ (442,362)	\$ (5,000)	\$ (251,400)	\$ -	\$ -	\$ 389,000	\$ 331,000	\$ 819,744

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/2023
ALL FUNDS

	General Fund	State Accom Tax	County Accom Tax	Local Accom Tax	Beverage Tax	Hospitality Tax	Victims Assist	Arts and Cultural	Capital Fund	Emergency Fund	Consolidated
BEGINNING FUND BALANCE - 6/30/21 AUDITED	\$ 12,756,419	\$ 1,095,313	\$ 1,316,464	\$ 807,426	\$ 9,674	\$ 1,071,464	\$ 21,150	\$ -	\$ 5,371,752	\$ 410,459	\$ 22,860,121
SOURCES:											
REVENUES	8,049,820	2,176,196	519,768	1,302,920	45,000	751,357	10,000	10,000	4,000	1,000	12,870,061
TRANSFERS IN	-	-	-	-	-	-	-	356,809	459,155	409,155	1,225,120
TOTAL	8,049,820	2,176,196	519,768	1,302,920	45,000	751,357	10,000	366,809	463,155	410,155	13,685,025
USES :											
EXPENDITURES	5,306,583	2,178,173	621,987	493,119	-	205,609	10,000	358,931	-	-	9,174,402
CAPITAL OUTLAY	426,736	-	-	148,500	-	132,000	-	-	-	-	707,236
TRANSFERS OUT	118,000	-	-	735,577	50,000	321,543	-	-	-	-	1,225,120
TOTAL	5,851,319	2,178,173	621,987	1,377,196	50,000	659,152	10,000	358,931	-	-	11,106,758
ENDING FUND BALANCE - 6/30/22 PROJECTED	14,954,919	1,093,336	1,214,245	733,150	4,674	1,163,669	21,150	-	5,834,907	820,614	25,438,389
SOURCES:											
REVENUES	7,907,725	2,017,000	422,000	1,056,000	45,000	605,000	10,000	10,000	9,000	1,000	12,082,725
TRANSFERS IN	-	-	-	-	-	-	-	416,181	380,000	330,000	1,126,181
TOTAL	7,907,725	2,017,000	422,000	1,056,000	45,000	605,000	10,000	426,181	389,000	331,000	12,877,906
USES :											
EXPENDITURES	6,040,619	2,604,500	444,600	415,681	-	206,400	10,000	426,181	-	-	10,147,981
CAPITAL OUTLAY	290,500	-	-	436,500	-	388,000	-	-	-	-	1,115,000
TRANSFERS OUT	168,000	-	-	646,181	50,000	262,000	-	-	-	-	1,126,181
TOTAL	6,499,119	2,604,500	444,600	1,498,362	50,000	856,400	10,000	426,181	-	-	12,389,162
NET CHANGE	1,408,606	(587,500)	(22,600)	(442,362)	(5,000)	(251,400)	-	0	389,000	331,000	819,745
ENDING FUND BALANCE - 6/30/23 BUDGETED	\$ 16,363,526	\$ 505,836	\$ 1,191,645	\$ 290,788	\$ (329)	\$ 912,269	\$ 21,150	\$ -	\$ 6,223,907	\$ 1,151,614	\$ 26,258,133

Town of Kiawah Island
Five Year Projections

Revenues:	Budgeted FY2022	Annualized FY2022	Budgeted FY2023	Projected FY2024	Projected FY2025	Projected FY2026	Projected FY2027
Building Permits	\$ 900,000	\$ 1,500,000	\$ 1,200,000	\$ 1,200,000	\$ 1,000,000	\$ 800,000	\$ 600,000
Building Permits/Special Projects	100,000	305,197	500,000	-	-	-	-
Business Licenses	2,295,000	2,800,000	2,800,000	2,500,000	2,500,000	2,200,000	2,200,000
STR Application Fees	400,000	400,000	400,000	400,000	400,000	400,000	400,000
Franchisee Fees	860,000	970,000	970,000	970,000	970,000	970,000	970,000
Local Option Tax	597,453	768,382	768,382	776,065	783,826	791,664	799,581
State ATAX	1,617,505	2,324,696	2,100,000	2,121,000	2,142,210	2,163,632	2,185,268
Local ATAX	986,392	1,296,920	1,050,000	1,060,500	1,071,105	1,081,816	1,092,634
County ATAX	200,000	518,768	420,000	424,200	428,442	432,726	437,054
Hospitality Tax	576,884	748,857	600,000	606,000	612,060	618,181	624,362
Solid Waste Fee	610,000	610,000	610,000	610,000	610,000	610,000	610,000
Inte	34,000	35,000	35,000	50,000	90,000	90,000	90,000
Other	160,000	174,000	187,000	187,000	187,000	160,000	160,000
One Time -ARP Funding	-	440,343	440,343	-	-	-	-
Total Revenue	\$ 9,337,234	\$ 12,892,163	\$ 12,080,725	\$ 10,904,765	\$ 10,794,643	\$ 10,318,020	\$ 10,168,900
Expenses*:							
Salaries	1,390,994	1,570,690	1,901,847	1,996,939	2,096,786	2,201,626	2,311,707
Overtime	3,867	3,300	4,400	5,000	5,000	5,000	5,000
Benefits	437,968	490,342	634,830	666,572	699,901	734,896	771,640
Payroll Tax	131,063	139,236	174,879	179,770	187,259	195,122	203,378
Employee Subtotal	1,963,891	2,203,568	2,715,957	2,848,282	2,988,946	3,136,643	3,291,725
Public Safety/Payroll and Related Cost/ Off Duty Deputies	439,631	439,631	511,202	520,000	520,000	520,000	520,000
Public Safety/CCSO Contract	356,624	356,624	441,808	416,832	373,559	379,432	397,763
In House Police Department	-	-	-	-	-	-	-
STR Code Enforcement	288,580	288,580	288,580	600,000	600,000	600,000	600,000
Beach Patrol	327,674	388,687	584,000	584,000	584,000	584,000	584,000
Utilities & Supplies	251,400	244,707	248,000	250,000	262,500	275,625	289,406
Communications	68,320	74,577	76,360	80,000	80,000	80,000	80,000
Waste Management	1,053,000	1,103,000	1,203,000	1,500,000	1,500,000	1,500,000	1,500,000
Insurance	150,824	155,936	172,769	190,046	209,050	229,955	252,951
Professional Services	141,000	146,900	146,900	150,000	150,000	150,000	150,000
Consultants	211,000	274,966	345,665	200,000	200,000	200,000	200,000
Maintenance	471,800	503,724	518,350	510,000	535,500	562,275	590,389
Travel & Training	54,000	41,900	67,270	65,000	68,250	71,663	75,246
Rentals	45,000	42,000	45,000	50,000	50,000	50,000	50,000
Tourism & Recreations	2,032,283	2,181,273	1,976,200	1,500,000	1,500,000	1,500,000	1,500,000
Contributions	200,000	201,800	200,000	200,000	200,000	200,000	200,000
Other	341,434	367,175	404,920	400,000	400,000	400,000	400,000
Capital Outlay							
Buildings	150,000	227,745	-	-	-	-	-
Infrastructure	100,000	330,000	925,000	-	-	-	-
Vehicles	90,000	99,491	120,000	40,000	40,000	40,000	40,000
Other	40,000	50,000	70,000	30,000	-	-	-
MUSC Pledge	-	200,000	200,000	200,000	400,000		-
Total Expenses	8,776,462	9,922,284	11,260,980	10,334,160	10,661,805	10,479,593	10,721,480
Revenue Less Expenses	\$ 560,772	\$ 2,969,879	\$ 819,745	\$ 570,606	\$ 132,838	\$ (161,573)	\$ (552,580)

Town of Kiawah Island
Five Year Projections

Revenues:	Budgeted FY2022	Annualized FY2022	Budgeted FY2023	Projected FY2024	Projected FY2025	Projected FY2026	Projected FY2027
Building Permits	\$ 900,000	\$ 1,500,000	\$ 1,200,000	\$ 1,200,000	\$ 1,000,000	\$ 800,000	\$ 600,000
Building Permits/Special Projects	100,000	305,197	500,000	-	-	-	-
Business Licenses	2,295,000	2,800,000	2,800,000	2,500,000	2,500,000	2,200,000	2,200,000
STR Application Fees	400,000	400,000	400,000	400,000	400,000	400,000	400,000
Franchisee Fees	860,000	970,000	970,000	970,000	970,000	970,000	970,000
Local Option Tax	597,453	768,382	768,382	776,065	783,826	791,664	799,581
State ATAX	1,617,505	2,324,696	2,100,000	2,121,000	2,142,210	2,163,632	2,185,268
Local ATAX	986,392	1,296,920	1,050,000	1,060,500	1,071,105	1,081,816	1,092,634
County ATAX	200,000	518,768	420,000	424,200	428,442	432,726	437,054
Hospitality Tax	576,884	748,857	600,000	606,000	612,060	618,181	624,362
Solid Waste Fee	610,000	610,000	610,000	610,000	610,000	610,000	610,000
Inte	34,000	35,000	35,000	50,000	90,000	90,000	90,000
Other	160,000	174,000	187,000	187,000	187,000	160,000	160,000
One Time -ARP Funding	-	440,343	440,343	-	-	-	-
Total Revenue	\$ 9,337,234	\$ 12,892,163	\$ 12,080,725	\$ 10,904,765	\$ 10,794,643	\$ 10,318,020	\$ 10,168,900
Expenses*:							
Salaries	1,390,994	1,570,690	1,901,847	1,996,939	2,096,786	2,201,626	2,311,707
Overtime	3,867	3,300	4,400	5,000	5,000	5,000	5,000
Benefits	437,968	490,342	634,830	666,572	699,901	734,896	771,640
Payroll Tax	131,063	139,236	174,879	179,770	187,259	195,122	203,378
Employee Subtotal	1,963,891	2,203,568	2,715,957	2,848,282	2,988,946	3,136,643	3,291,725
Public Safety/Payroll and Related Cost/ Off Duty Deputies	439,631	439,631	511,202	285,114	285,114	-	-
Public Safety/CCSO Contract	356,624	356,624	441,808	-	-	-	-
In House Police Department	-	-	-	1,070,303	1,035,103	1,457,727	1,566,161
STR Code Enforcement	288,580	288,580	288,580	-	-	-	-
Beach Patrol	327,674	388,687	584,000	584,000	584,000	584,000	584,000
Utilities & Supplies	251,400	244,707	248,000	250,000	262,500	275,625	289,406
Communications	68,320	74,577	76,360	80,000	80,000	80,000	80,000
Waste Management	1,053,000	1,103,000	1,203,000	1,500,000	1,500,000	1,500,000	1,500,000
Insurance	150,824	155,936	172,769	190,046	209,050	229,955	252,951
Professional Services	141,000	146,900	146,900	150,000	150,000	150,000	150,000
Consultants	211,000	274,966	345,665	200,000	200,000	200,000	200,000
Maintenance	471,800	503,724	518,350	510,000	535,500	562,275	590,389
Travel & Training	54,000	41,900	67,270	65,000	68,250	71,663	75,246
Rentals	45,000	42,000	45,000	50,000	50,000	50,000	50,000
Tourism & Recreations	2,032,283	2,181,273	1,976,200	1,500,000	1,500,000	1,500,000	1,500,000
Contributions	200,000	201,800	200,000	200,000	200,000	200,000	200,000
Other	341,434	367,175	404,920	400,000	400,000	400,000	400,000
Capital Outlay							
Buildings	150,000	227,745	-	-	-	-	-
Infrastructure	100,000	330,000	925,000	-	-	-	-
Vehicles	90,000	99,491	120,000	40,000	40,000	40,000	40,000
Other	40,000	50,000	70,000	30,000	-	-	-
MUSC Pledge	-	200,000	200,000	200,000	400,000		-
Total Expenses	8,776,462	9,922,284	11,260,980	10,152,745	10,488,463	10,437,888	10,769,877
Revenue Less Expenses	\$ 560,772	\$ 2,969,879	\$ 819,745	\$ 752,021	\$ 306,180	\$ (119,869)	\$ (600,978)

Town Of Kiawah Island Projected Departmental Expenses

	Annualized FY 2022	Budget FY 2023	Change	%
Administration	\$782,137	\$989,560	\$ 207,423	27%
Communications	266,670	373,543	106,873	40%
Community Development Services	549,304	646,081	96,777	18%
Council	12,667	16,000	3,333	26%
Court	27,815	27,909	95	0%
Environmental	556,720	595,245	38,525	7%
Finance	727,936	743,413	15,477	2%
Infrastructure, CERT	488,153	1,019,468	531,315	109%
Operations	2,870,810	2,985,981	115,171	4%
Planning	136,308	304,285	167,977	123%
Deputies	820,255	977,010	156,755	19%
Public Safety	255,493	336,727	81,234	32%
Public Works	142,543	171,958	29,415	21%
	\$7,636,811	\$9,187,180	\$ 1,550,369	20%

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
GENERAL FUND									
REVENUES:									
BUSINESS LICENSE REVENUE	\$ 2,295,000	\$ 327,122	\$ 2,800,000	2,800,000	\$ 505,000	22%	\$ -	0%	Based on FY2019-FY21 averages
STR APPLICATION FEES	400,000	26,253	400,000	400,000	-	0%	-	0%	Based on current year actuals
STATE ACCOMMODATIONS TAX	85,000	83,150	150,000	85,000	-	0%	(65,000)	-43%	First \$25K plus 5% of SATAX
AID TO SUBDIVISION	35,000	11,232	44,000	47,000	12,000	34%	3,000	7%	Based on estimates from the State
SOLID WASTE REVENUE	610,000	601,436	610,000	610,000	-	0%	-	0%	Based on number of subscribers for different service types
PLANNING FEES	10,000	6,800	10,000	10,000	-	0%	-	0%	Based on current year actuals
BUILDING PERMITS	900,000	1,067,983	1,500,000	1,200,000	300,000	33%	(300,000)	-20%	Based on prior year averages
BUILDING PERMITS/SPECIAL PROJECTS	100,000	305,197	305,197	500,000	400,000	400%	194,803	64%	Permitting for Seafields and final phase of the Cape
LOCAL OPTIONS SALES TAX	597,453	484,486	768,382	768,382	170,929	29%	-	0%	Based on FY2019-FY21 averages
FRANCHISE FEE - ELECTRIC	420,000	-	430,000	430,000	10,000	2%	-	0%	Based on current year actuals
FRANCHISE FEE - BEACH SERVICE	300,000	236,575	400,000	400,000	100,000	33%	-	0%	\$300k or 30% of Island Beach Services gross receipts
FRANCHISE FEES - OTHER	140,000	76,053	140,000	140,000	-	0%	-	0%	Based on the contracts with AT&T, Comcast, KIGR
COURT FEES, FINES & FORF	25,000	18,629	30,000	30,000	5,000	20%	-	0%	Based on CY actuals
INTEREST REVENUE	10,000	4,995	10,000	10,000	-	0%	-	0%	Approximately 0.02% rate of return on investments
MISCELLANEOUS REVENUE	35,000	18,617	35,000	35,000	-	0%	-	0%	Based on CY actuals
ONE TIME -APR FUNDING	-	440,343	440,343	440,343	440,343	-100%	-	0%	ARP Payment in CY
TOTAL REVENUES	\$ 5,962,453	\$ 3,708,871	\$ 8,072,922	\$ 7,905,725	\$ 1,943,272	33%	(167,197)	-2%	
	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
EXPENDITURES:									
SALARIES	1,390,994	873,712	1,570,690	1,901,847	510,853	37%	331,157	21%	Salaries for 23 current employees plus 1 new position
OVERTIME	3,867	2,043	3,300	4,400	533	14%	1,100	33%	
BENEFITS	437,968	251,973	490,342	634,830	196,863	45%	144,489	29%	
PAYROLL TAXES	131,063	73,164	139,236	174,879	43,816	33%	35,643	26%	
SALARIES, PR TAXES & BENEF/DEPUTIES	439,631	274,119	439,631	511,202	71,571	16%	71,571	16%	Salaries for off duty deputies.
DEPUTIES CONTRACTED WITH CCSO	356,624	244,758	356,624	441,808	85,184	24%	85,184	24%	Deputies contracted with CCSO
STR CODE ENFORCEMENT	288,580	232,237	288,580	288,580	-	0%	-	0%	Contract with Island Services for after hours code enforcement
BEACH PATROL	327,674	133,652	388,687	584,000	256,326	78%	195,313	50%	Contract with Island Services for beach patrol
UTILITIES & SUPPLIES:									
UTILITIES	150,000	55,940	150,000	150,000	-	0%	-	0%	Based on current year actuals and increase for new landscaping
GENERAL	65,400	44,001	71,707	72,400	7,000	11%	693	1%	Estimate for supplies, uniforms based on current year actuals
MINOR ASSETS	36,000	16,465	23,000	25,600	(10,400)	-29%	2,600	11%	Estimate for sound equipment in Council chambers, upgrades to security system
ADVERTISING	14,100	3,572	14,900	14,900	800	6%	-	0%	Based on current year actuals
COMMUNICATION									
CELL PHONES & IPADS	14,320	13,109	20,577	22,360	8,040	56%	1,783	9%	Based on current year actuals for Town's employees
REGULAR PHONES	54,000	35,291	54,000	54,000	-	0%	-	0%	Cost for landline, internet and cable
WASTE MANAGEMENT	1,053,000	646,670	1,103,000	1,203,000	150,000	14%	100,000	9%	Based on Carolina Waste contract
PRINTING	47,700	18,518	36,200	47,200	(500)	-1%	11,000	30%	Based on current year actuals
PROFESSIONAL SERVICES	141,000	125,275	146,900	146,900	5,900	4%	-	0%	Town Attorney, Prosecutor and annual audit
CONSULTING	211,000	105,415	274,966	345,665	134,665	64%	70,699	26%	Estimate for various consulting work
MAINTENANCE									
SOFTWARE	170,300	120,328	178,000	185,850	15,550	9%	7,850	4%	Building maint., Island wide landscaping and road maint., and software maint.
BUILDING & VEHICLES	80,500	43,420	74,500	101,500	21,000	26%	27,000	36%	
LANDSCAPING	221,000	137,678	251,224	231,000	10,000	5%	(20,224)	-8%	
INSURANCE	150,824	154,514	155,936	172,769	21,945	15%	16,833	11%	
TRAVEL & TRAINING	54,000	18,108	41,900	67,270	13,270	25%	25,370	61%	Based on current year actuals
RENTALS	45,000	23,252	42,000	45,000	-	0%	3,000	7%	Based on contracts.
TOURISM & RECREATIONS	229,100	105,147	219,100	241,900	12,800	6%	22,800	10%	
CONTRIBUTIONS	200,000	1,800	201,800	200,000	-	0%	(1,800)	-1%	
CAPITAL OUTLAY	380,000	268,734	707,236	1,115,000	735,000	193%	407,764	58%	
OTHER	145,984	85,198	174,075	197,820	51,836	36%	23,745	14%	Based on current year actuals
MUSC PLEDGE	-	200,000	200,000	200,000	200,000	N/A	-	0%	MUSC Pledge of \$1M
CONTINGENCY	100,000	100,000	100,000	100,000	-	0%	-	NA	
TOTAL EXPENDITURES	6,939,629	4,408,093	7,918,111	9,481,680	2,550,552	37%	2,075,958	26%	
ALLOCATION TO SATAX	485,000	-	523,000	1,167,200	682,200	141%	644,200	123%	Consolidated amount for various departments
ALLOCATION TO COUNTY ATAX	577,674	371,940	607,320	444,600	(133,074)	-23%	(162,720)	-27%	Consolidated amount for various departments
ALLOCATION TO LOCAL ATAX	554,939	110,129	741,767	849,681	294,742	53%	107,914	15%	Consolidated amount for various departments
ALLOCATION TO HOSPITALITY TAX	286,750	151,917	381,609	594,400	307,650	107%	212,791	56%	Consolidated amount for various departments
ALLOCATION TO ARTS & CULTURAL EVENTS	73,538	5,587	45,931	123,181	49,643	68%	77,250	168%	
TOTAL NET EXPENDITURES	4,961,728	3,774,107	5,664,415	6,302,618	1,201,161	24%	638,203	11%	
OTHER FINANCING USES/SOURCES:									
TRANSFER TO ARTS & CULTURAL EVENTS	118,000	-	118,000	168,000	50,000	42%	50,000	42%	
EXCESS OF REVENUES OVER EXPENDITURES	882,725	-	2,290,506	1,435,107	552,382	63%	(855,399)	-37%	
TOTAL OTHER FINANCING USES/ SOURCES	1,000,725	-	2,408,506	1,603,107	602,382	60%	(805,399)	-33%	
TOTAL EXPENDITURES & OTHER USES	\$ 5,962,453	\$ 3,774,107	\$ 8,072,921	\$ 7,905,724	\$ 1,943,272	33%	\$ (167,197)	-2%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40200 - ADMINISTRATION									
<u>TOWN ADMINISTRATION</u>									
SALARIES - REGULAR EMPLOYEES	\$ 249,625	\$ 163,990	\$ 249,512	\$ 369,797	\$ 120,172	48%	\$ 120,285	48%	Salaries for Town Administrator, clerk and 8% aggregated total for salary adjustments
OVERTIME	1,200	87	100	1,200	-	0%	1,100	1100%	
BONUS	5,000	7,530	8,000	5,000	-	0%	(3,000)	-38%	
EMPLOYEE BENEFITS	18,000	5,856	5,856	20,000	2,000	11%	14,144	242%	\$5K Christmas Gifts, \$3K annually EAP Cost, Employee Appreciation Events - \$10K
INSURANCE - MEDICAL	10,783	15,929	10,322	11,256	473	4%	934	9%	
FICA ER MATCH	19,230	8,085	19,078	28,289	9,059	47%	9,212	48%	
RETIREMENT MATCH	47,628	15,367	50,014	73,818	26,190	55%	23,803	48%	
TUITION REIMBURSEMENT	-	-	-	5,000	5,000	100%	5,000	100%	50% tuition reimbursement
WORKERS COMPENSATION COSTS	30,000	15,594	20,000	30,000	-	0%	10,000	50%	
CATERING COSTS	20,000	14,624	10,255	20,000	-	0%	9,745	95%	Christmas Dinner - \$20K
PROFESSIONAL SERVICES	115,000	99,375	120,000	120,000	5,000	4%	-	0%	Town Attorney - \$90K + \$10K additional legal services not covered under Town Attorney contract, Town Prosecutor - \$10K, \$5K misc professional services
CONSULTANTS	10,000	10,313	15,000	10,000	-	0%	(5,000)	-33%	Other consultant work - \$10K
TELEPHONE-CELL	2,400	2,381	3,200	3,200	800	33%	-	0%	Based on cost for 1 cell phone , iPads and mifi
TRAVEL & TRAINING	12,000	6,937	5,000	12,000	-	0%	7,000	140%	Estimate SCAPA, ICMA,SCCCMA (Stephanie T)
DUES	4,000	300	4,000	4,000	-	0%	-	0%	Estimate SCAPA, ICMA, SCCCMA, ULI (Stephanie T) & training for Petra (Clerk Institute)
SUBSCRIPTIONS	1,000	449	1,000	1,000	-	0%	-	0%	Based on current year actuals
ADVERTISING COSTS	4,000	2,161	4,000	4,000	-	0%	-	0%	Estimate for advertising
COMMUNITY ACTIVITIES	19,000	275	5,000	19,000	-	0%	14,000	280%	Disaster Awareness Day - \$7K, Volunteer Appreciation Event - \$7K; and \$5K other community activities
COMMUNITY OUTREACH	200,000	1,800	201,800	200,000	-	0%	(1,800)	-1%	Charitable contributions
SUPPLIES - OFFICE	15,000	7,590	15,000	15,000	-	0%	-	0%	Based on current year actuals
SUPPLIES - OTHER	15,000	14,169	15,000	15,000	-	0%	-	0%	Estimate for coffee supplies, water, pop, medicine supply, and misc.
BOOKS & PERIODICALS	2,000	810	2,000	2,000	-	0%	-	0%	Muni code
MISCELLANEOUS EXPEND	15,000	7,167	15,000	15,000	-	0%	-	0%	Include Medicare cost
COMPUTER & SOFTWARE MINOR	5,000	2,151	3,000	5,000	-	0%	2,000	67%	
	<u>820,865</u>	<u>402,940</u>	<u>782,137</u>	<u>989,560</u>	<u>168,695</u>	<u>21%</u>	<u>207,423</u>	<u>27%</u>	
<u>COUNCIL DEPARTMENT</u>									
SALARIES	24,000	1,667	1,667	-	(24,000)	-100%	(1,667)	-100%	
CELL PHONE	-	4,975	6,000	6,000	6,000	N/A	-	0%	
RENTAL FACILITIES & MEETING COST	5,000	1,389	2,000	5,000	-	0%	3,000	150%	
TRAVEL & TRAINING	4,000	175	1,000	4,000	-	0%	3,000	300%	Mainly HLAD and MASC Annual Meeting
SUPPLIES - OFFICE	1,000	1,900	2,000	1,000	-	0%	(1,000)	-50%	Town Council Retreat Expense
	<u>34,000</u>	<u>10,106</u>	<u>12,667</u>	<u>16,000</u>	<u>(18,000)</u>	<u>-53%</u>	<u>(12,667)</u>	<u>-100%</u>	
TOTAL ADMINISTRATION	<u>\$ 854,865</u>	<u>\$ 413,046</u>	<u>\$ 794,804</u>	<u>\$ 1,005,560</u>	<u>\$ 150,695</u>	<u>18%</u>	<u>(794,804)</u>	<u>-100%</u>	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40100 - ENVIRONMENTAL									
SALARIES - REGULAR EMPLOYEES	\$ 162,940	\$ 88,134	\$ 182,831	182,831	\$ 19,891	12%	\$ -	0%	Salaries for Town's biologist and an assistant
SALARIES - TEMPORARY	4,000	-	-	4,000	-	0%	4,000	N/A	P/T help with deer surveys
FICA ER MATCH	12,465	6,369	13,987	13,987	1,522	12%	-	0%	
INSURANCE - MEDICAL	27,291	18,541	27,415	29,896	2,604	10%	2,481	9%	
RETIREMENT MATCH	29,983	18,231	38,105	36,933	6,951	23%	(1,172)	-3%	
PROFESSIONAL SERVICES	16,000	-	16,000	16,000	-	0%	-	0%	Deer Processing
CONSULTANTS	65,000	-	43,633	45,998	(19,002)	-29%	2,366	5%	Marsh management plan-75% billed in FY23
TELEPHONE-CELL	3,000	640	1,200	1,200	(1,800)	-60%	-	0%	Based on cost for 2 cell phones
REPAIR AND MAINTENANCE - SOFTWARE	4,000	104	4,000	4,000	-	0%	-	0%	ArcGIS, Adobe
DUES	500	10	500	500	-	0%	-	0%	
SUBSCRIPTIONS	1,000	199	500	500	(500)	-50%	-	0%	
TRAVEL & TRAINING	3,500	714	1,000	3,500	-	0%	2,500	250%	
TURTLE PATROL EXPENDITURES	6,000	2,325	6,000	6,000	-	0%	-	0%	
BEACH MONITORING & REPAIRS	50,000	16,177	40,000	50,000	-	0%	10,000	25%	CSE Contract
RESEARCH	94,100	26,339	94,100	121,900	27,800	30%	27,800	30%	Bobcat GPS, Bird Banding, Toxicology, Clemson Study (\$50k)
COMMUNITY OUTREACH	3,000	-	2,500	3,000	-	0%	500	20%	School Environmental Programs
PROGRAMS	20,000	9,236	20,000	20,000	-	0%	-	0%	Grow Native, Dolphin Stewardship, Bluebird Boxes, TBD
KI CONSERVANCY	50,000	50,000	50,000	35,000	(15,000)	-30%	(15,000)	-30%	Projects TBD
FISH STUDIES & EQUIPMENT	4,000	-	4,000	4,000	-	0%	-	0%	Tissue Testing, Pond Stocking
POND MANAGEMENT	5,000	1,070	5,000	5,000	-	0%	-	0%	KICA Pond Maintenance contract, herbicide control
SUPPLIES - OFFICE	600	372	1,000	2,500	1,900	317%	1,500	150%	
SUPPLIES OTHER	1,000	605	1,000	1,000	-	0%	-	0%	
UNIFORMS	1,200	874	1,500	1,500	300	25%	-	0%	
BOOKS & PERIODICALS	300	-	150	500	200	67%	350	233%	
EQUIPMENT - MINOR	4,000	-	1,500	4,000	-	0%	2,500	167%	Deer removal equipment
COMPUTER & SOFTWARE - MINOR	1,000	756	800	1,500	500	50%	700	88%	
TOTAL DEPARTMENT EXPENDITURES	569,879	240,696	556,720	595,245	25,366	4%	38,525	7%	
ALLOCATION TO LOCAL ATAX:									
60% OF SALARIES, PR TAXES, AND BENEFITS	139,608	78,765	157,402	158,188	18,580	13%	786	0%	
TURTLE PATROL COST	6,000	2,325	6,000	6,000	-	0%	-	0%	
	145,608	81,090	163,402	164,188	18,580	13%	786	0%	
ALLOCATION TO COUNTY ATAX	258,100	102,822	226,733	235,900	(22,200)	-100%	9,167	- (1)	
ALLOCATION TO COUNTY ATAX									
RESEARCH	94,100	26,339	94,100	121,900	27,800	30%	27,800	30%	
CONSULTING	35,000	-	13,633	-	(35,000)	-100%	(13,633)	-100%	
BEACH MONITORING & REPAIRS	50,000	16,177	40,000	50,000	-	0%	10,000	25%	
KI CONSERVANCY	50,000	50,000	50,000	35,000	(15,000)	-30%	(15,000)	-30%	
PROGRAMS	20,000	9,236	20,000	20,000	-	0%	-	0%	
FISH STUDIES & EQUIPMENT	4,000	-	4,000	4,000	-	0%	-	0%	
POND MANAGEMENT	5,000	1,070	5,000	5,000	-	0%	-	0%	
	258,100	102,822	226,733	235,900	(22,200)	-9%	9,167	4%	
TOTAL NET EXPENDITURES	\$ 166,172	\$ 56,784	\$ 166,585	\$ 195,157	\$ 45,785	31%	\$ 28,572	17%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40300 - FINANCE									
SALARIES - REGULAR EMPLOYEES	\$ 265,715	\$ 152,450	\$ 303,238	303,238	\$ 37,523	14%	\$ -	0%	Salaries for 5 employees
OVERTIME	2,000	1,624	2,000	2,000	-	0%	-	0%	
INSURANCE - MEDICAL	35,617	16,890	35,346	38,545	2,929	8%	3,199	9%	
FICA ER MATCH	20,327	9,035	23,198	23,198	2,871	14%	-	0%	
RETIREMENT MATCH	56,002	25,495	65,249	68,281	12,279	22%	3,032	5%	
AUDITING COSTS	26,000	25,900	26,900	26,900	900	3%	-	0%	Based on the contract
CONSULTANTS	6,000	1,500	6,000	6,000	-	0%	-	0%	Estimate for investment analysis, actuarial evaluation and legal cost
TELEPHONE-CELL	1,000	875	1,500	2,040	1,040	104%	540	36%	2 cell phones
REPAIR AND MAINTENANCE - SOFTWARE	155,000	113,008	155,000	160,000	5,000	3%	5,000	3%	Cost for ADP-\$48K, Incode10- \$33K, Integral Solution-\$53K , VC3 web hosting-\$1K, citizenserve -\$23K
TRAVEL & TRAINING	8,000	1,330	7,000	10,000	2,000	25%	3,000	43%	Estimate for registration fees and travel to attend conferences and courses /Additional \$1k for Jan to attend BL training
DUES	1,000	760	1,000	1,000	-	0%	-	0%	Cost for membership to MASC and GFOA
PRINTING COSTS	6,000	5,480	6,000	6,000	-	0%	-	0%	Printing for utility billing and business license applications and decals
SUPPLIES - OFFICE	4,000	3,406	4,000	4,000	-	0%	-	0%	Based on current year actuals
SUPPLIES - POSTAGE	8,000	3,832	8,000	8,000	-	0%	-	0%	Postage for day to day business, business license and utility billing mailing, magnets for renters-\$2.5K
SUPPLIES - OTHER	1,500	1,315	1,500	1,500	-	0%	-	0%	Based on current year actuals
BOOKS & PERIODICALS	500	185	500	500	-	0%	-	0%	Estimate for periodicals
BANK COSTS	55,000	38,067	100,000	100,000	45,000	82%	-	0%	Cost for WF cc terminals, bank fees & check processing -\$35K,merchant fees-\$65K (Increase related to increase in credit card fees, majority of transactions are done on line now)
COMPUTER & SOFTWARE - MINOR	2,000	872	1,000	2,000	-	0%	1,000	100%	Ipad for Jan and placeholder if someone needs new pc
MISCELLANEOUS EXPEND	1,000	183	1,000	1,000	-	0%	-	0%	Dropbox, Log me in
TOTAL DEPARTMENT EXPENDITURES	654,661	402,207	748,431	764,202	109,541	17%	15,771	2%	
ALLOCATION TO COURT DEPARTMENT	18,763	9,677	20,495	20,789	2,026	11%	295	1%	30% of Salaries, payroll taxes and benefits for finance clerk allocated to the Court Department
TOTAL NET EXPENDITURES	\$ 635,897	\$ 392,530	\$ 727,936	\$ 743,413	\$ 107,516	17%	\$ 15,477	2%	

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40500 - COMMUNICATIONS									
SALARIES - REGULAR EMPLOYEES	\$ 120,520	\$ 72,669	\$ 129,711	162,000	\$ 41,480	34%	32,289	25%	Salaries for 3 employees
OVERTIME	500	9	500	500	-	0%	-	0%	
SALARIES_TEMPORARY	2,500	-	2,500	-	(2,500)	-100%	(2,500)	NA	
INSURANCE - MEDICAL	13,335	8,327	17,096	28,767	15,431	116%	11,671	68%	
FICA ER MATCH	9,055	4,582	9,923	12,393	3,338	37%	2,470	25%	
RETIREMENT MATCH	20,218	6,671	22,777	31,367	11,149	55%	8,590	38%	
TELEPHONE-CELL	720	681	630	2,000	1,280	178%	1,370	217%	Cost for 3 cell phones and Ipad
CONSULTANTS	70,000	-	33,333	71,667	1,667	2%	38,333	115%	Feasibility study for a Cultural and Community Center and 1/3 of website design
REPAIR AND MAINTENANCE - SOFTWARE	11,000	7,072	13,500	14,150	3,150	29%	650	5%	Adobe creative suite-\$2K. Constant contact - \$2300 , Amazon annual media hosting for website-\$300, TownApp software annual maint-\$3K, Survey Monkey Subscription -\$1K, Misc-\$4.9K , \$650-Hootsuite
PUBLISHING & PROMOTIONS	9,000	1,411	8,500	8,500	(500)	-6%	-	0%	Artwork iStock 150 credit package-\$1250, Facebook Campaigns-\$400, P&C Beach Publication advertising-\$1200, Grammarly-\$360
PRINTING - TOWN NOTES	32,700	11,627	21,700	32,700	-	0%	11,000	51%	Promotional Video/Printing Projects-Est. \$6K
TRAVEL & TRAINING	3,000	149	3,500	5,000	2,000	67%	1,500	43%	Newsletter & Envelope Printing, mailing servicesfor Town Notes- \$22,200, Graphic Design Assistance from printer-\$4K annually, Digital publishing software Joomag -\$950 annually
SUPPLIES - OFFICE	800	634	800	1,000	200	25%	200	25%	Professional organization memberships and continuing education platforms
SUPPLIES - OTHER	1,000	-	-	1,000	-	0%	1,000	N/A	Estimate for office supplies
COMPUTER & SOFTWARE - MINOR	-	2,200	2,200	2,500	2,500	N/A	300	14%	Estimate for pod cast
TOTAL DEPARTMENT EXPENDITURES	294,349	116,032	266,670	373,543	79,195	27%	106,873	40%	
ALLOCATION TO ARTS & CULTURAL FUND	73,538	5,587	45,931	123,181	49,643	68%	77,250	168%	Salaries, payroll taxes and benefits of Arts Council Coordinator and 10% of Com Manager and consultant for feasibility study
TOTAL NET EXPENDITURES	220,811	110,445	220,739	250,363	29,552	13%	29,623	13%	

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40600 - COURT DEPARTMENT									
SALARIES - JUDGE	4,000	333	4,000	4,000	-	0%	-	0%	Judge's stipend
SALARIES - REGULAR EMPLOYEES	13,963	6,803	15,101	15,101	1,138	8%	-	0%	30% of clerk of court salary
INSURANCE - MEDICAL	1,586	797	1,587	1,730	144	9%	144	9%	
FICA ER MATCH	1,068	595	1,155	1,155	87	8%	-	0%	
RETIREMENT MATCH	2,147	952	2,652	2,803	656	31%	151	6%	
TELEPHONE-CELL	1,200	-	1,200	1,200	-	0%	-	0%	Cost for 1 cell phone
TRAVEL & TRAINING	1,500	919	1,500	1,500	-	0%	-	0%	Estimate for registration fees and travel to attend conferences for the Judge
DUES	120	65	120	120	-	0%	-	0%	Based on current year actuals
SUPPLIES-OFFICE	300	349	500	300	-	0%	(200)	-40%	
	\$ 25,883	\$ 10,813	\$ 27,815	\$ 27,909	\$ 2,026	8%	\$ 95	0%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40900 - DEPUTIES									
SALARIES - DEPUTIES	\$ 324,841	\$ 202,309	\$ 324,841	386,392	\$ 61,551	19%	\$ 61,551	19%	Based on the current contract for 2nd and 3rd shift -70% coverage
OVERTIME	20,000	18,107	20,000	20,000	-	0%	-	0%	
FICA ER MATCH	32,437	16,652	32,437	36,089	3,652	11%	3,652	11%	
RETIREMENT MATCH	62,353	37,051	62,353	68,721	6,368	10%	6,368	10%	
COUNTY DEPUTY VEHICLE FEES	9,000	6,020	9,000	9,000	-	0%	-	0%	Based on current contract -\$10 per deputy per shift
COUNTY RADIO COSTS	8,664	10,602	15,000	15,000	6,336	73%	-	0%	
CCSO CONTRACT	356,624	244,758	356,624	441,808	85,184	24%	85,184	24%	1st shift is contracted with CCSO (4 deputies)/replacement of 2 vehicles (\$11.5K net)
TOTAL DEPARTMENT EXPENDITURES	813,919	535,499	820,255	977,010	163,090	20%	156,755	19%	
ALLOCATION TO STATE ATAX	385,000	-	423,000	700,000	315,000	82%	277,000	65%	Assuming 80%funding
ALLOCATION TO LOCAL ATAX	306,831	-	274,217	130,458	(176,373)	-57%	(143,759)	-52%	Assuming 85%funding -Remaining from SATAX
TOTAL NET EXPENDITURES	122,088	535,499	\$ 123,038	\$ 146,551	\$ 24,464	20%	\$ 23,513	19%	
Department: 40950 - PUBLIC SAFETY									
SALARIES	111,071	28,250	170,368	215,368	104,297	94%	45,000	26%	Salaries for 3 employees
OVERTIME	333	-	200	200	(133)	-40%	-	0%	
INSURANCE - MEDICAL	15,997	7,676	22,788	32,091	16,094	101%	9,303	41%	
FICA ER MATCH	8,497	2,124	13,033	16,476	7,979	94%	3,443	26%	
RETIREMENT MATCH	20,698	5,289	34,087	47,142	26,444	128%	13,056	38%	
TELEPHONE-CELL	1,143	358	2,160	2,160	1,017	89%	-	0%	3 cell phones and Ipad
TRAVEL & TRAINING	3,800	357	8,000	11,190	7,390	194%	3,190	40%	Flight, Rooms, & Dues
VEHICLE	-	-	-	-	-	N/A	-	N/A	
SUPPLIES - OFFICE	629	1,228	2,000	1,000	371	59%	(1,000)	-50%	
SUPPLIES - OTHER	286	-	286	-	(286)	-100%	(286)	-100%	
UNIFORMS	571	168	571	1,000	429	75%	429	75%	
COMPUTER & SOFTWARE - MINOR	2,000	1,883	2,000	10,100	8,100	405%	8,100	405%	2 new laptops with mounts, traffic and security software
TOTAL DEPARTMENT EXPENDITURES	165,025	47,333	255,493	336,727	171,702	104%	81,234	32%	
ALLOCATION TO LOCAL ATAX	-	-	32,767	65,535	65,535	N/A	32,767	100%	50% of PS Director allocated to LATAX
TOTAL NET EXPENDITURES	\$ 165,025	\$ 47,333	\$ 222,726	\$ 271,192	\$ 106,167	64%	\$ 48,466	22%	
Department: 40800 - PUBLIC WORKS									
SALARIES	77,874	28,250	93,850	112,600	34,726	45%	18,750	20%	Salary for 2 employees
OVERTIME	-	-	200	200	200	N/A	-	0%	
INSURANCE - MEDICAL	24,726	7,676	16,099	20,316	(4,410)	-18%	4,217	26%	
FICA ER MATCH	3,280	2,124	6,893	8,614	5,334	163%	1,721	25%	
RETIREMENT MATCH	13,496	5,289	16,422	22,149	8,653	64%	5,727	35%	
TELEPHONE-CELL	2,000	358	1,080	1,080	(920)	-46%	-	0%	2 cell phones
TRAVEL & TRAINING	8,000	357	4,000	5,000	(3,000)	-38%	1,000	25%	Accounting for training events and joining organizations for new Public Works manager
VEHICLE	-	-	-	-	-	N/A	-	N/A	
SUPPLIES - OFFICE	1,000	795	1,000	1,000	-	0%	-	0%	
UNIFORMS	1,000	168	1,000	1,000	-	0%	-	0%	
COMPUTER & SOFTWARE - MINOR	1,500	1,920	2,000	-	(1,500)	-100%	(2,000)	-100%	
	\$ 132,875	\$ 46,937	\$ 142,543	\$ 171,958	\$ 39,083	29%	29,415	21%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40850 - PLANNING									
SALARIES	60,980	28,250	80,000	135,000	74,020	121%	55,000	69%	Salary for 2 employees, new position-Planner I/ Environmental Specialist
SALARIES-TEMPORARY	12,000		12,000	-	(12,000)	-100%	(12,000)	-100%	
INSURANCE - MEDICAL	5,046	7,676	5,033	19,969	14,923	296%	14,936	297%	
FICA ER MATCH	4,665	2,124	6,120	10,328	5,663	121%	4,208	69%	
RETIREMENT MATCH	11,298	5,289	15,248	16,048	4,750	42%	800	5%	
STENOGRAPHER COST	6,000	255	6,000	6,000	-	0%	-	0%	Transcript for BZA cases (avg 1-2 case per month)
CONSULTANTS	-	-	-	100,000	100,000	N/A	100,000	N/A	Comprehensive Plan Consultant - Long range ideologies for Kiawah have shifted. Limited staff time resources
TELEPHONE-CELL	-	792	1,207	540	540	N/A	(667)	-55%	2 cell phones
TRAVEL & TRAINING	1,800	357	2,500	5,000	3,200	178%	2,500	100%	Travel and training includes additional staff
DUES	475		500	1,000	525	111%	500	100%	Includes additional staff
ADVERTISING	1,100		2,400	2,400	1,300	118%	-	0%	Text count based BZA Ads 1-2 cases month; 12 months(approx. \$200/month)
SUPPLIES - OFFICE	314	-	1,000	1,000	686	218%	-	0%	
SUPPLIES - OTHER	143		1,000	1,000	857	599%	-	0%	
UNIFORMS	286	168	300	1,000	714	250%	700	233%	Includes additional staff
COMPUTER & SOFTWARE - MINOR	1,500	-	3,000	5,000	3,500	233%	2,000	67%	Additional Computer & software tor staff (Bluebeam REVU Approx. \$350/ ArcGIS \$1/00) to assist with map creation, data analysis and plan review)
	<u>\$ 105,607</u>	<u>\$ 44,911</u>	<u>\$ 136,308</u>	<u>\$ 304,285</u>	<u>\$ 198,678</u>	<u>188%</u>	<u>167,977</u>	<u>123%</u>	

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 41500 - COMMUNITY DEVELOPMENT SERVICES									
SALARIES	\$ 307,769	\$ 309,719	\$ 353,013	413,013	\$ 105,244	34%	\$ 60,000	17%	Salaries for Community Dev. Services- 5employees (new employee)
OVERTIME	167	323	500	500	333	199%	-	0%	
SALARIES_TEMPORARY	-	-	-		-	#DIV/0!	-	NA	
INSURANCE - MEDICAL	27,977	32,525	30,586	43,887	15,910	57%	13,301	43%	
FICA ER MATCH	23,544	23,127	27,005	31,595	8,051	34%	4,590	17%	
RETIREMENT MATCH	54,873	41,716	69,899	84,365	29,492	54%	14,466	21%	
TUITION REIMBURSEMENT	-	-	-	-	-	#DIV/0!	-	#DIV/0!	
ADVERTISING COSTS	-	-			-	#DIV/0!	-	#DIV/0!	
STENOGRAPHER COST	-				-	#DIV/0!	-	#DIV/0!	
PROFESSIONAL SERVICES	15,000	13,829	15,000	15,000	-	0%	-	0%	Duncan & Parnell document services
CONSULTING	13,000	22,000	30,000	30,000	17,000	131%	-	0%	Upcoming commercial projects will require 3rd party structural review
REPAIR AND MAINT - SOFTWARE	300	-	300	300	-	0%	-	0%	Estimate for Adobe pro, MS Office software for computers
TELEPHONE-CELL	2,857	2,049	2,400	2,940	83	3%	540	23%	Cost for 4 cell phones
DUES	1,900	1,301	1,900	1,900	-	0%	-	0%	Certification renewals
TRAVEL & TRAINING	8,400	6,813	8,400	10,080	1,680	20%	1,680	20%	Estimate for registration fees and travel to attend conferences and courses
SUPPLIES - OFFICE	1,257	1,675	2,000	2,000	743	59%	-	0%	Including departmental copies, and supplies
SUPPLIES - OTHER	571	287	1,000	1,000	429	75%	-	0%	Based on current year actuals
UNIFORMS	1,143	-	1,600	1,600	457	40%	-	0%	5-staff members uniforms
MISCELLANEOUS	-	-	-	-	-	#DIV/0!	-	#DIV/0!	Plate and registration check
VEHICLES	-	-	-	-	-	#DIV/0!	-	NA	New vehicle for new employee
EQUIPMENT MINOR	500	-	500	500	-	0%	-	0%	
COMPUTER & SOFTWARE - MINOR	-	144	5,200	7,400	7,400	N/A	2,200	42%	Moving to digital building codes-\$4,630 for 5 users
	<u>\$ 459,258</u>	<u>\$ 455,508</u>	<u>\$ 549,304</u>	<u>\$ 646,081</u>	<u>\$ 186,823</u>	<u>41%</u>	<u>96,777</u>	<u>18%</u>	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
GENERAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 41000 - OPERATIONS									
WATER & SEWAGE	\$ 100,000	\$ 37,084	\$ 100,000	\$ 100,000	\$ -	0%	\$ -	0%	Based on CY projections
SOLID WASTE DISPOSAL	1,000,000	612,299	1,050,000	1,150,000	150,000	15%	100,000	10%	Contract with CW (beach excluded) with 10% CPI , Chas recycling fee-\$35k plus \$10k misc.
CUSTODIAL COSTS	27,000	17,977	27,000	27,000	-	0%	-	0%	Office cleaning contract , monthly cleaning supplies-3.6K, windows cleaning -\$2.4k, misc-\$4K
LANDSCAPING COSTS - MINOR	210,000	126,454	240,000	220,000	10,000	5%	(20,000)	-8%	Based on the Artigues contract \$189K , and misc projects/repairs-11K plus \$20k place holder for MC landscaping
STR CODE ENFORCEMENT	288,580	232,237	288,580	288,580	-	0%	-	0%	Based on the contract with Island Services for after hours code enforcement
BEACH PATROL COSTS	327,674	133,652	388,687	584,000	256,326	78%	195,313	50%	Based on the contract with Island Services
BEACH UPKEEP	53,000	34,371	53,000	53,000	-	0%	-	0%	Based on the contract with Carolina Waste , plus \$10k misc cleanup
RECYCLING CENTER	-	-	40,761	-	-	N/A	(40,761)	-100%	
GARAGE RENOVATIONS	150,000	186,984	186,984	-	(150,000)	-100%	(186,984)	-100%	
REPAIR & MAINT - BUILDING	25,000	13,673	25,000	33,000	8,000	32%	8,000	32%	HVAC, generator annual service , \$8k for garage workshop
REPAIR & MAINT - VEHICLES	22,000	7,444	16,000	30,000	8,000	36%	14,000	88%	We have more vehicles and gas prices have increased
REPAIR AND MAINT - EQUIPMENT	6,500	4,326	6,500	6,500	-	0%	-	0%	Misc equipment repairs
PEST CONTROL COSTS	5,800	2,219	5,800	5,800	-	0%	-	0%	Pest and mosquito control and termite bond
RENTAL - EQUIPMENT	40,000	21,863	40,000	40,000	-	0%	-	0%	Estimate for copier leases , based on current year actuals
INSURANCE - VEHICLES	8,278	7,078	8,500	9,700	1,422	17%	1,200	14%	Insurance for 12 vehicles
INSURANCE - DATA PRO	546	546	546	601	55	10%	55	10%	10% increase
INSURANCE - LIAB/TOR	45,000	59,133	59,133	65,000	20,000	44%	5,867	10%	Adding new employees to the policy and pollution policy
INSURANCE - BUILDING & PERSONAL PROPERTY	20,000	13,843	13,843	15,000	(5,000)	-25%	1,157	8%	Increase for to recent appraisal and creating offices in the garage
INSURANCE - D&O	37,000	30,761	30,761	35,000	(2,000)	-5%	4,239	14%	Adding new employees to the policy
TELEPHONE - REGULAR	42,000	28,607	42,000	42,000	-	0%	-	0%	Contract for phone service (SEGRA)-\$32K, internet and cable (Comcast) -\$8K and back up internet-ATT-\$2k
EMERGENCY COMMUNICATION COST	12,000	6,684	12,000	12,000	-	0%	-	0%	Monthly charges for satellite phones and Code Red
SECURITY SYSTEM COSTS	5,800	5,345	8,000	5,800	-	0%	(2,200)	-28%	Estimate for building and surveillance cameras
SUPPLIES - OFFICE	3,000	250	3,000	3,000	-	0%	-	0%	Based on current year actuals
SUPPLIES - OTHER	4,000	3,221	4,000	4,000	-	0%	-	0%	Based on current year actuals
CHRISTMAS DECORATIONS	11,000	11,224	11,224	11,000	-	0%	(224)	-2%	Based on current year actuals
ELECTRICITY COSTS	50,000	18,856	50,000	50,000	-	0%	-	0%	Based on CY projections
VEHICLES	90,000	-	99,491	120,000	30,000	33%	20,509	21%	2 new vehicles for new inspector and Aaron
SIGNS	40,000	48,720	50,000	5,000	(35,000)	-88%	(45,000)	-90%	Maintenance for the signs
EQUIPMENT	20,000	6,683	10,000	70,000	50,000	250%	60,000	600%	Estimate for sound equipment in the chambers-\$70k
	<u>2,644,178</u>	<u>1,671,534</u>	<u>2,870,810</u>	<u>2,985,981</u>	<u>341,803</u>	<u>13%</u>	<u>115,171</u>	<u>4%</u>	
ALLOCATION TO STATE ATAX	100,000	-	100,000	467,200	367,200	367%	367,200	367%	Assuming 80% of beach patrol cost funded from SATAX
ALLOCATION TO COUNTY ATAX	319,574	269,118	380,587	208,700	(110,874)	-35%	(171,887)	-45%	
ALLOCATION TO LOCAL ATAX	53,000	29,039	73,381	53,000	-	0%	(20,381)	-28%	Beach upkeep
ALLOCATION TO HOSPITALITY ATAX	242,750	151,917	205,609	206,400	(36,350)	-15%	791	0%	
TOTAL NET EXPENDITURES	<u>\$ 1,928,854</u>	<u>\$ 1,221,460</u>	<u>\$ 2,111,234</u>	<u>\$ 2,050,681</u>	<u>\$ 219,976</u>	<u>11%</u>	<u>\$ 175,724</u>	<u>8%</u>	
	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
Department: 40400 - ROADS AND BRIDGE									
REPAIR AND MAINT ROADS	\$ 100,000	\$ 26,347	\$ 330,000	925,000	\$ 825,000	825%	\$ 595,000	180%	Place holder for KIP and Beachwalker intersection
GENERAL INSURANCE - BRIDGE	40,000	43,153	43,153	47,468	7,468	19%	4,315	10%	Estimate for bridge insurance -10% increase
PROFESSIONAL SERVICES	10,000	57,518	110,000	45,000	35,000	350%	(65,000)	-59%	Kimley Horn contract -50%in Fy22 , 50% in FY23
MISCELLANEOUS EXPEND	1,000	1,050	2,000	2,000	1,000	100%	-	0%	Estimate for misc.
	<u>151,000</u>	<u>128,068</u>	<u>485,153</u>	<u>1,019,468</u>	<u>868,468</u>	<u>575%</u>	<u>534,315</u>	<u>110%</u>	
ALLOCATION TO LOCAL ATAX	49,500	-	198,000	436,500	387,000	782%	238,500	120%	Allocate 45%
ALLOCATION TO HOSPITALITY TAX	44,000	-	176,000	388,000	344,000	782%	212,000	120%	Allocate 40%
TOTAL NET EXPENDITURES	<u>\$ 57,500</u>	<u>\$ 128,068</u>	<u>\$ 111,153</u>	<u>194,968</u>	<u>\$ 137,468</u>	<u>239%</u>	<u>\$ 83,815</u>	<u>75%</u>	
Department: 41400 - CERT TEAM									
CERT TEAM	3,000	2,356	3,000	3,000	-	0%	-	0%	
	<u>\$ 3,000</u>	<u>\$ 2,356</u>	<u>\$ 3,000</u>	<u>\$ 3,000</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>0%</u>	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
STATE ACCOMMODATION TAX FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
STATE ACCOMMODATIONS TAX REVENUE	\$ 1,532,505	\$ 1,104,845	\$ 2,174,696	\$ 2,015,000	\$ 482,495	31%	\$ (159,696)	-7%	Based on Fy19-21 averages
INTEREST REVENUE	2,000	625	1,500	2,000	-	0%	500	33%	Rate of return -0.05%
	1,534,505	1,104,845	2,176,196	2,017,000	482,495	31%	(159,696)	-7%	
EXPENDITURES:									
PROMOTIONAL FUND	459,751	504,760	652,409	604,500	144,749	31%	(47,909)	-7%	30% of SATAX
SATAX CURRENT YEAR FUNDING	1,531,432	53,407	1,525,764	2,000,000	468,568	31%	474,236	31%	
TOTAL STATE ACCOMMODATION TAX EXPENDITURES	1,991,183	558,167	2,178,173	2,604,500	613,317	31%	426,327	20%	
NET INCREASE/(DECREASE) IN FUND BALANCE	\$ (456,678)	\$ 546,678	\$ (1,977)	\$ (587,500)	\$ (130,822)	29%	\$ (586,023)	29648%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
COUNTY ACCOMMODATION TAX FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
REVENUES:									
COUNTY ACCOMMODATION TAX	\$ 200,000	\$ 270,794	\$ 518,768	\$ 420,000	\$ 220,000	110%	\$ (98,768)	-19%	
INTEREST REVENUE	<u>5,000</u>	<u>624</u>	<u>1,000</u>	<u>2,000</u>	<u>(3,000)</u>	<u>-60%</u>	<u>1,000</u>	<u>100%</u>	Rate of return -0.05%
TOTAL CATAX REVENUES	205,000	271,418	519,768	422,000	217,000	103%	(97,768)	-19%	
EXPENDITURES :									
WATER & SEWAGE	20,000	900	20,000	20,000	-	0%	-	0%	allocation from GF
SOLID WASTE DISPOSAL	25,000	4,999	25,000	25,000	-	0%	-	0%	allocation from GF
CUSTODIAL COSTS	5,000	-	5,000	5,000	-	0%	-	0%	allocation from GF
LANDSCAPING COSTS - MINOR	20,000	6,723	20,000	20,000	-	0%	-	0%	allocation from GF
REPAIR & MAINT - BUILDING	1,000	1,200	1,000	1,000	-	0%	-	0%	allocation from GF
PEST CONTROL COSTS	500	320	500	500	-	0%	-	0%	allocation from GF
TELEPHONE - REGULAR	5,200	-	5,200	5,200	-	0%	-	0%	allocation from GF
SECURITY SYSTEM COSTS	200	-	200	200	-	0%	-	0%	allocation from GF
BEACH PATROL COSTS	327,674	242,687	388,687	- 584,000	256,326	78%	195,313	50%	Beach Patrol new contract
CONSULTING	35,000	-	28,300	-	(35,000)	-100%	(28,300)	NA	
BEACH MONITORING & REPAIRS	50,000	132	40,000	- 50,000	-	0%	10,000	25%	Beach Mitigation, Annual beach survey and report (CSE)
KI CONSERVANCY	50,000	-	50,000	- 35,000	(15,000)	-30%	(15,000)	-30%	
ENVIRONMENTAL RESEARCH	94,100	33,901	94,100	- 121,900	27,800	30%	27,800	30%	Bobcat GPS, Bird Banding, Toxicology, Clemson Study (\$50k)
EDUCATIONAL PROGRAMS	20,000	9,236	20,000	- 20,000	-	0%	-	0%	Grow Native, Dolphin Stewardship, Bluebird Boxes
FISH STUDIES & EQUIPMENT	4,000	108	4,000	- 4,000	-	0%	-	0%	Estimate for fish tissue testing and stocking
POND MANAGEMENT	5,000	1,010	5,000	- 5,000	-	0%	-	0%	
ELECTRICITY COSTS	<u>15,000</u>	<u>12,289</u>	<u>15,000</u>	<u>15,000</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>0%</u>	50% allocation from GF
TOTAL CATAX EXPENDITURES	677,674	313,505	721,987	911,800	234,126	35%	189,813	26%	
FUND ALLOCATIONS TO OTHER FUNDS :									
ALLOCATE FROM SATAX	<u>(100,000)</u>	<u>-</u>	<u>(100,000)</u>	<u>(467,200)</u>	<u>(367,200)</u>	<u>367%</u>	<u>(367,200)</u>	<u>367%</u>	Assuming 80% of beach patrol cost funded from SATAX
TOTAL CATAX FUND EXPEND, ALLOCATIONS	577,674	313,505	621,987	444,600	(133,074)	-23%	(177,387)	-29%	
NET INCREASE/(DECREASE) IN FUND BALANCE	\$ (372,674)	\$ (42,087)	\$ (102,219)	\$ (22,600)	\$ 350,074	-94%	\$ 79,619	-78%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
LOCAL ACCOMMODATION TAX FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
REVENUES:									
LOCAL ACCOMMODATION TAX	\$ 986,392	\$ 799,830	\$ 1,296,920	\$ 1,050,000	\$ 63,608	6%	\$ (246,920)	-19%	Based on FY2019-FY21 averages
INTEREST REVENUE	<u>6,000</u>	<u>2,497</u>	<u>6,000</u>	<u>6,000</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>0%</u>	Rate of return -0.05%
TOTAL LATAX REVENUES	992,392	802,327	1,302,920	1,056,000	63,608	7%	(246,920)	-19%	
EXPENDITURES :									
SALARIES - REGULAR EMPLOYEES	97,764	57,084	109,699	154,699	56,934	58%	45,000	41%	60% of the biologists payrolland 50% of PS director
FICA ER MATCH	7,479	3,821	8,392	11,834	4,355	58%	3,443	41%	
INSURANCE - MEDICAL	16,375	11,125	16,449	25,178	8,803	54%	8,729	53%	
RETIREMENT MATCH	17,990	10,939	22,863	32,012	14,022	78%	9,149	40%	
DEPUTIES COST	306,831	325,611	274,217	130,458	(176,373)	-57%	(143,759)	-52%	
BEACH UPKEEP	53,000	29,039	53,000 -	53,000 -	-	0%	-	0%	Contract with CW
TURTLE PATROL	6,000	2,287	6,000 -	6,000	-	0%	-	0%	
RECYCLING CENTER	-	-	20,381 -	-	-	N/A	(20,381)	-100%	50% allocated from GF
EQUIPMENT	-	-	-	-	-	N/A	-	#DIV/0!	
BEACH SUPPLIES COSTS	<u>2,500</u>	<u>-</u>	<u>2,500</u>	<u>2,500</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>0%</u>	
TOTAL LATAX EXPENDITURES	507,939	439,906	513,500	415,681	(92,258)	-18%	(97,819)	-19%	
FUND TRANSFERS AND ALLOCATIONS TO OTHER FUNDS:									
TRANSFER TO ARTS & CULTURAL FUND	236,538	216,538	216,809	226,181	(10,357)	-4%	9,372	4%	
TRANSFER TO GENERAL FUND	49,500	-	198,000	436,500	387,000	782%	238,500	120%	Transfer to GF for 45% cost of Beachwalker Dr improvements
TRANSFER TO CAPITAL FUND	<u>394,557</u>	<u>-</u>	<u>518,768</u>	<u>420,000</u>	<u>25,443</u>	<u>6%</u>	<u>(98,768)</u>	<u>-19%</u>	Future Beach Renurishment -20% of LATAX revenue, Emergency Fund-20%
TOTAL LATAX FUND EXPEND, TRANSFERS & ALLOCATIONS	1,188,534	656,443	1,447,077	1,498,362	309,828	26%	149,104	10%	
NET INCREASE/(DECREASE) IN FUND BALANCE	<u>\$ (196,142)</u>	<u>\$ 145,884</u>	<u>\$ (144,157)</u>	<u>\$ (442,362)</u>	<u>\$ (246,220)</u>	<u>126%</u>	<u>\$ 1,058,908</u>	<u>-735%</u>	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
BEVERAGE PERMITS FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
REVENUES:									
BEVERAGE TAX REVENUE	\$ 45,000	\$ -	\$ 45,000	\$ 45,000	\$ -	0%	\$ -	0%	\$3k per alcoholic beverage permit (15 entities)
	45,000	-	45,000	45,000	-	0%	-	0%	
FUND TRANSFERS TO OTHER FUNDS :									
TRANSFER TO CAPITAL FUND	50,000	-	50,000	50,000	-	0%	-	0%	
	50,000	-	50,000	50,000	-	0%	-	0%	
NET INCREASE/(DECREASE) IN FUND BALANCE	\$ (5,000)	\$ -	\$ (5,000)	\$ (5,000)	\$ -	\$ -	\$ -	\$ -	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
HOSPITALITY TAX FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
REVENUES:									
HOSPITALITY TAX	\$ 576,884	\$ 452,772	\$ 748,857	\$ 600,000	\$ 23,116	4%	\$ (148,857)	-20%	Based on FY2019-FY21 averages
INTEREST REVENUE	<u>6,000</u>	<u>1,873</u>	<u>2,500</u>	<u>5,000</u>	<u>(1,000)</u>	-17%	<u>2,500</u>	<u>100%</u>	Rate of return -0.05%
TOTAL HOSPITALITY TAX REVENUES	582,884	454,645	751,357	605,000	22,116	5%	(146,357)	-19%	
EXPENDITURES :									
WATER & SEWAGE	88,750	33,858	70,000	70,000	(18,750)	-21%	-	0%	Irrigation for KI Parkway, roundabout, Beachwalker Dr and Betsy Kerrison Parkway
LANDSCAPING COSTS - MINOR	140,000	106,691	122,400	122,400	(17,600)	-13%	-	0%	Contract for maintenance of KI Parkway, roundabout, Beach Walker Dr and Betsy Kerrison Parkway
CHRISTMAS DECORATIONS	11,000	10,209	10,209	11,000	-	0%	791	8%	Estimate for Christmas decorations
ELECTRICITY COSTS	<u>3,000</u>	<u>1,159</u>	<u>3,000</u>	<u>3,000</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>0%</u>	Electricity for roundabout lights
TOTAL EXPENDITURES	242,750	151,917	205,609	206,400	(36,350)	-15%	791	0%	
FUND TRANSFERS TO OTHER FUNDS :									
TRANSFER TO ARTS & CULTURAL FUND	22,000	22,000	22,000	22,000	-	0%	-	0%	
TRANSFER TO GENERAL FUND	44,000	-	176,000	388,000	344,000	782%	212,000	120%	Transfer to GF for 40% cost of Beachwalker Dr and KI Parkway intersection improvements
TRANSFER TO CAPITAL FUND	<u>230,754</u>	<u>-</u>	<u>299,543</u>	<u>240,000</u>	<u>9,246</u>	<u>4%</u>	<u>(59,543)</u>	<u>-20%</u>	20% of Hospitality tax revenue for future projects on tourism related infrastructure , 20% -Emergency Fund
TOTAL HOSPITALITY FUND EXPEND & TRANSFERS	539,504	173,917	703,152	856,400	316,896	59%	153,248	22%	
NET INCREASE/(DECREASE) IN FUND BALANCE	\$ 43,380	\$ 280,728	\$ 48,205	\$ (251,400)	\$ (294,780)	-680%	\$ (299,605)	-622%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
ARTS & CULTURAL FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	Justifications/Notes
<u>SOURCES :</u>							
TRANSFER FROM LATAX FUND	\$ 236,538	\$ -	\$ 216,809	\$ 226,181	(10,357)	-4%	
TRANSFER FROM HOSPITALITY TAX FUND	22,000		22,000	22,000	-	0%	
TRANSFER FROM GENERAL FUND	118,000	-	118,000	168,000	50,000	0%	
TICKET SALES	<u>-</u>	<u>9,753</u>	<u>10,000</u>	<u>10,000</u>	<u>10,000</u>	<u>N/A</u>	
TOTAL SOURCES	376,538	9,753	366,809	426,181	49,643	13%	
<u>EXPENDITURES:</u>							
PAYROLL & RELATED EXPENSES	73,538	73,538	45,931	73,181	(357)	0%	
CONSULTING	-	-	-	50,000	50,000	N/A	
OFFICE/PRINTING EXPENSES	3,000	882	3,000	3,000	-	0%	
ARTS COUNCIL	115,000	82,862	115,000	115,000	-	0%	
ADMINISTRATIVE COST	3,000	560	3,000	3,000	-	0%	
CULTURAL EVENTS	<u>182,000</u>	<u>170,502</u>	<u>192,000</u>	<u>182,000</u>	<u>-</u>	<u>0%</u>	
TOTAL EXPENDITURES	376,538	253,924	358,931	426,181	49,643	13%	
NET INCREASE/(DECREASE) IN FUND BALANCE	<u>\$ -</u>	<u>\$ (244,171)</u>	<u>\$ 7,878</u>	<u>\$ 0</u>	<u>-</u>	<u>0%</u>	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
VICTIMS ASSISTANCE FUND

	2021-2022 Budget	Actuals thru 1/31/2022	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	Justifications/Notes
SOURCES :								
VICTIMS ASSISTANCE FEES	10,000	8,468	10,000	10,000	0%	-	0%	
TOTAL SOURCES	10,000	8,468	10,000	10,000	0%	-	0%	
EXPENDITURES:								
CONTRIBUTIONS TO VICTIMS PROGRAMS	10,000	7,645	10,000	10,000	100%	-	0%	
TOTAL EXPENDITURES	10,000	7,645	10,000	10,000	100%	-	0%	
NET INCREASE/(DECREASE) IN FUND BALANCE	\$ -	\$ 823	\$ -	\$ -	-100%	\$ -	0%	

TOWN OF KIAWAH ISLAND
BUDGET FOR YEAR ENDED 6/30/23
CAPITAL & EMERGENCY FUND

	2021-2022 Budget	Annualized 2021-2022	2022-2023 Proposed Budget	FY 22 Budget \$ Change	FY 22 Budget % Change	FY 22 Annualized \$ Change	FY 22 Annualized % Change	Justifications/Notes
REVENUES & SOURCES :								
TRANSFER FROM GENERAL FUND	\$ -	\$ -	\$ -	\$ -	N/A	\$ -	N/A	
TRANSFER FROM LOCAL ACCOMMODATION FUND	394,557	518,768	420,000	25,443	6%	(98,768)	-19%	
TRANSFER FROM BEVERAGE FUND	50,000	50,000	50,000	-	0%	-	0%	
TRANSFER FROM HOSPITALITY TAX FUND	230,754	299,543	240,000	9,246	4%	(59,543)	-20%	
INTEREST	<u>5,000</u>	<u>5,000</u>	<u>10,000</u>	<u>5,000</u>	<u>100%</u>	<u>5,000</u>	<u>100%</u>	
TOTAL REVENUES & SOURCES	680,311	873,311	720,000	39,689	- 1%	(158,311)	-18%	
NET INCREASE/(DECREASE) IN FUND BALANCE	<u>\$ 680,311</u>	<u>\$ 873,311</u>	<u>\$ 720,000</u>	<u>\$ 39,689</u>	<u>6%</u>	<u>\$ (158,311)</u>	<u>-18%</u>	

Town of Kiawah Island
Five Year Capital Improvements Plan

Capital Expenditures	Annualized FY2022	Budget FY2023	Projected FY2024	Projected FY2025	Projected FY2026	Projected FY2027
Beach Renourishment	-	-	-	-	-	-
Wet Trash/Recycling Center	40,761	-	-	-	-	-
Safety Improvements on Beachwalker Dr-Soft Cost	39,214	-	-	-	-	-
Safety Improvements on Beachwalker Dr-Construction	300,000	-	-	-	-	-
Improvements to Beachwalker Dr and KI Parkway Intersection -Design	45,000	45,000	-	-	-	-
Improvements to Beachwalker Dr and KI Parkway Intersection -Construction	-	925,000	-	-	-	-
Municipal Center Landscaping	60,000	20,000	-	-	-	-
Municipal Center Garage/Car Wash Station	186,984	-	-	-	-	-
Signs	50,000	-	30,000	-	-	-
Equipment	-	170,000	-	-	-	-
Vehicles	-	-	-	-	-	-
· Administration	-	-	-	-	-	-
· Building Department	-	60,000	40,000	-	-	-
· Public Safety	54,214	-	-	40,000	-	40,000
· Public Works	54,214	-	-	-	-	-
·Wildlife	-	60,000	-	-	40,000	-
Total Capital Expenditures	\$ 830,387	\$ 1,280,000	\$ 70,000	\$ 40,000	\$ 40,000	\$ 40,000



TAB 9

TOWN COUNCIL

Agenda Item



Mayor

John D. Labriola

Council Members

Maryanne Connelly

John Moffitt

Scott Parker

Dan Prickett

Town Administrator

Stephanie Monroe Tillerson

MEMORANDUM

TO: Stephanie Tillerson, Town Administrator

CC: John Moffitt, Town Council Planning Liaison
Fred Peterson, Planning Commission Chairman

FROM: John Taylor, Jr., Planning Director

DATE: April 27, 2022

SUBJECT: Planning and Zoning Committee Vacancy

The following person has been recommended to fill the current vacancy of the Planning Commission. Included is a submitted resume. Please feel free to follow up with any questions or concerns.

Planning Commission:

There is currently **one** vacancy on the Planning Commission. Member of the Planning Commission serve four-year terms; however, the recommended name is to fill the existing term of Mr. Brit Stenson (Resigned April 21, 2022). Mr. Stenson's term is set to expire in 2024.

1. **Dr. Michael M. Heidingsfelder (Term set to expire 2024)**
2 Shell Creek Landing, Kiawah Island, SC 29455 | Ph. 1-248-996-0704
heidingsfelder@comcast.net

Dr. Michael M. Heidingsfelder

2 Shell Creek Landing, Kiawah Island, SC 29455
Meadows Lane B5, Avon-Beaver Creek, CO 81620
Email: heidingsfelder@comcast.net - Cell: +1-248-996-0704

Retired senior executive working with long-term Private Equity Investors and Advisory Boards, US and Europe Since 06/2020

Guest Professor at the MBA School of the University of St. Gallen for for Strategy Implementation and Lean Manufacturing, St. Gallen, Switzerland Since 10/2017

Mettler Toledo International Inc., Greifensee, Switzerland and Columbus, Ohio
Member of the Group Management Committee 04/2012 – 05/2020

Global responsibility for 2 of the company's 5 Divisions with focus on the global Industrial markets (700 mUSD) and the global Food Retail markets (250 mUSD). The responsibility includes the full range of strategic, product development, production, marketing and sales support tasks with teams located in CH, DE, PL, NO, US, IN, MY, JPN and CN.

Additional responsibilities for the Group-wide Initiatives for Lean Manufacturing and Continuous Improvement, Quality System, Employee Safety and GreenMT Sustainability.

Freudenberg-NOK General Partnership, Plymouth, MI
Chief Operating Officer and CFO
Member of the Office of the Chief Executive 01/2011 – 03/2012

Operative management responsibility for all 20 production sites of FNGP (the world market leader for sealing products and well known for technology leadership and Lean manufacturing excellence) in the Americas, responsible for all Engineering, Quality, Supply Chain Management tasks and Finance and IT in the Americas.

The Office of the Chief Executive is a team of three professionals equally charged with running the company as a team. The Office of the Chief Executive is formally the CEO of the company.

Freudenberg-NOK General Partnership, Plymouth, MI
Chief Operating Officer
Member of the Office of the Chief Executive 03/2010 – 12/2010

Freudenberg-NOK General Partnership, Plymouth, MI
General Manager of Gasket Division and SST Division 08/2008 – 02/2010

Operative management responsibility for the Gasket Divisions with plants in US, MX and BR and for the Strategic Sourcing and Trading Division.

NOK-Freudenberg Group China, Shanghai, P.R. of China
Co-CEO 01/2005 – 10/2008

Strategic and operative management responsibility for all China-related sealing and vibration control businesses of NOK and Freudenberg with 3 main manufacturing plants and various sales companies with more than 3,000 people on the ground in Greater China.

Responsible for Strategic Planning, Business Development, Sales & Marketing, Application Engineering, Budgeting and Finance & Controlling. Furthermore direct oversight for two of the three main production sites.

Dr. Michael M. Heidingsfelder

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Meadows Lane B5, Avon-Beaver Creek, CO 81620
Email: heidingsfelder@comcast.net - Cell: +1-248-996-0704

Freudenberg & Co., Weinheim, Germany

Business Development Asia

07/2004 – 01/2005

Responsibility for strategic business development of sealing and vibration control businesses of Freudenberg & Co. in Asia and in particular in China.

Roland Berger – Strategy Consultants, Troy, USA

Managing Partner

01/1999 – 03/2004

Founder of the North-American operation and management responsibility for the entire business in the US, Canada and Mexico. Direct oversight for all activities of the firm related to the automotive and engineered-product industries in North America.

Furthermore direct responsibility as the global Key Account Manager for all activities of the firm with the DaimlerChrysler organization in Europe and North America as well as in Japan (Mitsubishi) and Korea (Hyundai) at the time.

Volkswagen – Commercial Vehicle Division, Hanover/Wolfsburg, Germany

Vice President Marketing and Sales Support

03/1997 – 12/1998

Responsible for worldwide Marketing and Sales Support activities of VW Commercial Vehicle Division with day-to-day responsibilities for fleet and employee sales, weekly/monthly manufacturing scheduling, 'delivery-to-customer' process, consumer research, wholesale and retail price structure and all marketing- and promotion-related activities and events (incl. major trade shows like Frankfurt, Hanover, Paris, Detroit and Tokyo).

Furthermore product portfolio management and new vehicle project management responsibility for Volkswagen Touareg and Porsche Cayenne (join development).

Prior Work Experiences

1984-1997

- | | |
|--|-----------|
| - Roland Berger Sao Paulo (Brazil) | 1995-1997 |
| - Roland Berger & Partners, Munich/Stuttgart (Germany) | 1990-1997 |
| - Siemens AG, Frankfurt (Germany) and Princeton (USA) | 1987-1990 |
| - McKinsey & Co., Frankfurt (Germany) | 1984-1986 |

EDUCATION

Masters Degrees (1986, top-10 student) in Mechanical Engineering and Business Administration from the Technical University in Darmstadt, Germany.

PhD degree (1990, magna-cum-laude) in High-Technology Marketing from the University of Saarland in Saarbruecken, Germany.

Lean Manufacturing Master Green Belt

PRIVATE

German citizen and US citizen

Married, two children (27, 23)

Hobbies: Family, Golf, Skiing, Hiking, Mountain Biking



TAB 10

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND ARTS AND CULTURAL EVENTS COUNCIL COMMITTEE CHARTER

1. The Town of Kiawah Island Arts and Cultural Events Council (ACEC) was established on June 9, 2004. Its function is to enhance community and tourist appreciation and involvement in performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned and budgeted programs. The committee shall be a standing committee of the Town Council and shall advise the Town on matters relating to the planning, development, organization, and implementation of activities relating to the visual and performing arts.
2. The ACEC shall strive to ensure that Kiawah is recognized as an arts and culturally minded community.
3. Oversight responsibility will be handled by the Arts Council Board comprised of:
 - One member of Town Council that will act as the Town Council liaison
 - One designated member of the Arts Council
 - Town Communications Manager
 - Town Administrator
 - **Arts and Cultural Events Coordinator**

The ACEC will be chaired by the Town's Communications Manager or designee and its membership shall be comprised of at least five (5), but not more than eleven (11), Kiawah Island property owners appointed by the Mayor with consent of the Town Council. Member terms shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms as approved by the Mayor and Town Council. The Town Council may appoint up to three (3) advisory members (non-voting) to the AC to assist and support the Committee.

4. The ACEC is a "working" committee tasked with:
 - a. Sourcing concerts and cultural arts events
 - b. Season programming and program diversity
 - c. Reporting preliminary season selections, after the planning session, to the Arts Council Board.
 - d. Assisting in the development and distribution of promotional materials
 - e. Preparing production plans of performance
 - f. Assisting at events
 - g. Evaluating the event results
5. Preferred skill set should include:
 - a. Cultural arts background and expertise
 - b. Excellent planning and organizational capabilities
 - c. Knowledge of performing arts and performing arts groups
 - d. Ability to work in harmony with performing arts groups and other Arts Council members.
6. The ACEC shall:
 - a. Develop annual budgets for review/ approval by the Ways and Means Committee and final approval of Town Council.
 - b. Work to enhance community, visitor and tourist appreciation of arts and cultural events within the Town and environs by providing a diversity of programming.

- c. Publish an annual report summarizing fiscal-year events and accomplishments.
 - d. Develop relationships with local, state, regional and national arts organizations.
 - e. Develop relationships with schools, businesses and other organizations supporting the arts.
7. The funding sources for the ACEC will be derived from:
- a. General Funds – the primary source of funding for the resident related events.
 - b. Local, County and Hospitality Tax Funds – the primary source of funding for the tourist and visitor related events.
 - c. Funding levels will be determined through the budget process
8. The ACEC will utilize a variety of methods, ~~including advertisement in a general publication newspaper to propose attract and solicit interest from~~ local and national talent for events. Anyone (ACEC members, Town staff, artists, arts organizations, agents, promoters, Kiawah residents, etc.) wishing to suggest an arts event may do so by writing to the Arts & Cultural Events Coordinator who will review all proposals and bring them to the attention of the ACEC. The Coordinator and ACEC will propose, compile, and recommend (within the approved budget) a final list of possible season events utilizing the following criteria: Quality, Variety, Balance, and Diversity. A schedule of these events for both residents and tourists/visitors will be submitted to Ways and Means Committee and then to Town Council for final approval during the budgeting process timetable.

~~Applications Process~~

~~Applications to the ACEC for tourism and visitor related activities will be published on the Town website at www.kiawahisland.org. The AC will review the applications, select and schedule within the budget and will present final program details and costs to the Ways and Means Committee and then to Town Council for final approval. The requesting organization will be notified in writing of the Council's decision by an arts council member or the arts and cultural events coordinator.~~

Contracting

Each funded event shall be bound by a Town of Kiawah Island Special Events contract.

Payment Terms

Payment will be made directly to the requesting organization in the form of a check, per contract terms agreed upon between the town and performer and/or performer's agent. Normally, these payments are presented on the performance day, but prepayments may be made if negotiated during the contract. Deposits will not be more than 50% of the contracted amount.



TAB 11

TOWN COUNCIL

Agenda Item

Arts Council Board Charter

1. The Arts Council Board will oversee the Arts & Cultural Events Council, particularly with respect to the ACEC's budget and its policies and procedures. The Board will also provide periodic reports to the Town Council regarding the ACEC's activities and participate in the design and evaluation of the periodic audience survey.
2. The Board will work with the ACEC to develop appropriate reporting mechanisms from the ACEC to the Board and from the Board to the Town Council to serve these purposes. The Town Council liaison will serve as the primary link between the Board and the Town Council. **The Communications Manager, the Arts and Cultural Events Coordinator, ~~The Chair~~** and Vice Chair of the ACEC will serve as the link between the Board and the ACEC.