

Town of Kiawah Island Zoning District Map Amendment Request
Case ZREZ-08-17-00071 History

Planning Commission Meeting: October 4, 2017
Public Hearing and First Reading: November 7, 2017
Second Reading: December 5, 2017

CASE INFORMATION

Applicant / Property Owner: Kiawah Island Inn Company

Representative: Stephanie Monroe Tillerson

Location: 1 Kiawah Beach Drive

Parcel Identification: 207-06-00-399

Property Size: 1.19 acres total

Application: The applicant is requesting to amend the zoning district map for the subject property from the Commercial (C) Zoning District to the RST-2, Resort Zoning District.

Zoning and Land Use Information:

The subject property is located within the Commercial Zoning District and falls under the Resort Overlay District. The subject property currently houses the Straw Market, which was constructed in 1995 per Charleston County Records and contains several commercial retail shops. The adjacent property to the south of the subject property is zoned "RST-2, Resort"; and the property north of the subject property across Shipwatch Road (West Beach Tennis Center) is zoned "PR, Parks and Recreation" (rezoned from RST-2 to PR in July 2017). The West Beach Area is primarily zoned resort with medium to high residential communities; and historically contains resort and parks and recreation and residential uses including the Cougar Point Golf Course. The Future Land Use designation for the subject property is Resort.

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."

DECISION ON AMENDMENT BY THE TOWN COUNCIL

Section 12-157(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 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 amendments 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 of the Town of Kiawah Island South Carolina (Zoning Ordinance)*, 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 Town of Kiawah Island Comprehensive Plan;

Applicant's Response: "The proposed zoning map amendment from Commercial Zoning District to the RST-2, Resort Zoning District will allow for consistent development within the West Beach area and coincide with proposed plans for the area to allow flexibility of site design and ensure compatibility with surrounding properties. The proposed amendment places the subject property within the designated Future Land Use, Resort category, as described in the 2015 Comprehensive Plan, which is intended "to promote the development of high quality recreational use structures that provide a range of activities for residents and guests..."

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

Applicant's Response: "The proposed zoning map amendment is consistent with the purposes of the RST-2 Zoning District which will allow for building and site design flexibility that are compatible with surrounding development resulting in more integrated open space."

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

Applicant's Response: "The proposed zoning map amendment will allow for the necessary flexibility in providing the West Beach area a holistic scheme evolving to better standards of living and efficiency within the natural setting of the West Beach community."

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

Applicant's Response: "The proposed zoning map amendment corrects an inconsistency of the West Beach resort area and delivers a cohesive quilt of parcels to match the adjacent and surrounding RST-2 Zoning District to correspond to the future land use designation, Resort. The proposed amendment provides consistency with the proposed development plans of the West Beach area."

OCTOBER 4, 2017 PLANNING COMMISSION MEETING

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