TOWN OF AWENDAW

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Katharine Watkins | *Town Administrator*

Takeya White | *Town Clerk*

Town of Awendaw
South Carolina
SETTLED 1696

Chris Crolley | *Mayor*

Town Council

Paul Brown | Wendy Helms

Grace Gasper | Rodney Porcher

Kent Prause | John Timmons

Town of Awendaw
Planning Commission Meeting
Monday, July 13th, 2026
6:00 PM

A. Prayer, Pledge of Allegiance & Reading of the Civility Pledge –

At 6:00 pm, Chairman JD Osguthorpe, began the Planning Commission Meeting. Commissioner Jeff Hardee, read the Serenity Prayer, led the recitation of the Pledge of Allegiance & also led the recitation of the Civility Pledge.

B. Call to Order and Roll Call - [Time Stamp: 0:07/1:22:12]

Chairman Osguthorpe called the meeting to order.

Members Present:

- Chairman John Osguthorpe
- Vice-Chairman Jay Reigart
- Commissioner Kelly Cousino
- Commissioner Jeff Hardee
- Commissioner James Gardner

Staff Present:

- Katharine Watkins, Town Administrator
- Takeya White, Town Clerk
- Daniel O'Hara, Planning Manager
- Town Attorney Matt McQuillin (*arrived at 6:06pm*)

C. Appointment of Chair and Vice Chair –

Chairman Osguthorpe opened the floor for nominations for Commission Chair.

Motion: To nominate Mr. John Osguthorpe to serve as Chairman of the Planning Commission for the next one-year term posed by Mr. Jay Reigart; it was seconded by Ms. Kelly Cousino.

Discussion: None
Vote: The motion passed unanimously.

The Chair then opened the floor for nominations for Vice-Chairman.

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Motion: To nominate Ms. Kelly Cousino to serve as Vice-Chairman of the Planning Commission for the next one-year term Mr. Jay Reigart; it was seconded by Chairman Osguthorpe.

Discussion: None
Vote: The motion passed unanimously.

Chairman Osguthorpe expressed appreciation for the confidence placed in him by his fellow commissioners.

D. Adoption of Rules of Procedure

Chairman Osguthorpe noted that the Rules of Procedure document had only been received approximately 38 minutes prior to the meeting and that members had insufficient time to review it. The Commission agreed to defer adoption to the next regular meeting on August 10th, 2026.

Motion: To defer the adoption of Rules of Procedure until the next regular meeting by Chairman Osguthorpe; it was seconded by Mr. Jeff Hardee.

Discussion: None

Vote: The motion passed unanimously.

E. Approval of the Minutes –

a. June 8, 2026 – Planning Commission Meeting

Chair Osguthorpe noted he had reviewed the June 8th minutes and found no errors, remarking favorably on the volume of business accomplished at that meeting.

Motion: Motion to approve the minutes of the June 8, 2026, Planning Commission Meeting was made by Chairman Osguthorpe and seconded by Vice-Chairman Reigart.

Discussion: *No other commissioners reported errors or objections.*

Vote: The motion passed unanimously

F. Public Comments –

The public comment period will be limited to a total of 25 minutes. Each speaker will have up to 2 minutes. No individual may speak more than once until all others wishing to comment have had an opportunity.

Ms. Lynne Vicary of 8470 Doar Road thanked Town Clerk Takeya White for improvements to the meeting minutes and requested that written public comments be attached to the official minutes. She also expressed concern that the proposed Wapataw Community PD lot sizes and maximum lot coverage would not support sustainable tree planting, noting that future developments should better incorporate landscaping into their overall design.

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Mr. John Popelka, of 164 4th Avenue, Mt. Pleasant, addressed the Commission regarding the proposed ordinance amendments and rezoning. He expressed concern that applying new minimum lot size requirements to previously recorded plats could adversely affect property owners with pending development applications. He also stated that changes to minimum lot sizes should be accompanied by a comprehensive review and update of the Town's zoning map, noting what he believes to be inconsistencies in the current zoning designations. Copies of the referenced zoning map were distributed to the Commission for review.

G. PUBLIC HEARING: Road/Easement Name Request - [Time Stamp: 12:54/1:22:12]

1. Open Public Hearing

Chairman Osguthorpe entertained a motion to open the public hearing and passed the meeting on to staff.

Motion: To open the public hearing was made by Ms. Kelly Cousino and seconded by Mr. James Gardner.
Discussion: None
Vote: The motion passed unanimously

Mr. O'Hara noted that Ms. White prepared the public hearing staff report on the easement name request and passed the meeting to Ms. White.

2. Easement Name Request Pursuant to S.C. Code § 6-29-1200 and Town Code § 153.004 – "Bracken Road" - *Unnamed 20' Easement on TMS 629-00-00-222 – As shown on Recorded Plat L23-0052*

Ms. White presented background on the request. The unnamed 20-foot easement, located on the southern side of the town's jurisdiction off Guerins Bridge Road, functions as an access easement—not a public road—as recorded on Plat L23-0052 (recorded in 2023). Staff clarified that under S.C. Code § 6-29-1200 and Town Code § 153.004, all streets and easements within the town's jurisdiction require Planning Commission approval for naming purposes, to ensure clarity for emergency response, postal delivery, and navigation. The proposed name, "Bracken Road," had been vetted by 9-1-1 Consolidated for suffix appropriateness. Staff characterized the request as a purely administrative matter.

Recorded Plat notes confirmed: Note 9 established a 20-foot private ingress/egress easement over an existing gravel/dirt road, dedicated by the current owner of TMS 629-00-00-220, David Murray, Jr., for access to Lots 1 through 3; Note 10 established a separate private easement for Lots 4 and 5 via a shared driveway accessed from Cedar Plantation Lane.

A brief discussion followed regarding the underlying plat's vested rights status. Town Planner, Mr. Dan O'Hara, clarified that the

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vested rights determination for the plat had not been formally made by staff, but that the plat was recorded. Commissioners inquired whether the future development of the lots would come before the Planning Commission. Staff indicated that if additional site-specific development plans were proposed, those would be subject to review and the applicable vesting timeline under the Vested Rights Act.

3. **Public Comments**

   No public comments were offered on this item.

4. **Close Public Hearing**

   Motion: To close the public hearing was made by Chairman Osguthorpe and seconded by Mr. James Gardner.
   Discussion: None
   Vote: The motion passed unanimously

NOTICE: *Immediately following the closing of the Public Hearing, the Planning Commission will convene its Regular Planning Commission Meeting.*

H. New Business –

a. Easement Name Request Pursuant to S.C. Code § 6-29-1200 and Town Code § 153.004 – "Bracken Road"

Following the close of the public hearing, the Commission *discussed* the naming request and asked for clarification as to whether the subject was a road or an easement and inquired about the grantor of the easement. Planning Manager O'Hara and Town Attorney McQuillin confirmed it was a private access easement, with the dedication statement recorded on the plat granting access rights to property owners, their successors, and assigns.

Chairman Osguthorpe acknowledged some concern about the configuration of the easement relative to adjacent wetland lots, though he acknowledged this was not germane to the naming determination. The Commission satisfied itself that the name had been properly vetted through 9-1-1 Consolidated and that all administrative prerequisites had been met.

Motion: To approve the easement name "Bracken Road" for the unnamed 20-foot easement on TMS 629-00-00-222, as shown on Recorded Plat L23-0052, pursuant to S.C. Code § 6-29-1200 and Town Code § 153.004 by Chairman Osguthorpe and seconded by Ms. Kelly Cousino.

Vote: The motion passed unanimously.

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b. Ordinance Recommendations

1. **Ordinance 2026-17: An ordinance to amend Chapter 153, Zoning Code, Subsection 153.027, R - Residential, to increase the minimum lot size in the Residential Zoning District.**

Chairman Osguthorpe opened *discussion* on Ordinance 2026-17, noting that the ordinance had already received First Reading by Town Council. He expressed concern that the proposed amendment focused solely on increasing the minimum lot size without incorporating the broader residential zoning district framework previously developed by the Planning Commission. He explained that the Commission's recommendations addressed multiple aspects of residential development, including district location, dimensional standards, minimum lot widths, setbacks, wetlands, and structure standards. Chairman Osguthorpe stated that addressing only one component of the residential zoning regulations was a piecemeal approach and recommended that the Commission deny the ordinance while encouraging Town Council to instead consider the comprehensive residential zoning district recommendations previously submitted by the Commission.

Commissioner Cousino concurred with the Chairman's assessment but expressed concern that, because the ordinance had already received First Reading, Town Council could proceed without fully considering the Commission's more comprehensive recommendations. She suggested that any motion to deny the ordinance should also recommend that Town Council pursue a holistic review of all residential zoning districts simultaneously, utilizing the work already completed by the Planning Commission rather than continuing to amend individual provisions independently.

Planning Manager O'Hara provided additional context regarding the Town's existing nonconforming lots provision under **§** 153.011**,** explaining that lots held in common ownership that are no longer vested—having exhausted both statutory and common law vesting periods—must be brought into compliance with any newly adopted minimum lot size requirements upon future subdivision or development. He noted that this provision has long existed within the Town's zoning code. During the discussion, one commissioner commented that, while the language is common among zoning ordinances, it may warrant future review. The Commission also referenced public comments submitted by Mr. John Popelka concerning the financial impacts of the pending ordinance doctrine

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and acknowledged the potential effect such regulations could have on property owners with previously recorded plats.

Motion: Chairman Osguthorpe moved to deny Ordinance 2026-17 and to recommend that Town Council review the residential zoning district framework previously submitted by the Planning Commission, and that Council consider comprehensive revision to all residential zoning districts holistically rather than through isolated lot size amendments. The motion was seconded by Ms. Kelly Cousino.

Vote: The motion passed unanimously.

2. **Ordinance 2026-18: An ordinance to amend Chapter 153, Zoning Code, Subsection 153.026 AG - Agricultural General to increase minimum lot size in the Agricultural General Zoning District.**

Chairman Osguthorpe described Ordinance 2026-18 as presenting the same fundamental deficiency as Ordinance 2026-17—proposing an increase in minimum lot size from 30,000 square feet to 2.25 acres in the Agricultural General district without addressing the full set of dimensional and contextual parameters. He noted the practical absurdity illustrated by Mr. Popelka's map showing agriculturally zoned parcels directly adjacent to residentially zoned parcels throughout town, such that identical lots could be subject to vastly different minimum lot size requirements. Chair Osguthorpe reiterated that the zoning map itself would need to be revised in conjunction with any lot size changes to produce coherent outcomes.

Ms. Cousino added, for the record, that the Commission had also previously discussed alternative approaches to managing density, including conservation or open space subdivisions (allowing smaller lot sizes in exchange for preserved open space) and dwelling-units-per-acre metrics—which offered potentially more sophisticated and equitable solutions. She expressed a preference for minimum lot size as a tool for simplicity, while affirming that the present numbers and the absence of a comprehensive framework made the ordinance inadvisable in its current form.

Motion: A motion was made by Chairman Osguthorpe and seconded by Mr. Jeff Hardee to deny Ordinance 2026-18, with a recommendation to Town Council to review the Commission's previously submitted residential and agricultural zoning district work and pursue a comprehensive, holistic revision.

Vote: The motion passed unanimously

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3. **Ordinance 2026-19: An ordinance to amend the Subdivision Regulations division of Chapter 153, Zoning Code, of the Town of Awendaw Code of Ordinances; Subsection 153.305 Water Supply and Sewage Disposal. [Time Stamp: 33:21/1:22:12]**

Planning Manager O'Hara presented this ordinance, which was forwarded by a Town Council member following the Commission's prior denial of a related ordinance (Ordinance 2026-05).

As written, Ordinance 2026-19 would ban aerobic and mechanically assisted septic tank treatment systems. Staff's report found the prohibition contrary to the town's Environmental Stewardship goals, noting that aerobic systems are a scientifically advanced, EPA-documented treatment method well-suited to sites with high water tables and poor soils — conditions prevalent throughout Awendaw. Staff further noted the ordinance would not prevent septic proliferation, only restrict the most advanced treatment option.

Commission members debated the advantages. One member expressed concern that permitting advanced engineered systems could enable development on otherwise unsuitable land. Other members countered that site-specific septic decisions should not be constrained by a blanket prohibition, particularly given that the state already reviews and inspects these systems. Discussion began regarding a possible amendment tying the prohibition or requirement for engineering review to major subdivisions (currently defined as 10 or more lots under town code, and as few as 4 lots under county standards). The Commission also noted the absence of maintenance plan requirements, which had been present in the previously reviewed version of the ordinance.

The Commission concluded it lacked sufficient time and technical expertise to draft adequate amendments during the meeting, and that the subject matter justified further study and professional consultation before a final recommendation.

Motion: To recommend denial of Ordinance 2026-19 as written, with a recommendation to Town Council to defer and allow the Planning Commission time to develop and present meaningful amendments, was made by Chairman Osguthorpe and seconded by Mr. Jay Reigart.

Vote: The motion passed unanimously.

c. **Commercial Design – Discussion Item – [Time Stamp: 1:02:05/1:22:12]**

Planning Manager O'Hara presented two historical documents for

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discussion: the Commercial Development Guidelines dated October 25, 2018, and a proposed revised version from 2024 that was never formally adopted. Staff clarified that the 2018 guidelines were adopted by Planning Commission motion (not as a formal ordinance) on February 25, 2019, and that while the guidelines reference standards such as landscaping, screening, and parking, they are not codified as an enforceable ordinance.

The Commission acknowledged that the existing commercial design guidelines have not been consistently enforced — noting at least one recent commercial development that appeared to have proceeded without any architectural review—and that this represented a significant gap. Ms. Cousino observed that many of the guideline provisions (setbacks, parking standards, screening, and sign regulations) are already incorporated in various sections of the town code, and that a more productive approach might be to audit those code sections and integrate any missing commercial design standards directly into the code rather than maintaining a separate, uncodified guidelines document.

Chairman Osguthorpe noted that he had spoken with local engineer, Commissioner Jeff Hardee, experienced in subdivision development and with a local builder, Commissioner James Gardner, who had agreed to collaborate on developing updated architectural guidelines. Chairman Osguthorpe indicated that Mr. Hardee had agreed to lead this effort.

Action Requested: Assigned to Mr. Hardee, in coordination with staff and Mr. Gardner, to review the existing commercial development guidelines against current code provisions and return to the Commission with recommendations.

Meeting Owls went offline at 6:59 pm

d. Concurrency – Discussion Item [Time Stamp: 1:10:13/1:22:12]

Chairman Osguthorpe briefed the Commission on companion legislation currently under consideration in the South Carolina General Assembly that would establish concurrency, or "adequate public facilities," requirements statewide. He explained that many municipalities are implementing this framework to ensure that essential public infrastructure, including transportation, water, wastewater, stormwater, law enforcement, fire protection, emergency services, and public schools—can adequately support new development. Under this approach, developers may be required to construct or financially contribute to necessary infrastructure improvements rather than having development delayed or denied outright.

Chairman Osguthorpe further noted that Charleston County is among the most advanced jurisdictions in South Carolina in implementing an adequate public facilities program. He shared that the South Carolina Environmental Law Center has recommended that the Town of Awendaw monitor Charleston County's implementation efforts and consider adapting a similar framework with local amendments when appropriate.

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e. Environmental Stewardship – Discussion Item

Chairman Osguthorpe presented the concept of environmental stewardship as a planning framework, describing it as responsible long-term planning for a community's resources, infrastructure, and natural environment. He noted that free technical assistance is available through Dr. Daniel Martin (South Carolina Environmental Law Project fellow) and Anna Loup (Coastal Conservation Council), both of whom have an existing relationship with town staff. Chairman Osguthorpe noted the Comprehensive Plan already contains an Environmental Stewardship section, providing a foundation for further development of this concept in future ordinances and zoning amendments.

I. Old Business –

a. Town Center/Village Center Zoning - [Time Stamp: 1:17:13/1:22:12]

Planning Manager O'Hara confirmed that the Town Center/Village Center Zoning document had been updated to reflect prior Commission recommendations, including a reduction in lot coverage from 40% to 25% and the addition of sub-items to both Village Center and Town Center sections as previously directed. Chairman Osguthorpe proposed formally placing this item on the August agenda for a vote, with the intent of incorporating the approved zoning districts into the Commission's comprehensive package to Town Council.

Direction was given to staff to place the Town Center/Village Center Zoning proposal as a formal action item on the August 10, 2026 agenda.

Chairman Osguthorpe also raised for discussion the Commission's authority to hold public hearings, suggesting that a properly noticed public hearing on the residential zoning districts would provide an appropriate forum for community input and allow the Commission to present and defend its work. It was agreed this item should be added as a formal agenda item at the next meeting.

Chairman Osguthorpe directed to staff to add a discussion/action item regarding a public hearing on residential zoning to the August 10, 2026 agenda.

J. Closing Remarks

No formal closing remarks were recorded.

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K. Adjournment

Motion: To adjourn was made by Mr. James Gardner and seconded by Ms. Kelly Cousino.
Discussion: None
Vote: The motion passed unanimously.

The meeting adjourned at 7:23 pm

DRAFT Minutes Respectfully submitted on Thursday, August 6th, 2026, by Takeya White

Approved as Amended

Final Approval Date: 07.13.2026 ***Electronic Signature:*** *Takeya White, CMC*

Note: These meeting minutes are not verbatim. To watch the full meeting video, please visit the town's YouTube channel: https://www.youtube.com/@TownOfAwendaw

Next Regular Meeting Date – AUGUST 10TH, 2026

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