

**Town of Awendaw**  
**Planning Commission Meeting**

**APPROVED MINUTES**

Monday, March 17th, 2025

6:00 PM, Town Hall

6971 Doar Road, Awendaw, SC 29429

**A. Prayer, Pledge of Allegiance & Civility Pledge**

At 6:04 pm, Chairman John Osguthorpe, called Planning Commission Meeting to order. Dr. Osguthorpe led the prayer, all recited the pledge of allegiance & Mr. Jeff Hardee recited the Civility Pledge for all.

**B. Call to Order and Roll Call**

All Commission members were present except Mr. Jay Reigart;

**C. Approve Minutes as available**

Chairman Osguthorpe then stated that the minutes were recently circulated and that there were a number of issues that they wished to change in them. He stated that for the purpose of trying to make things as smooth as possible, they would wrestle those changes under “Old Business” and would take out the Old Comprehensive plan at the end. Then they will endorse the minutes as amended.

Mr. Giani then called a point of order and stated that there just needs to be a motion to reorganize the agenda to push the approval of the minutes to later on the agenda.

Motion: Motion to reorganize the agenda to move Agenda item “C” [Approve minutes as available] under Agenda item “F”, [Old Business]

Posed by: Mr. James Gardner

Second: Mr. Jeff Hardee

Vote: Unanimous

Chairman Osguthorpe then stated that there were 3 things under Agenda item “E” [New Business], prefaced the cadence of future Planning Commission Meetings, and stated the below verbatim:

*“... So what we're going to do when we're talking about ordinances, which is sort of what the planning committee is about, uhm, is we're going to get an overview one meeting, the*

*next meeting we're actually going to talk about the options and how we as a committee think about it, and then we're going to give Giani, ah, instructions on putting together an ordinance and then you'll come back at the following meeting with the final ordinance, and we'll massage it. So, there will be 3 meetings for people to consider."*

Chairman Osguthorpe then stated that the Planning Commission had a list of ordinances and their priorities from a joint meeting with council in the month of February, and the Planning Commission will probably be going down that order.

Chairman Osguthorpe then went on to Agenda Item D, "Public Comments." And stated that the discussion around the New Business items wouldn't take anymore than 20 to 30 minutes. He then prefaced Public Comments by letting the public know that they would have 2 minutes to speak and that you couldn't make a second comment until every other member has been allowed to speak. He then asked, "Who would like to make a statement or comment?"

He also stated that in the future, he would appreciate folks directing their comments to the ordinances that are under review, because the opinions of the public are very valuable to them.

#### **D. Public Comments – There were none**

**Chairman Osguthorpe then moved on to Agenda Item E, "New Business."**

#### **E. New Business**

Chairman Osguthorpe gave an overview of a few ordinances that the Planning Commission would be discussing in the next meeting and the following meeting. He led with Vesting and stated that Vesting has gotten "us" into more trouble than he cared to talk about, but 2 very small issues would be the White Tract, on Bulls Island Road and the King Tract on Seewee Road, which was also vested.

He went on to explain how Vesting works and stated that it's easy for everybody to understand.

[Vice-Chairman, Jay Reigart then joined the meeting.](#) After friendly banter, Chairman Osguthorpe went back to discussing Vesting.

Chairman Osguthorpe stated that there are two (2) laws, or state statutes, that involve Vesting and nothing else. He stated that you can look these things up and urged the audience to do so.

Chairman Osguthorpe then talked about Section 6-29-1530 of the South Carolina Code of

Laws. He stated that this is the basic vesting law of the state and is the background for the vesting laws in every town and county of the state. He then highlighted and defined Vesting with the following:

A 2-year vested right is established upon approval of a specific site plan; if a builder gets approved by the Planning Commission and the town planner, they have 2 years to execute those plans and also MAY apply at the end of the vesting period to the local governing body for an annual extension of vested right. He also stated that the governing body must approve those extensions for up to 5 additional years, and may conditionally approve planned development extensions, not to exceed 5 years. Chairman Osguthorpe stated that the vesting ordinance was adopted by the County of Charleston in 2005, and the Town of Awendaw has not done that, so we are governed by the state law, which would be for 2 years with annual extensions.

Chairman Osguthorpe then moved on to speak about Planned Developments and referenced Section 6-31-40 of the South Carolina Code of Laws. He highlighted the following:

Developed property must contain a certain number of highland acres. He stated that the number is 20 acres. He also stated that the Vesting period “allowed,” not “mandated,” from 25 acres to 250 acres is five years old, if it's 250 to 1000 it's 10 years or less, and between 1000 and 2000, it's 20 years or less. He then stated that they have directives for huge pieces of property, mostly military and federal, but it doesn't affect us.

He went on to reference the “White Bulls Island Tract,” [Also identified by the Town of Awendaw as the White Tract] stated that it is 202.4 acres, that it was Vested in 2006, ran out in 2011, and it was treated in 2022 as Vested Property. He also referenced that the “King Island Tract,” [Also identified by the Town of Awendaw as the King Tract] was vested in 2009, contains 1015 high acres, they were given a 17-year Vest, and that period is to end next year.

Chairman Osguthorpe then referenced an ordinance passed by the City of Goose Creek, as the “tightest ordinance in the state” for Vesting and stated that legally, the LEAST the Town of Awendaw can do would be to emulate the City of Goose Creek’s. He stated for the record that he was not advocating anything- he was just letting everyone know that the information was out there.

Chairman Osguthorpe then stated that they would be discussing Vesting and Vesting Rights within the next few weeks and again encouraged the public to do their own research.

He then went on to speak about Heirs’ Property. Chairman Osguthorpe then stated that by definition, heirs’ property is “when the original owner is dead and there is no trail of wills.” He stated that the heirs live on the land, but they don’t have a title filed. He noted that the highest percentage of heir’s property is in Georgetown at 2 to 4% heirs’ property and the highest in the state is Bamberg with 8%. He then stated that in our state 85% of heirs’

property is black or African American and about 15% Caucasian. He then stated that in the Southeastern United States, most of heir's property is owned by the Hispanic population. He then stated that he has no idea how many acres of heirs' property is in Awendaw, as it's not listed or mapped, but we have the Center of Heirs' Property Preservation to aid the town, and they are happy to help by hosting community meetings to help draw up documents for free and gave some additional commentary.

After presenting more information, Chairman Osguthorpe prefaced Agenda item F, "Old Business," by letting the public know that there were several corrections to the drafted minutes and the Comprehensive Plan.

## **F. Old Business**

Chairman Osguthorpe noted that the Planning Commission made gave their suggestions to the 10 Guiding Principles and the 62 Action Items within the Comprehensive Plan, those suggestions were noted in the minutes, but they needed to correct a few of them. He stated that some of the changes made did not reflect the notes that he and the Vice-Chairman Reigart took. He also referenced that an "interested" member of the community also took minutes that he felt was more identical to his notes than what was presented. He then stated that the Planning Commission would go through the noted changes and at the end of the meeting endorse the Comprehensive Plan.

### **1. 2023 Comprehensive Plan Recommendation to Mayor and Town Council.**

The Planning Commission went through the drafted changes to the 10 Guiding Principles and the 62 Action Items within the Comprehensive Plan, that were noted in the February 2025 meeting minutes and finalized the attached changes. [See attachment]

Motion to adopt the 10 Guiding Principles as modified.

Posed by: Dr. John Osguthorpe

Second: Mr. Jay Reigart

Vote: Unanimous

Motion to adopt the 62 Action Plan Items as modified.

Posed by: Dr. John Osguthorpe

Second: Mr. Jay Reigart

Vote: Unanimous

Motion to approve the February 2025 meeting minutes as modified.

Posed by: Dr. John Osguthorpe

Second: Mr. Jay Reigart

Vote: Unanimous

Motion to endorse the Comprehensive Plan as modified.

Posed by: Dr. John Osguthorpe

Second: Mr. Jay Reigart

Vote: Unanimous

**G. Closing Remarks** – there were none

**H. Adjournment**

Motion: Motion to adjourn.

Posed By: Mr. James Gardner

Second: Mr. Jay Reigart

Vote: Unanimous Approval

Meeting ended at 6:48 pm

**I. Next Meeting – April 21, 2025**

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, THE PRINT MEDIA WERE DULY NOTIFIED, ALONG WITH A HARD COPY POSTED AT CITY HALL. ● SHOULD YOU HAVE QUESTIONS OR COMMENTS, PLEASE CONTACT PLANNING AT (843) 931-8125.

***MINUTES APPROVED DURING APR 2025 PLANNING COMMISSION MEETING***

*Respectfully submitted on Thursday, April 17th, 2025, by Takeya White*