

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-2-101. Summary Table of Review Procedures**

Table 16-2-101, Summary Table of Development Review Procedures, identifies the *Town* boards and staff responsible for making recommendations or decisions on *applications* reviewed under this *Ordinance*, as well as the role each plays in the *Town's* review of *applications*. It also identifies those *applications* that require a hearing. A textual summary of the *development* review responsibilities of the *Town's* boards established in accordance with *State* law by this *Ordinance* (*Planning Commission, Board of Zoning Appeals, and Design Review Board*), as well as staff responsibilities (the *Official*), is set down in Appendix A: Advisory and Decision Making Bodies and Persons, which is incorporated herein by reference. The specific rules that govern the *Town's boards with review responsibilities are also included in Appendix A.*

Table 16-2-101: Summary Table of Development Review Procedures						
R = Recommendation D = Decision A = Appeal <> = Hearing <>* = Public Hearing E = Encouraged						
Procedure	Pre-Application Conference	Review and Decision-Making Authorities				
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council
<b>ORDINANCE AMENDMENTS</b>						
Text Amendment (Sec. 16-2-103.B)		R		<R>*		D
Zoning Map Amendment (Rezoning) (Sec. 16-2-103.C)	E	R		<R>*		D
PUD District (Sec. 16-2-103.D)	E	R		<R>*		D
<b>DEVELOPMENT APPROVALS AND PERMITS</b>						
Special Exception (Sec. 16-2-103.E)		R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D		<A>	
	Major	E	D		<A>	
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D		<A>	
	Major	E	D		<A>	
Small Residential Development Review (Sec. 16-2-103.H)			D		<A>	
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>		
	Major		R	<D>		
Traffic Impact Analysis Plan	Without Mitigation		D		<A>	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Review (Sec. 16-2-103.J)	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	
Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	New name		R		<D>		
	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*		
Utility Project (Sec. 16-2-103.W)			D		<A>		
<u>Family Compound (Sec. 16-2-103.X)</u>		<u>E</u>	<u>D</u>		<u>&lt;A&gt;</u>		
<u>Family Subdivision (Sec. 16-2-103.Y)</u>		<u>E</u>	<u>D</u>		<u>&lt;A&gt;</u>		
<b>RELIEF PROCEDURES</b>							
Written Interpretation (Sec. 16-2-103.R)			D			<A>	
Variance (Sec. 16-2-103.S)			R			<D>*	
Appeal of Administrative Decisions and Written Interpretations to <b>Board of Zoning Appeals</b> (Sec. 16-2-103.T)						<D>	
Appeal of <b>Official's</b> Decision to <b>Planning Commission</b> (Sec. 16-2-103.U)					<D>		
Appeal of <b>Official's</b> Decision to <b>Design Review Board</b> (Sec. 16-2-103.V)				<D>			
<p>Notes:                      All meetings of the <b>Town Council, Planning Commission, Board of Zoning Appeals</b> and <b>Design Review Board</b> are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.</p>							

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments 16-2-102. Standard Review Procedures

### J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans
  - a. General

Approval or conditional approval of an *application* for a *Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision* shall constitute approval of a site specific *development* plan that establishes a *vested right* in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The *vested right* shall expire two years after the approval unless the *vested right* period is extended in accordance with subparagraph b below.

## 16-2-103. Application Specific Review Procedures

### U. Appeal of Official's Decision to Planning Commission

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the *Planning Commission* from decisions of the *Official* to approve, approve with conditions, or deny *applications* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

2. Who May File Appeal

The *Official's* decision on an *application* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the *Planning Commission* by the *applicant* for the decided *application*, the owner of *land* to which the decision specifically applies, or any other party in interest, who alleges that the *Official* erred in making the decision:

3. Types of Appeal

The following decisions made by the *Official* may be appealed to the *Planning Commission* in accordance with the procedures and standards in this subsection.

- a. Family Compound;
- b. Family Subdivision;
- c. Subdivision Review;
- d. Development Plan Review;
- e. Small Residential Development Review; and
- f. Development Project Name Review.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**X. Family Compound**

**1. Purpose**

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Compound approval.

**2. Applicability**

a. **General**

- i. Approval of a Family Compound requires that a *person(s)* living in a Family Compound must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- ii. *Applications* for Family Compound Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

**3. Family Compound Review Procedure**

a. **Pre-Application Conference**

Prospective *applicants* for Family Compound Review are encouraged to request and hold a pre-*application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

b. **Application Submittal**

An *application* for Family Compound Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. **Staff Review and Action**

- i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
  1. Approve the *application*:
  2. Approve the *application* subject to conditions of approval; or
  3. Deny the *application*.
- ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

**d. Post- Decision Actions and Limitations**

**i. Notice of Decision**

The *Official* shall provide notice of the final decision on the *application* in accordance with Sec. 16-2-102.H.1.

**ii. Appeal**

Appeals from the final decision of the *Official* on an *application* for Family Compound Review are governed by Sec. 16-2-103.U, Appeal of *Official's* Decision to Planning Commission, and S.C. Code § 6-29-1150.

**4. Family Compound Review Standards**

An *application* for Family Compound Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Compound complies with the following:

- a. All *persons* that will live on the *parcel* are of the same family as defined in Sec. 16-3-106.N.1.d.
- b. All other applicable standards of this *Ordinance*.
- c. All other applicable requirements in the *Municipal Code*.

**5. Effect of Approval**

Approval of a Family Compound authorizes the submittal of any other subsequent *development applications* that may be required before *construction* or other *development* authorized by this *Ordinance*. The property cannot be sold to non-family members for three years after being established as a Family Compound.

**6. Expiration**

Approval of a Family Compound establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

**7. Amendment**

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### Y. Family Subdivision

#### 1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Subdivision approval. This section will allow the *subdivision* and transfer of familial owned property to future generations.

#### 2. Applicability

##### a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a *person(s)* living in a Family Subdivision must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- iii. *Applications* for Family Subdivision Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

#### 3. Family Subdivision Review Procedure

##### a. Pre-Application Conference

Prospective *applicants* for Family Subdivision Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

##### b. Application Submittal

An *application* for Family Subdivision Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### c. Staff Review and Action

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.Y.4, Family Subdivision Review Standards, and shall be one of the following:
  1. Approve the **application**:
  2. Approve the **application** subject to conditions of approval; or
  3. Deny the **application**.
- ii. The **Official** shall act on an **application** for Family Subdivision Review, in accordance with Sec. 16-2-102.D, within 60 business days after it is submitted, or such extended time agreed to by the **applicant**. If the **Official** fails to take action on the **application** within this time period, the **application** shall be deemed approved, and the **Town** shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

### d. Post- Decision Action and Limitations

#### i. Notice of Decision

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

#### ii. Appeal

Appeals from the final decision of the **Official** on an **application** for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of **Official's** Decision to Planning Commission, and S.C. Code § 6-29-1150.

## 4. Family Subdivision Review Standards

An **application** for Family Subdivision Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (per Sec. 16-3-106.N.1.d) to those purchasing/deeding properties within the **subdivision**.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the **access** must be installed and inspected prior to the sale of property within the **subdivision** to non-family members.
- c. All other applicable requirements in the **Municipal Code**.
- d. All standards of this **Ordinance** that appear in Section 16-2-103.X Family Compound.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **5. Effect of Approval**

Approval of a Family Subdivision constitutes approval of a final plat for the *subdivision*. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable *lots* that may be conveyed and may be developed in accordance with *development applications* authorized by this *Ordinance*. No further *subdivision* of a Family Subdivision shall be permitted.

### **6. Expiration**

Approval of a Family Subdivision establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

### **7. Amendment**

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-104. Residential Base Zoning Districts**

**E. Low to Moderate Density Residential (RM-4) District**

<h2 style="margin: 0;">RM-4</h2> <h3 style="margin: 0;">Low to Moderate Density Residential District</h3>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres) <sup>2</sup>	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
<i>Bed and Breakfast</i>	10 rooms		
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,4</sup>		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
<b>TABLE NOTES:</b>			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. <i>Density</i> for <i>developments</i> that include <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.			
4. The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**F. Moderate Density Residential (RM-6) District**

# RM-6

## Moderate Density Residential District

**1. Purpose**

The purpose of the Moderate Density Residential (RM-6) District is to allow for the *development* of residential *uses* at densities up to six *dwelling units* per *net acre*. The district allows a variety of residential *uses* along with *uses* that support *neighborhoods*. The district is intended to discourage *development* that would substantially interfere with, or be detrimental to moderate residential character.

**2. Allowable Principal Uses**

<u>USE CLASSIFICATION/TYPE</u>	<u>USE-SPECIFIC CONDITIONS</u>	<u>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</u>	
<b><u>Residential Uses</u></b>			
<u>Group Living</u>	<u>P</u>	<u>1 per 3 rooms</u>	
<u>Multifamily</u>	<u>P</u>	<u>1 bedroom</u>	<u>1.4 per du</u>
		<u>2 bedroom</u>	<u>1.7 per du</u>
		<u>3 or more bedrooms</u>	<u>2 per du</u>
<u>Single-Family</u>	<u>P</u>	<u>2 per du + 1 per 1,250 GFA over 4,000 GFA</u>	
<u>Workforce Housing</u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.d</u>	<u>See Sec. 16-5-107.D.2</u>
<b><u>Public, Civic, Institutional, and Educational Uses</u></b>			
<u>Cemeteries</u>	<u>P</u>	<u>1 per 225 GFA of office area + 1 per 500 GFA of maintenance facilities</u>	
<u>Community Service Uses</u>	<u>P</u>	<u>1 per 400 GFA</u>	
<u>Education Uses</u>	<u>P</u>	<u>Colleges and High Schools</u>	<u>10 per classroom</u>
		<u>Elementary and Junior High/Middle Schools</u>	<u>4 per classroom</u>
		<u>Other Education Uses</u>	<u>See Sec. 16-4-107.D.2</u>
<u>Government Uses</u>	<u>PC</u>	<u>Fire Stations</u>	<u>4 per bay + 1 per 200 GFA of office area</u>
		<u>Other</u>	<u>1 per 200 GFA of office area</u>
<u>Major Utilities</u>	<u>SE</u>	<u>1 per 1,500 GFA</u>	
<u>Minor Utilities</u>	<u>P</u>	<u>N/A</u>	
<u>Public Parks</u>	<u>P</u>	<u>See Sec. 16-5-107.D.2</u>	
<u>Religious Institutions</u>	<u>P</u>	<u>1 per 3 seats in main assembly area</u>	
<u>Telecommunication Antenna, Collocated or Building Mounted</u>	<u>PC</u>	<u>Sec. 16-4-102.B.2.e</u>	<u>N/A</u>
<u>Telecommunication Towers, Monopole</u>	<u>PC</u>	<u>Sec. 16-4-102.B.2.e</u>	<u>1</u>
<b><u>Commercial Services</u></b>			
<u>Convenience Stores</u>	<u>PC</u>	<u>Sec. 16-4-102.B.7.d</u>	<u>1 per 200 GFA</u>
<u>Open Air Sales</u>	<u>PC</u>	<u>Sec. 16-4-102.B.7.i</u>	<u>1 per 200 GFA of sales/display area</u>
<u>Other Commercial Services</u>	<u>PC</u>	<u>Sec. 16-4-102.B.7.l</u>	<u>See Sec. 16-5-107.D.2</u>

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

<b>Resort Accommodations</b>			
<u>Bed and Breakfasts</u>	<u>PC</u>	<u>Sec. 16-4-102.B.4.a</u>	<u>1 per guest room</u>
<b>Other Uses</b>			
<u>Agriculture Uses</u>	<u>P</u>		<u>Stables or Riding Academies</u>
			<u>Other</u>
<u>Boat Ramps, Docking Facilities, and Marinas</u>	<u>PC</u>	<u>Sec. 16-4-102.B.10.a</u>	<u>1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips.</u>

<b>3. Development Form and Parameters</b>			
<b>MAX DENSITY (PER NET ACRE)</b>		<b>LOT COVERAGE</b>	
<u>Residential</u> <sup>2</sup>	<u>6 du (8 du if lot area is at least 5 acres)</u>	<u>Max. Impervious Cover for All Development Except Single-Family</u> <sup>3</sup>	<u>35%</u>
<u>Nonresidential</u>	<u>6,000 GFA</u>		
<b>MAX. BUILDING HEIGHT</b>		<u>Min. Open Space for Major Residential Subdivisions</u>	<u>16%</u>
<u>All Development</u>	<u>45 ft</u> <sup>1</sup>		

<b>USE AND OTHER DEVELOPMENT STANDARDS</b>	
See Chapter 16-4: Use Standards, Chapter 16-5: <i>Development</i> and Design Standards, and Chapter 16-6: Natural Resource Protection.	
<b>TABLE NOTES:</b>	
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable	
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:	
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;	
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;	
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;	
d. The increase will not pose a danger to the public health or safety;	
e. Any adverse impacts directly attributable to the increase are mitigated; and	
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.	
2. <i>Density</i> for <i>developments</i> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.	
3. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**G. Moderate Density Residential District (RM-8) District**

<h2 style="margin: 0;">RM-8</h2> <h3 style="margin: 0;">Moderate to High Density Residential District</h3>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential <sup>2</sup>	8 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	45 ft <sup>1</sup>		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
<b>TABLE NOTES:</b>			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. <i>Density</i> for <i>developments</i> that include <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**H. Moderate to High Density Residential District (RM-12) District**

<h2 style="margin: 0;">RM-12</h2> <h3 style="margin: 0;">Moderate to High Density Residential District</h3>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential <sup>2</sup>	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>All Development</i>	45 ft <sup>1</sup>		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
<b>TABLE NOTES:</b>			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. <i>Density</i> for <i>developments</i> that include Workforce Housing shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-105. Mixed-Use and Business Districts**

**H. Marshfront District (MF)**

<b>MF Marshfront District</b>				
<b>1. No Change</b>				
<b>2. No Change</b>				
<b>3. Development Form Standards</b>				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential <sup>2</sup>	Along Major Arterials	4 du (8 du if <i>lot</i> area is at least 3 acres) <u>6 du</u>	Max. <i>Impervious Cover</i>	60%
	Along Other <i>Streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	45 ft <sup>1</sup>			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
<b>TABLE NOTES:</b>				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable				
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:				
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;				
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.				

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**K. Neighborhood Commercial (NC)**

<p style="font-size: 2em; margin: 0;">NC</p> <p style="font-size: 1.5em; margin: 0;">Neighborhood Commercial District</p>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential <sup>2</sup>	4 du	Max. <i>Impervious Cover</i>	45%
Nonresidential	3,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,3</sup>		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
<b>TABLE NOTES:</b>			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-106. Overlay Zoning Districts**

**N. Historic Neighborhoods Preservation Overlay (HNP-O) District**

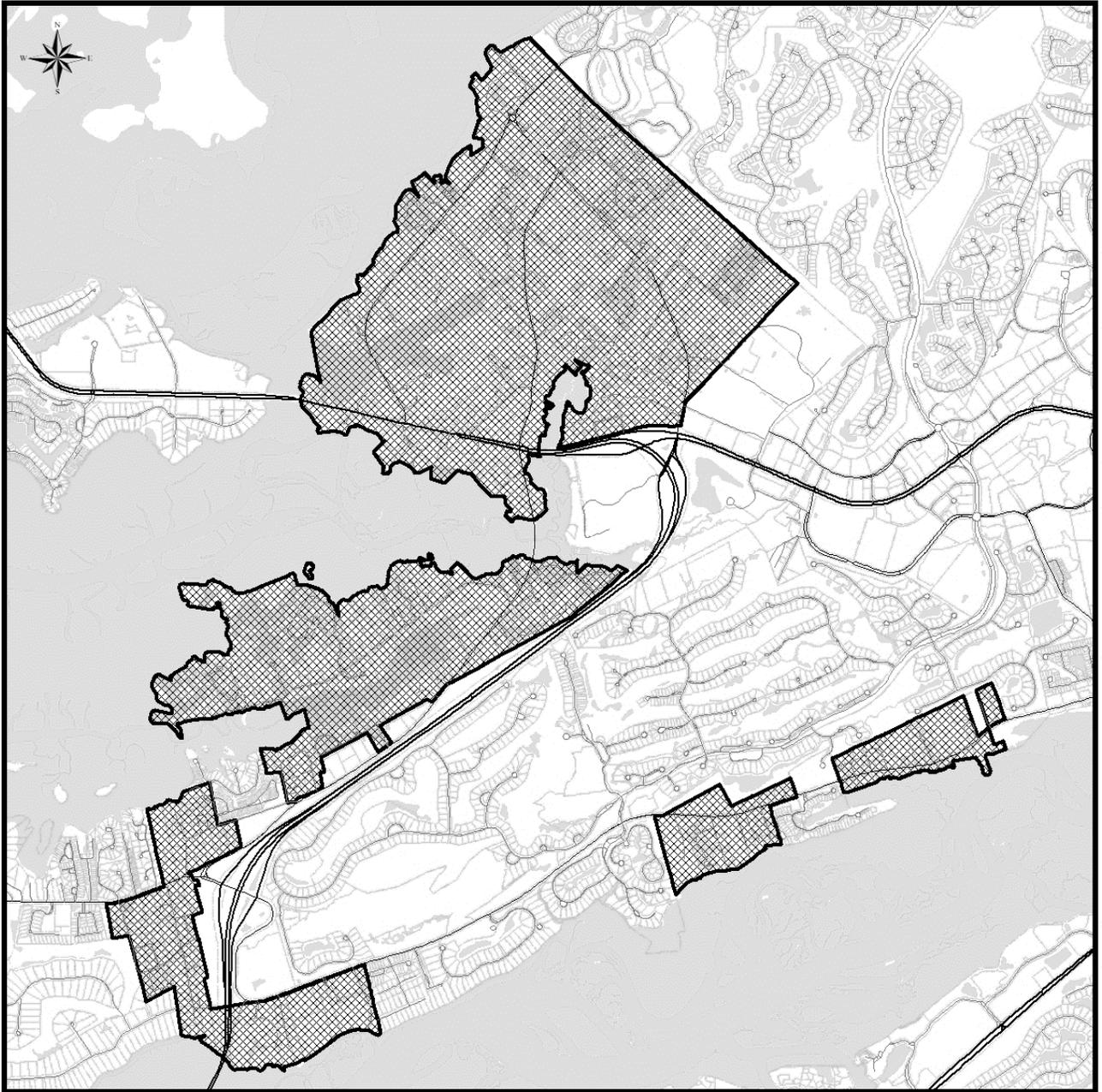
**1. Applicability and Purpose**

- a.** The purpose of the Historic Neighborhoods Preservation Overlay (HNP-O) District is to expand opportunities to pass *land* to future generations and allow for increased *development* potential.
- b.** All new *development* and changes to existing *development* in the HNP-O District are subject to the regulations of this section.
- c.** If a *parcel* falls within the Workforce Housing Overlay (WFH-O) District and the HNP-O District, *property owners* can utilize the regulations established in both districts.
- d.** For *parcels* within the HNP-O District, family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of *persons* related by blood, and descended from common ancestor (as in extended family).
- e.** Family Compounds will be considered a *single-family use*.

**2. Delineation of the HNP-O District**

The Historic Neighborhoods Preservation Overlay (HNP-O) District includes all *parcels* shown as hatched in Figures 16-3-106.N.2 and 16-3-106.N.3 below.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments



*Figure 16-3-106.N.2*

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

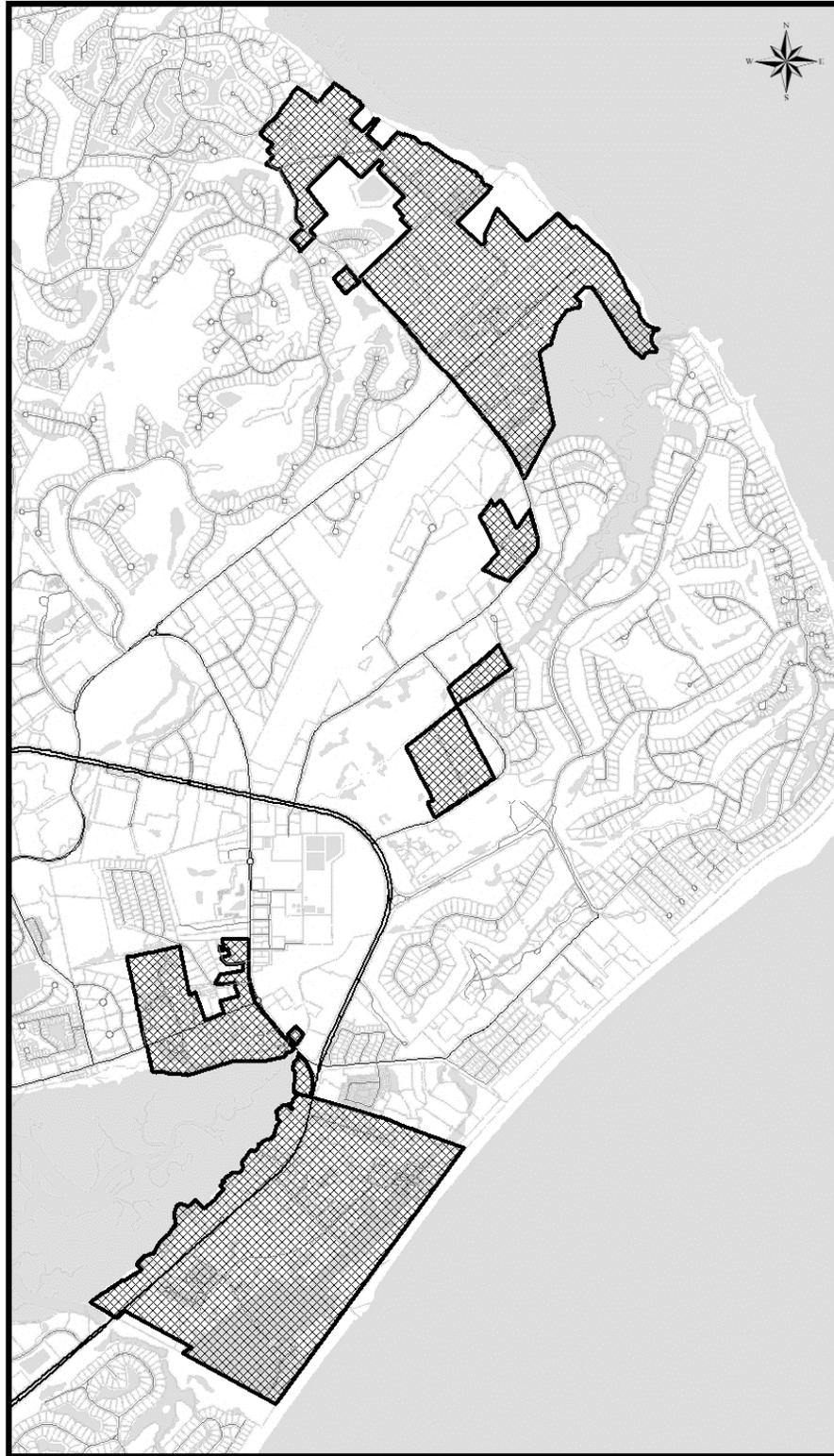


Figure 16-3-106.N.3

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**3. District Regulations**

**a. Setbacks**

**i. Street**

<u>Street Type</u>	<u>Required Setback</u>
<u>Major Arterial</u>	<u>50 ft</u>
<u>Minor Arterial</u>	<u>25 ft</u>
<u>All Other Streets</u>	<u>10 ft</u>
<u>Access Easement</u>	<u>5 ft</u>

**ii. Adjacent Use Setbacks**

1. An *adjacent use* setback of 5 feet is required between two *single-family uses*.
2. All other *adjacent use* setbacks are reduced by 10 feet from what is required in Table 16-5-102.D.

**b. Buffers**

**i. Street and Plantings**

<u>Street Type</u>	<u>Required Buffer</u>	<u>Required Plantings</u>
<u>Major Arterial</u>	<u>50 ft</u>	<u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 5 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 20 every 100 linear feet and at least 3 feet high at maturity</u>
	<u>35 ft</u>	<u><i>Overstory trees</i>: 5 every 100 linear feet</u> <u><i>Understory trees</i>: 7 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 25 every 100 linear feet and at least 3 feet high at maturity</u> <u>At least 50% of all <i>trees</i> must be evergreen</u>
<u>Minor Arterial</u>	<u>15 ft</u>	<u><i>Single-Family</i>:</u> <u><i>Overstory trees</i>: 3 every 100 linear feet</u> <u><i>Understory trees</i>: 6 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 10 every 100 linear feet</u>  <u><i>Non Single-Family</i>:</u> <u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 8 every 100 linear feet</u>

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

		<u>Evergreen shrubs: 12 every 100 linear feet</u>
<u>All Other Streets</u>	<u>10 ft</u>	<u><b>Single-Family:</b></u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 3 every 100 linear feet</u> <u>Evergreen shrubs: 8 every 100 linear feet</u>  <u>Non <b>Single-Family:</b></u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 4 every 100 linear feet</u> <u>Evergreen shrubs: 10 every 100 linear feet</u>
<u>Access Easement</u>	<u>0 ft</u>	<u>N/A</u>

ii. Adjacent Use Buffers

1. Adjacent use buffers shall not apply to properties where the proposed development and the existing use on the adjacent property are within the same use classification.
2. All other adjacent use buffers shall include the minimum planting requirements per Table 16-5-103.F.

c. Impervious Cover

Maximum impervious cover of the lot shall be 45 percent except for development within LC, MF, MV, NC, RD, S, and WMU Districts. For impervious cover requirements in these districts, see Sec. 16-3-105.

d. Building Height

Maximum building height shall be 45 feet except for development within MV, RD, and WMU Districts. For building height in these districts, see Sec.16-3-105.

e. Access

i. Access to all lots within a Family Subdivision shall be provided to the point of development as follows:

01. For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.
02. For 6 or more lots, direct vehicular access to each lot shall be provided via a paved street with a minimum 30 foot right-of-way for two-way streets and a minimum 24 foot right-of-way for one-way streets.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

- ii. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface*.

### **f** **Wetlands Protection**

*Wetland* buffers shall be provided along the perimeter of all *wetlands*.

- i. *Single-family* (including *accessory structures* and pervious and *impervious surfaces*) shall be no less than 20 feet from a tidal *wetland*. A buffer from a freshwater *wetland* is not required.
- ii. *Multifamily* or nonresidential *structures* shall be no less than 20 feet from tidal and freshwater *wetlands*.
  - 1. Pervious surfaces shall be no less than 15 feet from the tidal *wetland* and no less than 10 feet from the freshwater *wetland*.
  - 2. *Impervious surfaces* shall be no less than 25 feet from the tidal *wetland* and no less than 20 feet from the freshwater *wetland*.

### **4** **Allowable Uses/Activities**

- a. All *uses* currently permitted by Table 16-4-102.A.6: Principal Use Table will continue to be permitted on properties in the HNP-O District.
- b. Family Compound is permitted in accordance with Section 16-2-103.X.
- c. Family Subdivision is permitted in accordance with Section 16-2-103.Y.

### **5** **Application Review**

All *applications* for *development* activity on eligible properties within the HNP-O District will be expedited.

- a. New submittals for properties within the HNP-O District will be reviewed prior to other submittals.
- b. New *building* permit submittals within the HNP-O District will be reviewed prior to other submittals.
- c. Resubmittals for properties with the HNP-O District will be reviewed prior to other submittals.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Chapter 16-4: Use Standards**

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE					
P = Permitted by Right      PC = Permitted Subject to Use-Specific Conditions					
SE = Allowed as a Special Exception      Blank Cell = Prohibited					
USE CLASSIFICATION/ USE TYPE	RESIDENTIAL DISTRICTS				USE-SPECIFIC CONDITIONS
	RM-4	<u>RM-6</u>	RM-8	RM-12	
<b>RESIDENTIAL USES</b>					
Group Living	P	<u>P</u>	P	P	
<i>Multifamily</i>	P	<u>P</u>	P	P	
<i>Single-Family</i>	P	<u>P</u>	P	P	
<i>Workforce Housing</i>	PC	<u>PC</u>	PC	PC	Sec 16-4-102.B.1.d
<b>PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES</b>					
Cemeteries	P				
Community Services Uses	P	<u>P</u>	P	P	
Education Uses	P				
Government Uses	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.d
Major Utilities	SE	<u>SE</u>	SE	SE	
Minor Utilities	P	<u>P</u>	P	P	
Public Parks	P	<u>P</u>	P	P	
Religious Institutions	P	<u>P</u>	P	P	
Telecommunication Antenna, Collocated or Building Mounted	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
Telecommunications Tower, Monopole	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
<b>RESORT ACCOMMODATIONS</b>					
Bed and Breakfasts	PC				Sec. 16-4-102.B.4.a
<b>COMMERCIAL SERVICES</b>					
Convenience Store	PC				Sec. 16-4-102.B.7.d
Open Air Sales	PC				Sec. 16-4-102.B.7.i
Other Commercial Services Uses	PC	<u>PC</u>	PC		Sec. 16-4-102.B.7.l
<b>OTHER SERVICES</b>					
Agriculture Uses	P	<u>P</u>	P	P	
Boat Ramps, Docking Facilities, and Marinas	PC	<u>PC</u>	PC		Sec. 16-4-102.B.10.a

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**B. Use-Specific Conditions for Principal Uses**

**Sec. 16-4-102.B.1.d**

d. ***Workforce Housing***

- i. In the RM-4 or RM-6 District, properties developed for WFH shall not have vehicular ***access*** to Jonesville Road, Spanish Wells Road, or Marshland Road.

**Sec. 16-4-102.B.7.1**

1. ***Other commercial services*** located in the RM-4 District, RM-6 District, or RM-8 District shall have a ***gross floor area*** no greater than 1,200 square feet.

**Sec. 16-4-102.B.10.a**

a. **Boat Ramps, Docking Facilities, and Marinas**

- i. A ***boat ramp, docking facility***, or marina in the CON District shall be associated with an approved ***use*** in the ***adjacent zoning district***.
- ii. A ***boat ramp*** is allowed in the RSF-3, RSF-5, RM-4, RM-6, or RM-8 District only if the purpose is to serve the ***adjacent neighborhoods***.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Chapter 16-10: Definitions, Interpretations, and Measurement;**

**Sec. 16-10-102. Rules of Measurement:**

**B. Density**

**1. Density**

A measurement of intensity of the *development* of a *parcel* of *land*, calculated by dividing total number of *dwelling units* by the *net acreage* of the *parcel* for residential *development*; by dividing the total number of guest rooms by the *net acreage* of the *parcel* for *hotel development*; and by dividing the total number of square feet of *gross floor area* by the *net acreage* of the *parcel* for other nonresidential *development*. In *mixed-use developments*, acreage allocated to residential *use* shall not be used to calculate nonresidential *density*, and acreage allocated for nonresidential *uses* shall not be used to calculate residential *density*; and acreage allocated to *hotel use* shall not be used to calculate other nonresidential *density*, and acreage used for other nonresidential *uses* shall not be used to calculate *hotel density*. Where residential and nonresidential *uses* are combined in a single *building*, the *density* of each *use* within the *building* shall be calculated separately. When computation of the *density* results in a fraction, the result shall not be rounded up to the nearest whole number.

**Sec. 16-10-105. General Definitions:**

**Family Compound**

Single parcel of *land* with multiple *dwelling units* owned by one family as defined in Sec. 16-3-106.N.1.d.

**Family Subdivision**

Ownership of subdivided *lots* within a *single-family*, defined by Sec. 16-3-106.N.1.d without requiring the installation of supporting infrastructure.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-26. Family Compound**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Certificate of Owner's Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *development*.

**C. Eligibility**

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as defined by Sec 16-3-106.N.1.d.

**D. Property Deed**

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

**E. Boundary Survey Plat**

One copy of the boundary survey plat of the *lot* of record or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50 or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **F. Written Narrative**

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of *development* and detailed provisions for *maintenance* responsibility for all *improvements*, including, but not limited to: *streets*, parking areas, storm drainage facilities, water and sewer systems, and the like, up to the point of *development*.

### **G. Site Development Plan**

One black line print of a final *site plan* or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the *Official*, showing the following:

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town Engineer*, unless waived by the *Town Engineer*.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Notation as to FEMA/FIRM  *flood*  zones covering the  *site* , and proposed first floor elevation of all  *buildings* .
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or  *contiguous*  with the proposed  *development tract* .
18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### H. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate  *Town, County, State*  and federal regulations for the proposed  *development* , and documentation of compliance with such, as applicable. Failure of the  *Official*  to request an approval or certification required does not relieve the  *applicant*  of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the  *site development*  plan.
5. U.S. Army Corps of Engineers permits related to dredging,  *filling, wetlands* , or other elements of the  *development* .
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The  *applicant*  must receive a determination from the FAA prior to the issuance of any approvals from the  *Town* .

### I. Other Requirements

1.  *Access*  and infrastructure must be installed to serve each  *structure*  in the order each  *structure*  is constructed.
2. Buffers, setbacks, and access shall be required in accordance with 16-3-106.N.3 for any property sold to non-family members sooner than three years after the establishment of the Family Compound.
3.  *Any other items*  specifically required of a  *development plan application*  by any other provisions of this Title.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-27. Family Subdivision**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Subdivision Plat**

One black line print of a *subdivision* plat at a scale of 1"= 50' or other scale acceptable to the *Official*, showing:

1. Date (including any revision dates), name and location of the *subdivision*, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed *tract* boundary lines, *right-of-way* lines, proposed *street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with accurate dimensions, bearing or deflecting angles or radii, arcs, and central angles of all curves.
5. The proposed *use* of *lots* shall be noted and the purpose of any *easement* or *land* reserved or dedicated to public or utility *use* shall be designated.
6. Each block shall be numbered, and the *lots* within each block shall be numbered consecutively.
7. Notation of specific reference plats, if applicable.
8. Computed acreage of each *lot* created by the *subdivision*.
9. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
11. Certification by a South Carolina professional *land* surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
12. Notation of the one-hundred-year storm *flood* elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
13. Surveyed delineation as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
15. All existing *structures* or other *improvements*.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Location of *wetland buffer* area, where applicable, as required by Sec. 16-3-106.N.3.f.

17. For *subdivisions* where a portion is *adjacent* to a *wetland*, a statement that reads, “The only activities permitted in the *wetland buffer* shall be those listed in Wetland Buffers as per the LMO.”

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### **C. Certificate of Owner’s Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *subdivision*.

### **D. Eligibility**

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as defined by Sec. 16-3-106.N.1.d.

### **E. Certification of Title Source**

Certification signed by the surveyor setting forth the source of title of the owners of the *land* subdivided or a copy of the deed by which the property was conveyed to the owner.

### **F. Certificate of Title and Reference Plat**

A current certificate of title referencing the proposed *subdivision* plat and if recorded, a copy of the last plat in the chain of title.

### **G. Street and Development Names**

Appropriate approvals for all *street* and *development* names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

### **H. Subdivision in Phases**

Whenever part of *tract* is proposed for platting and it is intended to subdivide additional parts in the future or *abutting land* is in the same ownership, a sketch plan for the entire *tract* shall be submitted with the plat.

### **J. Stormwater Management**

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**K. Other Items**

1. Access and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
2. Prior to the sale of the property within the Family Subdivision to non-*family* members, a *subdivision application* shall be submitted in accordance with 16-2-103.F.
3. Any applicable items as identified in D-26, Family Compound.

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