



Town of Hilton Head Island  
**LMO Committee Meeting**  
**Wednesday, September 16, 2020 – 2:00 p.m.**  
**AGENDA**

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This meeting is being conducted virtually in accordance with Town Council Emergency Ordinance 2020-17 and can be viewed live on the Town's Public Meeting Facebook Page at <https://www.facebook.com/townofhiltonheadislandmeetings/>. Following the meeting, the video record will be made available on the Town's website at <https://www.hiltonheadislandsc.gov/>.

1. **Call to Order**
2. **FOIA Compliance** – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Approval of Agenda**
5. **Approval of Minutes**
  - a. Special Meeting of August 11, 2020
6. **Citizen Comments**
7. **Unfinished Business**
8. **New Business**
  - a. Review of Historic Neighborhoods Preservation Overlay (HNP-O) District
9. **Adjournment**

Public comments concerning business items can be submitted electronically via the Town's Virtual Town Hall public comment portal at <https://hiltonheadislandsc.gov/opentownhall/>. The portal will close at **Noon** the day prior to the scheduled meeting. Citizens may also call (843) 341-4684 to sign up to comment live on business items during the meeting by phone. The sign up period will close at **Noon** the day prior to the scheduled meeting. All comments will be provided to the Committee for review and made part of the official record.

**Please note that a quorum of Planning Commission may result if five (5) or more of their members attend this meeting.**

**Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.**



Town of Hilton Head Island  
**Planning Commission LMO Committee**  
**Special Meeting**

August 11, 2020 at 9:00 a.m. Virtual Meeting

**MEETING MINUTES**

**Present from the Committee:** Chair Leslie McGowan, Vice Chairman Todd Theodore, Michael Scanlon

**Absent from the Committee:** None

**Present from the Planning Commission:** Alan Perry, Stephen Alfred

**Present from Town Council:** Tamara Becker

**Present from Town Staff:** Jayme Lopko, Senior Planner; Teri Lewis, Deputy Director of Community Development; Rene Phillips, Website Administrator; Jennifer Ray, Deputy Director of Community Development; Stephen Ryan, Staff Attorney; Eileen Wilson, Senior Administrative Assistant

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**1. Call to Order**

Chair McGowan called the meeting to order at 9:00 a.m.

**2. FOIA Compliance** – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Roll Call** – See as noted above.

**4. Approval of Agenda**

Chair McGowan asked for a motion to approve the agenda. Commissioner Scanlon moved to approve. Vice Chairman Theodore seconded. By way of roll call, the motion passed with a vote of 3-0-0.

**5. Approval of Minutes**

**a. Meeting of February 19, 2020**

Chair McGowan asked for a motion to approve the minutes of the February 19, 2020 meeting. Vice Chairman Theodore moved to approve. Commissioner Scanlon seconded. By way of roll call, the motion passed with a vote of 3-0-0.

**6. Citizen Comments**

Public comments concerning agenda items were to be submitted electronically via the Town's Open Town Hall portal. The portal closed at noon yesterday and all comments were provided to the Committee. Citizens were provided the option to sign up for public comment participation by phone during the meeting. The public comment period closed at noon yesterday. There were no requests to participate by phone.

## 7. Unfinished Business

### a. Review of proposed Workforce Housing LMO Amendments

Chair McGowan asked staff to give some background and an update on the amendments that are before the Committee today. Ms. Lopko stated workforce availability with a focus on workforce housing and transportation was identified as a key priority for Town Council. Staff worked with Town Council and Public Planning Committee to develop a workforce housing policy (included in the packet).

Staff worked with the Committee to develop criteria to identify areas of the island to target for the workforce housing initiatives. The following areas were identified as priority areas: Palmetto Bay/Arrow Road/Pope Avenue area, Squire Pope/Gum Tree Road area, and Opportunity Zone/Main Street area.

Today is to address questions the LMO Committee had and any changes made to the document since the Committee's last meeting in February. Ms. Lopko stated she will go over public comments she received since February and since mailing out the letters to the property owners.

Staff will no longer create an Overlay District but instead add WFH as a new conditional use in certain zoning districts. Priority areas of the island were identified due to proximity to transportation and employment. There is approximately 1,800 acres of property where WFH would be permitted with conditions.

#### Response to Committee questions:

\*Concern that the 99 year affordable term for rental units was too long so it was shortened to 30 years for both rental and owner occupied units.

\*More information was requested on what penalties there be for noncompliance with the provisions in the LMO. Any action that is noncompliant is subject to the Code Enforcement provisions listed in Chapter 8 of the LMO. There will be restrictive covenants applied to the property that will give the Town injunctive relief should the provisions of the program not be followed.

\*The Committee asked if properties in the WFH program would continue in the program after a bankruptcy or foreclosure. In the event of a bankruptcy or foreclosure, the affordability term would not survive.

\*The Committee inquired if fees related to a homeowner's association could be waived or discounted for WFH units to keep the cost of the unit lower. Homeowner's Association dues will be limited to 75% of what is charged to market-rate units.

#### Other smaller changes made to the amendments:

\*Added maximum residential in the MED and CC Districts.

\*Flexibility in parking for all WFH related uses was added and a footnote referring to parking was added to the zoning district sections.

\*Throughout the WFH Program staff used the term 'for-sale' unit. This have been changed to use the term 'owner-occupied' unit.

\*Occupation of rental units has been changed from not being allowed for short term to not being allowed for a period of less than 90 days.

\*Under the employment regulations, the language was clarified to say an eligible household must have at least one person employed at a business within the Town of Hilton Head Island.

\*There were several places that referred to an annual renewal or lease requirement. These references have been removed.

\*The definitions of household and household income were modified to be clearer.

Public input:

- Town communication efforts
  - A recent article in the Island Packet, The Town's website section on WFH has been updated, Approximately 4,300 letters were mailed out to every property identified in purple on the Location map, each letter included a copy of the map and a frequently asked questions document, a letter was sent to anyone within 350 ft of one of those purple parcels.
- Staff received the following questions and concerns:
  - What properties are included and why?
  - How does this impact my property?
  - What are the incentives, any financial?
  - What project is planned?
  - Is my property required to become WFH?
  - Why are commercial properties included?
  - Is this for low-income or Section 8 housing?
  - Is my property being rezoned?

Ms. Lopko stated she thoroughly answered every call and question listed above from citizens.

Committee discussion raised concerns that Ms. Lopko addressed below:

Ms. Lopko reported that much research was performed checking with other municipalities and communities similar to Hilton Head to learn how their programs were working. Researched past housing program implemented by the Town at what didn't work to learn from our own experience. Also looked into how this will be managed over time.

The hope is that an outside organization would come in to assist us in managing the program. The Town is still working with SoLoCo on regional efforts. At this time it will remain a Town function until we determine an outside organization that could take this on for us.

Using Town-owned property for WFH is something the Town is considering. Most Town-owned property is zoned for parks and recreation.

Vice Chairman Theodore asked why Indigo Business Park is not included. Ms. Lopko responded they tried to stay in the priority areas and avoid spot zoning. Ms. Lopko stated she would look into it prior to the upcoming Planning Commission meeting and suggested this Committee could include that as a consideration in the motion.

Chair McGowan suggested the purpose statement in the amendments should be updated for zoning districts where WFH will be permitted, include a reference to residential or WFH use in the district.

Commissioner Scanlon moved to forward the proposed Workforce Housing LMO Amendments to the Planning Commission with the following changes:

- Consider permitting WFH on properties between William Hilton Parkway and Pembroke Drive as well as properties along Gardner Drive and Leg O'Mutton Road.
- Consider updating the purpose statement, for zoning districts where WFH will be permitted, to include a reference to residential or WFH use in the district.

Vice Chairman Theodore seconded. By way of roll call, the motion passed with a vote of 3-0-0.

**8. New Business - none**

**9. Adjournment**

There being no further business, the meeting was adjourned at 9:36 a.m.

Submitted by Eileen Wilson

DRAFT



# **TOWN OF HILTON HEAD ISLAND**

## *Community Development Department*

**TO:** LMO Committee  
**VIA:** Shawn Colin, AICP, *Director of Community Development*  
**VIA:** Jennifer Ray, ASLA *Deputy Director of Community Development*  
**FROM:** Sheryse DuBose, PhD, *Historic Neighborhoods Preservation Administrator*  
**CC:** Teri Lewis, AICP, *Deputy Director of Community Development*  
**DATE:** September 3, 2020  
**SUBJECT:** Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

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Town Council identified the preservation of Gullah Geechee Culture as a top priority initiative. The Town hired the Walker Collaborative to draft recommendations for implementation focusing on cultural awareness, Heirs' Property, land use, economics and sustainability, education specific to the community, and other concerns. Beginning in September 2018, the Task Force meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property.

The proposed Historic Neighborhoods Preservation Overlay (HNP-O) District includes portions of Hilton Head Island identified as the Historic Neighborhoods on the Island (see attached Exhibit A). Proposed LMO Amendments are attached (see Exhibit B). Regulations include the following:

- New activities within this District include Family Compound and Family Subdivision, which will create opportunities to pass land to future generations.
- Within this District, and with the new activities associated with this District, the term, "family" will have its own definition to mean spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood and descended from a common ancestor (as in extended family).
- Proposed District regulations include reductions to buffers, setbacks, and access; increased impervious cover; and increased building heights.
- Exceptions to this District include properties zoned PD-1 and IL.

Family Compound regulations are a proposed new activity for this District. These regulations include:

- Single parcel of land that allows the construction of multiple homes.

- The installation of access and infrastructure is the responsibility of the individual currently building on the property, and must be installed in the order each structure is constructed.

Family Subdivision regulations are a proposed new activity for this District. Regulations for a Family Subdivision include the following:

- Lots are subdivided and owned by one family as defined for the HNP-O District.
- Installation of access and infrastructure is not required for all lots prior to construction however, submitted plats must show location for future installation.

The proposed Moderate Density Residential (RM-6) District includes the following:

- Allows 6 dwelling units per acre and up to 8 dwelling units per acre for properties that are at least five acres.
- Uses include single family, multi-family, group, and Workforce Housing; Public, Civic, Institutional, Educational, and other uses; Family Compound, and Family Subdivision.
- RM-4 lots within the District are proposed to be rezoned to RM-6.

Proposed changes to areas currently zoned Marsh Front (MF) include the following:

- Change maximum density for residential properties along major arterials from 4 du (8 du if lot is at least 3 acres) to 8 du.

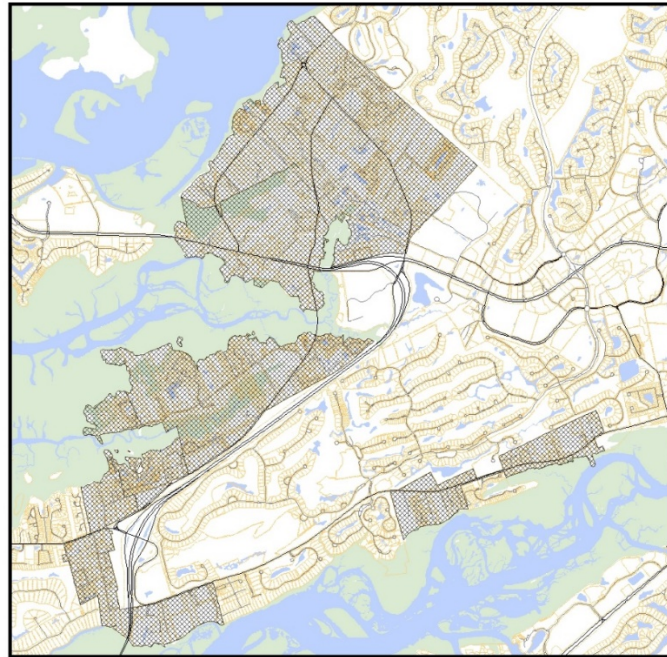
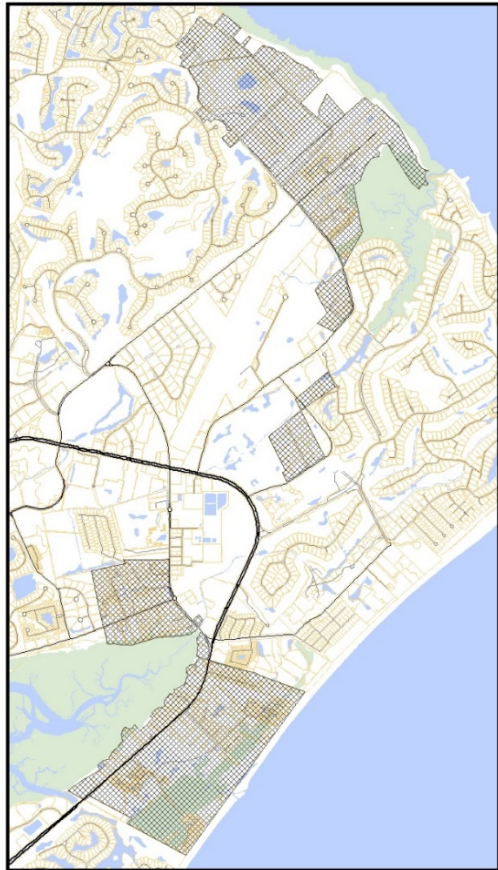
On April 22, 2019, the Task Force reviewed the recommendations from the consultant team and accepted the Report as amended. On May 7, 2019, the Task Force recommended forwarding the Report to Town Council for acceptance. On August 19, 2019, the Public Planning Committee voted to forward the Report for acceptance from Town Council, with a request for top priority recommendations, a work plan, identification of resources, and a timeline for completed projects. On September 17, 2019, Town Council voted to accept the Report with the high priority recommendations and directed Staff and the Task Force to prepare a work plan to be reviewed prior to the Town Council Workshop in December. On November 4, 2019, the Task Force recommended forwarding the Top Priority Recommendations Framework (Framework) to Town Council for approval. On November 17, 2019, Town Council voted to accept the Framework. The HNP-O District was identified by the Task Force as the highest priority project. On September 1, 2020 the Task Force voted to recommend the HNP-O District Amendments be forwarded to LMO Committee.

Exhibit A – Map of Historic Neighborhoods

Exhibit B – Historic Overlay District LMO Amendments

Exhibit C – LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District

# Historic Neighborhoods Preservation Overlay District





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) dwelling** 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*.

**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) dwelling* 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**

<b>RM-4</b>			
<b>Low to Moderate Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>	
Residential	4 du (6 du if <b>lot</b> area is at least 3 acres; 8 du if <b>lot</b> area is at least 5 acres) <sup>2</sup>	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b> <sup>3</sup>	35%
<b>Bed and Breakfast</b>	10 rooms		
Nonresidential	6,000 GFA	Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%
<b>MAX. BUILDING HEIGHT</b>			
All <b>Development</b>	35 ft <sup>1,4</sup>		
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>			
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 = <b>dwelling units</b> ; sf = square feet; GFA = <b>gross floor area</b> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <b>Official</b> that:			
a. The increase is consistent with the character of <b>development</b> on surrounding <b>land</b> ;			
b. <b>Development</b> resulting from the increase is consistent with the purpose and intent of the <b>building height</b> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <b>site</b> or the proposed <b>development</b> , or (2) results in improved <b>site</b> conditions for a <b>development</b> with <b>nonconforming site features</b> ;			
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. <b>Density</b> for <b>developments</b> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.			
3. The maximum <b>impervious cover</b> for properties located within the HNP-O shall be 45%.			
4. The maximum <b>building height</b> 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**

<b><u>RM-6</u></b>			
<b><u>Moderate Density Residential District</u></b>			
<b><u>1. Purpose</u></b>			
The purpose of the Moderate Density Residential (RM-6) District is to allow for the <i>development</i> of residential <i>uses</i> at densities up to six <i>dwelling units</i> per <i>net acre</i> . The district allows a variety of residential <i>uses</i> along with <i>uses</i> that support <i>neighborhoods</i> . The district is intended to discourage <i>development</i> that would substantially interfere with, or be detrimental to moderate residential character.			
<b><u>2. Allowable Principal Uses</u></b>			
<b><u>USE CLASSIFICATION/TYPE</u></b>		<b><u>USE-SPECIFIC CONDITIONS</u></b>	<b><u>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</u></b>
<b><u>Residential Uses</u></b>			
<b><u>Group Living</u></b>	<u>P</u>		1 per 3 rooms
<b><u>Multifamily</u></b>	<u>P</u>		1 bedroom 1.4 per du
			2 bedroom 1.7 per du
			3 or more bedrooms 2 per du
<b><u>Single-Family</u></b>	<u>P</u>		2 per du + 1 per 1,250 GFA over 4,000 GFA
<b><u>Workforce Housing</u></b>	<u>PC</u>	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2
<b><u>Public, Civic, Institutional, and Educational Uses</u></b>			
<b><u>Community Service Uses</u></b>	<u>P</u>		1 per 400 GFA
<b><u>Government Uses</u></b>	<u>PC</u>		Fire Stations 4 per bay + 1 per 200 GFA of office area
			Other 1 per 200 GFA of office area
<b><u>Major Utilities</u></b>	<u>SE</u>		1 per 1,500 GFA
<b><u>Minor Utilities</u></b>	<u>P</u>		N/A
<b><u>Public Parks</u></b>	<u>P</u>		See Sec. 16-5-107.D.2
<b><u>Religious Institutions</u></b>	<u>P</u>		1 per 3 seats in main assembly area
Telecommunication Antenna, Collocated or Building Mounted	<u>PC</u>	Sec. 16-4-102.B.2.e	N/A
<b><u>Telecommunication Towers, Monopole</u></b>	<u>PC</u>	Sec. 16-4-102.B.2.e	1
<b><u>Commercial Services</u></b>			
<b><u>Other Commercial Services</u></b>	<u>PC</u>	Sec. 16-4-102.B.7.1	See Sec. 16-5-107.D.2
<b><u>Other Uses</u></b>			
<b><u>Agriculture Uses</u></b>	<u>P</u>		Stables or Riding Academies 1 per 5 stalls
			Other N/A
<b><u>Boat Ramps, Docking Facilities, and Marinas</u></b>	<u>PC</u>	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips.

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

<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. <u>May be increased by up to ten percent on demonstration to the Official that:</u>
a. <u>The increase is consistent with the character of development on surrounding land;</u>
b. <u>Development resulting from the increase is consistent with the purpose and intent of the building height standards;</u>
c. <u>The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development, or (2) results in improved site conditions for a development with nonconforming site features;</u>
d. <u>The increase will not pose a danger to the public health or safety;</u>
e. <u>Any adverse impacts directly attributable to the increase are mitigated; and</u>
f. <u>The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.</u>
2. <u>Density for developments that include Workforce Housing shall be determined based on Sec. 16-4-105B.</u>
3. <u>The maximum impervious cover for properties located within the HNP-O shall be 45%.</u>

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%
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 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) 8 du	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

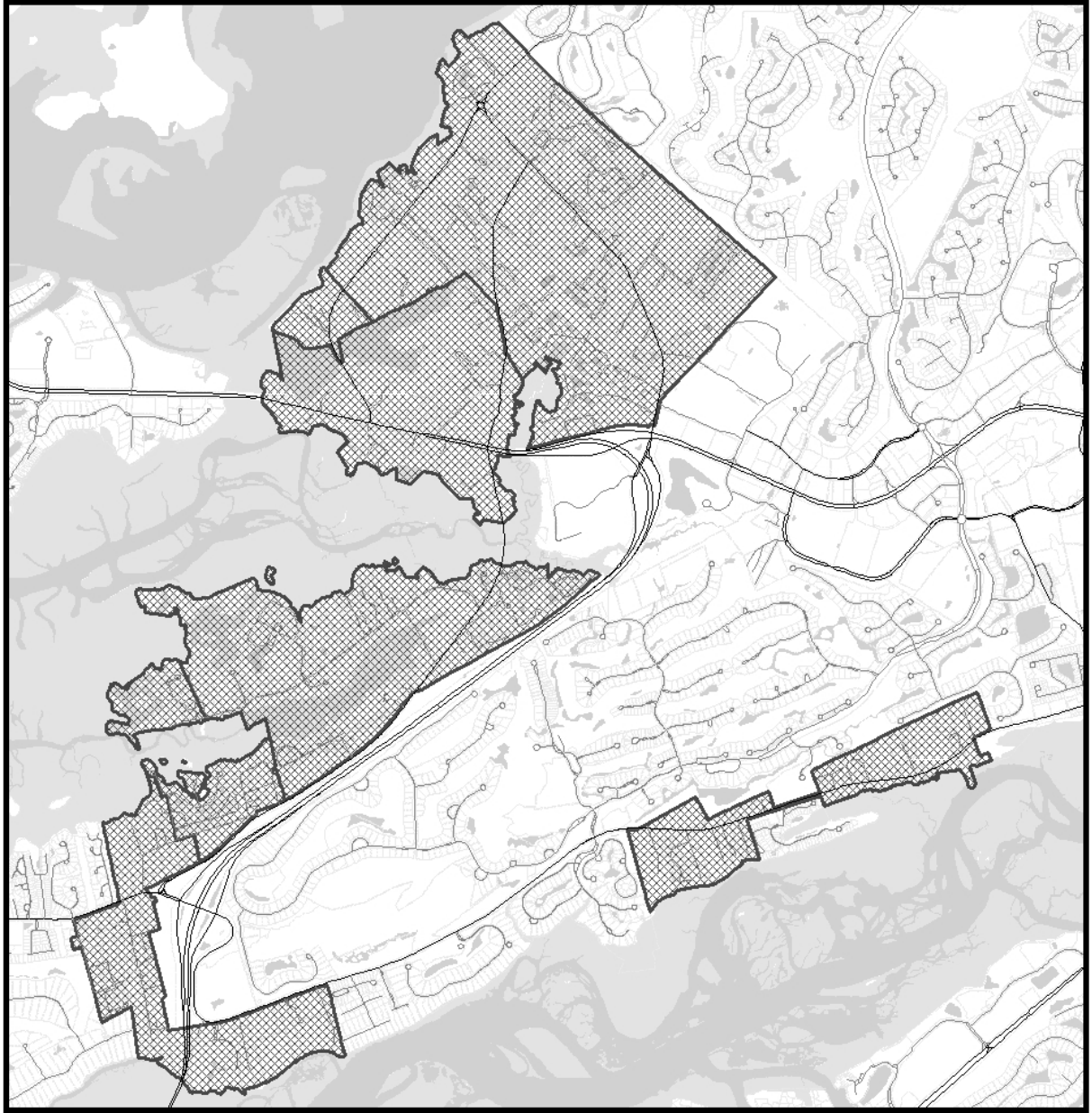


Figure 16-3-106.N.2

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

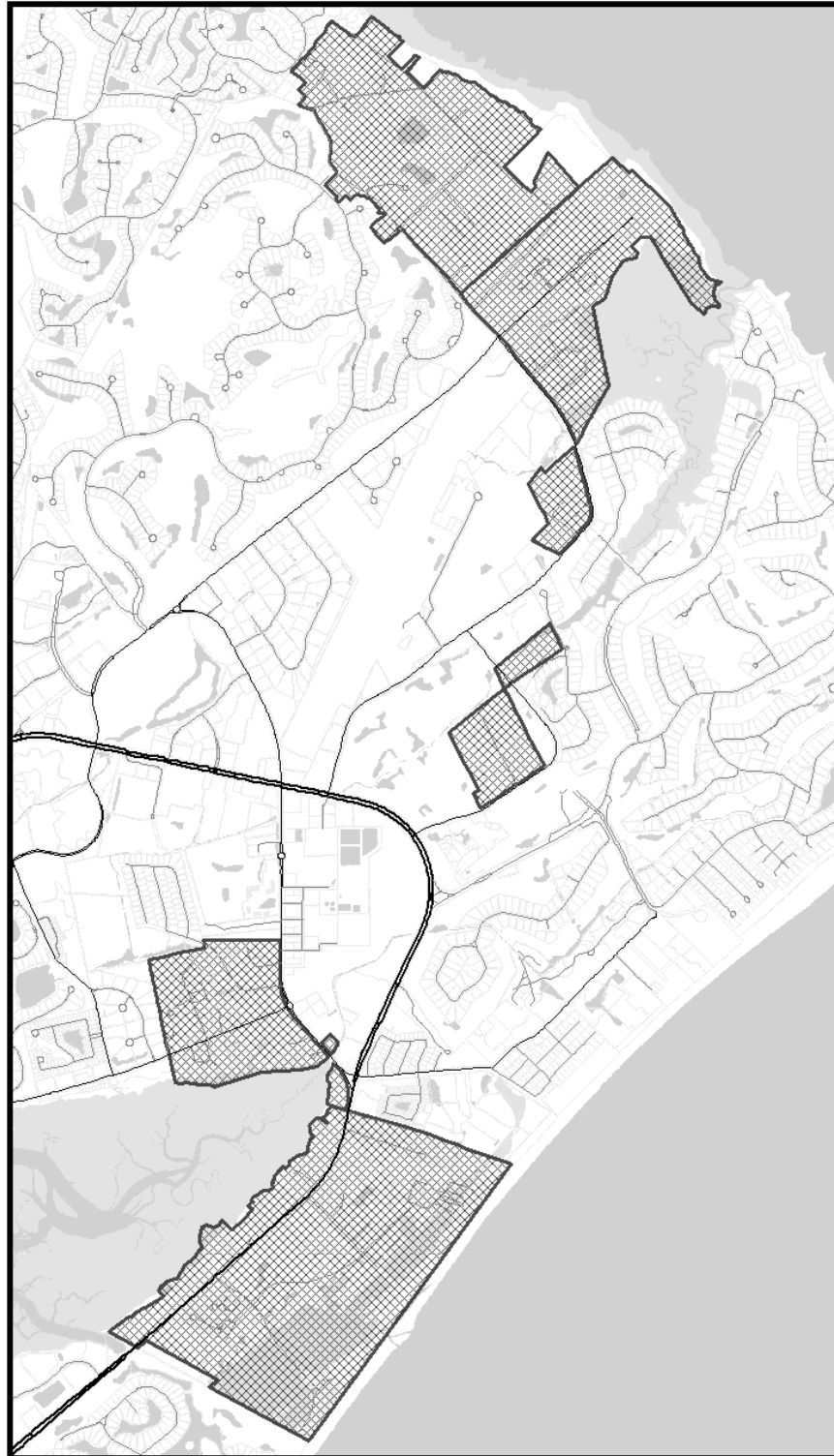


Figure 16-3-106.N.3

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> <u><i>Evergreen shrubs</i>: 12 every 100 linear feet</u>

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

<p><u>All Other Streets</u></p>	<p><u>10 ft</u></p>	<p><u>Single-Family:</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 Single-Family:</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></p>
<p><u>Access Easement</u></p>	<p><u>0 ft</u></p>	<p><u>N/A</u></p>

**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 via a minimum 20 foot wide access easement constructed of an all-weather driving surface.
- 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

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments 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, except for parcels located within the HNP-O district.

**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.  *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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**LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District**

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District			
<b>Setbacks</b>	Minor Arterial	40'		25'			
	All Other Streets	20'		10'			
	Access Easement	20'		5'			
	Adjacent Use	20' Single Family (Varies 20' - 40')		5' between single family uses Reduction by 10' between other uses			
<b>Buffers</b>	Minor Arterial	25'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	15'	<u>Single Family:</u> Minimum Planting Requirements  <u>Multifamily:</u> Maximum Planting Requirements		
		15'	<u>Maximum Planting Requirements</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet				
	All Other Streets	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 3 Every 100 Linear Feet Evergreen Shrub: 8 Every 100 Linear Feet			10'	<u>Single Family:</u> Minimum Planting Requirements  <u>Multifamily:</u> Maximum Planting Requirements
		10'	<u>Maximum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 4 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet				

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District	
<b>Buffers (Continued)</b>	Access Easement	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	0'	N/A
	Adjacent Use	Varies (20' -30')		A buffer is not required for adjacent like uses All other buffers permitted to be the minimum option and have the minimum planting requirements with the exception of industrial uses Industrial uses permitted to have the minimum option but must have the maximum planting plus fence/hedge.	
<b>Impervious cover (Residential &amp; Mixed-Use Base Zoning Districts)</b>		Residential Districts 35% maximum		Residential Districts 45% maximum	
<b>Building Height</b>		Varies (35' - 45')		45' Maximum	
<b>Access</b>		For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access must be installed before subdivision plans are stamped.  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 40' right-of-way; access must be installed before subdivision plans are stamped.		For 5 or fewer lots within a Family Subdivision, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 20' right-of-way; access shall be provided to the point of development  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 20' right-of-way; access shall be provided to the point of development  For all homes within a Family Compound: Minimum 20' wide access easement constructed of an all-weather driving surface	



Element	Current LMO	Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District
<b>Allowable Uses</b>	All uses in the base district	All uses in the base district Family Compound Family Subdivision
<b>Density</b>	<p><u>RM-4</u> (Zoning class in base district) 4 dwelling units per acre 6 dwelling units per acre with at least 3 acres 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 4 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p> <p>Calculations for density are rounded down.</p>	<p><u>RM-6</u> (All RM-4 automatically up-zoned to RM-6) 6 dwelling units per acre 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 8 dwelling units per acre</p> <p>Calculations for density are rounded up.</p>
<b>Application Review</b>	All applications for development activity are reviewed in the order they are received.	All applications for development activity for eligible properties within the district will be expedited.