

Chapter 51
COMMUNITY HOUSING

ARTICLE I
General Provisions

§ 51-1. Title.

This chapter shall be known as the “Town of Shelter Island Community Housing Law.”

§ 51-2. Purpose.

The purpose of this chapter is to create and sustain housing opportunities for income-eligible households in order to maintain the local economy, community services and the economic and social diversity that characterize the Town of Shelter Island.

The Shelter Island Comprehensive Plan states that it is a basic goal to assure that a supply of affordable housing on Shelter Island existing over time adequate to serve the diversity of the Island’s population and that any new housing be developed in a manner harmonious with the Island environment.

Specifically the Comprehensive Plan calls for amending the zoning ordinance to allow permits for year round rentals of second units accessory to single family homes and to allow (or legalize existing) second units in other zones, subject to careful restrictions, including exclusion from sensitive water resource zones and mechanisms to assure that Island housing needs will be served by such units.

The licensing procedure set forth in this law is very close to that described in the Comprehensive Plan, and there is also a more comprehensive process to ensure that any larger proposals for affordable homes are harmonious with the Island environment.

§ 51-3. Statutory Authority.

This chapter is adopted as a local law pursuant to the authority of the Municipal Home Rule Law.

ARTICLE II
Definition of Terms

§ 51-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY APARTMENT – Separate dwelling unit, including a bathroom and a single set of kitchen facilities (a stove plus either or both a refrigerator and sink) not shared with any other unit, for permanent year-round occupancy established within an existing one-family dwelling or a building accessory to such dwelling.

CERTIFICATE OF ELIGIBILITY – A certificate issued by the Community Housing Board that an applicant has met the eligibility requirements for community housing opportunities pursuant to this Chapter.

COMMUNITY HOUSING BOARD – The Board established pursuant to this Chapter of the Town Code.

COMMUNITY HOUSING OPPORTUNITIES – Generally, defined as below-market-rate housing.

COMMUNITY HOUSING UNIT INVENTORY - The list maintained by the Community Housing Board of units reserved for income-eligible households.

HOUSING REGISTRY - The listing, maintained by the Community Housing Board, of applicants who have been issued certificates of eligibility for community housing opportunities.

INCOME ELIGIBLE HOUSEHOLD — An individual/family whose gross annual income does not exceed 120% of the median gross household income for households of the same size within the housing region in which the housing is located according to the U.S. Department of Housing and Urban Development (HUD), or as determined from time to time by Town Board resolution.

PROPERTY OWNER – The person(s) and/or entity(ies) who are named in that capacity on a deed recorded with the Suffolk County Clerk

SPECIAL COMMUNITY HOUSING LICENSE (SCHL) – The license established pursuant to this Chapter which permits a property owner to make certain property alterations not otherwise permitted under the Town Code and to rent all or part of the property provided that the property owner agrees to the conditions set forth in this Chapter.

TOWN – The Town of Shelter Island

ARTICLE III Community Housing Board

§ 51-5. Community Housing Board Established

- A. The Town Board hereby formally establishes a Community Housing Board (CHB) to review and make recommendations regarding community housing. This

Board supplants the efforts of the former Community Housing Commission. This Board will consist of 5 residents of the Town who shall serve without compensation. No paid Town official shall serve on the CHB. Membership will include a broad representation from the community, such as landowners, persons with skill and knowledge about the environment, real estate, finance, and building. The Town Board may also seek members who are or have been recipients of housing assistance. Board members shall each have a term of four (4) years. However, the initial CHB members shall have terms staggered as follows: one member for two (2) years, two members for three (3) years and two members for four (4) years.

- B. The primary functions of the CHB are to: (1) Review all applications for a Special Community Housing License and issue SCHLs.
(2) Participate in the review and approval process on all applications for establishment of a Community Housing Floating Zone (CHFZ) as described in Article VI herein.
(3) Make recommendations to the Town Board relating to community housing eligibility requirements and how established.
(4) Establish and maintain the Town's Housing Registry. This shall include reviewing all applications, verifying applicants' eligibility, issuing Certificates of Eligibility to qualified applicants, and maintaining the listing of all certified applicants and their priority in accordance with § 51-7 of this Chapter.
(5) Serve as a liaison for community members regarding community housing.
(6) Interface with state, county and municipal bodies and other organizations that have similar missions, for example, the Suffolk County Workforce Housing Commission, the North Fork Housing Alliance and Shelter Island Housing Options, Inc. (SIHOP) for the purpose of promoting community housing opportunities in Shelter Island.

ARTICLE IV

Administration and Control of Community Housing Opportunities

§ 51-6 Administration and Control.

- A. The Town will promulgate all rules and regulations, including model agreements and forms, necessary to implement this chapter.
- B. The Community Housing Board will be responsible for administration and control of community housing opportunities as defined in this Chapter.

§ 51-7. Housing Registry.

- A. The Town will cause to be prepared and will maintain a housing registry as defined in § 51-4 of applicants who meet the eligibility criteria as described herein.

- B. To be considered eligible for community housing, applicants must be a U. S. citizen or legal resident alien and be an income eligible individual/family as defined in this Chapter.
- C. To the extent permitted by law and federal, state, and county programs, priority for community housing will be determined as follows:
 - 1. Income eligible individuals or families who have lived and worked in the Town of Shelter Island for a period of at least one (1) year prior to the application submission.
 - 2. Income eligible individuals or families who have lived in the Town of Shelter Island for a period of at least one (1) year prior to application submission.
 - 3. Income eligible individuals or families who have worked in the Town of Shelter for a period of at least one (1) year prior to application submission.
 - 4. Income eligible individuals or families who previously lived in the Town of Shelter Island for a minimum of one (1) year and wish to return.
 - 5. Other income eligible individuals or families.
 - 6. To the extent that the number of eligible applicants exceeds available community housing opportunities in a particular category described in paragraphs 1 through 5 above, the Town may develop a system for purposes of ensuring a weighted housing lottery for these community housing opportunities.
- D. When the Community Housing Board determines that an applicant is eligible for listing in the Housing Registry it will issue a Certificate of Eligibility indicating the person(s) who is(are) eligible and their priority status. The Certificate will be valid for one (1) year from the date of issue and will preserve the eligibility and priority of the Certificate holder for that period. If the Certificate holder does not obtain Community Housing within that period, the Certificate will lapse and a new application must be filed.

§ 51-8. Community Housing Unit Inventory.

- A. The Town will cause to be prepared and will maintain a community housing unit inventory, as defined in § 51-4, of all units reserved for income-eligible households.
- B. The community housing unit inventory will include accessory apartments and sleeping quarters that exist as of the effective date of this chapter which are not in compliance with the Town Zoning Code, provided that the owner holds a Special Community Housing License in accordance with the provisions of this Chapter.

ARTICLE V
Special Community Housing Licenses

§ 51-9 . General.

Notwithstanding the provisions of Chapter 133 of the Town Code, a property owner may rent a structure or part of a structure and make such property alterations as are necessary to facilitate this, provided that the owner has designated such rental as community housing and has a Special Community Housing License (SCHL) pursuant to this chapter.

§ 51-10. New Licenses

- A. Any person or entity applying for an SCHL under this chapter must be the owner of the real property that is the subject of the SCHL application. All owners of record must sign the application.
- B. Applications for SCHLs shall be available from the CHB Clerk, and shall require the following information and attachments:
 - (1) A plan drawn to scale indicating the square footage of the parcel and the locations of all structures, walkways, driveways, parking areas, and landscaping features and any proposed exterior alterations.
 - (2) A description of the interior of each residential building on the parcel and any proposed alterations (i.e., number of bedrooms, bathrooms, kitchens and other cooking facilities, etc.).
 - (3) A floor plan with total square footage of each unit and dimensions of each room.
 - (4) The proposed number of occupants for each unit.
 - (5) The proposed rent.
 - (6) A copy of the deed evidencing the applicant's ownership of the property.
- C. The premises shall be subject to the inspection of the Building Inspector every two years for compliance with safety codes.
- D. Special Community Housing Licenses shall contain the following conditions:
 - (1) The owner must agree to select tenants for that part of the building dedicated to community housing from the Town's Housing Registry in accordance with the priorities established in this Chapter. Notwithstanding the priorities established in said section, family members of the applicant

by blood or marriage who meet the eligibility requirements of this Chapter shall have first priority.

- (2) The owner must agree to charge rent that is no more than the Low Home Rent Limit specified by the U. S Department of Housing and Urban Development (HUD) for the Nassau – Suffolk NY HUD Metro FMR Area in effect at the time of the rental for the unit size.
 - (3) The owner shall execute such agreements, leases or other legal instruments which upon recommendation of the Town Attorney will ensure success in helping to meet identified community housing needs. A copy of the fully executed lease and all extensions must be submitted to the CHB within fifteen (15) days of execution by all parties.
- E. Upon approval of the SCHL application by the CHB as provided for in this chapter, the CHB Clerk shall issue a five-year license.
- F. There shall be no filing fee required to apply for an SCHL or a building permit where structural alteration of a building is being done pursuant to an approved SCHL.
- G. Acceptance of an SCHL shall constitute an agreement that the licensee will hold the Town of Shelter Island and its authorized representative harmless for any liability in connection with the rental of his property; nor shall the Town be responsible for any loss or damage to the property, structures or personal property thereon.
- H. A licensee must notify the CHB Clerk of any change in the rental status of the property within fourteen (14) days of the change. In order to maintain the SCHL the licensee must agree to select another tenant from the Housing Registry.

§ 51-11. Renewal Licenses.

- A. An SCHL may be renewed for an additional five-year term in accordance with the following:
- (1) The CHB Clerk shall notify the licensee by first class mail at least three months prior to the expiration date of a valid SCHL of the need to renew said license prior to its expiration date, per an enclosed blank SCHL application form.
 - (2) The licensee shall submit the application form to the CHB Clerk with any updates to the documentation submitted with the initial application, a description of the details which remain the same, and shall include a copy of the current lease.

- (3) The licensee shall submit an attestation of compliance with the requirements of the SCHL and this chapter.
- B. The CHB Clerk shall pass the updated application to the CHB for a review as to whether the property continues to be eligible for an SCHL. The CHB will make the renewal determination.
- C. Upon approval of the SCHL renewal application by the CHB as provided for in this chapter, the CHB Clerk shall issue a five-year SCHL renewal.

§ 51-12. SCHL Revocation.

- A. SCHLs may be revoked for any of the following reasons:
 - (1) There is a change in ownership of the property.
 - (2) If the licensee fails to notify the CHB Clerk of a change in rental status within the prescribed time.
 - (3) If the licensee rents the property to tenants who are not on the Housing Registry when there are eligible candidates in the Registry.
 - (4) If the CHB determines that the owner has failed to comply with the requirements herein.
- B. SCHLs may be revoked after a notice of revocation is sent by certified mail to the property owner at the address shown on the Town Assessor's tax records. The CHB shall be in charge of enforcement. Notice of revocation shall give the property owner 15 days' notice of the intent to revoke the SCHL, and offer a hearing on the revocation in front of the CHB. After 15 days, and after the hearing is requested, the CHB may adopt a resolution of SCHL revocation stating the reasons for revocation, and file it with the CHB Clerk.
- C. If an SCHL is revoked, written notice to return the property to full compliance with Chapter 133, Zoning, of the Town Code, will be sent to the owner giving thirty days' notice to comply. If the owner does not comply within that time, the owner shall be in violation of the Town Zoning Code.

§ 51-13. Rules and Regulations.

- A. SCHLs may be issued for property located in all zones except the Near Shore and Peninsular Overlay District.
- B. Alterations to an existing structure shall not change the existing footprint. In order to make alterations to use an existing structure for this purpose, the owner shall

apply for a building permit from the Town Building Department in the manner of all other applications for building permits in addition to applying for a SCHL.

- C. SCHLs shall be granted only for existing structures and proposed alterations to existing structures that comply with the requirements of all applicable federal, state, county and local building, health, fire, electrical and plumbing codes.
- D. Off-street parking shall be provided for all vehicles regularly associated with the premises.
- E. To the extent practicable, units reserved for community housing will meet or exceed the following minimum dwelling unit size to accommodate household or family size:

Household or Family Size	Minimum Dwelling Unit Size
1	Efficiency Unit
2	Efficiency Unit
3	1-bedroom
4-5	2-bedroom
6	3-bedroom

- F. In the event that a tenant vacates a dwelling covered under an SCHL and there are no eligible candidates in the Housing Registry, the owner may rent the premises on the open market for a period of up to one (1) year while maintaining the SCHL.
- G. A maximum of ten (10) new applications for an SCHL will be considered in any calendar year.

§ 51-14. Penalties for Offenses.

A violation of this chapter is an offense and, pursuant to § 268 of the Town Law, shall be punishable as follows:

- A. For a first conviction: a fine not less than the sum of \$50 nor more than \$350 or by imprisonment for not more than six months, or by both such fine and imprisonment.
- B. For a second conviction: by a fine of not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or by both such fine and imprisonment.
- C. For a third or subsequent conviction: by a fine of not less than \$700 nor more than \$1,000 or by imprisonment not to exceed six months, or both such fine and imprisonment.

- D. Each day on which such violation shall occur shall constitute a separate, additional offense.

ARTICLE VI
Community Housing Floating Zone

§ 51-15. Establishment.

The Community Housing Floating Zone (CHFZ) is hereby established as a floating zone with potential applicability to any property in the Town of Shelter Island district except the Near Shore and Peninsular Overlay District (also cited herein as the “Near Shore District”). This zone is not proposed to be mapped at the present time but may be mapped by the Town Board on qualifying sites as part of separate legislative determinations at some future date.

§ 51-16. Purpose.

The CHFZ is created to facilitate community housing that is more creative and imaginative in its land use and design than is possible under the regulations currently in place with due regard for existing neighborhood development, fiscal responsibility, economic feasibility, and environmental concerns.

§ 51-17. Application Procedure in General.

- A. The procedure for planning and zoning approval of any future proposed CHFZ shall involve a pre-application review and, if the proposal appears to have merit, an application review process as follows:
 - (1) Approval of a preliminary development concept plan and the reclassification of a specific parcel or parcels of land for development in accordance with that plan by the Town Board.
 - (2) Approval of a final, detailed site plan, as well as a subdivision plat, if appropriate, by the Town Planning Board.
- B. An applicant who has made an unsuccessful application to the Town Zoning Board of Appeals and/or the Town Planning Board is barred from submitting an application for the same project as a CHFZ.

§ 51-18. Pre-application Submission

- A. The purposes of the required pre-application submission are as follows:
 - (1) To ensure that the applicant fully understands the policies, standards and requirements of the Town of Shelter Island as they related to CHFZs.

- (2) To identify any potential major problems or conflicts within the application before it is formally prepared for presentation to the Town Board.
 - (3) To provide the applicant with available information on the current status of existing and planned services, facilities and improvements that may relate to the proposed CHFZ.
 - (4) To facilitate the early exchange of information between review agencies and the applicant.
 - (5) To understand the applicant's objective in seeking to establish this CHFZ.
- B. The pre-application submission shall be made to the Shelter Island Community Housing Board and shall include the following information, in form and detail sufficient to enable reviewers to understand and comment on the general nature and scope of the applicant's proposal and to save the applicant time and expense in making its proposal:
- (1) A written statement transmitting the pre-application package and describing the basic concept of the proposed plan and the general reasons why the applicant believes that approval of its application would further the legislative intent, purposes and goals of CHFZ zoning
 - (2) Indication of whether the proposed plan is for rental units, sale units, or a mixture of the two.
 - (3) A site plan indicating the square footage of each lot and the existing and/or proposed locations of all structures, walkways, driveways, parking areas, and landscaping features.
 - (4) The total number of proposed units.
 - (5) A description of each unit (number of stories, bedrooms, bathrooms, etc.) and a floor plan with total square footage of each unit and dimensions of each room.
 - (6) A sketch of the proposed exterior for each structure showing the front, rear and side elevations.
 - (7) Septic system plan and well location. Include a description of any preliminary discussions with the Suffolk County Department of Health Services (SCDHS) with respect to well and septic permits or any existing SCDHS permits.

- (8) Description of existing and/or proposed utilities, including heat and electric, and required upgrades to existing utilities, if any.
 - (9) If a rental project, the proposed number of tenants for each unit.
 - (10) The financial parameters of the proposed project including:
 - (i) Monthly rent or sale prices proposed for each unit
 - (ii) Sustainability provisions (how the affordability of the units will be sustained over the long term)
 - (iii) Subsidies that will be obtained by the applicant
 - (iv) Other funding sources to be used by the applicant, i.e., investors, silent partners, etc.
 - (v) A description of the assurances the applicant will provide to the Town that it has, or has a reasonable expectation of obtaining, sufficient financial resources to complete the project
 - (11) A list of the commitments the applicant is seeking from the Town to make the project feasible, including any zoning incentives, subsidies and/or financial incentives which will be sought by the applicant in return for providing special public benefits, and any proposals for changes in permitted uses.
 - (12) Proposed schedule
 - (13) Any other supporting rationale or documentation which would be of assistance to the reviewing body at this stage.
- C. Six (6) copies of the required documents shall be submitted to the CHB Clerk for forwarding to the CHB.

§ 51-19. Pre-application Review.

- A. The CHB shall schedule a review of the pre-application submittal at a meeting to be held within thirty (30) days from receipt of the complete pre-application submittal. The CHB may invite representatives from other Town bodies, such as the Building Department, as it deems appropriate. The applicant or his duly authorized representative shall attend this meeting.
- B. The primary purpose of the pre-application review shall be to exchange information and ideas with the applicant regarding the nature of the proposed project and its processing. It is not the purpose of such review to indicate any

approvals, either expressed or implied, or to pre-judge in any way the environmental and legislative determinations which will ultimately result from formal Town Board review and public hearing.

- C. Minutes of the pre-application review shall be provided to the applicant and the Town Board within fifteen (15) business days of the review. The Town Board shall also be provided with a complete copy of the pre-application submission and the CHB's recommendation on the application.
- D. In the event that the CHB advises the applicant to make revisions to the proposed pre-application submission, the revised proposal shall be submitted to the CHB prior to submission of the formal application to the Town Board, and the CHB's recommendation to the Board shall include the revisions.

§ 51-20. Preliminary Application.

- A. Within sixty (60) days of submission of a complete pre-application package as determined by the CHB and its recommendation to the Town Board, the applicant may submit a formal application to the Town Board for CHFZ zoning and plan approval.
- B. The preliminary application and supporting material for the proposed CHFZ constitute the material to be officially submitted to the Town Board. They show the general design of the project to the extent necessary for the Town Board to indicate to the applicant whether the proposal is acceptable as a basis for the final detailed application.
- C. The preliminary application shall be made to the Town Board and shall include the following information:
 - (1) The names and addresses of the property owner(s), the applicant(s) (if other than the owner(s)), and of the architect, engineer, surveyor and/or other professionals engaged to work on the project. Where the applicant is not the owner of the property, written authorization from the owner for the submission of the application is required.
 - (2) A written statement describing the nature of the proposed project, including whether it is for sales and/or rental unit(s) and how it is designed to serve the purposes of this article.
 - (3) An analysis of the site's relationship to immediately adjoining properties and the surrounding neighborhood including the safety and capacity of the street system in the area in relation to the anticipated traffic generation, and such other information as may be required by law or determined necessary by the Town Board to properly enable it to review and decide upon the application.

- (4) A preliminary development concept plan for the proposed project, drawn to a convenient scale and including the following items of information:
 - (i) The area of the property in both acres and square feet
 - (ii) A map of existing terrain conditions, including topography with a vertical contour interval of no more than five feet; identification of soil types, including wetlands; existing wooded areas and other significant vegetation; other existing natural features; existing structures; and existing well and septic systems, if any.
 - (iii) A site location sketch indicating the location of the property with respect to neighboring streets and properties, including the names of all owners of property within 500 feet thereof. This should also show the existing zoning of the property.
 - (iv) A preliminary site development plan indicating the approximate location, height and design of all structures, the arrangement of parking areas and access drives and the general nature and location of other proposed site improvements, including landscaping and screening, location of proposed well and septic systems, and any other information required by the Town Board.
 - (v) Well and septic permit from the Suffolk County Department of Health Services (SCDHS) or a description of the applicant's plan for obtaining such approval.
 - (vi) A proposed schedule for staging and completing the project.
 - (vii) A written update to any of the other information submitted with the pre-application information.

D. Ten copies of the required documents shall be submitted to the Town Clerk for forwarding to the Town Board.

§ 51-21. Planning Board Review.

- A. On receipt of a properly completed application for the establishment of a new CHFZ, six copies of such application shall be referred to the Planning Board for review and report.
- B. The Planning Board shall report its recommendation back to the Town Board Within forty five days of the date of the Planning Board meeting at which such referral is received.

- C. No action shall be taken by the Town Board until receipt of the Planning Board report or the expiration of the Planning Board review period, whichever comes first. Said review period may be extended by mutual consent of Planning Board and the applicant.
- D. The Planning Board, may recommend either approval of the proposed application, approval with modifications, or disapproval. In the event of a recommendation for disapproval, the Planning Board shall state in its report the reasons therefor. In preparing its report and recommendation, the Planning Board shall take into consideration special and supplementary reports and reports prepared by the Town in compliance with SEQRA; the existing nature and arrangement of land uses in the area; the relationship of the proposed design and location of buildings on the site; the likelihood of SCDHS approval for a well and septic permit; traffic circulation both on and off the site; compliance of the proposed development with the standards and requirements of this article; the then-current need for such housing; and such other factors as may be appropriately related to the purpose and intent of this article and the Town Code.

§ 51-22. Public Hearing.

- A. No more than thirty (30) days after completion of SEQRA review and the date of Town Board receipt of the Planning Board's report and recommendation or the expiration of the Planning Board review period, whichever occurs first, the Town Board shall fix a time and place for a public hearing on the application and shall provide for giving notice of same by publishing a notice in the official newspaper at least ten days prior to the hearing.
- B. In addition, at least ten days prior to the hearing, the applicant shall mail notice of the time, date, place and nature of the hearing to the owners of record of every property which abuts and every property which is within 200 feet of the property involved in the application. Such notice shall be made by certified mail and addressed to the owners at the addresses listed for them on the local assessment roll. On or before the commencement of the public hearing, the applicant shall file an affidavit with postal receipts annexed thereto confirming mailing of said notices.

§ 51-23. Determinations by the Town Board.

For every such application for establishment of a CHFZ on which the Town Board may act, such Board shall give approval only upon making determinations based on the following criteria:

- A. General suitability:
 - (1) That the proposed application will encourage appropriate use of the land in accordance with the general purposes, intent and spirit of this chapter and not be detrimental to surrounding property values.
 - (2) That the safety, health, welfare, or the order of the Town will not be adversely affected by the proposed use and its location.

- B. Location:
 - (1) That the site is suitable for the location of such use in the Town.
 - (2) That the proposed use is harmonious with the character of the existing and probable development of uses in the vicinity.

- C. Environmental concerns:
 - (1) That the proposed application meets the requirements of the Suffolk County Department of Health Services (SCDHS) for water supply and sanitary treatment.
 - (2) That the proposed application will not have a negative impact on ground water, traffic, public services, and other issues considered pursuant to SEQRA.

- D. Site development:
 - (1) That the proposed application addresses traffic issues by providing off street parking for all residents.
 - (2) That where flag lots are proposed, an access roadway of sufficient width to provide for emergency services vehicles is provided.
 - (3) That proposed landscaping provide natural plantings that are attractive, provide privacy, and are compatible with the adjacent area and terrain.

§ 51-24. Town Board Action.

The Town Board shall act either to approve, approve with modifications or disapprove the preliminary development concept plan and the establishment of the Community Housing Floating Zone. The approval may include waiver of zoning setbacks as deemed appropriate by the Town Board. Approval or approval with modifications is required for and shall be deemed to authorize the applicant to proceed with the detailed design of the proposed project in accordance with such concept plan and the subsequent procedures and requirements of this article. It also authorizes the applicant to submit applications to

the Planning Board for subdivision, as appropriate. A copy of the resolution containing the Town Board's decision shall be forwarded to the Planning Board and to the applicant. A copy shall also be placed on file in the office of the Town Clerk and, if in the form of an approval, the official copy of the Town Zoning Map shall be amended accordingly.

§ 51-25. Final Application and Approval

- A. The final application and supporting material for the proposed CHFZ constitute the complete submission of the CHFZ proposal and include the recommendations resulting from Planning Board review of the preliminary application and public hearing held thereon, as well as a review of the detailed layout drawings. The Town Board may waive a public hearing on the final application when the final application substantially conforms to an approved preliminary application on which a public hearing has been held. After final approval by the Town Board, this complete submission becomes the basis for the construction of the project. If a subdivision is involved, the requirements of Chapter 111, Article VI of the Town Code must be complied with.
- B. The final application shall be made to the Town Board and shall include the Application for final approval and SCDHS permits and Final site plan and Other Required Approvals. Any resolution of approval or conditional approval issued by the Town Board shall be made subject to the applicant obtaining all other necessary approvals, licenses and/or permits as may be required from other governmental agencies having jurisdiction thereof. As a condition of approval, each applicant shall be required to file appropriate legal documentation as the Town Board determines necessary to provide for and ensure the continued proper future maintenance, use and ownership responsibility for all land and facilities with the CHFZ. Such documentation shall be acceptable to the Town Board in form and substance.
- C. Where the Town Board has rezoned a parcel for a Community Housing Floating Zone and the Planning Board has approved a site plan and/or subdivision pursuant to this article, the building permit fees shall be waived for those dwelling units designated by the Town Board as Community Housing units.
- D. Approval of the establishment of a CHFZ shall expire twelve (12) months after the date of the Town Board preliminary approval if the applicant has not applied for and received final site development plan approval and final subdivision plat approval, if appropriate in accordance with the subsequent requirements of this article and unless work on the site is begun within eighteen (18) months of Town Board approval and is being prosecuted to completion with reasonable diligence. The Town Board, upon request of the applicant, may extend both of the above time periods for two additional periods of not more than six months each. In the event of expiration of CHFZ approval, the district shall automatically be removed from the subject property, and such property shall revert to its prior zoning

classification. The Town Clerk shall amend the official copy of the Zoning Map accordingly.