

11-4-5 Planned Seasonal Home Developments (Mountain Home Development)

(a) Definition:

A subdivision in which the roads, travel easements, water lines, and open spaces are not dedicated to the public, but are retained as private facilities, and in which the dwellings or lots are designed to be occupied only during the months of April, May, June, July, August, September, and October.

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(b) Required Information:

The following documentation shall be submitted as part of the application for approval:

- (i) Articles of incorporation for the Home Owners Association;
- (ii) By-laws of homeowners association;
- (iii) Statement of covenants, conditions, restrictions and management policies.
- (iv) Open space agreement.
- (v) Statement of health authority regarding water and sewage systems.
- (vi) Conveyance of water rights to Home Owners Association. (Res. 11-12-79)
- (vii) A plot plan indicating the following:
 - (viii) Residential accessory structures.
- (ix) Common areas and recreation facilities for the use and enjoyment of the members of the development.
- (x) Fences and walls. (Res. 11-12-79)

(c) Required Findings:

(1) Density

The maximum number of dwelling units within a seasonal home development shall be in accordance with the following schedule as determined by the County Commission upon a detailed slope analysis of the area proposed for development.

PERCENT OF SLOPE	DENSITY
0-20%	1 lot per 20 acres
20-35%	1 lot per 30 acres
35 and above	1 lot per 50 acres

(2) Design Criteria and Improvement Requirements
Development Clusters

All dwelling sites shall be located within a designated development cluster. Each cluster shall contain not less than five (5) separate building lots or sites (except for developments having fewer than five (5) building sites or lots for the entire development).

(3) Size of Dwelling Sites

Each lot or dwelling site within the cluster shall not be less than twenty thousand (20,000) square feet nor more than two and one half acres.

(4) Steep Slopes to Remain in Natural State.

All land surface having a slope of thirty (30) percent or greater shall remain in its natural state.

(5) Each Building Site to have Buildable Area

Each lot or dwelling site shall contain a buildable area of not less than twenty thousand (20,000) square feet.

(6) Street System

(i) Vehicular Access - Each lot or building site shall front on and have access to a County road or private vehicular travelway. A road or travelway shall conform to County standards and shall provide for adequate vehicular circulation within the development.

(ii) Grade of Roads and Travelways - No street or roadway shall have a grade of more than twelve (12) percent, except the County Commission may approve grades up to fifteen (15) percent for short stretches of roadway where the twelve (12) percent standard would result in extra earthwork and circuitous routes.

(7) Cut and Fill Slopes - No street or roadway shall be constructed in a location or in such a manner which produces a slope face which exceeds the critical angle of repose; provided that the County Commission may approve a roadway producing such a slope face where in its opinion:

- (i) a roadway is necessary to the development, and the proposed road follows the most appropriate alignment.
- (ii) the roadway and slope will not produce an undue hazard on the environment or adjacent properties.
- (iii) all practical measures to reduce the slope angle or to prevent the soil from moving under the force of gravity until the vegetative material becomes re-established shall be employed to stabilize the slope.

(8) Water Supply and Water Rights

(i) Each dwelling within the development shall be served by an approved water system. Plans for said system shall be submitted to the State Health Department through the County health authority and approved as evidenced by a letter of feasibility from said State agency.

(ii) Title to the water rights for domestic purposes in the amount necessary to meet the requirements of the letter of feasibility shall be held by the home owners association.

(9) Sewage Disposal

The planned seasonal home development shall be served by a central sewage disposal system or by an individual waste water disposal systems which have been approved by the County health authority as evidenced by a written statement therefrom. Where individual disposal systems are to be used, evidence of the suitability of each dwelling site within the cluster to accommodate said individual system shall be submitted at the time of application, and no development shall be approved which contains one or more dwelling sites for which said individual systems are determined to be unsuitable.

(10) Open Space

Open Space areas to be designated – All land not included within building sites or used for travelways or developed common facilities shall be designated as natural open space for the common use of the occupants of the development.

(11) Open Space Preservation Agreement

As assurance that the designated area will remain as open space, the developers shall execute an open space preservation agreement with the County, in which the developer agrees for himself and his successors and assigns to refrain from excavating, making additional roadways, installing additional utilities, constructing dwellings or other structures on the designated areas without prior approval of the County through an amendment to the plan.

(11) Flood Plan - All flood plain areas and floodways, if any, shall be included as part of the common open space. (Res. 11-12-79)

(12)

(c) Required Findings:

Compliance with all above listed conditions , all other requirements specified in this Ordinance and any other conditions placed on the applicant by the approving agency.

(d) Duration:

For so long as the applicant remains in compliance with the aforesaid conditions and requirements.