

(iii) "Project approval" does not include building permits.

8-1808.1.

(e) ~~In~~ (1) EXCEPT AS AUTHORIZED UNDER PARAGRAPH (2) OF THIS SUBSECTION, IN calculating the 1-in-20 acre density of development that is permitted on a parcel located within the resource conservation area, a local jurisdiction [may]:

~~(4) (I) SHALL COUNT EACH DWELLING UNIT, REGARDLESS OF THE SIZE OF THE DWELLING UNIT, ITS LOCATION OR CONFIGURATION, OR ANY RESTRICTIONS ON ITS OCCUPANCY; AND~~

~~(2) (II) MAY~~ permit the area of any private wetlands located on the property to be included, under the following conditions:

[(1)] ~~(4) 1.~~ The density of development on the upland portion of the parcel may not exceed 1 dwelling unit per 8 acres; and

[(2)] ~~(4) 2.~~ The area of private wetlands shall be estimated on the basis of vegetative information as designated on the State wetlands maps.

(2) (I) WITHIN A RESOURCE CONSERVATION AREA, A LOCAL JURISDICTION MAY CONSIDER ONE ADDITIONAL DWELLING UNIT PER LOT OR PARCEL AS PART OF A PRIMARY DWELLING UNIT FOR THE PURPOSE OF THE DENSITY CALCULATION UNDER THIS SUBSECTION IF THE ADDITIONAL DWELLING UNIT:

1. A. IS LOCATED WITHIN THE PRIMARY DWELLING UNIT OR ITS ENTIRE PERIMETER IS WITHIN 100 FEET OF THE PRIMARY DWELLING UNIT;

B. DOES NOT EXCEED 900 SQUARE FEET IN TOTAL ENCLOSED AREA; AND

C. IS SERVED BY THE SAME SEWAGE DISPOSAL SYSTEM AS THE PRIMARY DWELLING UNIT; OR

2. A. IS LOCATED WITHIN THE PRIMARY DWELLING UNIT;

B. BY ITS CONSTRUCTION, DOES NOT INCREASE THE AMOUNT OF IMPERVIOUS SURFACE ALREADY ATTRIBUTED TO THE PRIMARY DWELLING UNIT; AND

C. IS SERVED BY THE SAME SEWAGE DISPOSAL SYSTEM AS THE PRIMARY DWELLING UNIT.

(II) THE PROVISIONS OF THIS PARAGRAPH MAY NOT BE CONSTRUED TO REQUIRE A LOCAL JURISDICTION TO CONSIDER AN ADDITIONAL DWELLING UNIT AS PART OF A PRIMARY DWELLING UNIT FOR THE PURPOSE OF THE DENSITY CALCULATION UNDER THIS SUBSECTION.