

**AN ORDINANCE TO AMEND ARTICLE 3.3.2(b), *Mountain Island Lake Watershed Overlay District Exceptions to Applicability* and ARTICLE 3.3.3.2(b), *Lake Norman Watershed Overlay District Exceptions to Applicability***

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the **Zoning Ordinance** is hereby amended as follows:

**Article 3.3.2**

**.2 Exceptions to Applicability:**

- a) Existing development, as defined in Section 12.2.3, is not subject to the requirements of the Mountain Island Lake Watershed Overlay District. Expansions to structures classified as existing development must meet the requirements of this section; however the built-upon area of the existing development is not required to be included in the impervious area calculations.
- b) An existing lot, as defined in Section 12.2.3, owned prior to the effective date of this ordinance, regardless of whether or not a vested right has been established, may be developed for single family residential purposes subject only to the buffer requirements of Section 3.3.3-A, f) and g) or Section 3.3.3-B, f) and g), whichever are applicable. ~~however this exemption is not applicable to more than two (2) multiple contiguous lots under single ownership.~~
- c) Existing public utilities may expand without being subject to the restrictions of this part provided that:
  - (i) Such expansion complies with all applicable laws of the State of North Carolina and the United States of America, and
  - (ii) Discharges associated with the existing public utilities may be expanded, however the pollutant load shall not be increased beyond presently permitted levels.

**Article 3.3.3**

**.2 Exceptions to Applicability:**

- a) Existing development, as defined in Section 12.2.3, is not subject to the requirements of the Lake Norman Watershed Overlay District. Expansions to structures classified as existing development must meet the requirements of this section; however the built-upon area of the existing development is not required to be included in the impervious area calculations.
- b) An existing lot, as defined in Section 12.2.3, owned prior to the effective date of this ordinance, regardless of whether or not a vested right has been established, may be developed for single family residential purposes subject only to the buffer requirements of Section 3.3.4-A, f) and g), whichever are applicable. ~~however this exemption is not applicable to more than two (2) multiple contiguous lots under single ownership.~~
- c) Existing public utilities may expand without being subject to the restrictions of this part provided that:
  - (i) Such expansion complies with all applicable laws of the State of North Carolina and the United States of America; and
  - (ii) Discharges associated with the existing public utilities may be expanded, however the pollutant load shall not be increased beyond presently permitted levels.

Section 2. That this ordinance shall become effective upon adoption.

LAND DEVELOPMENT ADVISORY BOARD: May 4, 2017 – Recommended Approval

PUBLIC HEARING DATE: June 19, 2017

PLANNING BOARD MEETING: June 27, 2017

TOWN BOARD DECISION: