

APPROVED BY COUNTY COMMISSION

DATE April 11, 2000

Petition No. 00-14c  
Petitioner: Mecklenburg County Department  
of Environmental Protection

ZONING REGULATIONS  
TEXT AMENDMENT NO. 79

A RESOLUTION AMENDING  
THE MECKLENBURG COUNTY  
ZONING REGULATIONS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MECKLENBURG  
COUNTY, NORTH CAROLINA:

Section 1. The Mecklenburg County Zoning Regulations as embodied in the Zoning Ordinance  
are hereby amended as follows:

Amend CHAPTER 10: OVERLAY DISTRICTS,

1. PART 5: MOUNTAIN ISLAND LAKE WATERSHED OVERLAY,

The following section is amended by crossing through wording to be deleted and  
underlining additions in the text;

**Section 10.508. Buffer areas Required.**

Vegetative buffers are required along the shoreline of Mountain Lake measured from  
the normal pool elevation and along perennial streams measured from the top of bank  
on each side of the stream.

1. (No change)
2. (No change)
3. Additional buffer requirements:

No permanent structures, built upon areas, septic tanks systems or any other  
disturbance of existing vegetation shall be allowed within the buffer except as  
follows:

- a. No trees larger than 2-inch caliper are to be removed except for dead or  
diseased trees. Trees less than 2 inch caliper and undergrowth may be  
removed to be replaced by an effective stabilization and filtering ground  
cover based upon the Watershed Buffer Guidelines for Mecklenburg  
County contained in Appendix 5 and as approved by the County  
Environmental Protection Department.

- b. Streambank or shoreline stabilization is allowed as approved on a plan submitted to the applicable Engineering Department and the County Environmental Protection Department.
- c. Water dependent structures and public projects such as road crossings and greenway paths are allowed where no practical alternative exists. These activities should minimize built-upon surface area, direct run off away from surface waters, and maximize the utilization of nonstructural BMP's and pervious materials.
- d. During new development or the expansion of existing development the County can require enhancement of the existing vegetation in the buffer if necessary so that the buffer can effectively perform its filtering and absorption functions based on the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5.
- e. Non-impervious recreational development and non-impervious pedestrian trails may be allowed in the required buffer if located a minimum of 30' from the stream bank.

4. Mitigation of disturbed buffers required.

Should existing vegetation within the buffer be disturbed (except as allowed by this Ordinance) or should vegetation which was added to a buffer pursuant to the requirement that existing vegetation in the buffer be enhanced be disturbed (except as allowed by this Ordinance) the Zoning Administrator shall require that any vegetation remaining in the buffer be enhanced in accordance with the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5 so that the buffer can effectively perform its filtering and absorption functions.

2. PART 6: CATAWBA RIVER/LAKE WYLIE WATERSHED OVERLAY,

A. Section 10.606. Development Standards for the Catawba River/Lake Wylie Watershed Overlay, 1.A3, and 2A3, Maximum Allowable Built Upon Area (%B.U.), Footnote to Chart 10.606.1(A3) and 101.606.2 (A3), by making the word "Footnote" plural to "Footnotes" and adding footnote (2) as follows:

- (2) Percentages apply on an individual lot basis for lots of record established on or before June 20, 1994. Lots of record established thereafter will be subject to these percentages unless otherwise specified on a recorded plat or on a subdivision plan approved by the Planning Commission.

- B. The following section is amended by crossing through wording to be deleted and underling additions in the text;

**Section 10.608. Buffer areas Required.**

Vegetative buffers are required along the shoreline of Catawba River/Lake Wylie measured from the normal pool elevation and along all perennial streams measured from the bank on each side of the stream.

1. (No change)
2. (No change)
3. Additional buffer requirements:

No permanent structures, built upon areas, septic tanks systems or any other disturbance of existing vegetation shall be allowed within the buffer except as follows:

- a. No trees larger than 2-inch caliper are to be removed except for dead or diseased trees. Trees less than 2 inch caliper and undergrowth may be removed to be replaced by an effective stabilization and filtering ground cover based upon the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5 and as approved by the County Environmental Protection Department.
- b. Streambank or shoreline stabilization is allowed as approved on a plan submitted to the applicable Engineering Department and the County Environmental Protection Department.
- c. Water dependent structures and public projects such as road crossings and greenway paths are allowed where no practical alternative exists. These activities should minimize built-upon surface area, direct run off away from surface waters, and maximize the utilization of nonstructural BMP's and previous materials.
- d. During new development or the expansion of existing development the County can require enhancement of the existing vegetation in the buffer if necessary so that the buffer can effectively perform its filtering and absorption functions based on the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5.

- e. Non-impervious recreational development and non-impervious pedestrian trails may be allowed in the required buffer if located a minimum of 30' from the stream bank.

4 Mitigation of disturbed buffers required.

Should existing vegetation within the buffer be disturbed (except as allowed by this Ordinance) or should vegetation which was added to a buffer pursuant to the requirement that existing vegetation in the buffer be enhanced be disturbed (except as allowed by this Ordinance), the Zoning Administrator shall require that any vegetation remaining in the buffer be enhanced in accordance with the Watershed Buffer Guidelines for Mecklenburg County contained in Appendix 5 so that the buffer can effectively perform its filtering and absorption functions.

- 3. Delete in its entirety PART 7: LAKE NORMAN WATERSHED OVERLAY.

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

Approved as to form:

\_\_\_\_\_  
County Attorney

Read, approved and adopted by the Board of County Commissioners of Mecklenburg County, North Carolina, in meeting on the 11th day of April, 2000.

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Clerk, Board of County Commissioners