

AN ORDINANCE TO AMEND ARTICLE 8.25.11 S.W.I.M. (Surface Water Improvement and Management) Stream Buffer Appeals and Variances.

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

8.25.11 Appeals and Variances.

- a) An appeal to reverse or modify the order, decision, determination, or interpretation of the Zoning Administrator shall comply with the procedures and standards of Section 11.3 of these ordinances.
- b) Special Variance Provisions/Mitigation Techniques.
 - When “~~practical difficulties or unnecessary hardships~~”, as defined in Section 11.3.2 f **e** , would result from strict adherence to the buffer width requirements and/or buffer treatment standards, a petition for variance may be filed with the Huntersville Board of Adjustment in compliance with the procedures and standards of Section 11.3.
 - Site specific mitigation plans using the mitigation techniques set out below and approved by the designated agency shall be construed by the Board of Adjustment to be evidence responsive to Section 11.3.2 f **e**), subparagraph 1) ~~(b) and 1) (c)~~ **4** – consistency with adopted plans and protection of public safety and welfare. Specifications for these mitigation techniques are provided in the Charlotte-Mecklenburg Buffer Implementation Guidelines (for Structural BMPs). The techniques below are not construed to offset the requirement of Section 8.25.6 for diffuse flow.

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

PUBLIC HEARING DATE: **June 6, 2016**

PLANNING BOARD MEETING: **June 28, 2016**

PLANNING BOARD RECOMMENDATION: **Approval**

TOWN BOARD DECISION: **Approval, July 18, 2016**