

### 5.12.1 INTENT

The purpose of this Section is to regulate the development and land-use density in certain watershed areas in order to limit water supply watershed exposure to non-point source discharge and pollution. The non-point source discharge can contribute biological contamination, turbidity from soil erosion and sedimentation, nutrient enhancement and heavy metal pollution; all of which endanger the water supplies that provide drinking water to the Town.

It is also the intent of the WPO district to limit the amount of impervious surface allowed within this overlay district. In accordance with impervious surface coverage allowed, the number of dwelling units per acre should be at a minimal or reduced ratio to preserve and protect environmentally sensitive areas. The use of cluster development is encouraged.

As required by the Water Supply Watershed Protection Act of 1989 (G.S. §143-214.5), the State of North Carolina has classified each of North Carolina's drinking water supply watersheds to an appropriate classification. The Lake Norman and Mountain Island Lake watersheds, portions of which are within the Cornelius planning and zoning jurisdiction, are classified as "WS IV" and are protected water supplies that are moderately to highly developed watersheds. The portion of the Lake Norman watershed within the Cornelius planning and zoning jurisdiction is classified as a critical area, while the portion of the Mountain Island Lake watershed is classified as a protected area.

### 5.12.2 LAKE NORMAN OVERLAY (LN-O) DISTRICT

In order to address a moderate to high land use intensity pattern, single-family residential uses are allowed at a maximum of two (2) dwelling units per acre or 20,000 square feet excluding street right-of-way. All other residential and non-residential development shall be allowed at a maximum of twenty-four percent (24%) built-upon area or in accordance with Chapter 11 of this Code. The Board of Commissioners may approve a higher impervious cover proposal consistent with the intent of the Overlay district. New residuals application sites and landfills are specifically prohibited.

#### A. Allowed Uses:

1. Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
3. Residential development, as permitted in the underlying zoning classification.
4. Non-residential development, excluding: 1) landfills, 2) sites for land application of residuals or petroleum contaminated soils, 3) the storage of toxic and hazardous materials unless a spill containment plan is implemented and filed with the Mecklenburg County Fire Marshall's Office, and 4) new Industrial Process Discharges requiring a NPDES permit.

#### B. Density and Built-upon Limits:

1. Low Impervious Cover Option – Single Family Residential  
Development shall not exceed two dwelling units per acre on a project-by-project basis. No residential lot shall be less than one-half (1/2) acre (or 20,000 square feet excluding street right-of-way), except within an approved cluster development.
2. Low Impervious Cover Option – All Other Residential and Non-Residential  
Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.
3. High Impervious Cover Option (Cannot be Utilized in the GR District)  
Where new development is proposed to exceed either 2 units per acre or 24% built-upon area, engineered stormwater controls shall be used to control runoff from the first inch of rainfall and development may not exceed fifty percent (50%) built-upon area.

# 5.12 Watershed Protection Overlay (WP-O)

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## 5.12.3 MOUNTAIN ISLAND LAKE OVERLAY (MIL-O) DISTRICT

In order to address a moderate to high land use intensity pattern, single-family residential uses are allowed at a maximum of two (2) dwelling units per acre or 20,000 square feet excluding street right-of-way. All other residential and non-residential development shall be allowed at a maximum of twenty-four percent (24%) built-upon area or in accordance with Chapter 11 of this *Code*. The Board of Commissioners may approve a higher impervious cover proposal consistent with the intent of the Overlay district. New residuals application sites and landfills are specifically prohibited.

### A. Allowed Uses:

1. Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).
3. Residential development, as permitted in the underlying zoning classification.
4. Non-residential development, excluding: 1) landfills, 2) sites for land application of residuals or petroleum contaminated soils, 3) the storage of toxic and hazardous materials unless a spill containment plan is implemented and filed with the Mecklenburg County Fire Marshall's Office, and 4) New Industrial Process Discharges requiring a NPDES permit.

### B. Density and Built-upon Limits:

1. Low Impervious Cover Option – Single Family Residential  
Development shall not exceed two dwelling units per acre on a project-by-project basis. No residential lot shall be less than one-half (1/2) acre (or 20,000 square feet excluding street right-of-way), except within an approved cluster development.
2. Low Impervious Cover Option – All Other Residential and Non-Residential  
Development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.
3. High Impervious Cover Option – (Cannot be utilized in the GR district)  
Where new development is proposed to exceed either 2 units per acre or 24% built-upon area, engineered stormwater controls shall be used to control runoff from the first inch of rainfall and development may not exceed seventy percent (70%) built-upon area.