

City of Valdosta Land Development Regulations

Chapter 324 Environmental Planning Criteria

Section 324-1 Protection of Groundwater Recharge Areas

- (A) Purpose and Intent. Pursuant to O.C.G.A. 12-2-8 and the Georgia Department of Natural Resources (DNR), Environmental Protection Division's Rules for Environmental Planning Criteria Chapter 391-3-16, this Section establishes regulations to protect significant groundwater recharge areas from pollution by spills, discharges, leaks, impoundments, applications of chemicals, injections and other development.
- (1) Applicability. Groundwater Recharge Areas are delineated according to the DNR's "Significant Recharge Areas, Hydrological Atlas 18 (1989 Edition)" and the Georgia Department of Natural Resources' "Pollution Susceptibility Map." These groundwater recharge areas are also depicted on the Water Resources Protection Districts Overlay Map, which is hereby incorporated by reference. Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said maps are hereby adopted by reference and made a part of this Section and are available for review in the Planning and Zoning Office.
 - (2) Development Standards. All uses allowed in the underlying zoning districts, except those specifically prohibited in Section 324-1(B) are permitted in Groundwater Recharge Areas subject to the following standards:
 - (a) New sanitary landfills must have synthetic liners and leachate collection systems.
 - (b) New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall meet the requirements of U.S. EPA rules for oil pollution prevention, 40 CFR 112.1. Such tanks used for agricultural purposes are exempt, provided they comply with all federal regulations.
 - (c) New agricultural waste impoundment sites must be lined if they are within:
 - i. A high pollution susceptibility area
 - ii. A medium pollution susceptibility area and exceed 15 acres-ft.
 - iii. A low pollution susceptibility area and exceed 50 acre-ft. At a minimum, the liner shall be constructed of compacted clay having a thickness of one (1) foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the U.S. Soil Conservation Service.
 - (d) Subject to minimum lot sizes established in Section 214-1 of this LDR, new homes served by septic tank/drainfield systems must be on lots having the following minimum size limitations, as identified on Table MT-1 of the Department of Human Resources' Manual for On-Site Sewage Management Systems (DHR Table MT-1). The minimums set forth in Table MT-1 may be increased further based on consideration of other factors as set forth in Section A-F of the DNR Manual:
 - i. 150% of the subdivision minimum lot size of DHR Table MT-1 if they are within a high pollution susceptibility area.
 - ii. 125% of the subdivision minimum lot size of DHR Table MT-1 if they are within a medium pollution susceptibility area.
 - iii. 110% of the subdivision minimum lot size of DHR Table MT-1 if they are within a low pollution susceptibility area.
 - (e) Subject to minimum lot sizes established in Section 214-1 of this LDR, new manufactured home parks served by septic tank/drainfield systems must have lots or spaces having the following size limitations as identified on Table MT-2 of the Department of Human Resources' Manual for On-Site Sewage Management Systems (DHR Table MT-2). The

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minimums set forth in Table MT-2 may be increased further based on consideration of other factors as set forth in Section A-F of the DNR Manual:

- i. 150% of the subdivision minimum lot size of DHR Table MT-2, if they are within a high pollution susceptibility area.
 - ii. 125% of the subdivision minimum lot size of DHR Table MT-2, if they are within a medium pollution susceptibility area.
 - iii. 110% of the subdivision minimum lot size of DHR Table MT-2, if they are within a low pollution susceptibility area.
- (f) No construction may proceed on a building or manufactured home to be served by a septic tank unless the Lowndes County Health Department first approves the proposed septic tank installation as meeting the requirements of the DHR manual and paragraphs d. and e. above.
- (g) New facilities that handle hazardous materials, of types and amounts determined by the DNR, shall perform their operations on impermeable surfaces having spill and leak collection systems, as prescribed by the DNR.
- (h) New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acre-ft.; or a low pollution susceptibility area and exceed 50 acre-ft. As a minimum, the liner shall be constructed of compacted clay having a thickness of one (1) foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
- (i) New above-ground chemical or petroleum storage tanks, having a minimum volume of 1,320 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
- (j) Any project involving the spray irrigation of wastewater sludges in areas of high pollution susceptibility must conform with requirements specified in the DNR's "Criteria for Slow Rate Land Treatment."
- (k) Exclusive of mining settling basins, all new wastewater treatment basins must have an impermeable liner in areas having high pollution susceptibility.

(B) Prohibited Uses. The following uses are prohibited:

- (1) The land disposal of hazardous wastes in groundwater recharge areas identified in Section 324-1.
- (2) Permanent stormwater infiltration basins in areas of high pollution susceptibility.

Section 324-2 Protection of Wetlands

(A) Purpose and Intent. Pursuant to O.C.G.A. 12-2-8 and the DNR, Environmental Protection Division's Rules for Environmental Planning Criteria Chapter 391-3-16, this Section establishes regulations to promote the wise use of wetlands and protect them from alterations that will significantly affect or reduce their primary functions for water quality, floodplain and erosion control, groundwater recharge, aesthetic natural areas and wildlife habitat areas.

(B) Applicability. All lands within the jurisdiction of the City of Valdosta, Georgia that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. These wetlands areas are depicted on the Water Resources Protection Districts Overlay Map, which is hereby incorporated by reference.

The Generalized Wetland areas depicted on the Water Resources Protection Districts Overlay Map

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do not necessarily represent the boundaries of jurisdictional wetlands within the City of Valdosta, Georgia and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this Section does not relieve the landowner from federal or state permitting requirements.

- (C) Wetlands Development Permit Requirements. No activity or use, except those identified in Section 324-2(D), shall be allowed in the wetlands without issuance of a local development permit. Local permits will be issued only if the proposed use is in compliance with the requirements of the underlying zoning district and this Section. Furthermore, if the area of proposed development is located within 50 feet of the wetlands boundaries, an U.S. Army Corps of Engineers delineation is required under Section 404 of the Clean Water Act. If wetlands are altered or degraded, mitigation to offset losses may be required as a condition of a Section 404 permit. Local development permits will not be issued until after any necessary Section 404 permits have been secured.
- (D) Permitted Uses. Subject to federal and state requirements, the following uses are permitted by right in wetlands to the extent that they are not prohibited by any other ordinance or law and provided that they do not require structures, grading, filling, draining or dredging; unless a permit pursuant to Section 404 of the Clean Water Act is obtained.
- (1) Forestry practices applied in accordance with BMPs approved by the Georgia Forestry Commission.
 - (2) Conservation or preservation of soil, water, vegetation, fish or other wildlife, provided they do not affect waters of the State of Georgia or of the United States in such a way that they would require an individual permit pursuant to Section 404 of the Clean Water Act.
 - (3) Outdoor passive recreation activities; including fishing, bird watching, hiking, boating, horseback riding and canoeing.
 - (4) Natural water quality treatment or purification.
 - (5) Normal agricultural activities; including the planting and harvesting of crops and pasturing of livestock. Such activities shall be subject to BMPs approved by the Georgia Department of Agriculture.
 - (6) Other uses permitted under Section 404 of the Clean Water Act.
- (E) Prohibited Uses in Wetlands.
- (1) Receiving areas for toxic or hazardous waste or other contaminants.
 - (2) Hazardous or sanitary waste landfills.

Section 324-3 Protected River Corridor Regulations

- (A) Purpose and Intent. The Withlacoochee River has been designated as a protected river by the State of Georgia. The purpose of this Section is to protect and safeguard the health and welfare of all the citizens of the City of Valdosta and adjacent counties, establish intelligent measures to guide future growth and development in the areas adjacent to the Withlacoochee River and to provide protection to sections of the rivers that are or may be used as a future source of drinking water as defined herein.

Pursuant to O.C.G.A. 12-2-8 and the Georgia Department of Natural Resources, Environmental Protection Division's Rules for Environmental Planning Criteria Chapter 391-3-16, this Section establishes regulations to preserve river corridors as habitats for wildlife, recreation sites and sources of clean drinking water.

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- (1) **Applicability.** The Withlacoochee River Corridor Protection District is hereby designated and shall comprise all land, inclusive of islands, in areas of the Withlacoochee River within the City of Valdosta and being within 100 feet horizontally on both sides of the rivers as measured from the river banks. Also included is the area between the top of the bank and the edge of the river although this strip of land is not included as part of the 100-foot buffer requirement contained in the minimum standards. These areas are further defined and delineated on the Water Resource Protection Districts Overlay Map.

Because stream channels move due to natural processes such as meandering, river bank erosion, and jumping of channels, the river corridor may shift with time. To address this potential, local staff will require that all applicants submit a site plan, prepared on a plat or survey, upon which the applicant has had a qualified design professional designate the river bank both on the plan and on-site. Local planning/inspections staff will verify the river bank on site, and insure its proper delineation on the site plan. The required 100-foot buffer will be clearly delineated on the plat and enforced as part of the local inspections process.

- (B) **Permitted Uses.** Except as noted below, the river corridor shall be maintained as a natural vegetative buffer, and all construction within the buffer shall be prohibited.
- (C) **Single-family Dwellings.** Single-family dwellings shall be permitted subject to the state-mandated riparian buffer and subject further to the following conditions:
 - (1) The dwelling must be in compliance with all applicable land development regulations and applicable building codes.
 - (2) The dwelling must be located on a tract of land containing at least 2 acres. No portion of the 2 acres may include any area that lies within the protected river.
 - (3) Only one such dwelling may be on the 2-acre or larger tract of land.
 - (4) Septic tanks serving such dwellings shall not be located within state-mandated riparian buffer.
 - (5) Septic tank drainfields shall not be located in the state-mandated riparian buffer.
- (D) **Industrial and Commercial Land Uses.** Industrial and commercial land uses existing prior to the establishment of this Section shall be permitted, subject to the following conditions:
 - (1) The industrial and commercial uses of river corridors must not impair the drinking quality of the river water.
 - (2) The industrial and commercial uses of river corridors must meet all state and federal environmental rules and regulations.
- (E) **Road and Utility Crossings.** Road and utility crossings shall be permitted, provided the construction of such road and utility crossings shall meet all requirements of the Georgia Erosion and Sedimentation Act, as amended, and the applicable local ordinances on soil erosion and sedimentation control.
- (F) **Additional Permitted Uses.** The following uses of river corridors are permissible, subject to Valdosta's land development regulations, provided that such uses do not impair the long-term functions of the protected river or the river corridor:
 - (1) Timber production and harvesting, subject to the following conditions:
 - (a) Timber production and harvesting must be consistent with BMPs established by the Georgia Forestry Commission and all other state and federal regulations.
 - (b) Timber production and harvesting must not impair the drinking quality of the river water, as defined by the federal Clean Water Act, as amended.
 - (2) Wildlife and fisheries management activities consistent with the purposes of O.C.G.A. 12-2-8.

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- (3) Wastewater treatment.
- (4) Recreational usage consistent either with the maintenance of a natural vegetative buffer or with river-dependent recreation consistent with BMPs established by the Georgia Soil and Water Conservation Commission.

For example, outdoor passive recreational activities such as fishing, bird watching, hiking, boating (including a boat launch ramp), horseback riding and canoeing would be consistent with this criteria; but a hard-surfaced tennis court would not. Parking lots are not consistent with this criterion.

- (5) Natural water quality treatment or purification.
- (6) Agricultural production and management, subject to the following conditions:
 - (a) Agricultural production must be consistent with BMPs established by the Georgia Soil and Water Conservation Commission, regulations established by the Georgia Department of Agriculture and all other state and federal regulations.
 - (b) Agricultural production must not impair the drinking quality of the river water, as defined by the federal Clean Water Act, as amended.
- (7) Other uses permitted by the DNR or under Section 404 of the Clean Water Act.

(G) Restoration of Buffer. The natural vegetative buffer shall be restored within 120 calendar days after any permitted land-disturbing activity within the river corridor.

(H) Exempt Uses.

- (1) Legally established land uses existing in river corridors prior to the establishment of this Section.
- (2) Mining activities, if permitted by the DNR, pursuant to the Georgia Surface and Mining Act of 1968, as amended.
- (3) Utilities, except as discussed above, if such utilities cannot feasibly be located outside the buffer area, provided that:
 - (a) The utilities must be located as far from the river bank as reasonably possible.
 - (b) The utilities must be installed and maintained so as to protect the integrity of the buffer area as well as is reasonably possible.
 - (c) The utilities may not impair the drinking quality of the river water.
 - (d) Specific forestry and agricultural activities except as listed in Section 324-3(f)(6)

(I) Prohibited Uses. The following uses are prohibited within river corridors:

- (1) Handling areas for the receiving and storage of hazardous waste.
- (2) Hazardous waste or solid waste landfills.
- (3) Automobile parking lots.
- (4) Septic tanks and septic tank drain fields except as provided in Section 324-3(c) concerning single-family dwellings.

Sections 324-4 through 324-10 Reserved