

Riparian Buffer Ordinances in Georgia

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 Office of Public Service and Outreach

Jurisdiction	Ordinance Name/ Code #	Contact Person	Date Enacted	Buffer Purpose	Buffer definition	Applies To	Buffer Width	Measure From	Land use Restrictions	Exemptions/ Exceptions	Variance Procedures	Enforcement & Penalties
Alpharetta	Section 10 in City Stormwater Design Manual	Dee West (770) 410-5835				* Perennial streams on USGS quadrangle maps	100 ft	stream banks	* 150 ft impervious surface setback * septic tanks and drain fields prohibited		* must follow BMPs to get a variance	
						* Non-perennial streams that are "flowing streams" as defined in stormwater ordinance	35 ft	stream banks	* 50 ft impervious surface setback * septic tanks and drain fields prohibited			
Athens-Clarke County	Section 8-6-1 of Code of Athens-Clarke County	Brett Evilsizon (706) 613-3515	10/20/00	Protect water supplies trap sediment and pollution in runoff, stabilize banks, protect riparian wetlands, minimize impact of floods, protect wildlife habitat, generally maintain water quality	"naturally vegetated condition"	* Protected streams on Athens-Clarke Environmental Areas Map (EAM) in red	100 ft	stream banks, as defined by a break in slope	new structures, solid or hazardous waste landfills, handling areas for receipt of hazardous waste, livestock within 25 ft of stream, agricultural waste pits, tree removal within 25 ft of stream, parking lots, septic tanks or drain fields,	restoration projects, structures that don't require grading, repair of existing structures, landscaping or wood cutting for personal use, recreation, road crossings, utility lines, timber production and harvest as long as BMPs are used, agriculture as long as BMP's are used, wildlife and fisheries management, single family home constr., and existing uses, density may be transferred	only in cases of extreme hardship where owner can get little or no reasonable economic use of land: applicant must show unique and unusual circumstances, need for property rights preservation, benefits outweigh costs, and must propose a mitigation plan	each day is a separate violation, stop work orders will be issued, violators will be punished pursuant to Section 1-1-5 of Code of Athens-Clarke County
						* Upper North Oconee River and Sandy Creek on EAM in orange	100 ft	stream banks, as defined by a break in slope				
						Perennial streams and lakes on EAM in yellow	75 ft	point at which vegetation is wrested by stream flow or wave action				
					All state waters not on EAM	25 ft	point at which vegetation is wrested by stream flow or wave action					

Cherokee County	Ordinance 98-0-12 Section 10.6-7 "Stream Buffer"	Lynn Tulley Principal Planner (770) 479-0504	8/28/98	Public health, safety and welfare	"undisturbed, natural"	*Primary and secondary streams	50 ft	stream banks				
						*Etowah River	150 ft	stream banks				
Cobb County	Part 1, Chapter 50, Article III, Section 50-75-15 of the Official Code of Cobb County	Theresa Elderidge Cobb Co. Site Plan Review (770) 528-2149	Jun-99		"permanent, natural, undisturbed vegetation"	* stream on Cobb Co. Stream Buffer Map with watershed area < than 5 square miles	50 ft	point at which vegetation is wrested by stream flow or wave action	no land disturbing activities	sewerlines, road crossings, roadway drainage structures		
						* stream on Cobb Co. Stream Buffer Map with watershed area between 5 and 10 square miles	75 ft					
						* stream on Cobb Co. Stream Buffer Map with watershed area > 10 square miles	100 ft					
						* Nickajack Creek as defined on Cobb Co. Stream Buffer Map	200 ft					

DeKalb County	Code of DeKalb County, Chapter 14, Land Development, Article I: In General, Article 2: Environmental Control	Tom Claiborne Land Development (404) 371-4913	Feb-01	Preserve existing mature riparian forest which provides shade, leaf litter, woody debris, and erosion control to stream	"undisturbed area"	streams designated on Feb 1995 DeKalb County GIS and all other running water flowing continuously or intermittently that don't appear on the map	75 ft	stream banks	no piping of streams in buffer except where variances, no detention or sedimentation control facility within 25 ft state buffer zone	stormwater channels, footpaths, utility or railroad crossings, multi-use trails (not <25 ft from banks, only if approved as part of Master Plan for Multi-Use Trails in DeKalb County), drainage structures, perpendicular (road, utility) crossings (must apply for variance)	apply to Director, variances within 25 ft buffer must apply to Director of EPD, but Director not obligated to permit project if doesn't meet other requirements of ordinance	
Douglas County	Section 75 of Douglas County Code (in process of creating Unified Development Code)	Eric Linton, Director of Planning and Zoning	3/11/76	Insure water quality and restrict development which would cause environmental damages	"undisturbed in its natural state"	Big Bear Creek, Dog River from the Carroll County line to the Chattahoochee River, 17 other listed creeks, and any tributaries or branches to tribs of those creeks listed	100 ft	centerline of the river	development density restrictions in areas outside of buffer			
Fulton County	"South Fulton County Tributary Protection Ordinance"	Gene Callaway (404) 730-7531	Aug-98	Protect public water supplies, decrease surface runoff and non-point source pollution, minimize erosion, manage stormwater, stabilize banks, protect wildlife habitat, and maintain water quality consistent with use classifications	"natural, undisturbed tract of land with natural vegetation"	unincorporated Fulton co. south of corporate limits of Atlanta: streams on USGS 7.5 min. quadrangles or other perennial streams as may be identified by Fulton Co.	75 ft	stream banks, as defined by a break in slope	additional impervious surface setback of 15 ft and improvement setback of 10 ft outside of all buffers, no septic tanks or drain fields, receiving areas for toxic or hazardous waste, landfills, stormwater retention or detention facilities, buildings, structures, parking lots, driveways or other impervious surfaces	existing land uses, road crossings, public utilities, timber harvest must have a 25 ft buffer and 10 ft improvement setback,	only in cases of unnecessary hardship to owner, relief in harmony with intent of ordinance, mitigation plan required, no variances within 200 ft of Chattahoochee River corridor or for buffer less than 35 ft on a tributary that flows directly into River, owner must do monitoring for 18 mo. after completion of project and put up a performance bond	notice sent with 30 days to correct violation, stop work order if not corrected within 30 days, citations issued and prosecuted

Newton County	"The Zoning Ordinance of Newton County, Georgia	Lloyd Kerr (770) 784-2197	6/1/99		"natural or enhanced vegetated area with no or limited minor land disturbances such as trails and picnic areas"	River Corridor Protection Overlay District: Yellow River, South River, Alcovy River, and any other river meeting criteria established by DNR	25 ft	bank	single-family dwellings must be on 2 acres, no septic tank drain fields; industrial and commercial uses existing prior must not impair drinking water quality and must meet all environmental rules and regulations	established prior uses, mining, utilities, road and utility crossings, and others (timber, fisheries and wildlife management, wastewater treatment, recreation, water quality treatment, and agriculture) so long as don't impair long-term functions of river and follow BMPs	Apply to Zoning Administrator, in 45 days appeal to Board of Zoning Appeals	Building Official or Zoning Administrator can make inspections and notify owner if problem, if no remedy within 30 days, minimum fine \$100 each day and violation of public nuisance
						Water Protection Overlay District: Cornish Creek Reservoir, Bear Creek Reservoir, Big Haynes Creek Watershed, City Pond, and Little River (streams within these identified on USGS 7.5 minute map)	100 ft	bank or shoreline	150 ft set back for septic tanks and drain fields, and for water supply reservoirs	roadways, drainage-ways, paths, trails, and utility easements allowed to cross in perpendicular manner if approved by County Engineer		
						Any lake, river, stream, or like water body not classified as protected river and outside boundaries of water supply watersheds (see above districts) on USGS 7.5 minute map	35 ft	bank or shoreline	50 ft set back for septic tanks and drain fields			
Roswell	"Stream Bank Protection Ordinance"	Susan Hiott City Clerk's Office (770) 641-3727 Kathleen Fields City Planner (770) 641-3780	6/19/00	Protect surface & groundwater for health, safety, & general welfare; preserve/protect drinking water supply; complement Soil Erosion and Sediment Control Ordinance	"natural or enhanced vegetated area with no land disturbances or limited land disturbances such as trails and picnic areas"	streams on 7.5 minute USGS map or listed as "perennial streams" on City of Roswell Georgia Water Resources map	100 ft	stream banks	no impervious surface or septic tanks and septic drain fields within 150 ft	stream crossings; parallel utility lines (not <25 ft from stream); only minimum riparian cover destroyed; redevelopment which won't impair quality, vitality, and stability; structure repair after fire; retention ponds in best interest of water resources (must apply for variance)	variance issued by Zoning Director with approval of Mayor and City Council for cases of exceptional circumstances and unnecessary hardship; Zoning Director's decisions average to 100 ft buffer, minimum 50 ft; impervious average 150 ft, minimum 75 ft	
						streams identified as "flowing stream" on City of Roswell Georgia Water Resources map	50 ft	stream banks	75 ft impervious surface setback, 150 ft septic tank and drain field setback			