

## **ARTICLE 19. S-3 SENSITIVE LAND-GROUNDWATER RECHARGE AREA PROTECTION DISTRICT**

### **Sec. 1901. Purpose.**

The purpose of the S-3 district is to protect those lands identified as recharge areas for underground reservoirs known as aquifers. In order to promote the health, safety and welfare of the public and a healthy economic climate within Pike County and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources on which Pike County and surrounding communities rely as sources of public water.

Groundwater resources are contained within underground reservoirs known as aquifers. These aquifers are zones of rock beneath the earth's surface capable of containing or producing water from a well. They occupy vast regions of the subsurface and are replenished by infiltration of surface water runoff in zones of the surface known as groundwater recharge areas. Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

### **Sec. 1902. Relationship to other zoning districts.**

The S-3 groundwater recharge area protection district, is an overlay district which shall include all lands within the jurisdiction of Pike County, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 Edition, which map is hereby adopted and made a part of this ordinance. The S-3 groundwater recharge area protection district applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in this ordinance and which are additionally mapped as significant recharge areas, as shown on Hydrologic Atlas 18, 1989 Edition.

### **Sec. 1903. Definitions.**

The following definitions (in addition to those definitions contained within Article 2 of this ordinance) apply to S-3 districts:

- A. *Aquifer*: Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.
- B. *DHR*: Georgia Department of Human Resources.
- C. *DHR Table MT-1*: The provisions of the Department of Human Resources' Manual for On-site Sewage Management Systems, appearing on Table MT-1, therein, as amended.
- D. *DHR Table MT-2*: The provisions of the Department of Human Resources' Manual for On-site Sewage Management Systems, appearing on Table MT-2, therein, as amended.
- E. *DRASTIC*: The standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035. DRASTIC methodology is the most widely used technique for evaluating pollution susceptibility.
- F. *Pollution susceptibility*: The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area.

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- G. *Pollution susceptibility maps*: Maps of the relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)
  - H. *Recharge area*: Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.
  - I. *Significant recharge areas*: Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

**Sec. 1904. Coordination with development criteria contained in other zoning districts.**

- A. The provisions of this article apply additional development standards to specific areas which may lie within any zoning district in Pike County. If required development standards are specified for the same item in both articles, the more stringent governs.
- B. Any development must comply with the Pike County Soil Erosion and Sedimentation Control Ordinance, as well as any other applicable development regulation.

**Sec. 1905. Development and protection criteria in S-3 districts.**

The following development criteria apply in S-3 districts:

- A. No construction may proceed on a building or manufactured home to be served by a septic tank unless the Pike County Health Department first approved the proposed septic tank installation as meeting the requirements of the DHR Rules and Regulations for On-Site Sewage Management (DHR Manual) and section B and C, below.
- B. New single-family residential dwellings or duplex dwellings served by septic tank/drain fields system shall be located on lots having the minimum size limitations, as follows, based on application of Table MT-1. The minimums set forth in Table MT-1 may be increased further based on consideration of other factors set forth in sections A—F of the DHR Manual:
  - 1. One hundred fifty (150) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a high pollution susceptibility area;
  - 2. One hundred twenty-five (125) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a medium pollution susceptibility area;
  - 3. One hundred ten (110) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a low pollution susceptibility area.
- C. New manufactured housing parks served by septic tank/drain field systems shall have lots or spaces having minimum lot size limitations as follows, based on application of Table MT-2. The minimums set forth in Table MT-2 may be increased further based on consideration of other factors set forth in section A—F of the DHR Manual:
  - 1. One hundred fifty (150) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a high pollution susceptibility area;
  - 2. One hundred twenty-five (125) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a medium pollution susceptibility area;
  - 3. One hundred ten (110) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a low pollution susceptibility area.
- D. New agricultural waste impoundment sites shall be lined if they are located within:

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1. A high pollution susceptibility area;
  2. A medium pollution susceptibility area and exceed 15 acre-feet;
  3. A low pollution susceptibility area and exceed 50 acre-feet.

As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than  $5 \times 10^{-7}$  cm./sec. or other criteria established by the Natural Resource and Conservation Service.

- E. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for one hundred ten (110) percent of the volume of such tanks or one hundred ten (110) percent 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.
- F. New facilities that handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
- G. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

### **Sec. 1906. Exemptions.**

Any lot of record approved prior to the date of adoption of this ordinance is exempt from the minimum lot size requirements contained in Section 1905(B., C.) of this ordinance.

### **Sec. 1907. Administration and enforcement procedures.**

- A. *Site plans*: Application for a local development permit within the S-3 district shall include a site plan, drawn at a scale of 1" = 50' containing the following information:
    1. A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings.
    2. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
    3. Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of two hundred (200) feet.
    4. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
    5. Elevations of the site and adjacent lands within two hundred (200) feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to two (2) percent.
    6. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
    7. All proposed temporary disruptions or diversions of local hydrology.
  - B. *Activities to comply with site plan*. All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of stormwater runoff from the site, increase the amount of impervious surface
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within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the building official or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

- C. *Exemptions from site plan requirements.* The following activities and developments are exempt from the requirement for detailed site plans:
1. Single-family detached dwellings constructed within a subdivision of fewer than five parcels.
  2. Repairs to a facility that is part of a previously approved and permitted development.
  3. Construction of minor structures, such as sheds or additions to single-family residences.
- D. *Review procedures.* The application shall be made to the building official or designated appointee and will be reviewed within fifteen (15) days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to \$500.00 or \$100.00 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the building official or designated appointee. The review period shall include the preparation of findings, i.e. approval, approval with conditions or disapproval by the building official or designated appointee. The applicant will receive written notification of the findings of the building official or designated appointee. Decision of the building official or designated appointee may be appealed to the Pike County Planning and Zoning Board.
- E. *Duration of permit validity.*
1. If construction described in the development permit has not commenced within twelve (12) months from the date of issuance, the permit shall expire.
  2. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire twelve (12) months after the date that work ceased.
  3. Written notice of pending expiration of the development permit shall be issued by the building official or designated appointee, provided however, that failure of the building official or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.
- F. *Penalties.*
1. When a building or other structure has been constructed in violation of this article, the violator may be required to remove the structure at the discretion of the building official or designated appointee.
  2. When removal of vegetative cover, excavation or fill has taken place in violation of this article, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the building official or designated appointee.
  3. If the building official or designated appointee discovers a violation of this article that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.
- G. *Suspension and revocation.* The building official or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit. The building official shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the Pike County Journal Reporter.

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- H. *Relief assessment.* The Pike County Board of Tax Assessors shall consider the requirements of this section in determining the fair market value of land.

**Sec. 1908. Adoption of Pike County Groundwater Recharge Area Protection District Map.**

- A. The S-3 district consists of the area located within the groundwater recharge area protection district as are shown and designated on a certain map identified as the "S-3 District, Pike County Groundwater Recharge Area Protection Map," which map is hereby adopted into and made a part of this ordinance as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a Notary Public under the following words: "This certifies that this is the Official S-3 District Pike County Groundwater Recharge Area Protection Map," referred to in Article 21A of the Zoning Ordinance of Pike County.
- B. The area identified as lying within the S-3 Pike County Groundwater Recharge Area Protection District shall be the same as that area lying within the boundaries of Pike County shown on Hydrologic Atlas 18, 1989 Edition. To the extent of a conflict between Hydrologic Atlas 18, 1989 Edition and the Official S-3 District Pike County Groundwater Recharge Protection Area Map, the provisions of Hydrologic Atlas 18, 1989 Edition shall control.