

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE AMENDING CHAPTER 109-222(c)(8), ARTICLE V – STREAM BUFFER
PROTECTION ORDINANCE OF THE CODE OF ORDINANCES OF THE
CITY OF SANDY SPRINGS, GA**

BE IT ORDAINED by the City Council of the City of Sandy Springs, GA while in regular session on March 2, 2010 at 6:00 p.m. as follows:

SECTION 1. That the Ordinance relating to Amending the Code of the City of Sandy Springs; Chapter 109-222(c)(8), Article V: Stream Buffer Protection Ordinance to include the following:

(8) Projects defined in O.C.G.A. 12-7-17(3), as minor land disturbing activities that are exempt from the Georgia Erosion and Sedimentation Act: *“Such minor land disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion”.*

The following land-disturbing activities are examples of projects not specifically listed in O.C.G.A. 12-7-17(3) that would be considered minor land-disturbing activities and therefore, exempt from the Georgia Erosion and Sedimentation Act and the applicable buffer requirements for State waters:

1. Elevated structures such as decks, gazebos, patios, walkways, viewing platforms and/or open picnic shelters, provided that the floor/decking be built in a pervious manner to allow for the infiltration of stormwater;
 - a. No more than 100 square feet of footprint of the elevated structure extends into or over the buffer, with an exception for structures compliant with the Americans with Disability Act (ADA);
 - b. No grading, cutting, filling or similar land-disturbing activities occurring as a part of the site preparation, construction or subsequent development;
 - c. The structure is built on posts, concrete blocks and/or similar supports;
 - d. Permanent protective vegetative cover remains or protective measures (e.g., mulch, gravel) are installed within the footprint of the elevated structure to prevent post-construction soil erosion;
 - e. A natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - f. No concrete and/or asphalt slabs, pads or foundations constructed or placed as a part of the site preparation, construction or subsequent development.

2. A pervious ground level walkway approach to a dock and/or similar structure, provided:
 - a. No more than 100 square feet of the constructed walkway extends into the buffer, with an exception for structures compliant with the Americans with Disability Act (ADA);
 - b. No grading, cutting, filling or similar land-disturbing activities occurring as a part of the site preparation, construction or subsequent development;

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- c. No concrete and/or asphalt slabs, pads, supports or foundations constructed or placed as a part of the site preparation, construction or subsequent development; and
 - d. All ground preparation and walkway material placement is completed with the use of hand-held equipment.
3. Restoration of buffer area after the removal of an existing structure, provided:
- a. No more than 100 square feet of the structure footprint is in the buffer, and
 - b. The buffer area must be replanted with native vegetation.
4. Maintenance or repair of existing structures, the failure of which would result in a threat to human health or State waters, such as sewer lines, water lines, dams or gas lines. Total disturbance must be less than 100 square feet.
5. Placement of rock riprap with the buffer not to exceed 100 square feet on any one property, provided:
- a. The placement of the rip-rap does not result in soil disturbance outside the placement area; and
 - b. No grading, cutting, filling or similar land-disturbing activities occurring as part of the site preparation, construction or subsequent development.

The following land-disturbing activities are examples of projects that are *NOT* considered minor land disturbing activities and therefore, *NOT* exempt from the Georgia Erosion and Sedimentation Control and Sedimentation Act and the applicable buffer requirements for State Waters:

1. Any land disturbing activity utilizing wheeled or tracked machinery and equipment resulting in soil erosion within the buffer;
2. Paving with poured or prefab concrete and/or asphalt;
3. Any project or combination of projects occurring within the same calendar year on the same property resulting in more than 100 square feet of any elevated structures and/or pervious ground level walkways within or extending into the buffer;
4. Construction of a barbeque pit on a concrete or asphalt slab or pad within the buffer;
5. Construction of a ground level patio within the buffer;
6. Construction of a swimming pool within the buffer;
7. Construction of a decorative or structural retaining wall within the buffer;
8. Construction of a new seawall with land disturbing activities occurring within the buffer; and
9. Backfilling any new seawall construction within the buffer, and;

SECTION 2. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed, and;

SECTION 3. That this Ordinance shall be effective March 2, 2010.

ORDAINED this the 2nd day of March, 2010.

Approved:

Eva Galambos
Eva Galambos, Mayor

Attest:

Michael Casey
Michael Casey, City Clerk
(Seal)

