

ARTICLE XII

GROUNDWATER RECHARGE AREAS ORDINANCE

12.1 Definitions

- 12.1.1 **Aquifer** means any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.
- 12.1.2 **Drastic** means 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. (Note: the DRASTIC methodology is the most widely used technique for evaluating pollution susceptibility).
- 12.1.3 **Pollution Susceptibility** means 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.
- 12.1.4 **Pollution Susceptibility Map** means 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).
- 12.1.5 **Recharge Area** means any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.
- 12.1.6 **Significant Recharge Areas** means those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

12.2 Protection for Groundwater Recharge Areas

- 12.2.1 The Groundwater Recharge Area District is hereby established which shall correspond to all lands within the jurisdiction of the City of Lawrenceville, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. Said map is hereby adopted and made a part of this ordinance.
- 12.2.2 Determination of Pollution Susceptibility: 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 map is hereby adopted and made a part of this ordinance.

12.2.3 No construction may proceed on a building or mobile home to be served by a septic tank unless the Gwinnett County Health Department first approves the proposed septic tank installations as meeting the requirements of the Georgia Department of Human Resources for On-Site Sewage Management (hereinafter DHR Manual), and Sections 12.2.4 and 12.2.5 below.

12.2.4 New homes served by a septic tank/drain field system shall be on lots having minimum size limitations as follows, based on application of Table MT-1 of the DHR Manual (hereinafter DHR Table M-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) 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a high pollution susceptibility area;
- (2) 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a medium pollution susceptibility area;
- (3) 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a low pollution susceptibility area.

12.2.5 New mobile home parks served by septic tank/drain field systems shall have lots or spaces having minimum size limitations as follows, based on application of Table MT-2 of the DHR Manual (hereinafter DHR Table MT-2). The minimums set forth in Table MT-2 may be increased further based on consideration of other factors (set forth in Sections A-F) of the DHR Manual.

- (1) 150% of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2 if they are within a high pollution susceptibility area;
- (2) 125% of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2 if they are within a medium pollution susceptibility area;
- (3) 110% of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2 if they are within a low pollution susceptibility area.
- (4) New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution

susceptibility area and exceed fifteen (15) acre-feet; or a low pollution susceptibility area and exceed fifty (50) acre-feet. 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.

- (5) New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 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.
- (6) 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.
- (7) Permanent stormwater infiltration basins shall not be constructed in areas having high pollution susceptibility.
- (8) Any lot of record approved prior to the adoption of this ordinance is exempt from the minimum lot size requirements contained in Sections 12.2.4 and 12.2.5 of this ordinance.

12.3 Administration and Enforcement Issues

12.3.1 Site Plans

Application for a local development permit within the City of Lawrenceville shall include a site plan labeled Groundwater Recharge Area, drawn at a scale of 1" = 50', with 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) The site plan must have a property boundary according to the Georgia Coordinate System.

- (3) Location, dimensions and areas 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 one (1) foot for slopes less than or equal to two percent (2%).
- (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.

12.3.2 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 excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Director of Planning and Zoning. 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 requirements.

12.3.3 Exemptions to Site Plan Requirements

The following activities and developments are exempt from the requirement for detailed site plans:

- (1) Single family detached homes constructed within a subdivision.
- (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.

12.3.4 Review Procedures

The application shall be made to the Director of Planning and Zoning and will be reviewed within thirty (30) days. The review period shall include the preparation of findings (approval, approval with conditions, or disapproval) by the Director of Planning and Zoning. The applicant will receive written notification of the findings of the Director of Planning and Zoning. Decisions of the Director of Planning and Zoning may be appealed to the Lawrenceville City Council.

12.3.5 Duration of Permit Validity

- (1) Written notice of pending expiration of the development permit shall be issued by the Director of Planning and Zoning.

12.3.6 Penalties

- (1) When a building or other structure has been constructed in violation of this section, the violator may be required to remove the structure at the discretion of the Director of Planning and Zoning.
- (2) When removal of vegetative cover, excavation, or fill has taken place in violation of this section, 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 Director of Planning and Zoning.
- (3) If the Director of Planning and Zoning discovers a violation of this ordinance that also constitutes a violation of any provision of the Clean Water Act as amended, the Director of Planning and Zoning shall issue written notification of the violation to the Georgia Department of Natural Resources and landowner and the Director of Planning and Zoning shall follow the procedures established for the building permits and ordinances.

12.3.7 Suspension, Revocation

The Director of Planning and Zoning may suspend or revoke a permit if he finds that 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 Director of Planning and Zoning shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in a daily newspaper having a broad circulation in the area where the City of Lawrenceville is located.

12.3.8 Amendments

These regulations and the City of Lawrenceville may from time to time be amended in accordance with procedures and requirements in the general statutes and as new information becomes available.

12.3.9 Separability and Abrogation

All sections and subsections of this ordinance are considered separate and distinct. Should any section, subsection, paragraph or part of this ordinance be declared by a court of jurisdiction to be invalid for any reason, it shall not invalidate any other section, subsection, paragraph, or part of this ordinance.

12.4 **Miscellaneous Provisions**

12.4.1 Conflict with Other Laws

Whenever the provisions of this article impose more restrictive standards than are required in or under any other article, the requirements herein contained shall prevail. Whenever the provisions of any other article require more restrictive standards than are required herein, the requirements of such shall prevail.

12.4.2 Severability

If any term, requirement or provision of this article or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this article or the application of such terms, requirements and provisions to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term, requirement or provision of this article shall be valid and be enforced to the fullest extent permitted by law.

12.4.3 Liability

Compliance with the provisions of this article shall not relieve any person from the responsibility for damage to any person or property otherwise imposed by law neither shall it impose any liability upon the City for damage to any person or property.