

Topic: Natural Resource Protection & Conservation
Resource Type: Regulations
State: Georgia
Jurisdiction Type: Municipal
Municipality: County of Union
Year (adopted, written, etc.): 1997
Community Type - applicable to: Urban; Suburban; Rural
Title: County of Union Mountain Protection Plan
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Abstract

This ordinance attempts to protect environmentally sensitive features within the county. Specific provisions prohibit tree removal without reforestation, conserve flora and fauna, and, and protect the counties aesthetic attributes.

Resource

Sec. 30-151. Purpose.

The mountains of the state are characterized by steep slopes, thin soils and, because of the natural stresses placed on such environments, they require special protection. Land disturbing activity on the high elevation, steep slope mountains of the state potentially threatens the public health, safety, welfare and economic progress of the state. Such land disturbing activity:

- (1) May endanger the quality of surface water by increasing erosion and stream sedimentation;
- (2) Has the potential to induce landslides;
- (3) Has the potential to adversely affect groundwater due to difficulty in providing proper sewage disposal in areas of steep slope and high elevation;
- (4) May damage the habitat for some species of wildlife, both plants and animal; and
- (5) May detract from the mountains' scenic and natural beauty which is vital to the local economy through the recreation and tourism industries.

To protect against such adverse effects, this chapter is adopted.
(Ord. No. 0-97-5, 11-25-1997)

Sec. 30-152. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Protected mountain means all land area 2,200 feet or more above mean sea level that has a percentage slope of 25 percent or greater for at least 500 feet horizontally, and shall include the crests, summits and ridge tops which lie at elevations higher than any such area. The crests, summits and ridge tops of mountains whose flanks meet the criteria for a protected mountain shall also be included within the protected area, even though the slopes of such crests, summits and ridge tops have slopes of less than 25 percent. On an otherwise protected mountain, areas that are at an elevation of 2,200 feet or more, and have a slope of less than 25 percent, exclusive of valley floors, shall be included within the protected mountain area. For the purposes of this article, the term "valley floor" means a depression of the earth's surface where the slopes of mountains meet at a lower limit to become nearly level, and includes such associated areas at the base or toe of a mountain with a 10:1 (ten percent) slope or less. Illustration 1, attached to this article, provides a graphic of protected mountains in accordance with this definition. Illustration 2, attached to this article, indicates the angles of various slopes as a basis of comparison.

(Ord. No. 0-97-5, § 1, 11-25-1997)

Cross references: Definitions generally, § 1-2.

Sec. 30-163. Tree removal without reforestation.

No person engaging in a land disturbing activity on a protected mountain shall remove more than 50 percent of the existing trees which exceed eight inches in diameter as measured at a point on such tree 4 1/2 feet above the surface of the ground, unless such person has filed with the application a plan of reforestation developed by a registered forester. (See illustration 5 attached to this article.)

(Ord. No. 0-97-5, § 5.1, 11-25-1997)

Sec. 30-167. Conservation of unique flora and fauna.

The most significant areas of unique flora and fauna are located on lands owned and managed by the United States Forest Service. Rare and endangered species may be located within areas of protected mountains, although specific sites are not known. Land development and the commencement of other activities, if they are consistent with the mountain protection plan, should not have a negative impact on wildlife and plant and animal habitats. However, all of the county's protected mountains may have areas worthy of conservation.

(Ord. No. 0-97-5, § 6.2, 11-25-1997)

Sec. 30-169. Aesthetics.

The visual impact of development and activities consistent with the mountain protection plan should not be significant.

(Ord. No. 0-97-5, § 6.4, 11-25-1997)

Sec. 30-171. Adjacent sensitive natural areas.

Sensitive natural areas on protected mountain areas of the county include wildlife habitats, rare natural communities, significant land forms and geological features, floodplains, wetlands and other such areas sensitive or vulnerable to physical or biological alteration. Development consistent with the mountain protection plan is not expected to have adverse effects on sensitive natural areas.

(Ord. No. 0-97-5, § 6.6, 11-25-1997)

Sec. 30-78. Impervious surface limitations.

Technical estimates by the Georgia Mountains RDS, based on detailed existing land use data by the Tennessee Valley Authority, indicate that impervious surface coverage within the Nottely River water supply watershed is only less than one percent of the entire land area within the watershed. This impervious surface area is therefore nowhere near the maximum of 25 percent recommended by the state department of natural resources, and therefore, no specific provisions to limit impervious surfaces in the watershed are needed. However, the county will monitor impervious surface coverage within the watershed at the time of each future update to the short term work program of the comprehensive plan, to determine if impervious surface area limitations may be necessary.

(Ord. No. 0-97-004, § 6, 10-28-1997)