



BUILDING AND CODES DEPARTMENT

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Water Quality Buffer Policy

Water quality buffers are required along all waters of the state or as deemed necessary by the Building Commissioner. Buffers must be established, maintained and protected, and shall remain undisturbed for the length of the water body. Buffer zones are not primary sediment control measures and should not be relied on as such. The Building Commissioner may require water quality buffers to be established along wet weather conveyances or other drainages.

Post Construction/Permanent buffers for waters with available parameters for siltation or habitat alteration or unassessed waters:

1. Average buffer width: 30 feet.
2. Minimum buffer width: 15 feet

Post Construction/Permanent buffers for Exceptional Tennessee Waters or waters with unavailable parameters for siltation or habitat alteration:

1. Average buffer width: 60 feet.
2. Minimum buffer width: 30 feet

The buffer width shall be measured from the top of the stream bank.

The following criteria must be met in order to utilize buffer averaging:

1. The overall average buffer width must be achieved within the boundaries of the property to be developed.
2. The average width must be calculated based upon the entire length of stream bank that is located within the boundaries of the property to be developed. When calculating the buffer length, the natural stream channel must be followed.
3. Stream buffer averaging shall be applied to each side of a stream independently. If the property being developed encompasses both sides of a stream, buffer averaging can be applied to both sides of the stream but must be applied to both sides of the stream independently.

4. The total width of the buffer shall not be less than the allowed minimum at any location, except at approved stream crossings. Those areas of the buffer having a minimum width (or less at approved stream crossings) can comprise no more than 50% of the buffer length.

5. The stream must not be adversely impacted by narrowed buffers.

Ponds and lakes are required to establish and maintain a managed 30-foot buffer.

Wetlands are required to establish and maintain a managed 30-foot buffer. Native vegetation shall be undisturbed in this buffer. For those wetlands where the designation or extent of the wetland is in dispute, Montgomery County will rely on wetland determinations that are approved by the US Army Corps of Engineers or the Tennessee Department of Environment and Conservation.

No structures or land disturbing activities are allowed within the area surrounding a sinkhole that is delineated by the 100-year flood zone contour line, determined assuming plugged conditions (zero cubic feet per second discharge). Subsurface Sewage Disposal System secondary disposal fields (duplicate area disposal fields) may be allowed within the 100-year flood zone contour line if approved by the Tennessee Department of Environment and Conservation. Stormwater flowing into a sinkhole from a construction or development site must be treated to prevent pollutant introduction into the sinkhole.

No structures or land disturbing activities are allowed within the area surrounding a Class 5 Injection Well that is delineated by the 100-year flood zone contour line, determined assuming plugged conditions (zero cubic feet per second discharge).

Buffer averaging is prohibited in developments that have or will have after development the land uses listed below:

1. Areas that have slopes steeper than 2.5:1 that are located within 60 feet of the stream to be buffered
2. Developments or facilities that include on-site sewage disposal and treatment systems (i.e., septic systems), raised septic systems, subsurface discharges from a wastewater treatment plant, or land application of bio-solids or animal waste
3. Landfills (demolition landfills, permitted landfills, closed-in-place landfills)
4. Junkyards
5. Commercial or industrial facilities that store and/or service motor vehicles
6. Commercial greenhouses or landscape supply facilities
7. Developments or facilities that have commercial or public pools

8. Animal care facilities, kennels, and commercial/business developments or facilities that provide short term or long-term care of animals, feedlots, and confined animal feed operations; or

9. Other land uses deemed by the Building Commissioner to have the potential to generate higher than normal pollutant loadings.

Examples of projects where a buffer would typically not be able to be retained include water/sewer line installations, roadway construction, utility line or equipment installation, greenway construction or construction of permanent outfalls or velocity dissipating structures.

The following activities are forbidden within buffers without prior written permission from the Building Commissioner.


- Burning.
- Dredging, filling or dumping.
- Using, storing, applying or disposing of pesticides, herbicides, fertilizers or any hazardous materials.
- Storage of bulk materials
- Removal of vegetation with the exception of vegetation that poses a threat to property or personal safety, or which would create a significant blockage to stream flow. Any vegetation removal requires prior approval from the Building Commissioner.
- Development, construction or placement of structures with the exception of structures or projects that are approved by the Tennessee Department of Environment and Conservation, the Tennessee Wildlife Resources Agency or the U.S. Army Corps of Engineers.


Water quality buffers shall be marked along the length of the feature with approved permanent signage placed along the outer edge of buffer at intervals of 200 feet or less.


The following note must be included on the Final Plat if there is a designated water quality buffer: **“Water Quality Buffer. There shall be no clearing, grading, construction or disturbance of soil and/or native vegetation within a designated water quality buffer unless permitted by the Montgomery County Building Commissioner.”**

Montgomery County Water Quality Buffer Policy (Version Dated 5/1/2024) is approved for use by the Montgomery County, TN Stormwater Program. Changes to this document must be submitted to the Montgomery County, TN Building and Codes Committee for approval.

Effective Date: 5/2/2024

Submitted by:  _____ Date: 5/1/2024
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Montgomery County, TN
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Approved by:  _____ Date: 5/1/2024
Chairman,
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Building and Codes Committee