



## Agenda Item Summary Sheet

Item No: **E-10**  
Meeting Date: **March 6, 2024**

**Item Title:** Request for Public Hearing to consider text amendments to the Unified Development Ordinance to prohibit driving over and/or parking on septic systems.

**Item Summary:**

At their October 24<sup>th</sup>, 2023 meeting, the Septic Health Advisory Committee (SHAC) discussed the importance of prohibiting, or at a minimum discouraging, driving over and/or parking on top of active septic and drain field areas on residential properties. While providing the Planning Board with an update on the SHAC at their November 2023 meeting, it was the consensus of the Planning Board to initiate the text amendment process to provide protection of septic systems from vehicle parking and driving. Staff has drafted language which would require a that physical barrier be put in place when the septic system area is adjacent to any portion of a parking space, turnaround area, driveway, or drive aisle. Acceptable barriers include, but are not limited to, fencing, posts with rope, raised planters or landscape beds, landscape timers or other treatments as approved by the Unified Development Ordinance (UDO) Administrator. As proposed, this amendment would only apply to new construction or substantial improvement to residential properties. Staff recognizes that there will be outreach needed in advance of implementing this ordinance should it be adopted.

Recognizing the potential impact of this amendment on property owners who do not currently have issues with parking on their septic areas and noting that such parking often occurs at rental homes, staff is actively exploring alternative options to ensure septic area safety. One approach under consideration is the inclusion of language expressly prohibiting parking on septic areas. In cases where a violation is noted, a Notice of Violation would be issued, at which time the placement of a physical barrier to preclude any future violations could be required. This approach would address parking on septic on systems via a formal violation of the Unified Development Ordinance with a specified remedy, as opposed to the draft language which is more proactive but may unnecessarily impact property owners who do not currently have a problem.

**Planning Staff and Planning Board Recommendation**

Planning staff recommends adoption of this text amendment as proposed while continuing to draft additional/alternative language to address the concern.

At their February 20, 2024, meeting the Planning Board voted unanimously to recommend adoption of the proposed text amendment as presented. Planning Board members also noted that additional consideration should still be given to limiting the impact of this ordinance to those properties that do not have a history of parking on their septic system.

Number of Attachments: 0

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**Specific Action Requested:**

Schedule the Public Hearing for the Board of Commissioners April 3, 2024, Meeting.

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Submitted By: Planning and Development

Date: February 28, 2024

**Finance Officer Comment:**

N/A

Signature: Amy Miller

Date: February 28, 2024

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**Town Attorney Comment:**

N/A

Signature: John Leidy

Date: February 28, 2024

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**Town Manager Comment and/or Recommendation:**

This ordinance would touch a large number of properties in the town. I would encourage a measured approach which focuses on the problem.

Signature: Andy Garman

Date: February 28, 2024