

## Amendment Purpose

To address and clarify the process, procedures and requirements involved with installing septic fields/systems within Septic Field Easements (SFE) located upon Common Open Space (COS) property as well as provide guidelines for the review and approval of SFE areas upon COS properties by The Sanctuary Architectural Control Committee (ACC) and The Sanctuary Property Owners' Association (POA) Board of Directors.

## Amendment Intent:

To establish a logical and practical means through which septic fields/systems can be installed, operated and maintained in a proper, safe and secure manner while respecting the physical and aesthetic characteristics of the affected COS property.

Design Guideline Amendment
Septic Fields Located on Common Open Space

## General SFE Layout Guidelines:

- Streetscape Frontage:** Most SFE areas located upon COS property occur within wooded areas, and all have frontage on public and/or private neighborhood street right of way (ROW). A primary objective of this guideline is to maintain the natural streetscape appearance of the COS properties as practical by limiting the clearing of existing wooded areas at the street frontages.
- Septic Field Location/Layout:** The primary septic field (cleared) area should be located away from any existing/planned bio-retention areas or other environmentally sensitive areas potentially impacted by the septic system. Otherwise, the primary field should be located within that portion of the SFE away from any abutting street frontage(s), generally being considered the back portion of the SFE, while the reserve septic field (wooded) area would be designated for that area nearest environmentally sensitive areas or the street frontage portion of the SFE, generally being considered the front portion of the SFE.
- Septic Field Access:** Septic field construction may require clearing, and in some cases, grading, to provide access for vehicles, machinery and piping involved with the construction and maintenance of the septic field. Supply line piping to the septic field shall be aligned within the access corridor when practical to avoid additional clearing as well as provide for the general location of supply lines potentially impacted by future maintenance or other operations. Factors to consider when locating septic field access/supply line corridors should include limiting street frontage clearing (particularly of larger overstory trees and ornamental trees), only clearing as necessary for supply pipe installation and septic field access (generally 10' - 12'), limiting excess grading (often requiring additional clearing), and potential impacts to the street shoulder (ROW), existing drainage patterns and or environmentally sensitive areas in the vicinity. In instances where the SFE (on COS property) abuts the corresponding Lot, access to the SFE should be provided via the Lot property and not from other adjacent properties, street ROWs, etc.
- Locating Septic Field Operating Equipment:** All above grade septic field operating equipment, controllers, pedestals, etc. shall be located upon the appropriate SFE, allowing adequate area for screening/plantings without interfering with the septic field area or encroaching upon adjacent properties or street ROWs. All such equipment shall be screened from view from any surrounding streets when applicable. Any pedestals, clean-outs or other appurtenances unavoidably required to be located outside of the SFE (perhaps within the street ROW or COS area) shall be set at grade (allowing for mowing where applicable) and/or painted to blend w/surroundings, screened, or other accommodations as may be requested by the ACC.
- Protection of SFE Areas/Safety:** The following provisions shall be provided along the perimeter of active SFE areas for protection and safety purposes;
  - Installation of a planted buffer (See Supplemental Plantings) at all SFE areas without sufficient wooded frontage adjacent to streets in an effort to discourage unauthorized pedestrian, vehicular or equipment access to the SFE area, potentially damaging the septic system or equipment and/or for safety purposes.
  - Installation of warning signs notifying potential COS users, pedestrians, maintenance personnel, etc. of an active SFE area in the vicinity (primarily from the COS interior), in conformance with the current ACC sign standard and/or the sign requirements of The Sanctuary POA. Signs shall be placed along the perimeter clearing of all active septic fields/systems areas abutting (non SFE) COS property (including upon the SFE area) at an approximate spacing of 100' or as approved by the ACC. Warning signs shall not be required at COS areas covered entirely by SFE areas. Warning signs may also be installed at other locations as required and/or approved by the ACC, such as at wooded street frontages, within planted buffers, etc. The Lot Owner shall bear the responsibility of notifying/informing others of the presence of a septic field area and/or securing the area (as approved by the ACC) as may be necessary to avoid physical exposure to the septic field area. The Lot Owner shall be responsible for furnishing, installing and maintaining the warning signs.
- Site Restoration:** All SFE areas shall be restored to a natural/naturalized condition as further outlined herein.

## Multiple SFE Areas on COS Property:

In many cases, multiple SFE areas are designated upon a given COS property, being adjacent to one another and/or scattered within the COS area, and in some cases, encumbering the entire COS area. In such cases, additional considerations should be incorporated to reduce the potential negative impacts to the COS area.

- Shared Septic Field Access Locations:** Accommodations should be made to provide for a single access point (cleared area) to abutting SFE areas where practical and appropriate. This would be accomplished by aligning the access corridor and septic supply piping within the abutting 10' setbacks (20' combined) at adjoining SFE areas (essentially straddling the easement line between SFE areas). Understanding this measure may not be appropriate or possible in all instances, it may be necessary to review/inspect all of the abutting SFE areas to determine the most appropriate location for shared access locations as part of the layout review process for the initial SFE.
- Coordinating Primary Septic Field Locations:** Ideally the primary septic fields for adjoining SFE areas would be aligned along the back of each SFE (creating an aligned, cleared area away from the street frontage). It may also be necessary and advantageous to review the practicality of aligning the primary septic field locations for adjoining SFE areas as part of the layout review process for the initial SFE to avoid a patchwork of cleared and wooded areas along the streetscape.

## Mitigation of Street Frontage Clearing/Cleared Areas:

In cases where clearing of the street frontage may be necessary or unavoidable (access corridors excepted), for either the primary or reserve septic field area (or other reasons), or in cases where the street frontage of the SFE is open or minimally wooded, the following conditions shall be applied to mitigate and enhance the streetscape appearance of the SFE.

1. **Mitigation Criteria:** Mitigation measures shall not be required in cases where an undisturbed area of existing woods at least 40' in depth remains between the street ROW and any clear or cleared area(s). For purposes of definition, an undisturbed wooded area shall be calculated as a linear measurement along the ground exclusive of any tree canopy overhangs, etc., generally containing existing trees with overlapping foliage or canopy. Solitary or scattered trees shall not be considered existing wooded areas, unless deemed so by the ACC.
2. **Mitigation Measures:** The following mitigation measures shall be implemented within the 10' septic field setback behind the affected street ROW;  
**Supplemental Plantings:** Mixed groupings of low to medium height enhancement plantings consisting of native/naturalized plant materials shall be installed continuously within the 10' septic system setback area to enhance the streetscape appearance, limiting views of the septic field area as well as provide a barrier for the septic field area. A minimum of 50% of the plantings shall consist of evergreen plant materials. Any plantings designated for screening purposes shall also consist of evergreen plants. Plant material selections should consider any negative impacts to the septic system area and operation. Refer to the accompanying **Plant Lists** and **Supplemental Planting Concept** illustration for recommended plant materials and planting layout considerations.

## ACC Plan Review/Approval Process

1. **Preliminary Review/Notification:** It is strongly recommended that all applications for SFE improvements be preceded by a preliminary, written notification to the ACC of such intent to allow for a review of the SFE and surrounding conditions to determine those factors potentially impacting the layout/design of the SFE improvements. Ideally, this process would also include a preliminary on-site meeting with the contractor/consultant involved with the design/installation of the SFE to review the site, proposed SFE layout and guidelines prior to the development of final plans, providing for a more streamlined design and final review process. Notification and other correspondence directed to the ACC should be mailed to their office at 10450 Wildlife Rd. Charlotte, NC 28278, or you may contact them at (704) 504-8158. It should be noted that any SFE or septic system layout previously approved by Mecklenburg County does not necessarily offer relief from these Guidelines and may require revision and re-submittal to the County for approval.
2. **Formal Submittal of Proposed SFE Improvements:** The formal submittal of all SFE improvements on COS shall be made directly to Crescent Communities. Their representative can be contacted at (980) 321-5180 for additional submittal information. All submittals shall include the following (incomplete submittals will not be processed);
  - a. **SFE Layout Plan:** Two (2) copies of a scaled layout plan shall be provided, appropriate for interpretive review, delineating the SFE location, applicable SFE# and corresponding Lot # as well as all SFE improvements (including any improvements required by these Guidelines) and any applicable existing site/surrounding conditions (streets, wooded areas, bio-retention basins, ditches, etc.). Plan symbols and/or call-outs may be utilized in lieu of actual scaled improvements when appropriate provided a complete description is also provided/noted (for example, the symbol "o" may be used to indicate the location of a system clean-out with the description "6" clean-out, set at grade", etc.). The plan shall also include critical and general dimensions as necessary to ascertain conformance with these Guidelines (such as the width or depth of an existing wooded area to remain, etc.). It is recommended that any deviation from these Guidelines be noted on the plan along with an explanation possibly limiting plan revision and re-submittal.
  - b. **Lot Owner Agreement:** The Lot Owner(s) shall provide a letter acknowledging the submittal of plan(s) for SFE improvements and the contractor/consultant acting on their behalf as well as their agreement/responsibility for plan adherence. This may also be accomplished with the Lot Owner(s) dated signature on the submittal plan, including any revised plans, as may be required.
  - c. **Review Fee:** A review fee of \$750.00 (seven-hundred, fifty dollars) shall accompany all SFE improvements review submittals.
3. **ACC Approval:** Upon approval of the SFE plan, including any requested revisions, the ACC shall provide an "Approved" copy of the plan to the applicant.
4. **Septic System Easement Agreement:** Upon approval of the SFE plan, the POA shall provide an executed Septic System Easement Agreement with the Lot Owner(s). This document is required as part of the septic system construction permitting process by Mecklenburg County prior to septic system construction.

The execution of the Septic System Easement Agreement by the POA, as property owner, shall include the following conditions being deemed agreeable to the Lot Owner(s) upon presentation of the document to the POA for signature;

  - The Lot Owner(s) agree to indemnify and hold harmless the POA for any property damages, regardless of cause unless the direct result of actions by an agent or contractor of the POA.
  - The Lot Owner(s) agree to indemnify and hold harmless the POA for any claims resulting from physical exposure to any active septic fields on COS property.
  - The POA does not imply or warrant existing conditions or usefulness of the property for the intended purposes.
  - The POA shall not be obligated to secure property insurance for any improvements to the property, or provide property insurance coverage beyond that provided for other, non-SFE encumbered COS properties within the community.
5. **Conditions:** As a condition of ACC approval of the septic system plan, the ACC reserves the right to issue a Stop Work Order within the COS area in the event of non-conformance with these Guidelines (or any other specific provisions included with ACC approval) and/or any perceived safety or hazard issues. The ACC may, at their sole discretion, issue a Warning including a prescribed remedy period, prior to issuance of a Stop Work Order.

## Septic System Installation Practices/Precautions

Customary standard practices to be implemented during septic system construction shall include, but not be limited to, staging equipment/vehicles on the SFE site or one side of the (private) streets (as may be necessary) allowing for visible, single lane street usage, traffic control for temporary operations when streets may be blocked or traffic visibility is limited, daily sidewalk/trail/street cleaning (as may be necessary), etc. Precautionary measures shall be also implemented during construction of the septic system, including, but not limited to, erosion control fencing (particularly at disturbed areas adjacent to drainageways, ditches and bio-retention basins), barrier fencing (particularly at adjacent sidewalks or COS trails), sidewalk/trail closure when user safety may be compromised (as approved by the ACC), etc. Any staging of vehicles or blockage of streets within the NCDOT system, shall be as approved by NCDOT.

## Restoration of Disturbed Areas

1. **Septic Field Vicinity:** Upon installation of the septic system, all disturbed area(s) shall be returned to existing grade and contour, maintaining existing drainage patterns (unless approved otherwise) without abrupt grade changes, mounding, low areas, etc., unless otherwise specified on the septic permit. All disturbed areas in the vicinity (over) the septic system shall be seeded with low maintenance, native/naturalized grasses per the accompanying Plant List (or as otherwise approved by the ACC). A mixture or blend of native grasses is preferred over a single species selection as a means to increase bio-diversity, habitat opportunities and aesthetics as well as improve durability during potential stress conditions (drought, infestations, etc.).
2. **Other Disturbed Areas/Damaged Items:** All other areas disturbed, degraded or damaged due to septic field construction operations shall be returned to their existing state, or matching surrounding, similar areas prior to construction activities. This would include, but is not limited to, street shoulder damage (including vehicular/equipment parking & staging), street surface damage, existing tree damage, impacts to drainageways, ditches and bio-retention areas, etc. Any irreparable damages to replaceable items shall consist of new replacement matching original, including trees, signs, etc. (or as otherwise agreed by the ACC).

## Planting/Seeding & Maintenance

1. **Delays/Postponement:** Any requested delays or postponement of planting/seeding operations due to unique circumstances (extreme weather, construction conflicts, etc.) shall be submitted in writing to the ACC for review/approval.
2. **Maintenance:** Plantings and seeded areas shall be maintained by Lot Owner or designated contractor as necessary to maintain plant vigor and/or establish full coverage of seeded areas until accepted by the ACC for POA maintenance.

## POA Acceptance

Prerequisite to POA acceptance for maintenance of any SFE area, all plantings shall be in a healthy condition and seeded areas shall be established without bare areas exceeding 2' x 2' (4 sq. ft.). Also any required repair/restoration of any off-site disturbances or damages shall be complete to the satisfaction of the ACC. At such time, the ACC will notify Lot Owner that responsibility for the maintenance of the easement area shall be transferred to the POA. The Lot Owner shall be responsible for any and all required maintenance of the SFE and impacted off-site areas until notified of maintenance acceptance by the ACC.

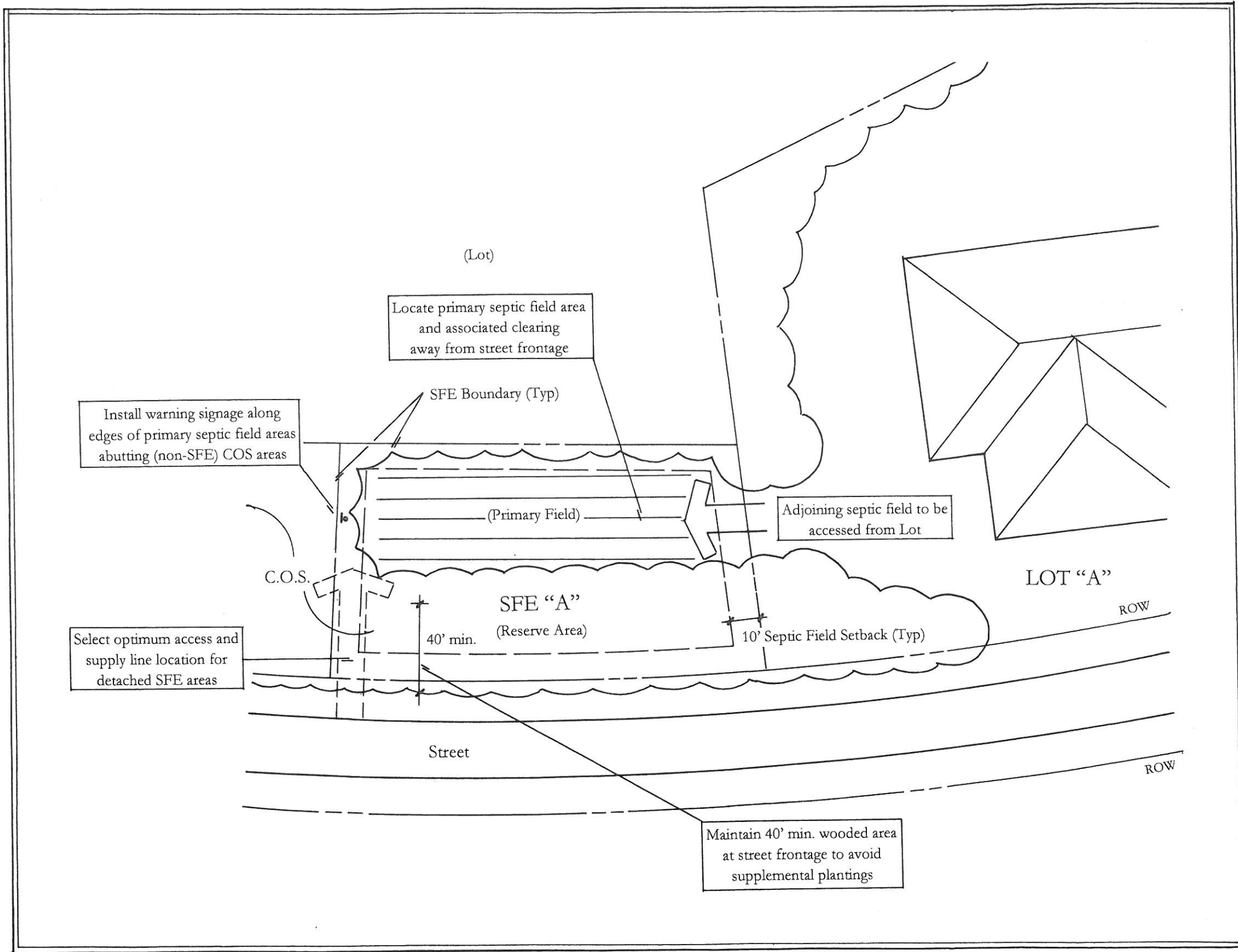
## Typical SFE Area Layout Examples

The following SFE Area layouts are intended as general, generic examples illustrating the application of these Guidelines to the varying SFE siting conditions encountered on COS property. Applicants should refer to the example best suited to their SFE siting condition per the following;

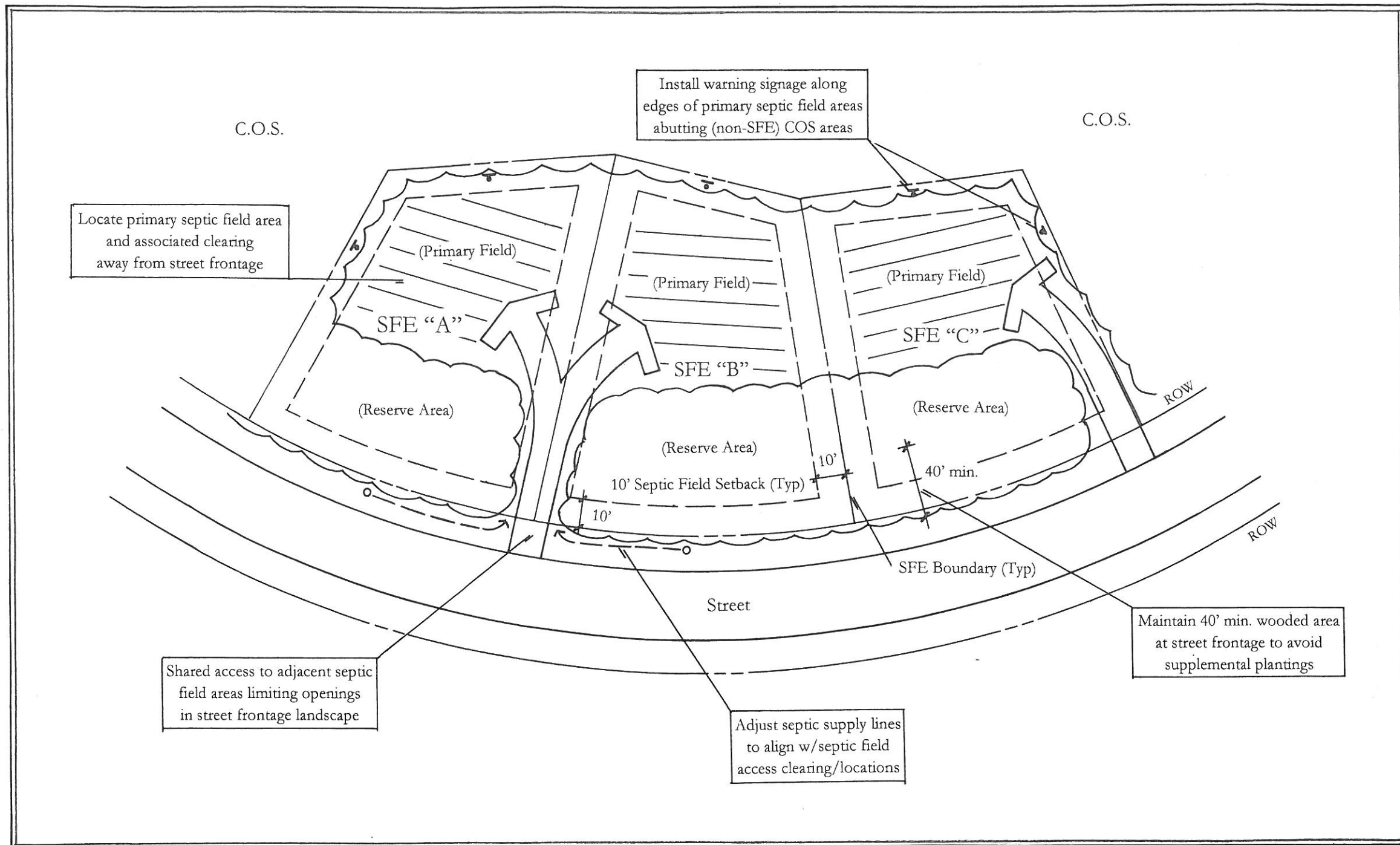
**Illustration 1 – “Individual SFE Area on COS Concept”** shall apply to all single, individual SFE Areas located on a portion of COS property whether attached to, or detached from the applicable lot. This example would also apply to an SFE Area located on COS with other (multiple) SFE Areas, but not abutting another SFE Area.

**Illustration 2 – “Multiple, Attached SFE Areas on COS Concept”** shall apply to those COS Areas with multiple, attached (adjoining) SFE Areas.

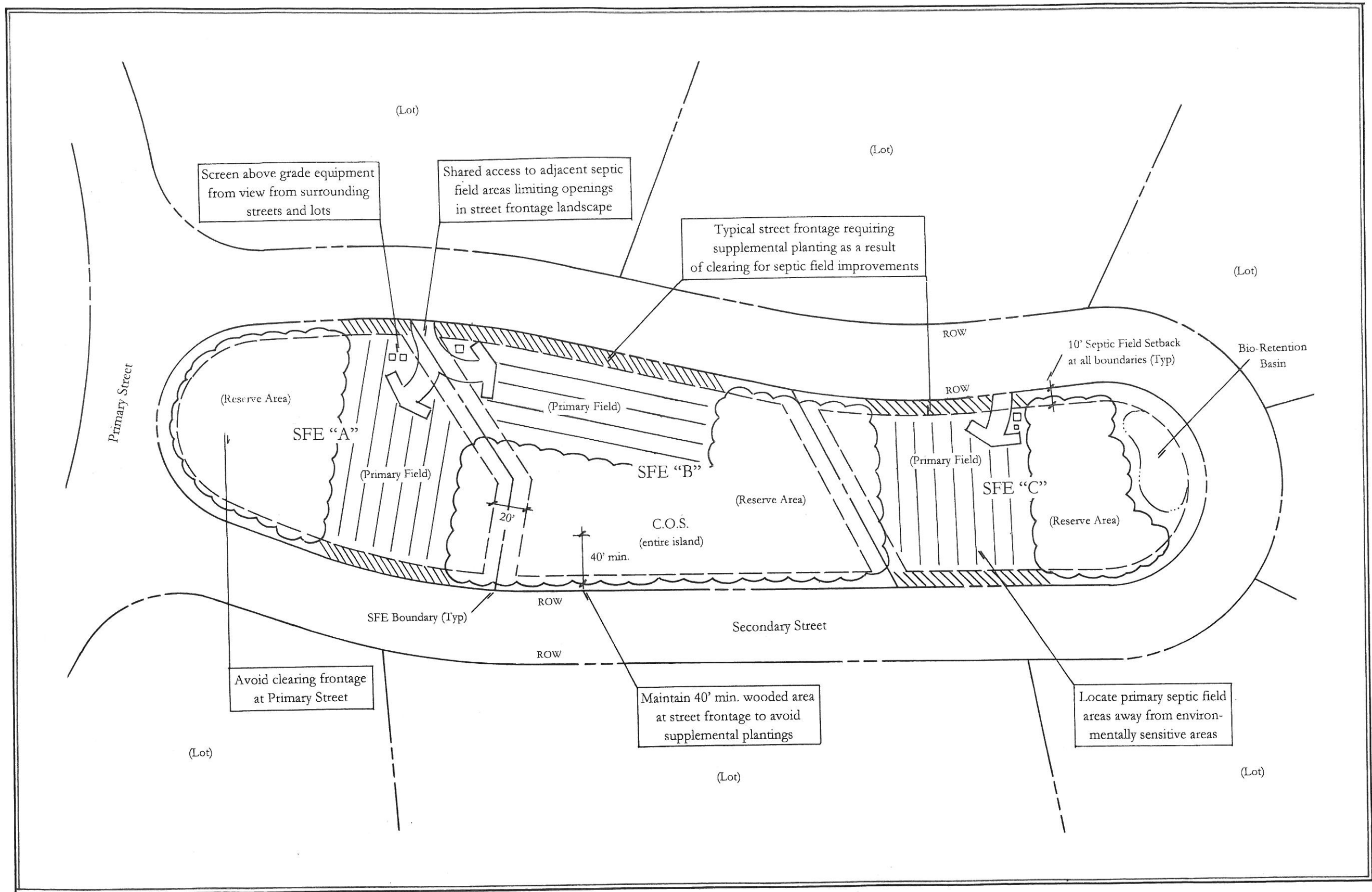
**Illustration 3 – “SFE Areas Encumbering Entire COS Area Concept”** shall apply to those COS Areas entirely covered by one or more SFE Areas.



Individual SFE Area on COS Concept



Multiple, Attached SFE Areas on COS Concept



SFE Areas Encumbering Entire COS Area Concept

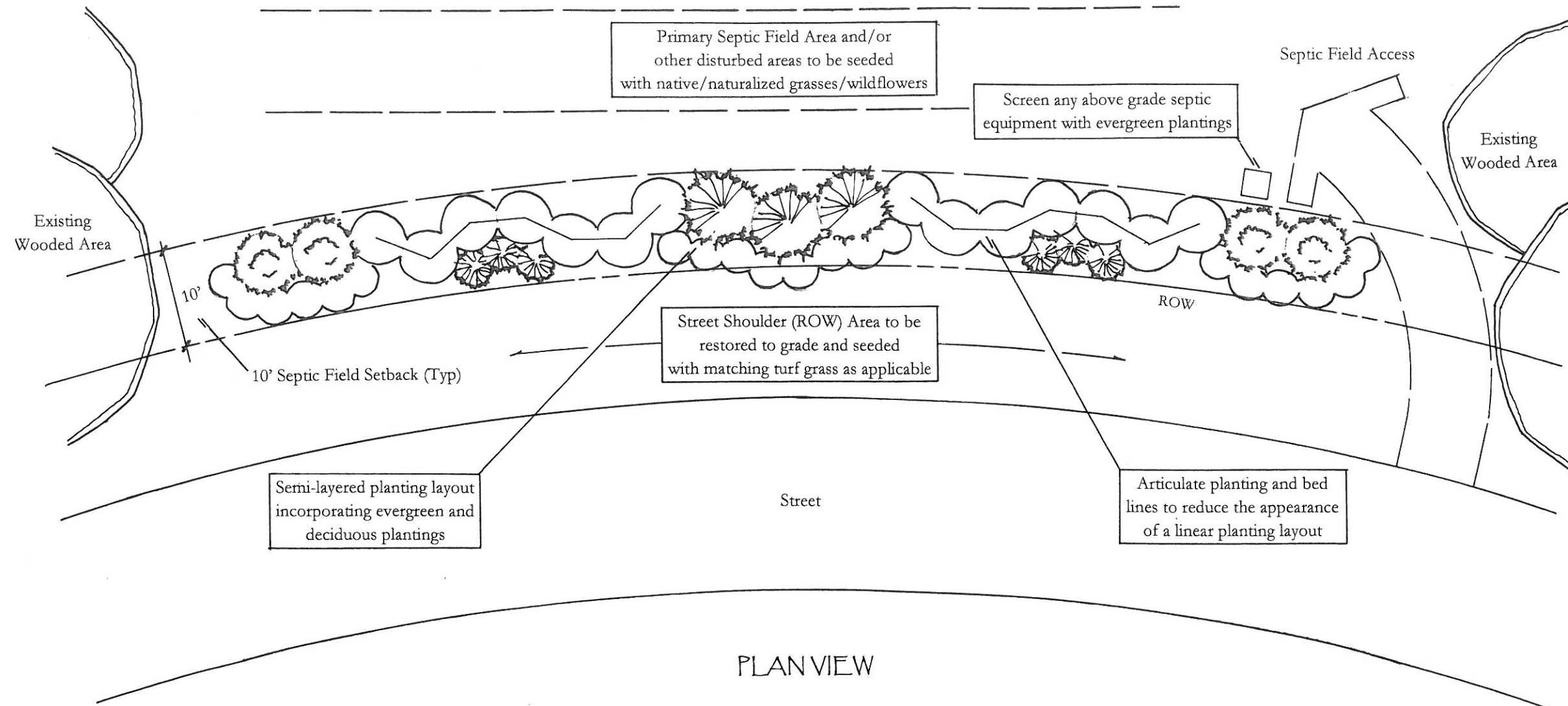
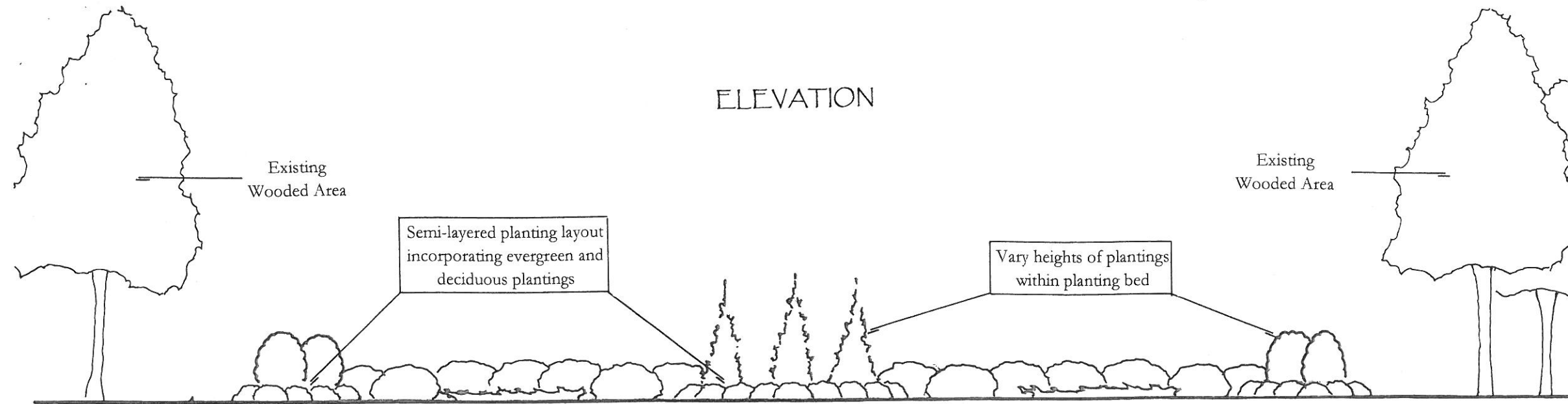
## Suggested Plant Lists for SFE areas located on COS property

The following plant selections are provided as a partial listing of plant materials deemed appropriate for use as supplemental planting/screening purposes (trees/shrubs), septic system ground cover (grasses) and other applications. Most selections are native or naturalized plantings exhibiting relative drought tolerance and deer resistance. These lists are not all inclusive and alternative plant materials may be submitted for approval by the ACC. The Lot Owner shall bear responsibility for all plant selections with respect to intended use, planting location, durability/vigor and compatibility with the septic system.

Generally, plants with large and/or invasive root systems should be avoided in the vicinity of septic systems, including the following species/varieties; willow, poplar, large oak and maple, sweetgum, elm, ash, beech, linden and sycamore.

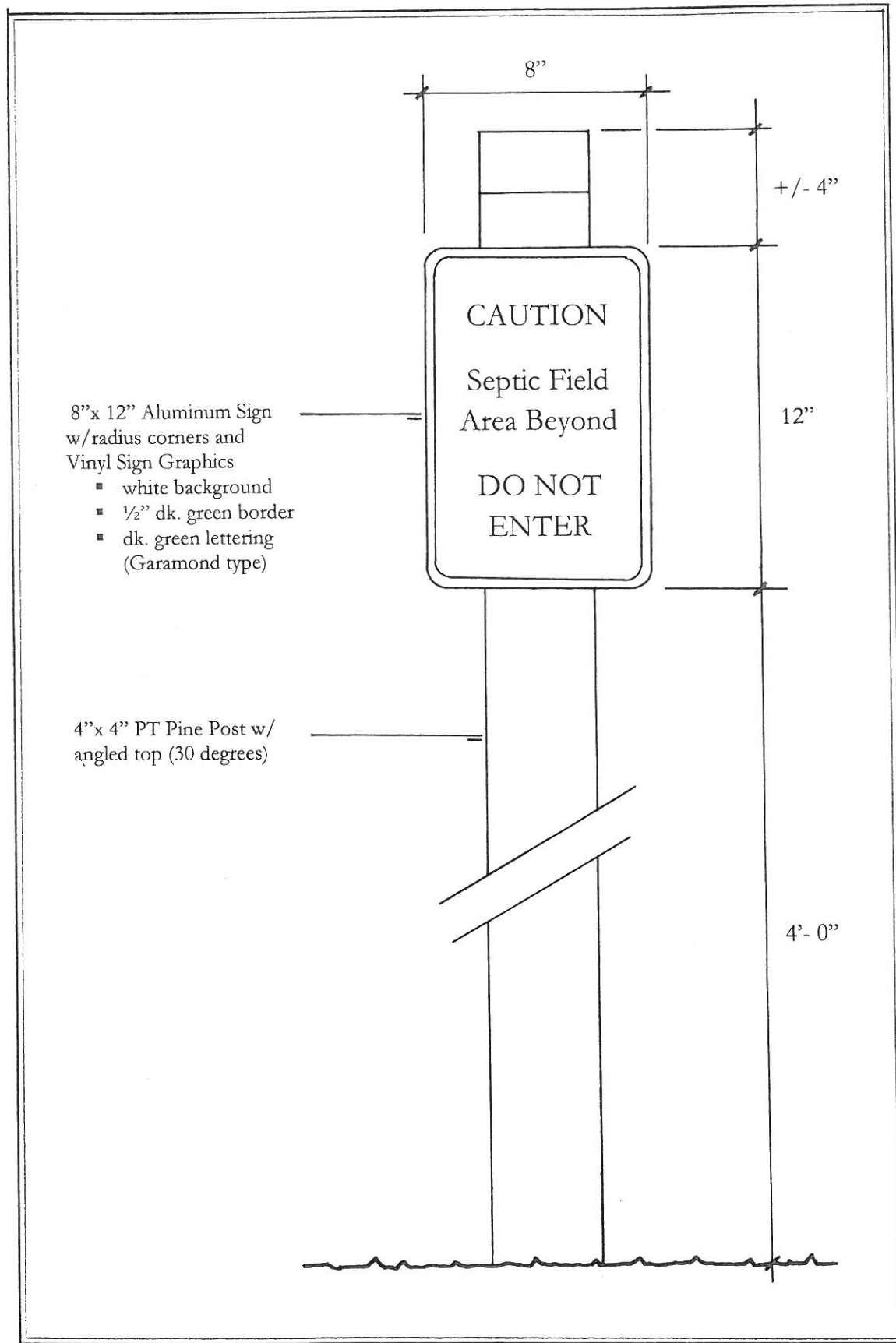
Small Trees				Shrubs			
Botanical Name	Common Name	Ever./Dec	Notes	Botanical Name	Common Name	Ever./Dec	Notes
<i>Aesculus pavia</i>	Red Buckeye	D	Red late spring flowers	<i>Abelia</i> sp.	Abelia	E	Summer flowers
<i>Amelanchar</i> sp.	Serviceberry	D	Fall color	<i>Berberis thunbergii</i>	Japanese Barberry	D	Low/med. red/purple leaf
<i>Cornus florida</i>	Flowering Dogwood	D	Seasonal color	<i>Buddleia</i> sp.	Butterfly Bush	D	Summer flowers, various sizes
<i>Crataegus</i> sp.	Hawthorne	D	Seasonal color	<i>Callicarpa americana</i>	Beautyberry	D	Med. spreading, late summer flowers
<i>Ilex</i> sp.	Holly	E	Upright pyramidal form	<i>Calycanthus floridus</i>	Sweetshrub	D	Med. rounded form, fragrant
<i>Juniperus</i> sp.	Juniper	E	Upright pyramidal form	<i>Caryopteris x clandonensis</i>	Blue Mist Shrub	D	Silvery leaf, blue fall flowers
<i>Koelreureria paniculata</i>	Goldenrain Tree	D	Summer flowers	<i>Cephaloxtaus prostrata</i>	Plum Yew	E	Low habit
<i>Lagerstroemia</i> sp.	Crape Myrtle	D	Summer flowers, var. colors	<i>Cornus kousa</i>	Kousa Dogwood	D	Lg. shrub/sm. tree
<i>Magnolia soulangiana</i>	Saucer Magnolia	D	Lg. purple early flowers	<i>Cotoneaster</i> sp.	Cotoneaster	E	Low spreading habit, seasonal color
<i>Oxydendron arboreum</i>	Sourwood	D	Fall color	<i>Forsythia x intermedia</i>	Border Forsythia	D	Med./Lg. yellow spring flowers
<i>Prunus caroliniana</i>	Cherry Laurel	E		<i>Ilex</i> sp.	Holly	E	Various sizes, forms
<i>Vitex agnus-castus</i>	Chastetree	D	Summer flowers	<i>Itea virginica</i>	Sweetspire	D	Late spring flowers, var. colors
<b>Grasses</b>				<i>Jasminium nudiflorum</i>	Winter Jasmine	D	Winter flowers
Botanical Name	Common Name			<i>Juniperus</i> sp.	Juniper	E	Low/med. spreading habit
<i>Andropogon gerardii</i>	Big Bluestem			<i>Loropetalum</i> sp.	Loropetalum	E	Green/purple leaf varieties
<i>Andropogon scoparius</i>	Little Bluestem			<i>Muhlenbergia capillaris</i>	Pink Muhly Grass	E	Low clump form, fall color
<i>Cynodon dactylon</i>	Common Bermudagrass			<i>Myrica cerifera</i>	Wax Myrtle	E	Lg. shrub/sm. tree
<i>Eragrostis curvula</i>	Weeping Lovegrass			<i>Nandina domestica</i>	Nandina	E	Upright form, var. sizes, seasonal color
<i>Festuca arundinacea</i>	Tall Fescue			<i>Osmanthus</i> sp.	Tea Olive	E	Lg. upright habit, fragrant flowers
<i>Panicum virgatum</i>	Switchgrass			<i>Pennisetum</i> sp.	Fountain Grass	D	
<i>Schizachyrium scoparium</i>	Common Little Bluestem			<i>Pyracantha</i> sp.	Pyracantha	E	Various sizes, forms, winter color
<i>Sorghastrum nutans</i>	Indiangrass			<i>Spirea</i> sp.	Spirea	D	Med./lg. spreading form
<i>Tridens flavus</i>	Purpletop			<i>Viburnum tinus</i>	Laurestinus Viburnum	E	Med./Lg. spring flowers
				<i>Weigela florida</i>	Weigela	D	Med./lg. spreading form

ELEVATION



Supplemental Planting Concept





Warning Sign Standard

End of Design Guideline Amendment  
Septic Fields Located on Common Open Space