

## **CHPOA Regulations and Guidelines for Front Yard Gardens**

*updated 4/5*

Gardening Subcommittee Members:

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### **Purpose:**

The purpose of these regulations and guidelines is to guide residents in creating gardens that serve their own interests as well as those of the greater community. It is not to restrict the planting of flower and vegetable gardens. (The number and size of flower or vegetable garden beds in any area of the yard are not restricted, nor are the types of plants allowed.) Results from the Community Garden Preference Questionnaire have been considered in the construction of the regulations and guidelines below.

### **Garden Policy Regulations:**

These regulations only apply to front yards (between the horizontal plane of the front of the house and the road). Side and back yards are not regulated by this document, but they are subject to the rules in the covenants. Failure to comply with these regulations could result in a letter of violation, after which resolution is expected within 30 days.

1. All front yard landscaping and vegetation shall be kept tidy and well-maintained, including: regular mowing, weeding, replacing rotting wood and rusting metal, rebuilding toppled walls, and clearing dead plants by March, in accordance with the recommendations of the North Carolina Cooperative Extension. The only exception to cutting back/removal of dead vegetation, are those which bloom from old wood the next season. Front yard vegetable gardens are restricted to personal consumption only. No largescale row cropping is allowed.
2. The colors of materials used in landscaping shall be natural, neutral or a match to the home's exterior. However, if the raised bed would be considered a permanent hardscaping structure, it still requires Architectural Committee approval. An example of this would be a mortared stone or retaining wall style bed, or any single raised bed larger than 8'x 8'. Raised beds may not exceed a height of 36 inches.
3. Fencing materials used in landscaping are restricted:
  - a. Plastic or wire mesh fencing, including chicken wire and hardware cloth, may be used for the temporary purposes of keeping unwanted wildlife out of gardens during the growing season. Chicken wire as containment fencing is not allowed.
  - b. Chain link fencing is not allowed for any gardening purpose.

4. Any materials not actively used for landscaping or animal deterrence shall be stored out of sight.
5. Creating berms and swales to control soil erosion and prevent stormwater runoff are allowed and encouraged, both to slow the flow of stormwater across the surface of the land and to encourage absorption into the soil.
6. Landscaping that prevents stormwater from entering your property or diverts it from the current system of ditches and pipes, with the effect of more rapid flow across property and increased erosion, is not allowed.

### **Recommended Guidelines from the Gardening Subcommittee:**

1. Utility lines — Residents should call 811 to help locate any underground utilities and avoid planting on top of them without specific approval by the utility company. Utilities (such as cable television/internet lines) may be buried as shallowly as 3-6 inches below the surface.
2. Street rights of way and easements — Residents are strongly discouraged from constructing any raised beds in street rights of way or easements adjacent to their property. Town employees and employees of other utilities may need access to these easements to maintain public utilities. Landscaping in these areas also may affect stormwater drainage.
  - a. The Town of Hillsborough is the owner of street rights of ways and utility easements. Any planting or construction in these areas require approval from the town and an encroachment agreement.
  - b. The town will not replace any plantings or materials that must be removed from rights of way or easements to gain access.
  - c. Landscaping should not negatively impact stormwater management efforts by the Cornwallis Hills Property Owners Association.
3. Property values — Landscaping should not negatively affect property values in the neighborhood.
  - a. Fencing options should be chosen that are effective in keeping out animals (birds, squirrels, rodents, cats, deer) but that also have the lowest visual impact. Non-fencing options for pest-deterrence should be used, if possible.
4. Invasive species — The use of invasive species is discouraged, in accordance with the Town of Hillsborough's prohibited plants list (attached).
5. Garden proposals — All garden proposals are encouraged to be shared with the Gardening Subcommittee of the Architectural Committee to create an opportunity for meaningful discussion about the best way to achieve the desires of the resident and address community concerns.
6. Maintenance and repair help — If you need help with maintenance or repair projects in your yard, please ask for help from your neighbors and the community at large, in person, by phone, or online, such as on Nextdoor. There are many kind and generous neighbors in Cornwallis Hills who would be willing to help.

### **Considerations:**

Cornwallis Hills is a neighborhood that respects and appreciates gardens and owners who wish to beautify their property. Both flower and vegetable gardens provide great value to a homeowner by adding aesthetic beauty and providing healthy food alternatives for residents. The act of gardening provides opportunities for outdoor education, healthy living, quality family time, good food choices for adults and children, and increased interactions among neighbors, creating a more tight-knit community.

We understand that our clay soil is not the best for planting, that soil amendments and compost often need to be added to create healthy soil, that North Carolina has many invasive plant species requiring persistent weeding, and that our sloping yards make creating level garden beds difficult. We acknowledge that these issues can be mitigated with the use of raised beds or partial walls. Also, raised beds may be the only option for some residents with physical ailments that prevent working at ground level.

We acknowledge that putting more plants in the ground and adding mulch can effectively slow the flow of water across the top of the soil and encourage water to soak into the ground, thus reducing stormwater runoff and soil erosion. We acknowledge that most of the properties in Cornwallis Hills have wooded lots and that the best, or only, location suitable for planting is in the front yard. We also acknowledge and support the initiatives by the Town of Hillsborough to promote pollinator gardens and maintenance of food and habitat for wildlife through natural landscaping.

Responses from the Gardening Questionnaire (February 2021) also were considered. Below is a summary of the results:

- Large interest — There was great interest shown by the community in this survey, with 78 residents responding. Of those respondents, 82% like to garden and 83% feel landscaping is important to them.
- Restrictions — 88% of respondents think there should be no restrictions to types of plants grown in their yards or types of landscaping used, and 67% do not feel any properties in the neighborhood are decreasing their property values. Of those who think there should be some restrictions, the most common responses regarded yards being properly maintained and tidy.
  - 23 respondents said the role of the Property Owners Association should be to encourage or enforce tidiness and maintenance of the yards, with timely junk/trash removal.
  - 7 would like for the association to provide education about best gardening and landscaping practices for our area, including edible landscaping and supporting the bee population.
  - 7 said the association should promote practices that add value and curb appeal.

- Priorities — The ranked priorities for determining how to landscape our properties included keeping yards well-maintained in whatever form they take; mitigating stormwater runoff; providing individual self-expression; providing food for families; providing mental health benefits; increasing resale value; and improving soil quality.
- Sunlight — 71% of respondents have the most sun in their front yards, which would make it the ideal location for growing fruits and vegetables. Of the respondents who are vegetable gardeners, a variety of gardening methods have been used successfully: primarily in pots, in the ground, and in raised beds.

### **Future Goals of the Gardening Subcommittee (as of April 2021):**

1. Create seminars from local experts about:
  - a. Best practices in landscaping for water management.
  - b. Edible landscaping (planting annual and perennial food-bearing plants), such as by Bountiful Backyards in Durham.
  - c. The effect of gardens and landscaping on property value from a local real estate agent.
2. Create a more close-knit community with a garden club to share seeds, produce, plants, and lessons learned through gardening.
3. Create a network of gardeners and non-gardeners who are available to help with maintaining garden beds of neighbors as they age or are ailing.
4. Create a community garden in the community park.
5. Landscape the community park to improve soil drainage in low-lying, soggy areas.

### **References:**

Town of Hillsborough environmental initiatives

<https://www.hillsboroughnc.gov/government/about-town-government/environmental-initiatives/>

Bee City USA

<https://www.hillsboroughnc.gov/government/advisory-boards/tree-board/bee-city-usa/>

Tree City USA

Managed Natural Landscapes and Noxious Growth Ordinance from the Town of Hillsborough (Hillsborough Code of Ordinances: Chapter 11, Section 11-8)

[https://library.municode.com/nc/hillsborough/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH11SOWAENRE\\_ARTIICOSOWASCMANOGR\\_S11-8MANALANOGR](https://library.municode.com/nc/hillsborough/codes/code_of_ordinances?nodeId=PTIICOOR_CH11SOWAENRE_ARTIICOSOWASCMANOGR_S11-8MANALANOGR)

N.C. State Extension Office publication on reducing runoff

<https://content.ces.ncsu.edu/a-gardeners-guide-to-protecting-water-quality>

## PLANTINGS

### PLANTINGS FOR LANDSCAPE PLANS FOR DEVELOPMENT APPLICATIONS

#### PROHIBITED SPECIES

The following list includes exotic plant species that may be available in the nursery trade and are known to be invasive or have a likelihood of being invasive in the Hillsborough area. Plants on this list may not be specified for inclusion on landscaping plans for development applications that require plan approval by review boards or town staff. The use of the listed plants is strongly discouraged in non-regulated landscaping projects within the Town and Extraterritorial Jurisdiction.

Invasive Tree Species	
Scientific Name	Common Name
<i>Acer negundo</i>	Boxelder
<i>Acer platanoides</i>	Norway Maple
<i>Acer saccharinum</i>	Silver Maple
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Albizia julibrissin</i>	Mimosa
<i>Broussonetia papyrifera</i>	Paper Mulberry
<i>Celtis occidentalis</i>	Hackberry
<i>Cupressocyparis leylandii</i>	Leyland Cypress
<i>Meia azadarach</i>	Chinaberry
<i>Morus alba</i>	White Mulberry
<i>Paulownia tomentosa</i>	Princess Tree
<i>Populus deltoides</i>	Cottonwood
<i>Populus alba</i>	White Poplar
<i>Populus nigra</i>	Lombardy Poplar
<i>Pyrus calleryana</i>	Bradford Pear
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Robinia pseudoacacia</i>	Black Locust
<i>Salix spp.</i>	Willow
<i>Triadica sebifera</i>	Tallowtree
<i>Ulmus pumila</i>	Siberian Elm

Invasive Shrubs and Vines Species	
Scientific Name	Common Name
<i>Akebia quinata</i>	Fiveleaf Akebia
<i>Ampelopsis brevipedunculata</i>	Porcelain Berry Vine
<i>Berberis thunbergii</i>	Japanese Barberry-dwarf forms may be acceptable
<i>Celastrus orbiculatus</i>	Oriental Bittersweet Vine

Hillsborough Unified Development Ordinance – Administrative Manual

Invasive Shrubs and Vines Species	
Scientific Name	Common Name
<i>Clematis paniculatus</i> , <i>C. terniflora</i>	Sweet Autumn Clematis
<i>Eleagnus angustifolia</i> , <i>E. pungens</i> , <i>E. umbellata</i>	Russian Olive, Silverleaf
<i>Euonymus alata</i>	Burning Bush-dwarf forms may be acceptable
<i>Euonymus fortunei</i>	Wintercreeper-dwarf forms may be acceptable
<i>Hedera helix</i>	English Ivy
<i>Ipomoea purpurea</i> , <i>I. Tricolor</i>	Common Morningglory
<i>Ligustrum lucidum</i>	Waxleaf Privet
<i>Ligustrum sinense</i>	Chinese Privet
<i>Lonicera japonica</i>	Common Privet
<i>Lonicera maackii</i> , <i>L. morrowii</i> , <i>L. tatarica</i>	Japanese Honeysuckle
<i>Melia azedarach</i>	Chinaberry Tree
<i>Rhamnus alnus</i> , <i>R. cathartica</i>	Buckthorn
<i>Rosa multiflora</i>	Multiflora Rose
<i>Spiraea japonica</i>	Japanese Spiraea
<i>Viburnum dilatatum</i>	Linden Arrowwood
<i>Wisteria floribunda</i>	Japanese Wisteria
<i>Wisteria sinensis</i>	Chinese Wisteria

Invasive Groundcovers and Grasses Species	
Scientific Name	Common Name
<i>Arundinaria sp.</i>	Golden Grove Bamboo
<i>Arundo donax</i>	Giant Reed
<i>Coronilla varia</i>	Crownvetch
<i>Fallopia cuspidatum</i> , <i>Polygonum cuspidatum</i>	Japanese Knotweed
<i>Iris psuedoacorus</i>	Yellow Flag
<i>Lysimachia nummularia</i>	Creeping Jenny
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Miscanthus sinensis</i>	Chinese Silvergrass
<i>Phalaris arundinacea</i>	Reed Canarygrass
<i>Phyllostachys aurea</i> , <i>P. nigra</i>	Golden Bamboo, Black Bamboo
<i>Polygonum perfoliatum</i> , <i>P. sachalinense</i>	Giant Knotweed
<i>Pueraria montana</i>	Kudzu
<i>Sasa palmata</i> , <i>S. pygmaea</i>	Dwarf Bamboo