

CITY OF CREEDMOOR

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ORDINANCE 2021-O-19

AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 156 COMMUNITY APPEARANCE §156.05 DEFINITIONS AND §156.25 PARKSTRIP IN ACCORDANCE WITH ZTA-2021-04

WHEREAS, the City of Creedmoor’s Community Development Department has initiated an amendment to Chapter 156 Community Appearance §156.05 Definitions and §156.25 Parkstrips.

WHEREAS, the parkstrip ordinance has had many ambiguous definitions and factors within it that have hampered code enforcement.

WHEREAS, at the October 14, 2021 Planning Board meeting the Board unanimously recommended in favor of the proposed changes in ZTA-2021-04 to the Code of Ordinances’ Chapter 156, specifically §156.05 and §156.25.

NOW, THEREFOR, BE IT ORDAINED by the Board of Commissioners of the City of Creedmoor the following:

Code of Ordinance Chapter 156 Community Appearance §156.05 Definitions be amended as follows:

§ 156.05 DEFINITIONS.

PARKSTRIP. ~~The area between the curb of a street and the sidewalk.~~ The area along public streets and avenues between the curb line (or edge of the roadway if no curb line is present) and the sidewalk line (or property line if no sidewalk is present).

Code of Ordinance Chapter 156 Community appearance §156.25 Parkstrip be amended as follows:

§ 156.25 PARKSTRIPS (~~AREA ADJACENT TO A PUBLIC STREET~~).

(A) ~~Any property subject to a development permit that imposes parkstrip landscaping requirements shall have landscaping installed in the parkstrip in compliance with the development permit.~~

Purpose. It is the purpose of this section to require the responsible party to keep the parkstrip, public sidewalks, right-of-way, drainage swales, grass strips, maintained and unnecessarily obstructed.

- (B) ~~Any property not subject to a development permit shall have landscaping installed in the non-paved portions of the parkstrip. For purposes of this section, "landscaping" means live trees, shrubs, lawns, other live plant materials or decorative landscaping, have been installed.~~
Responsible Party. The responsible party including but not limited to; property owner, lessee, tenant, or occupant of real property abutting the parkstrip.
- (C) Lots which are considered in a Natural State (Code of Ordinance §54.03 Definitions) are not responsible for parkstrip maintenance.
- (D) Parkstrip ordinance applies to streets within the City of Creedmoor.
- (E) Damage to persons, persons property, city equipment, city infrastructure caused by improper maintenance is at the cost of the responsible parties.
- (F) *Plant Material.*
- (1) The parkstrip shall be covered with plant material, including turf grass and/ or deciduous trees.
 - (2) Turf grass shall be controlled so it does not exceed 12 inches in height as provided in §156.24, Section C, of the Code of Ordinances. This measurements supersedes previous measurements pertaining to parkstrips.
 - (3) Deciduous trees are allowed in the parkstrip.
- (G) *Other Material.*
- (1) For the purpose of soil stabilization, landscape rock, one to three inches in diameter, may be used but shall not spill onto the sidewalk or street and shall be installed flush with adjacent sidewalk or curb to prevent trip hazards.
- (H) *Maintenance.*
- (1) It shall be the responsibility of the responsible party to ensure that the parkstrip abutting the property is kept clear of dirt, grass, weeds, mud, trash, debris and vegetation of any kind to prevent a hazard to the public.
 - (2) The responsible party that has a drainage swale running along the street that abuts the responsible party's property shall mow, trim, and otherwise properly maintain such swale so that it can continue to serve its proper drainage function.
 - (3) Plant material shall not be allowed to overhang or encroach upon the sidewalk, curb, or street. (Development Ordinance §11.13 Hazardous Trees, Ord. 2016-O-18, Amended 9-20-2016)
 - (4) A three-foot radius clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.
- (I) *Weather event.* The responsible party whose property abuts a paved sidewalk, shall remove snow, hail, sleet and other similar accumulation from such within 48 hours after the accumulation ceases to fall.
- (J) *Prohibitions on Encroachments Purpose.* These encroachments are prohibited due to the potential for causing vehicle damage and the increase in difficulty to maintain and install public improvements.
- (K) *Prohibitions.*
- (1) Structural encroachments. Retaining walls, fences, steps, boulders, concrete or masonry pillars, and other similar structural encroachments are prohibited in the parkstrip.
 - (2) Permanent sport structures. No permanent placement of basketball goal, recreation structures or other similar items.

(3) Exterior decorative décor; including but not limited to brick columns, fountains, permanent (immobile) planters, lighting, birdbaths, decorative edging or borders, lawn ornaments, and fencing.

(4) The relocation of snow or ice from the parkstrip to the street is prohibited as it impedes the normal movement of traffic on the street. Additionally, it shall be unlawful for any person to relocated yard waste, grass clippings, leaves, sediment, trash, or debris of any kind into the storm drainage system of the city, including any streets, storm drains, ditches, swales, streams, lakes, culverts, rights-of-way, dedicated easements, or in any other area where it might impede the flow of water through the storm drainage system of the city. (Code of Ordinance §96.09 Debris in Stormwater Drainage System)

(5) Mailboxes and/ or mailbox clusters that do not meet or follow USPS standards.

Replacement or new installation of mailboxes is limited to mailboxes installed on breakaway supports including:

- a) 4" x 4" wooden post,
- b) 2" diameter steel or aluminum piping,
- c) bury post no more than 24" deep, or
- d) other breakaway supports.

Installation of decorative planter boxes around the base of the mailbox support is restricted in the parkstrip. Follow the United States Postal Service (USPS) guidelines for placement and installation requirements.


(ML) Failure to meet the landscaping requirements of this section constitutes property blight. (Ord. 2010-O-02, passed 1-26-10)

HEREBY ADOPTED in regular session by the City of Creedmoor Board of Commissioners by motion from **Commissioner Kicinski** this, the **1st day of November, 2021.**


Ayes: **4**

Noes: **1**

Absent or Excused: _____


Robert V. Wheeler, Mayor

ATTEST:


James F. Hicks, III, City Clerk/ PIO



