

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	23.1 Purpose	note that all of the choices for section #'s say Article 23 but this is article 26	Updated 03/18/2022: This error has been fixed.	No
3/11/2022	23.1 Purpose	My previous comment on 23.1 about the Article 23 comments was referencing an ERROR in the comment website. When you are submit comments on article 26 it says its article 23. Why on earth would the staff response be "Still under review"? just fix the website	Updated 03/22/2022: Thank you for this comment. The website has been fixed.	No
2/17/2022	23.1 Purpose; 23.2 Applicability	This is an important and necessary protection and I applaud and support it. I do not understand why it cannot include existing developments as it is important to set a standard for these protections across the board	Updated 03/17/2022: We appreciate your comment. Development sites were required to comply with the regulations in place at the time. As sites meet an applicability threshold of this article they will be required to come into compliance.	No
11/12/2021	23.10 Definitions	23.10 BMP, the draft UDO would require Performance Bonds posted before the work is preformed and no CO's until it is as-built. Are you trying to put homebuilders out of business!	Updated 02/02/22: The UDO staff and consultants will revisit this to determine if changes are recommended. Updated 04/13/22: The standard will be updated to allow the City to require a performance guarantee prior to "approval and recordation of a plat" consistent with current practice.	Yes
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	CA-2 and CA-3 and PA2 & PA 3 were removed. Why?	These areas are not within the City's jurisdiction so were not necessary to include in the City's UDO.	No

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11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	23.4A.1.a.viii says SCM which is defined as structural BMPs. confirm non-structural BMPs are still allowed	Non-structural BMPs are still allowed and encouraged, but the term Stormwater Control Measure (SCM) implies something that intentionally captures and controls the release of stormwater. That is a Structural BMP. The revised language was to only state what is prohibited or allowed with conditions. All other uses are considered "allowed".	No
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	page 23-4 allowed uses under prescribed conditions include today: LCID offsite, landfill, wastewater treatment. Why were these removed. Home many properties are affected by this elimination?	These activities are now prohibited to align with allowances within state guidance.	No
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	confirm you have removed the density cap as evidenced in table 23-1	This table has been updated but there are still built-upon area density caps as described in the table. The table in the UDO now removes those areas not within city jurisdiction. A more restrictive built-upon area cap may apply if development is subject to the Post Construction Stormwater Article (Article 25).	No

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11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	what is the environmental purpose of eliminating the 70% and 12% options in the Mountain Island watershed?	These options have been removed because they were previously allowed in Critical Area (CA) 2 and CA 3 which for the Mountain Island Lake Watershed was not within the City's jurisdiction.	No
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	page 23-5 B. 1 & 2. And page 23-6 b--SCM's should be allowed to be used for BUA credit. that is a option that has value to the environment & should not be eliminated.	The UDO staff and consultants will revisit this to determine if changes are recommended. Updated 04/13/22: Staff will add the allowance for BUA credit in all water supply areas except for Mountain Island to align with current requirements.	Yes
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	23.6 Mtn island buffers were reduced in PA2 & eliminated in PA3 as they were farther from the lake edge. what is the reason for not allowing that when you're miles from the lake edge?	PA-2 and PA-3 were removed because these areas are not within the City's jurisdiction for this watershed.	No

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11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	table 23-3 makes no allowance for a road design with out curb & gutter? why?	Updated 03/28/2022: The reference for road designs without curb and gutter was removed but that does not remove the allowance. See Table 34-1 Street Design for Street Classifications to review the street designs and allowable curb and gutter treatments.	No
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	Section 4 top of page 23-9 if you have a site specific mitigation plan then you don't need a variance. it should be OR not AND	<p>The current ordinance says that a variance may be required so this is an update to a current standard. Instead of using "may" the text clarifies that this only applies, "if a variance is required." UDO staff and consultants are reexamining this for potential modification in the next draft UDO.</p> <p>Updated 04/13/22: Staff will update this standard to clarify that a site specific mitigation plan and/or a variance may be required per Article 38.</p>	Yes
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	pg 23-9 4.a. the last sentence conflicts with page 23-10 (if residential)	<p>UDO staff and consultants are reexamining this for potential modification in the next draft UDO to provide additional clarity.</p> <p>Updated 04/21/22: Staff did not interpret this to be a conflict. The allowance for SCMs serving single-family neighborhoods to be managed by the City does not conflict with the requirement for SCMs to have a long term maintenance strategy.</p>	No

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11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	page 23-9 D - # 3 needs to allow for Utility lines in the buffer	Staff does not understand this comment. Please provide additional information.	No
11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	B on page 23-10 is nonsense> if i don't have a grading permit (aka permit) then I have nothing to post a surety on. State law only requires a performance surety if i want to plat prior to completion. getting a grading permit is not a plat. You also changed the as-built to the first home. For what purpose? don't you want to see it work & have the as-built after the repair. 75% of the development is a better indicator that it works & needs an as-built	The UDO staff and consultants are rexamining this for potential modifications in the next draft UDO. Updated 02/02/22: This is current language borrowed from Post Construction Stormwater, specifically for subdivisions- we will be updating this language to match current practice and provide clarity. We do not in practice require a bond to be posted before initial permits are issued, it is typically prior to a plat approval and recordation.	Yes

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11/27/2021	23.2 Applicability; 23.3 Areas and Sub-Areas Established; 23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements; 23.10 Definitions	23.10 all definitions need to be in ARTICLE 2. and you ignored the agricultural exemption by state law	<p>A select few articles of the UDO have article-specific definitions that apply only to that article. As such, those definitions are held separately from the general definitions. Staff will add a sentence to Article 2 to clarify this approach.</p> <p>The UDO team will review the remainder of this comment with the City Attorney's Office.</p> <p>Updated 03/30/22: Staff does not interpret anything in this article to conflict with applicable state law regarding agricultural exemptions.</p>	No
3/17/2022	23.2 Applicability; 23.4 Uses and Activities	23.2.B.1 - Clarity is needed concerning what constitutes "Existing Development." At what point in time is existing development considered exempt?	Updated 03/30/22: The dates for what constitute existing development are established in Section 23.2.B.2.C. This language will be revised to provide clarity in the next draft UDO.	Yes

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3/17/2022	23.2 Applicability; 23.4 Uses and Activities	23.4.A.2.b.; 23.4.B.1.b; 23.4.B.2.b; 23.4.C.1.b and 23.4.C.2.b - These articles refer to SCMs as being an allowed use under specific conditions in the respective watershed areas, but the language differs between the articles. Some sections seem to allow an SCM only where required by "another article" while others seem to allow an SCM only where required by Article 23. It seems that SCMs should be an allowable use wherever the ordinance requires them regardless of specific article. Some sections indicate that "no BUA credit is given," and it is not clear what this means. Section 23.2.B.1 infers that redeveloped BUA in a water supply watershed is subject to water quality treatment but that density credit is still given.	Updated 03/30/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 04/13/22: The UDO will include updated language in each watershed, except for Mountain Island to allow the following: "SCMs, where required by any article of the UDO. BUA credit will only be allowed for Low-Density sites."	Yes
3/18/2022	23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements	Land clearing and construction should be prohibited in the "Protected Areas", not just the "Critical Areas." If you want an area to function as an actual watershed, capable of slowing, percolating, and buffering storm events, then the protected natural surfaces must be functionally large, not just tokens to avoid the visual embarrassment of polluted runoff directly from paved land into a river or lake.	Updated 03/30/22: Land clearing and construction will be prohibited within water quality buffers as specified in 23.6.	No

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3/18/2022	23.4 Uses and Activities; 23.6 Water Quality Buffer Requirements	There should be no "mitigation" available to permit otherwise prohibited development in the buffer area along the lakes or streams. If a natural, vegetated area is important, then it should be plainly off-limits to development, not subject to destruction and 'replacement' by a 'restored' area that rarely functions as such. The entire national industry of creating 'mitigation credits' to offset ecological destruction (wetlands, forests, etc.) is mostly a farce, and functions only as a permissive device for otherwise impermissible behavior.	Updated 03/30/22: Mitigation is predominately allowed in the Lower Lake Wylie watershed. Lake Wylie and Mountain Island watersheds are mostly undisturbed or require a variance approval for impacts other than those listed in 23.6.D.	No
2/23/2022	23.5 Development Standards	<p>The tree protections for a city that attracts so many people as a result of its trees is wholly inadequate. Land developers should be required to replace 100% of the trees they remove, either on-site or at a another location within the City's borders. Consider a credit to homeowners that maintain or expand their tree canopies and require in-fill construction on previously constructed parcels to be applicable to the tree preservation requirements that developers are subjected to.</p> <p>Get serious about our preserving our most valuable resource. This proposal is toothless and panders to developers at the expense of the quality of life of the rest of the city.</p>	Updated 03/17/2022: The UDO will not be proposing to require 100% replacement of trees lost. The requirement for heritage tree protection included in the draft UDO would require any healthy heritage tree removed would require the property owner to replant trees on-site, expanding the canopy on that site over the long-term. In addition infill construction must maintain previously approved tree save areas and the UDO is proposing to require these developments to save or plant one tree within 20 feet of the back of curb when developing an infill site.	No

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11/5/2021	23.6 Water Quality Buffer Requirements	<p>Lots recorded before 1998 are exempt from the SWIM and PCCO requirements. It needs to be clarified that sub-lotting to allow duplexes or triplexes shall not be considered as subdivision that would trigger compliance with SWIM and PCCO requirements.</p> <p>This is important to be able to provide affordable ownership opportunities.</p> <p>You can build a duplex and sell it to a single owner on a lot recorded before 1998 but if you want to be able to sell 1/2 of a duplex there is confusion that the sub-lotting triggers compliance with SWIM, PCCO.</p> <p>This clarification needs to happen in the UDO and also in administration of the current ordinance.</p>	<p>Updated 02/02/2022: Lot recordation and applicability dates are not changing in the proposed UDO. These will continue to exist as currently written. Re-platting or further subdividing lots will likely result in a loss of exemption from both PCSO and SWIM buffers as they do today. However, the requirements of mitigation or restrictions will be based on the increased BUA within the bufer as is done in the current ordinances.</p>	No
2/16/2022	23.6 Water Quality Buffer Requirements	<p>An increase in the buffer zones are welcomed! Please protect our natural resources. I do not think the city of charlotte is doing enough managing all the development and water run off it creates. I have seen plans presented to the city council and the comment is always "no impact". Eventually there is an impact but not when all planning is done in a silo and only looking at each plan individually instead of the other plans that were already approved by the city council.</p>	<p>Updated 03/30/22: Thank you for your comment.</p>	No
3/11/2022	23.6 Water Quality Buffer Requirements	<p>Page 23-9 item D #3. Because manholes are 'permanent structures' within a buffer the sentence should read "..... such as transportation crossings, greenway paths <u>and utilities</u> are allowed where....." (manholes are permanent structures)</p>	<p>UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 04/13/22: This language will be updated to include "public utilities"</p>	Yes

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1/15/2022	24.1 Purpose	This entire Stormwater & Natural Resources Section needs to completely removed and replaced. These proposed standards would have a massive impact on everything from single-family residential to more intense development. Or perhaps that is the intention, and the practical and economic impacts are completely secondary to this regulatory overhaul. These proposed standards are antithetical to Charlotte's continued development.	Updated 02/16/2022: Changes to development regulations in the UDO are based on feedback, conversations and other input from developers, residents and others in the community over several years. The proposed changes are intended to better mitigate the impacts of development on downstream properties, drainage systems, and surface waters. Mitigating these impacts after they occur are more costly and damaging than the cost of prevention at the development phase. In addition, the City is also subject to a Federal Clean Water Act permit issued by the state delegated from the Environmental Protection Agency. We are accepting feedback on specific adjustments to this draft and are working to make updates to balance the priorities appropriately.	No

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3/9/2022	24.1 Purpose	<p>I am not sure that my comments apply to Article 23. It might be Article 24, or some other about storm water. My point is that there needs to be greater attention given to run-off issues created by new construction in residential areas. When new homes are built, or expanded, in Plaza Midwood, long-time homeowners find that their properties are now flooding because the new developer has altered the slope of the land through grading. It is not fair to place the burden of disposing of the excess water on the homeowner next door or down the street. Permitting needs to include mitigation of excess water, particularly now when we have such intense rainstorms. Also, when the slope is altered for an accessory, such as building of a pool, or tennis court, this also creates excess run-off for homeowners who previously had no problem. Also, there needs to be teeth to enforcement. If pools are built in violation, it is not enough to fine the homeowner. A fine does not solve the problem. Homeowners should understand that structures in violation of the zoning code will be removed.</p>	<p>Updated 03/28/22: Thank you for your comment. Article 24 includes new regulations that will ensure smaller projects will be reviewed however, this article will not address some of the concerns you've expressed here. Article 24 may not mitigate for existing drainage issues but will provide for more reviews of projects at the development phase to reduce drainage impacts.</p>	No

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1/16/2022	24.2 Applicability	<p>24.2 Institutes a “Storm drainage plan and permit” process prior to any landscape grading that will affect surface drainage on a lot (section D), or any construction on a SF lot (section A), including driveways, parking or any structures. There are no specific requirements and the Storm Water Administrator has complete authority to stipulate whatever he/she thinks appropriate. This is a huge change and will require another permitting step (and fees) for every small project in town, as well as numerous small projects that currently require no permitting.</p> <p>Suggestion: Specific stipulations that specify that permits are only required where proposed changes will increase the current surface runoff by more than 10%. Additionally, owners will not be responsible for improvements to any existing drainage conditions, except for those costs directly attributable to their incremental increases. I discussed this proposed change with Andrew Ausel (Associate Planner/UDO) and he seemed to concur that was a reasonable approach.</p>	<p>Updated 03/07/22: The UDO is setting applicability thresholds that are simple to identify at an early stage of review. In many cases, this 10% surface runoff threshold would be more stringent than the current applicability threshold. In addition, to calculate the runoff from the project would require that a property owner hire a design professional to determine if they are subject to the requirements.</p>	No

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3/11/2022	24.2 Applicability	Page 24-1 article 24.2 requirements for a Storm drainage plan and a permit is duplicating work already performed by Zoning Inspectors in Building Standards. If Zoning Inspectors in Building Standards need additional training then do that but don't create a separate process duplicating work in order to charge a new fee. City has data in CLT Explorer for easements – if that data is insufficient then spend time providing Building Standards with correct data set. Public availability of the info on BUA, existing drainage infrastructure, dimensions of drainages pipes & ditches, and the 50 CFS basin areas needs to be enhanced & added to the info for Building Standards, especially if City really believes that this is a simple process that non-engineers can comprehend.	Updated 03/22/2022: Thank you for this comment. Staff has discussed this internally but will be including this standard in the UDO for Storm Water staff to review and enforce. At this time it is infeasible to assign zoning inspectors the responsibility of determining compliance with these standards.	No
3/11/2022	24.2 Applicability	The applicability section would read more correctly if it said "All development that includes alteration or installation for storm drainage...." Thus it wouldn't apply to sites that don't affect City storm drainage system & would also not apply to small improvements	Updated 03/22/22: This section as written is sufficient for limiting the applicability to include projects that may have impacts to site drainage. Items A through D set parameters for what type of development will meet the applicability threshold.	No
3/11/2022	24.2 Applicability	Construction on an approved land development plans have already paid for and had a Storm Drainage plan reviewed and approved as such they must be excluded in 24.2 A. As written this is a duplicate review in order to add more time and collect more money from the same department that quite literally could have just performed a Drainage Plan review that the property owner just paid for.	Updated 03/22/22: Typically preliminary subdivision plans are not required to include the location of houses and driveways. If a site has an approved development plan, the review for compliance for this article would only look at the impact of these items. These could be submitted as a block of houses under one review.	No

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3/11/2022	24.2 Applicability	The work outlined in Item 24.2.B.1 and 24.2.C requires a full set of construction plans submitted to the City in which the Storm Drainage plan would just have been reviewed and approved. This is another duplicate process with duplicate fees for no additional benefit.	Updated 03/22/22: Approved subdivision or commercial subdivision plans will have already satisfied this requirement and will not need to submit additional information. Submittal requirements will be clarified in the administrative documents.	No
3/11/2022	24.2 Applicability	24.2.D (surface drainage patterns) is written so broadly as to require a Storm Drainage Plan and permit with fee to build a vegetable garden. If there are no city drainage structures affected then let property owners use their property. There is already a state law about blocking flow of water or redirecting stormwater. (see section 24.3. B. 3) that makes Section 24.2.D redundant.	Updated 03/22/22: A vegetable garden would typically not meet this applicability threshold but will depend on the level of impact. It is the intent of this article to ensure that "recontouring of the land that will modify or impact existing surface drainage features or patterns" is done in a way that does not block or materially impede the flow of stormwater runoff, or create adverse drainage impacts.	No
3/11/2022	24.2 Applicability	Properties that drain directly to Lake Norman, Wylie or Mtn Island Lake should be exempted as they have no impact on the City drainage system	Updated 03/22/22: See response immediately above. The concerns that this article is intended to address are not necessarily alleviated because the property drains to a lake.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	24.2 is a very big over-reach. I add a 120 sq ft bedroom and i have to hire an engineer & pay to submit a plan. For what benefit?	There will be a tiered review approach. Staff believes the majority will not require an engineer. If a pipe or channel is not being impacted, developing a property subject to flooding, or triggering PCSO, a licensed professional will not be required.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	24.2 B specifically says SDE (not previously defined) and NOT PSDE. why is that?	It is not the intent to limit this provision to SDEs and staff will update this term to apply more broadly to cover all of these stormwater-related easements.	Yes
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	the requiremetn for a new engineered plan when CDOT requires a driveway in a specific location is trapping the property owner between 2 departments. For what reason is it 10' the easements are generally 15' wide (current rules)	The intent is to make sure driveways do not impact the storm drainage system. A pipe under a driveway is fine as long as it meets design requirements and is constructed properly.	No

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11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	24.3 A. b should be allowed to be 7.5 feet unless the conditions of section (i) are met.	This section prohibits these structures within 7.5 ft or greater depending on requirements stated under 24.3.A.1.b.i.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	24.3 A c is increasing the ditch easements from 15', 20' or 25' to a blanket 20' For what reason? should not the improvement and the drainage basin be a criteria? (see also section B #6)	The intent is to prohibit impacts to channels not within existing easements using the current minimum easement for a channel of 20'.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	24.3 A 2- appears to make silt sacks a unlawful activity	Silt sacks are a temporary measure for erosion control and would be allowed provided that they are removed when construction is complete.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	page 24-3 item C #2- why are uninhabitable crawl spaces included in a list of habitable portions of structures?	This section comes from the current subdivision ordinance. Crawl spaces are included as a "usable and functional space" not a habitable space.	No
11/27/2021	24.2 Applicability; 24.3 Storm Drainage Standards	item 4 a on the same page has a typo. it should read: the SWEL does not ENCROACH INTO the required minimum front....	This provision has not changed from the current requirements in the Subdivision Ordinance.	No
3/17/2022	24.3 Storm Drainage Standards	24.3.A.3 - The language should be clarified to indicate that only that part of the proposed drainage system located within the street right-of-way or SDE needs comply with the CLDSM, not the entire proposed lot or development.	Updated 03/28/22: This language will be revised to provide clarity in the next draft UDO.	Yes
3/18/2022	24.3 Storm Drainage Standards	The requirement that land disturbance shall not 'create standing water thereon, or cause flooding of neighboring properties' should include a affirmative verification mechanism with the burden placed on the landowner. City staff should not have to chase down reports of improper runoff during rainstorms.	Updated 03/28/22: This type of verification is not something to be included in the ordinance and could be visited in the implementation phase.	No

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3/18/2022	24.3 Storm Drainage Standards	24.3 The language about the 100-year flood level should be more specific about who is qualified to make this judgment and what source data is used. Most of America's official, federally generated flood maps are obsolete due to climate change, and the 100-year flood level is much higher than just a few decades ago. Conversely, a given elevation that previously corresponded to a 100-year flood is now, in reality, often a 5-year or 10-year flood.	Updated 03/28/22: These are generated on an individual parcel when an engineer determines a flow is above 50 cfs in a 100 year event. This article does not apply to FEMA regulated floodplains but would apply to smaller than 640-acre watersheds.	No
2/16/2022	24.5 Stormwater Administrator	I think there needs to be a more holistic approach to approving plans and stating that there is "no impact". Although each individual plan may not have an impact the totality of development in that area may.	Updated 03/09/22: The UDO is making several adjustments to applicability thresholds that will in the end increase compliance. Most notably, the Drainage Article and the reduction of the applicability threshold for Post Construction Stormwater will increase the number of sites that will need to comply with standards to mitigate and reduce adverse drainage impacts.	No

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1/10/2022	25.1 Purpose	<p>As a long time volunteer cleaning up at schools, parks, roadways and neighborhood, it is very clear the last 2 years as the population increases, we have a wide variety of behavior and increase in food convenience.</p> <p>I think there is a broader need for municipalities to lobby industry/media to discourage one-time use packaging. But I feel it urgent we consider mandatory retrofit controls for water and litter onsite to hold originating site or businesses responsible.</p> <p>There are individual parking lot/street drain cleanouts for under \$100 per drain.</p> <p>Unfortunately we receive a great deal from an adjacent shopping center that has seen expansion with more on the way that ties into our lake system.</p> <p>I don't believe our HOA understood this many years ago and our lakes/drainage pipes were not built for that.</p> <p>We also get a lot of sediment caused by public and 3rd party runoff we have reported with little assistance there as well as from street drains and a middle school near another pond of ours.</p> <p>I'm sure we aren't the only neighborhood with this issue but we do have a lot of lakes.</p>	<p>Updated 03/03/2022: Neighborhood ponds and other water bodies are impacted by runoff from urban land uses. Litter is a major concern and Charlotte-Mecklenburg Storm Water Services combats this issue largely through public education campaigns and public volunteer cleanup activities. Many of Charlotte's developed areas were built prior to requirements to provide control measures that reduce pollutants. In 2018, the State legislature prohibited municipalities from requiring retrofitted pollutant control measures when sites redevelop. The City is proposing ordinance revisions so that an increased number of newly-developed areas will be required to control pollutants onsite. If enacted, this will serve to reduce runoff impacts to downstream drainage infrastructure, including ponds and water bodies.</p>	No

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1/15/2022	25.1 Purpose	This entire Stormwater & Natural Resources Section needs to completely removed and replaced. These proposed standards would have a massive impact on everything from single-family residential to more intense development. Or perhaps that is the intention, and the practical and economic impacts are completely secondary to this regulatory overhaul. These proposed standards are antithetical to Charlotte's continued development.	Updated 02/16/2022: Changes to development regulations in the UDO are based on feedback, conversations and other input from developers, residents and others in the community over several years. The proposed changes are intended to better mitigate the impacts of development on downstream properties, drainage systems, and surface waters. Mitigating these impacts after they occur are more costly and damaging than the cost of prevention at the development phase. In addition, the City is also subject to a Federal Clean Water Act permit issued by the state delegated from the Environmental Protection Agency. We are accepting feedback on specific adjustments to this draft and are working to make updates to balance the priorities appropriately.	No
2/17/2022	25.1 Purpose	This is an important, effective protection and I support it.	Updated 03/07/22: Thank you for your comment	No
1/16/2022	25.2 Applicability	25.2.A – Institutes a “Storm Water permit” for all development and redevelopment for any lot over 20,000 SF (25.2.A.5) or any piece of land over an acre that creates more than 5,000 SF of new BUA (Built Upon Area). This can affect a wide variety of residential lots with small build projects or even adding a driveway to a larger lot. Is this intended to be the same permit required in section 24 above, or an additional one? If so, the requirements here are different from those above. My comments on 24 apply to this as well.	Updated 03/07/22: Compliance with this article would be reviewed concurrently with compliance with the Drainage Article however, the requirements are different. These requirements have different standards and applicability thresholds as they are intended to protect against different impacts.	No

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3/11/2022	25.2 Applicability	Stormwater permit in Article 25.2 has the same acronym at Strategic Mobility plan (SWP). I thought the purpose of the UDO was to be consistent and fix errors. Make a correction to one or both to remove the duplication & potential confusion.	Updated 03/30/22: This language will be revised to provide clarity in the next draft UDO. Staff will revise the next draft to not use an acronym for Stormwater Management Permit.	Yes
3/17/2022	25.2 Applicability; 25.3 Stormwater Management Permit Standards	Section 25.3.C - Please consider combining the PCSO water quality buffer requirements and SWIM buffer requirements into a single water quality buffer article. The overlapping buffer regulations are mostly redundant and create unnecessary complication and confusion.	Updated 03/30/22: Staff considered this revision but will not be making this change in the next draft UDO. Combining the buffer requirements would require detailed analysis that staff may explore with a future revision to the UDO.	No
3/17/2022	25.2 Applicability; 25.3 Stormwater Management Permit Standards	Section 25.2.A - Clarify that development/BUA existing as of July 1, 2008, is exempt from PCSO requirements per Session Law 2018-145.	Updated 03/30/22: Staff will update the draft to incorporate state law and current restrictions on stormwater controls for redeveloped BUA.	Yes
3/17/2022	25.2 Applicability; 25.3 Stormwater Management Permit Standards	Sections 25.3.D.2.b: 25.3.E.2.b and 25.3.F.2.b - Consider eliminating references to 85% TSS and 70% total phosphorous removal and adopting the State's Minimum Design Criteria for SCMs (e.g., install a "Primary SCM").	Updated 03/30/22: The BMP manual is currently under review for update. Though the BMP manual supports the UDO standards it is not included within the UDO itself.	No
3/17/2022	25.2 Applicability; 25.3 Stormwater Management Permit Standards	Section 25.3.F - Where can the referenced "Post Construction Stormwater Implementation Policy for Transportation Projects within City limits and ETJ" be found?	Updated 03/28/22: This document can be found on the supporting documents page on the Charlotte UDO website.	No
3/17/2022	25.2 Applicability; 25.3 Stormwater Management Permit Standards	Section 25.3.D.1.c - Why is stormwater peak control required in the Central Catawba basin for low density development but not in the other basins? Is this standard intended to replace Section 12.601-603 requirements in the existing zoning ordinance?	Updated 03/30/22: This standard will be updated to require this in all watersheds. Regarding your second question, yes, this is the intention of this language.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	page 25-2 starts the list with #'s but it is continuing a list of letters so # 2-6 become C to G.	Updated 02/09/2022: The numbering in this section is correct as written.	No
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	letter E (was 4) has too low of a threshold. should be 20,000 sq ft New BUA not 5,000	Updated 02/09/2022: This is a strategic change to provide a consistent and lower trigger for all development (current proposal at 5,000 sq ft of new BUA).	No
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	25.5 section 4 c. iii has typo. it is correctly.... shall be maintained BY THE CITY in perpetuity	Updated 03/01/2022: This provision is referring only to SCMs constructed utilizing phosphorus mitigation funds. The City may have agreements with property owners for specific types of maintenance and as the City may not be responsible for all maintenance activities of these Stormwater Control Measures (SCMs), staff will clarify this language to ensure they are maintained in perpetuity. The City will ensure the functionality of the SCMs are maintained in perpetuity.	No Yes
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	25.10 definitions should be in Article EXCEPT that the definition of residential development or redevelopment appears to try to differential between housing that is for sale & that which is for rent. that differentiation is not appropriate. it should be reworded	Updated 03/01/2022: The definition of residential development will remove the distinction of residential development for sale and for rent.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	25.2 As written A.and A.1. violate Vesting Law & Permit Choice & Grandfathering laws. Remove the 7/1/2008 date to fix half the problem.	UDO staff will review these requirements with the City Attorney's Office. Updated 03/28/22: The intent is for the vested rights exemption date to remain as established in the currently adopted Post Construction Stormwater Ordinance. Permit choice and vesting are established in state law and will not be specified in this article.	No
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	Letter E (was 3) removes all vesting. it's illegal	UDO staff will review these requirements with the City Attorney's Office. Updated 03/28/22: The intent is for the vested rights exemption date to remain as established in the currently adopted Post Construction Stormwater Ordinance. Vesting is established in state law and will not be specified in this article.	No
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	Item D.1. b. iii on page 25-3 (no BUA within 15' top of bank) conflicts with table 26.2 allowing road crossings	Updated 02/09/2022: Road crossings are considered an allowed disturbance and are exempt from this requirement. This language will be revised to provide clarity in the next draft UDO.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	#2.d.iii conflicts with the table 26-2	Updated 02/09/2022: This language will be revised to provide clarity in the next draft UDO. Updated 04/21/2022: The UDO will be updated to specify that the 15 ft prohibition on BUA applies "unless the BUA is associated with an exempt impact."	Yes
11/27/2021	25.2 Applicability; 25.3 Stormwater Management Permit Standards; 25.5 Mitigation Options; 25.10 Definitions	page 25-6 F.1.b.iii conflicts with the table 26-2	Updated 02/09/2022: This restriction is intended to apply to the Six Mile Creek Watershed and will not be changed.	No
2/21/2022	25.3 Stormwater Management Permit Standards	More tree protection	Updated 03/07/22: Thank you for your comment	No
3/18/2022	25.5 Mitigation Options	Need to restore offsite mitigation options for stormwater. Too many infill sites will be unable to provide onsite stormwater management taking them out of play for redevelopment	Updated 03/30/22: The Article maintains applicability and exemption clauses that are designed to help smaller sites not have to provide on site stormwater management. However if sites are outside of these exemptions, they may need to provide stormwater management to comply. In addition, the benefit of current mitigation options for redevelopment are minimized since session law 2018-145 prohibited the requirement of stormwater controls for redeveloped BUA.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/11/2022	25.7 Maintenance/Long Term Stewardship	Section 25.7 removes the requirement for the City to maintain SMC's (BMPs) in residential communities (after 2 yr of private maintenance). If this cannot be corrected back to the current standards for turn-over to the city (because that is why we pay a stormwater fee) there needs to be the inclusion of vesting language specific to the new requirement-- If the Plans were vested then the ability to turn over to the City for maintenance needs to be vested. Continuing to maintain those BMP's meeting the criteria for turnover is issue of equity, the resounding message of the 2040 Big Vision.	Updated 03/30/22: Agreements in place prior to the adoption of the UDO to maintain SCMs will be honored by the City.	Yes
12/1/2021	26.1 Purpose	A stream runs through a portion of our property, and our survey identified a SWIM buffer extending to an area over which we intend to expand our house. When we purchased the property, we were assured that it was exempt from the City of Charlotte Post Construction Storm Water Ordinance. Will this exemption remain after the implementation of the UDO?	Updated 02/02/2022: The lot would remain exempt from PCSO since it is less than 20,000 square feet (lot must have been described by metes and bounds in a recorded deed prior to July 1, 2008 and cannot be part of a larger development or redevelopment); therefore there would be no PCSO Water Quality buffer applicable	No
1/15/2022	26.1 Purpose	The existing SWIM buffer policy was already problematic with lack of flexibility, and these new standards build upon that, and introduce even more unwieldy concepts that would have a detrimental impact on all aspects of development. The new "managed" areas...why not just extend the no-build zone than pretend you are "allowing" the development in the managed zone.	Updated 02/23/2022: Modifications within the UDO regarding SWIM buffers involve removing outdated and underutilized mitigation options. Allowances and mitigation requirements are mostly unchanged in the UDO.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/17/2022	26.2 Applicability	Section 26.2 - Please consider combining the PCSO water quality buffer requirements and SWIM buffer requirements into a single water quality buffer article. The overlapping buffer regulations are mostly redundant and create unnecessary complication and confusion.	Updated 03/30/22: Staff considered this revision but will not be making this change in the next draft UDO. Combining the buffer requirements would require detailed analysis that staff may explore with a future revision to the UDO.	No
11/27/2021	26.3 SWIM Water Quality Buffer Standards	26.3 drawing for calculation for additional 50% area needs shading or another way to make it clearer.	Updated 02/02/2022: This will be revised to provide clarity in the next draft UDO.	Yes
3/18/2022	26.3 SWIM Water Quality Buffer Standards; 26.5 Mitigation	26.3 Tree cover should be 'required' in the Upland Zone, not 'encouraged,' and tree removal should be prohibited. Graded lawns are only marginally better than concrete as a watershed surface.	Updated 03/30/22: This is a carryover of a current standard that will not be altered in the next draft of the UDO. The Tree Protection Article (Article 29) maintains incentives for improving tree cover along streams.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	26.3 SWIM Water Quality Buffer Standards; 26.5 Mitigation	<p>26.5 There should be no "mitigation" available to permit otherwise prohibited development in the three types of buffer areas (Streamside, Managed Use, Uplands). If a natural, vegetated area is important, and the rules pertaining to these identified areas are rational, then they should be uniformly applied. There is no such thing as an 'unavoidable impact,' because an impact can always be avoided by avoiding the proposed destructive activity. The buffer areas should not subject to destruction and 'replacement' by a 'restored' area that rarely functions as such.</p> <p>The notion of 'offsets' falsely implies that the purpose of the UDO is to maintain some kind of net-zero-impact accounting within the entire area under Charlotte's jurisdiction, when in fact the purpose is to maintain the integrity of each individual drainage area and waterway. An impact to Stream A is in no way lessened by undertaking a 'restoration' project upon Stream B elsewhere. The entire national industry of create 'mitigation credits' to offset ecological destruction (wetlands, forests, etc.) is mostly a farce, and functions only as a permissive device for otherwise impermissible behavior.</p>	<p>Updated 03/30/22: These standards and mitigation allowances are a carryover of existing SWIM buffer regulations and only slight modifications have been made to remove some outdated and underutilized mitigation options. Some further restrictions to similar buffers have been included in Article 25 (see Section 25.3 D.1.b. for example).</p>	No
11/27/2021	26.5 Mitigation	<p>26.5 first line says Shall be required then B is when it isn't required. the first line should be changed from 'shall be' to 'is'</p>	<p>Updated 02/02/2022: This will be revised to provide clarity in the next draft UDO.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	26.5 Mitigation	26.5 why were all of the mitigation incentives removed?	Updated 02/02/2022: Three mitigation options were removed as they are rarely used and/or are not an option due to compliance with other "newer" stormwater regulations. The options removed are Bottom Land Hardwood Preservation, Controlled Impervious Cover, and Open Space Development.	No
2/21/2022	26.5 Mitigation	Please require a higher planting requirement for trees.	Updated 03/07/22: Tree planting required for mitigation by Article 26 is set administratively and will not be included in the UDO. These mitigation plans are approved based on a site specific review to ensure the greatest amount of surface water quality benefit possible.	No
3/17/2022	26.5 Mitigation	Stream buffer preservation: Removed preapproved mitigation techniques from the list.	Updated 03/30/22: Staff does not recommend a change to this standard as this is a carryover from the current standards.	No
1/15/2022	27.1 Introduction, Purpose, and Objectives	More of same comments.	Updated 02/17/2022: As we understand this comment, we believe you are commenting on the impact that these regulations would have on the cost of development in Charlotte. The floodplain regulations have been in place since the early 70's and are critical for public safety and protection to people and property. The UDO is not proposing to make significant changes to these standards and as such should have a similar effect on development as they have for decades.	No
3/17/2022	27.1 Introduction, Purpose, and Objectives	Don't see anything really changing. The 100+2 elevation is new and impactful. I understand it was in lieu of doing a comprehensive flood study of the entire county (budget prohibitive, I believe, so rather than actually calculate, just add a foot).	Updated 03/28/22: Thank you for your comment. This is accurate.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	27.2 Applicability	27.2 The floodplain definitions should be made more expansive/protective to account for climate change. Any Flood Insurance Rate Maps produced in 1978 and 1981 are obsolete, and the 2018 Flood Insurance Study will be obsolete in the near future, certainly before 2040.	Updated 03/28/22: We considered climate change when we did the future conditions floodplain study. We are making changes to the way we do our floodplain maps that will consider variability and precipitation in the future.	No
11/27/2021	27.5 Floodplain Development Permits and Certification Requirements ; 27.8 Definitions	27-8 all definitions should be in Article 2.	Updated 02/17/2022: The definitions in this article are too technical and detailed for Article 2. It would make Article 2 more difficult to understand and use if it included the definitions from this article. In addition, there are definitions for terms in this article that are based on a model ordinance that should not apply to other uses of the term in other articles.	No
11/27/2021	27.5 Floodplain Development Permits and Certification Requirements ; 27.8 Definitions	Burying a change in FPE from 1 foot to 2 foot in the definitions is dirty pool. And then submitting a different ordinance change to Council for review while this one is being reviewed is worse. Who's on first? What game are we playing?	Updated 02/17/2022: This change was adopted in December 2021, went through the same public comment period and was presented to the Storm Water Advisory Committee (SWAC). SWAC approved this change in 2018 and the text amendment was stalled as plans were formed to adopt a Unified Development Ordinance.	No
11/27/2021	27.5 Floodplain Development Permits and Certification Requirements ; 27.8 Definitions	item G page 27-15 implies that a permit is not vested conflicting with Item E on page 27-2	Updated 02/17/2022 Staff needs additional clarification on this comment and will follow up with you. Updated 03/28/22: The UDO will be revised to remove 27.5.G.3	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/11/2022	27.8 Definitions	<p>Section 27.8 Definitions changes the 100+1' to 100+2' in theory to match the December 2021 change in Ordinance EXCEPT that the December change in Ordinance was described as a temporary change until the new maps are adopted. Explain the process for changing this UDO back to 100+1' when the new maps are adopted and give a timeline for the revised Flood \map adoption. Who will initiate that change back to 100+1? I suggest that this UDO provide that the Definition in Section 27.8 automatically go back to 100+1 upon adoption of the new map.</p>	<p>Updated 03/28/22: The definition for flood protection elevation clearly specifies the process by which 100+2 will change back to 100+1. No change will be made to this definition in the next draft.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/17/2022	27.8 Definitions	Flood Protection Elevation - More specificity is required regarding the "new future conditions criteria."	Updated 03/28/22: The ordinance is not the best place to specify these criteria. These criteria are stated in the Future Conditions Flood Study approved in 2018. No change will be made to this definition in the next draft	No
1/15/2022	28.1 Purpose	More of same comments.; More unwieldy proposed standards.	Updated 2/15/2022: Staff would like clarification on this comment. 28.1 has been shortened considerably from the current adopted language.	No
2/21/2022	28.3 Requirements, Objectives, and Standards	Keep the trees!	Updated 03/17/2022: Thank you for your comment	No
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.3 The terms 'is to be' and 'are to be' should be replaced with 'shall be,' and the word 'should' should be replaced with 'must,' in each place where these terms appear. The more equivocal, suggestive prior terms are an invitation to non-compliance and non-enforcement.	Updated 03/30/22: The use of the term 'should' and 'may' will remain as drafted to provide necessary flexibility in the ordinance and to align language with the state model ordinance. Staff will revisit the use of the term "is to be." Updated 04/21/22: Staff revised the use of the phrase "is to be" to "shall be" in Section 28.3.B but retained the use of this phrase in other places in the article where it needed to call out the nature of the land disturbance as being in the future.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.3 The phrase 'minimize accelerated erosion of the site and to decrease sedimentation to any lake or watercourse' implies only some level of erosion that is 'not as bad as it could be.' There should be clear quantitative and visual standards, i.e. surface runoff from the site should not be turbid to the naked eye. It also inappropriately suggests something more permissive than the requirement in the next section, '...sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract.' If sediment moves off a site in surface runoff, it inevitably will reach a lake or watercourse, whether or not it is immediately adjacent.	Updated 03/30/22: Staff does not recommend adjusting this standard. State law and the article recognize that some pollution from construction is inevitable. The goal of this article is to permit, "development of the City with the least detrimental effects from pollution by erosion and sedimentation."	No
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.3 Moreover, the latter is a corollary of the section on 'runoff,' because if a site is in compliance with 'not causing accelerated runoff,' it would not be sending sediment to a natural surface channel during moderate intensity rains, which would naturally move through the ground and not overland. In practice, a disturbed site that is no longer an infiltration zone should be required to retain and infiltrate its rainfall via ponds and standpipes, because once the clay sediments typical of our region are suspended in water, they take hours or days to settle out.	Updated 03/30/22: Thank you for your comment. Erosion control standards do require controls intended to provide treatment to sediment-laden runoff prior to discharge to the best of their ability.	No
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.3 The statement, 'The relocation of a stream, where relocation is an essential part of the proposed activity, shall be planned and executed so as to minimize changes in the stream flow characteristics' should be deleted and replaced with 'Relocation of a stream is not allowed.' Streams are vital public treasures. They must not be subject to 'relocation,' which inevitably destroys all native life except the most bulletproof species.	Updated 03/30/22: Relocation of streams falls under the jurisprudence of NCDEQ and USACE. This section is intended to provide additional controls above and beyond what the state and federal government require if a stream is approved by the state or federal government to be relocated. No changes will be made to this language.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.4 The statement, 'Pending the preparation of the revised plan, work on the affected area shall cease...' is confusing, because if this section of the UDO is being followed, there should be no ground-disturbing activity whatsoever until after a erosion control plan is approved. The wording at present suggests that the city will condone 'Bulldoze first and submit plan later.'	Updated 03/30/22: This section is designed to address those who are grading without a permit. This article maintains the strictest enforcement provisions for grading without a permit. We do not condone or allow grading without a permit.	No
3/18/2022	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits	28.4 The relationship between a 'Plan' and a 'Permit' should be clarified, to state explicitly that the Director shall issue a 'Permit' only after a 'Plan' has been approved. The lack of any explicit link between the section on 'Permits' and the preceding bulk of the erosion control language suggests that it might be acceptable for the owner to obtain a permit, then 'Bulldoze first and submit plan later.'	Updated 03/30/22: This language will be revised to provide clarity in the next draft UDO. This article will specify that to obtain a permit, an applicant must have, "A stamped and approved soil erosion and sedimentation control plan subject to Section 28.4.A."	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	top if page 28-3 #6 should read Manage Stormwater Runoff (not management)	Updated 2/16/2022: This typo will be corrected to read "Manage Storm Water Runoff".	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	item C. 4. top line needs to have inserted. Whenever land-disturbing activity is undertaken on a tract THAT DISTURBS MORE THAN ONE ACRE, the person...	Updated 2/16/2022: This section is correct as written, as it is meant to pertain to any construction site within the jurisdictional boundaries. That is why the time length for stabilization (21 days) is less stringent than the state-mandated standard for sites greater than one acre that require a grading permit (14 days). The ordinance applies to all land-disturbing activities within the City and ETJ, with more stringent standards and permitting requirements for sites one or more acres.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	top of page 28-5 #4 first line needs to say ACCELERATED erosion and sedimentation in order to comply with state law	Updated 2/15/2022: The word "accelerated" appears in the model ordinance, but not in the current ordinance or in 113A-54. Staff recommends to add "accelerated erosion" to subsequent drafts.	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	section 28.4 A. 1. reference is incorrect it should be 28.3.A.2	Updated 2/16/2022: Agreed, the reference will be corrected from "28.3.A" to "28.3.A.2"	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	page 28-6 #2 b conflicts with the top of page 28-9.	Updated 2/16/2022: This conflict will be resolved to clarify a single party/entity responsible for administering the requirements of this Article.	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	top of page 2-7 c ii. should say set forth in item 28.4.A.1 (not just item 1)	Updated 2/15/2022: 28.4.A.2.c.ii will be revised to read "set forth in 28.4.A.1" as recommended	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	page 28-8 B 1. b. should say the exceptions to the requirements for a PERMIT is land -disturbing activity....	Updated 2/15/2022: 28.4.B.1. This will be updated to read, "No person shall undertake any land-disturbing activity on one or more acres without obtaining the following". 28.4.B.1.b. will be updated to read"...The only exceptions to the requirement for a land disturbance permit is land-disturbing activity that"	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	top of page 28-9 one year conflicts with three year on page 29-6	<p>Updated: 2/15/2022: 28.4.B.2 should be revised to read "the permit... shall expire three years after issuance unless work authorized by the permit has substantially commenced".</p> <p>Updated 4/21/22: As an update to this response- The expiration standard in 28.4.B.2 will be removed and defer to the language already in the draft that specifies the permit expires three years after issuance unless work has substantially commenced.</p>	Yes
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	Definitions should all be in Article 2.	Updated 02/16/2022: This article along with select others have article-specific definitions that apply only to the article where the term is defined. The terms defined in this article were kept in the article because they were used elsewhere in the UDO where this article-specific definition should not apply.	No
11/27/2021	28.3 Requirements, Objectives, and Standards; 28.4 Plans and Permits; 28.7 Definitions	In state law 'person responsible' is called Person who Violates or Violator'	<p>Updated 2/15/2022: We will look at this more closely to determine whether an edit or clarification should be added.</p> <p>Updated 03/30/22: Staff will adjust this term to match the language in the current approved ordinance.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/17/2022	28.4 Plans and Permits; 28.3 Requirements, Objectives, and Standards	Section 28.3.C.8 - While the purpose and benefit of the proposed Sedimentation Control Buffer is recognized, a practical method for determining an appropriate buffer width at the plan preparation and construction clearing stage does not exist. The SWIM and PCSO buffers defined in other sections of the ordinance should meet the intent of the Sedimentation Control Buffer without need to define an additional buffer. This section should be eliminated.	Updated 03/30/22: This provision is included in the state mandatory minimum standards and will be included. There are instances where there are no SWIM and PCSO buffers between the disturbed area and the receiving watercourse or those buffer widths are reduced. If applicable, SWIM and PCSO buffers could possibly meet the intent of this article though this is not always the case and the sedimentation control buffer standard included in this article will be included in the draft going forward. The sedimentation control buffer may be useful as another tool to control sedimentation on some sites.	No
3/17/2022	28.4 Plans and Permits; 28.3 Requirements, Objectives, and Standards	Section 28.4.B.2 appears to be in conflict with 28.4.A.2.b concerning the expiration of approved plans and permits (i.e., 1 year versus 3 years).	Updated 03/30/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 04/21/22: The expiration standard in 28.4.B.2 will be removed to clarify.	Yes
2/16/2022	28.5 Administration	I think there needs to be better enforcement. Developers are not concerned about runoff and will check the box but not what is needed. Stronger enforcement is needed.	Updated 03/30/22: Thank you for this feedback. Can you further help staff by elaborating on the problems you have identified? Please contact the Soil Erosion and Sedimentation Administrator at 704-517-1152	No
11/9/2021	29.1 Purpose	As someone living in the community, not just developing it, I support tree saves in all zoning/development sites, including TOD. Preserving and expanding Charlotte's tree canopy is essential to preserving the city's appeal and livability now and in the future	Thank you for your support of this article in the UDO. The UDO update to these regulations removes all exemptions from Green Area (formerly Tree Save) to ensure all sites save trees either on-site or off-site. Updated 04/25/22: To clarify, there are some green area credit options where sites are not required to save trees but can meet the requirement through providing a green roof or green wall, or paying a fee-in-lieu.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/16/2022	29.1 Purpose	Additional purpose: to help mitigate the effects of human induced climate change as established by scientific consensus. In general, Article 29 is the bare minimum we should do; don't let it get watered down any further. I live in Lansdowne where older homes and all vegetation on the lot including canopy trees are being razed then huge homes being built that limit space for tree planting. There should be a requirement somewhere that addresses this and limits the removal of canopy trees.	03/10/22: Staff feels that the currently proposed purpose language is sufficient and does not recommend a change to this statement at this time. Updated 04/22/22: The draft UDO proposes protections for heritage trees and requires tree planting or preservation for residential infill development.	No
2/27/2022	29.1 Purpose	I support the UDO tree protection plan, article 29. Being a member of environmental and bird protection organizations I believe in biodiversity. Trees are a component of the food chain. Who would choose to live in a sterile, lifeless or a merely monotonous world? Protect trees, expand parks and provide connecting corridors for Charlotte's future.	Updated 03/17/2022: Thank you for your comment	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
1/15/2022	29.1 Purpose; 29.2 Authority and Applicability; 29.3 Maintenance and Protection of Trees; 29.4 Plan Submittal and Process; 29.5 Green Area; 29.6 Frontage Tree Planting Requirement; 29.7 Tree Planting Requirements; 29.8 Tree Mitigation Funds; 29.9 Administrative Adjustments and Emergencies; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.12 Chief Urban Forester	This could be by far the worst part of the new UDO. The proposed regulations are completely burdensome, impractical and will make any owner of property incredibly frustrated. This entire Article 29 needs to be thrown out and redone. Instead of the Heritage Tree Mitigation Payment that is deposited into the Canopy Care Fund, why doesn't the city just add a tax for it? At least that way it will be transparent. So if a heritage tree (which doesn't actually have a definition, instead it just references other lists of trees on others' websites) needs to be removed because it is sick or in danger of dropping limbs, one would have to get a permit to cut it down? Is the city aware of how hard it is to get a response on any permit-related items now (and that is before this massive document full of new standards gets adopted)? how is the city going to staff this department? And the "tree and critical root zone" is within a proposed buildable area, but the City can dictate that the proposed structure be moved to another "reasonable location"? Please start over and in a much less burdensome manner.	<p>Updated 02/07/2022: UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/1/2022	29.1 Purpose; 29.2 Authority and Applicability; 29.3 Maintenance and Protection of Trees; 29.5 Green Area; 29.6 Frontage Tree Planting Requirement; 29.7 Tree Planting Requirements; 29.8 Tree Mitigation Funds; 29.9 Administrative Adjustments and Emergencies; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.12 Chief Urban Forester	<p>I support all efforts to help preserve and protect the Charlotte canopy.</p> <p>I'd also like to suggest that we require any developers to make sure they hire a certified arborist to assess a property before having any changes or work done to the property. This would help maintain a healthy understanding and perspective on what can be done to mitigate harm done to the canopy and landscape. This would also impact our community in a positive way by better educating ourselves so that Charlotte can remain one of the most beautiful cities because of its tree canopy.</p> <p>I'd also like to suggest re-instating the goal of 50% canopy coverage by 2050. We can do this if we have the same vision the people had back in the early 1900s when they planted the trees that line the tree of Queens and make up the beautiful urban forest in Dilworth and Myers park. We all know those trees are aging out but are also the most beautiful neighborhoods to walk through because of the trees. If we have that same vision and discipline we can maintain that beauty in Charlotte.</p>	<p>Updated 03/17/2022: Review staff frequently requests an assessment by a certified arborist when determining tree suitability for preservation. All Urban Forestry staff within the Department of Planning, Design & Development are certified arborists. Due to this level of institutional knowledge and the need to respect the cost of development, we will not likely be requiring this in the next draft of the UDO. But we will continue to partner and will seek out their opinions when needed.</p> <p>Updated 04/25/22: To clarify the response above, a certified arborist assessment will not be required to determine which trees can be removed in land development. However, urban forestry staff will continue to review all land development applications. In addition, tree canopy goals will be included in future tree policy initiatives.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.1 Purpose; 29.2 Authority and Applicability; 29.5 Green Area; 29.9 Administrative Adjustments and Emergencies	over-reach into the ETJ not authorized by S.L. 1975-115 which says it 'applies only to the City of Charlotte'	<p>UDO staff will review these requirements with the City Attorney's Office.</p> <p>Updated 03/29/22: While S.L. 1975-115 does maintain the express authority for the City of Charlotte to regulate the removal of trees on public and private property, there is also general zoning authority allowing the City to regulate landscape elements in development. The City's zoning authority and the jurisdiction of the UDO extend to the City's Extraterritorial Jurisdiction (ETJ).</p>	No
2/17/2022	29.1 Purpose; 29.3 Maintenance and Protection of Trees; 29.4 Plan Submittal and Process; 29.5 Green Area; 29.6 Frontage Tree Planting Requirement; 29.7 Tree Planting Requirements; 29.8 Tree Mitigation Funds	<p>This entire article is so vital to protect and revitalize the cities beautiful tree canopy. I am in the strongest support of this and am particularly thankful for the Frontage Tree Planting Requirements as it will hold developers more responsible for what they remove. The Tree Mitigation Funds is also excellent and will help fund future work on Charlotte trees. Thank you!</p> <p>This is incredibly important and is protecting a major feature of the city that keeps me here and makes this a great place to live</p>	Updated 03/17/2022: Thank you for your comment	No
3/11/2022	29.2 Applicability	Page 29-2 top of page B. 1. A. # i and ii need the word OR inserted at the end of the sentence, since its i <u>OR</u> ii <u>OR</u> iii	<p>This language will be revised to provide clarity in the next draft UDO.</p> <p>Updated 04/21/22: The applicability statement will be revised to indicate applicability if any of the referenced thresholds are met.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/11/2022	29.2 Applicability	29.2 B 3. Exemptions: exempts new 1- and 2-family dwelling construction from Green Area 15% property taking and from Tree planting (onsite) but it does not exempt existing structures (which are called out in Article 29.2 B a.11 when they do expansion or modifications.) Change 29.2.B.3.a. to include the rights of private property owners to NOT have to set aside 15% of their private lot as "Green Area" just because they take a building permit	Updated 03/24/22: This statement will be revised to provide additional clarity in the next draft of the UDO. Updated 04/21/22: The exemption for single-family, duplex, triplex and quadraplex development will specify that green area and tree planting requirements (per Sec. 29.7) will not apply to expansions to these buildings.	Yes
3/11/2022	29.2 Applicability	29.2 B 3.a Exemptions should also include article <u>29.4 Plan Submittal & process</u>	Updated 03/24/22: Staff will still require some level of plan to verify proper tree protection and planting even if exempt from 29.5 Green Area and 29.7 Tree Planting. We will clarify this in the next draft UDO. Updated 04/22/22: The approach to applicability in this article will be adjusted to clarify that all projects subject to land development approval will be required to submit a tree compliance plan. Submittal requirements for residential infill are intended to be significantly simplified as compared to a comprehensive land development approval for commercial or multifamily projects. The plan submittal process for applicants requesting non-land development heritage tree removal will be governed by the Charlotte Tree Manual.	Yes
3/11/2022	29.2 Applicability	29.2 B.3.a Exemptions: exempts new 1- and 2-family dwelling construction from Green Area 15% property taking BUT page 29-8 section 29.5 Green Area # D.10 says redevelopment has to have tree save. That is not correct if they are an exemption.	Updated 03/24/22: Item 10 in this section only applies to single-family, duplex, triplex and quadraplex development if they are subject to a subdivision approval. This aligns with the exemption in 29.2.B.3.a	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/11/2022	29.2 Applicability	29.2B.3.a Exemptions: exempts new 1- and 2-family dwelling construction from Article 29-7 Tree Planting BUT page 29-13 section 29.7 C.2. says redevelopment has to have internal tree planting. That is not correct if they are an exemption.	Updated 03/24/22: The exemption in 29.2 would exempt these dwellings from this requirement. We would not require those developments exempted by 29.2 to comply with section 29.7	No
11/27/2021	29.2 Authority and Applicability	page 29-2 again over reaches into ETJ. and removed exemption for One- and Two-family dwellings (old ordinance 21-4 (3))	The exemption mentioned is an exemption for single-family and duplex dwellings from complying with tree regulations. These residential projects (and now also triplex and quadrapex dwellings) are still exempt when developed as a single building from Section 29.5- Green Area (formerly called Tree Save), and Section 29.7- Tree Planting Requirements. But these projects would need to comply with other sections in this article including Section 29.6 which maintains a light requirement to preserve or plant a tree in residential infill scenarios. This change was made to preserve canopy in our residential neighborhoods to align the UDO with 2040 Comprehensive Plan policy and the Tree Canopy Action Plan.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.2 Authority and Applicability	pg 2*2- B 1. a. is it i, ii, iii cumulative OR individually?	<p>This is a reference to the development situations that meet the applicability threshold of the article. These include 1) new development, 2) an increase in built-upon area (BUA) or building coverage of 5% or 1,000 sq ft, or 3) a new subdivision. Where any of these occur, the requirements of Article 29 would be applicable. A development may only hit one of these thresholds and the full tree article would apply.</p> <p>Updated 04/25/22: Staff will update this standard to clarify that these standards would apply to development that meets any of the individual applicability thresholds. In addition, staff will be reorganizing this article to clearly specify applicability for each section in the article.</p>	Yes
11/27/2021	29.2 Authority and Applicability	iii does not apply to plats that are Not Subject to the is ordinance	Item iii specifies that development subject to new subdivision requirements would be subject to the Tree Protection Article. Development not subject to the subdivision ordinance is not necessarily subject to the Tree Protection Article. However, if development meets the other applicability thresholds, it would be subject to this article.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/16/2022	29.2 Authority and Applicability	Why are new single-family detached, duplex, triplex or quadraplex EXEMPT from 29.5 and 29.7? There isn't a good reason they shouldn't have tree-save/planting requirements.	03/10/22: This is a continuation of an existing exemption that has been updated to include triplex and quadraplex dwellings to align with Comprehensive Plan Policy. These dwellings would be exempt if they were proposed as a part of a new subdivision development. These sites are now subject to a new frontage planting requirement in 29.6 that would require tree planting or preservation when the development meets the applicability threshold of the article. The UDO is also requiring these sites to preserve heritage trees.	No
2/16/2022	29.2 Authority and Applicability	I think the application of tree saving should also be applied to houses that are torn down (private property). All around Charlotte, houses are being torn down and the entire property wiped clean of trees. Stricter guidance is needed for private property.	Updated 03/10/22: The UDO is requiring that tear down and rebuild residential projects (also called infill redevelopment) will be required to save or plant a tree in the front setback or planting strip along the street/sidewalk. The larger requirement to save green area (formerly called tree save) will not apply to these projects.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.2 Authority and Applicability	page 29-2 B. 3. a. last sentence removes vested rights. sentence needs to be deleted	<p>UDO staff will review these requirements with the City Attorney's Office.</p> <p>Updated 03/28/22: The requirements of previously approved development plans are subject to the requirements of the plan that was approved. This exemption you reference applies to new construction of a single-family, duplex, triplex or quadraplex home. If one of these homes is being built in a way that impacts previously approved tree save in the backyard, for example, that tree save area has already been recorded and runs with the land. This sentence is intended to clarify that these areas and other protected trees will continue to be protected per the approved plan.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/21/2022	29.2 Authority and Applicability	I support Article 29 in it's current form although I could see providing more protection for younger trees that will be able to contribute longer with less care.	<p>Updated 03/17/2022: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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11/12/2021	29.3 Maintenance and Protection of Trees	Pine Trees are not Heritage Trees	<p>Heritage tree is a defined term used in the UDO. It is defined to include all healthy trees greater than 30 inches DBH that are also native to North Carolina. UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.3 Maintenance and Protection of Trees	C. 3. would prohibit overseed of winter grass, planting of flowers, repair of existing irrigation. this is a very big property right taking	<p>The definition of tree disturbing activity includes a number of things that cause damage to trees and their critical root zones. Depending on the level of land disturbance, some of the activities identified would be prohibited though some would not be prohibited. UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 04/14/22: Staff will be making an update the the Charlotte Tree Manual to clarify allowable impacts to critical root zones.</p>	Yes
11/27/2021	29.3 Maintenance and Protection of Trees	page 29-4. a \$20,000 fine for failure to get a permit is ABSURD	Per UDO Section 40.2.J.2.d, penalties assessed for loss of trees or shrubs protected by Section 29.3.B and 29.3.B have two caps depending on whether the tree is lost or the tree is maintained. The penalty for total loss of the tree is capped at \$20,000 and the penalty for damage to these trees that does not result in the loss of the tree is capped at \$1,000. The amount of the penalty that is ultimately assessed is based on a tree valuation formula which means that some penalties will come in well below each of these caps. These caps are currently in the Tree Ordinance.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.3 Maintenance and Protection of Trees	what are the time limits to get the permit?. what are the conditions under which a permit could be denied?	Per the draft guidelines for heritage tree protection, a permit can be denied if the request does not meet one of the criteria for permit approval. Permits will be granted when a heritage tree restricts a proposed addition or structure that cannot be located elsewhere, if the heritage tree location conflicts with another ordinance requirement, driveway location, distance sight triangle or utility location, or if the critical root zone of the heritage tree cover 49% of the site's buildable area (as determined by zoning setbacks, site conditions and topography). If a tree is dead, hazardous, or not native to NC, a permit would also be issued for this type of tree removal but would not be required. In terms of timing of this permit, a permit issued for removal or tree work would be valid until the work is completed. The amount of time it would take to receive a permit will depend on a number of factors to ensure staff have the information needed to approve or deny the request.	No
11/27/2021	29.3 Maintenance and Protection of Trees	page 29-5 E. permits-- is that building permits or CO's?	This section is referring to Certificates of Occupancy (CO's).	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
12/16/2021	29.3 Maintenance and Protection of Trees	<p>i actually wrote the mayor and all council members last month of my concerns over this law. my home property has many old trees, none of which are in greatest health. i spend thousands every year as it is on tree care and removal and face yet more in coming years. to now face permit requirements for necessary removals is going to be a disincentive to be proactive. and none of the council folks who responded to me said anything about mitigation. i was told by them that removal due to sickness, death or recognized danger would be exempt from permitting. now i feel i was lied to. i don't believe individuals are behind unnecessary tree loss. i feel they're covering up now for developers who's land clearings i see every time we drive anywhere. this passes I'll vote against every local incumbent.</p>	<p>It is the intent of the UDO to allow unhealthy, dead or hazardous heritage trees to be removed without a permit or mitigation. This language will be revised to provide clarity in the next draft UDO.</p>	Yes
1/3/2022	29.3 Maintenance and Protection of Trees	<p>Section 29.3.C.5.a.ii says that Heritage Tree protection is required unless "Preservation of the tree would unreasonably restrict use of the property." I fully support the heritage tree preservation, but I'd like more guidance on the process of obtaining a TWP if a heritage tree is restricting the site.</p> <ul style="list-style-type: none"> -Will a test fit or concept plan be required with the TWP application to prove that there is no other reasonable location for a conflicting building or driveway? What level of detail is expected? -Will multiple iterations be required to demonstrate that the proposed building location is necessary? <p>In general I think the new UDO is very streamlined and I appreciate the clarity! Thank you for prioritizing tree preservation.</p>	<p>The plan required to determine the impact of a critical root zone on a property will need to include adequate information for staff to determine what is acceptable and what is not. Staff will need to review a site plan that includes information on site conditions, ordinance required setbacks and other considerations that limit the use of the property. The guidelines for the tree standards, which are related to but outside of the UDO, will be updated to provide additional clarity.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
1/17/2022	29.3 Maintenance and Protection of Trees	In at least 5 places in Article 29 the concept of Critical Root Zone (CRZ) including in the definition of CRZ & Land Disturbing Activity in Article 2, the UDO attempts to set aside NC Common Law wherein the roots and branches overhanging (or under) ones property are "a natural condition of the land' not associated with the property holding/ owning the tree trunk. You can not measure a CRZ onto someone else's, property or off of ones own property.	Updated 02/07/2022: UDO staff will review these requirements with the City Attorney's Office. Updated 02/28/2022: The critical root zone will only be applied to the property where the tree trunk is located. Critical root zones will extend across property lines when development is proposed on multiple, contiguous parcels within the development site. This language will be adjusted to clarify this in the next draft of the UDO.	Yes
1/16/2022	29.3 Maintenance and Protection of Trees	29.3.C.5 What is the cost of a city tree work permit? Needs to be spelled out, if not already.	Updated 02/07/2022: The draft Charlotte Tree Manual Guideline sets the cost of a Tree Work Permit at \$150 for non-land development scenarios. Larger developments that are subject to Urban Forestry review would be subject to the fee schedule that is set each year.	No
2/23/2022	29.3 Maintenance and Protection of Trees	I support the updated tree protection plans in Article 29	Updated 03/17/2022: Thank you for your comment	No
2/23/2022	29.3 Maintenance and Protection of Trees	I support this protect plan in Article 29. It is the trees of Charlotte that gives the health benefits the tree gives to humans and it is the trees of Charlotte that keeps Charlotte ahead of other cities in its' natural beauty. Charlotte has been wise in keeping and protecting its' trees. Berlinda Tolbert	Updated 03/17/2022: Thank you for your comment	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/25/2022	29.3 Maintenance and Protection of Trees	<p>(Part 1 of 2) The restriction on removal of heritage trees (or other groups of mature trees) is not forceful enough. You say "In Tier 3 and Tier 4 ... the removal of existing trees may only be approved by the Chief Urban Forester when the tree and critical root zone are located within the buildable area where a structure or improvement will be placed and there is no other reasonable location, and/or preservation would unreasonably restrict use of the property."</p> <p>From my experience living in Charlotte this means that all large trees on a single lot but not along the street may be removed. That is not good enough. If we want to keep the canopy in Charlotte we must require trees ON the lot as well. In particular I have seen 2+ examples of back-of-lot removal of 50 ft trees in the past year, in which only a larger garage has been placed in drip zone of each removed tree. It should be an acceptable restriction on use of the property to keep the tree when any out building is impacted.</p>	<p>Updated 03/17/2022: The requirements for heritage tree protection are not based on the "Tier" the site is located in established in Section 29.5. That section deals with green area requirements that set the amount of land that must be set aside for "Green Area" in new developments. Heritage tree protection would be required in addition to the Green Area requirement. The requirements for Green Area in Section 29.5 provide incentives for development to preserve trees that are adjacent to other patches of protected trees, increasing the likelihood that trees are preserved on-site and protected in larger patches. In addition, the proposed standard for heritage tree protection is another standard that is intended to save more trees on-site.</p>	No
2/25/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) Also when one heritage tree per lot exists, to form a line of trees (eg at back of lot) but no stand of trees on the property, it should still be required to keep the tree to preserve connectivity of canopy. Enhanced protections should be created when the tree stands alone and is the last remaining tree in face of development.</p> <p>IMO your job is to make it harder to remove trees, not to create exceptions or rules that let developers level every lot before building, which is what I see today.</p>	See response above	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/17/2022	29.3 Maintenance and Protection of Trees	I hope staff is able to address some of the questions about when some of these things will be answered.	<p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p> <p>Updated 04/22/22: Staff is currently in the process of reviewing and responding to the over 1,200 comments they have recieved. Answers to comments, questions, and feedback recieved will be updated as swiftly as possible and on an ongoing basis.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/17/2022	29.3 Maintenance and Protection of Trees	I'm a resident of Northwood Estates community, and organization off of Beatties Ford Road. My community is an urban community, we lack from the beginning a lot of existing trees. Our tree canopy in our neighborhoods are decreasing as well because of new development coming in, we have lack of space to plant new trees. Again, an aging community with aging trees. I'm wondering if there's been any concrete recommendation as far as funds available to assist those that may not be able to have resources to have trees inspected, removed, and so forth. Also, to the community, what is the benefit of the mitigation fee. If it's going into a fund, how is the community that's immediately affected involved in the disbursement of those funds or how are those funds going to be utilized?	Updated 03/17/2022: Money collected from heritage tree removal will contribute to a fund for canopy care in neighborhoods. The Comprehensive Plan adopted a policy related to this priority: "Support tree maintenance on private land in underserved and/or vulnerable neighborhoods and review recommendations provided in the Urban Forest Master Plan." The UDO will not include specific language directing the use of these funds though it will be considered by staff in developing programs to support this policy.	No
2/17/2022	29.3 Maintenance and Protection of Trees	Wish to hear if there is any emphasis on the planting of native species when trees are replaced. Tons of benefits to planting native trees vs non natives or invasive.	Updated 03/17/2022: The approved species list included in the Charlotte Land Development Standards Manual includes the species of trees that can be planted. The UDO requires under Section 29.7.A.3 "At least 50% of new required trees shall be native species."	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/17/2022	29.3 Maintenance and Protection of Trees	Would like specific interventions about tree preservation in the UDO as relates to Parks, Greenways and Playgrounds	<p>03/17/2022: The intent of Article 29 is to preserve and require planting of trees.</p> <p>Updated 04/22/22: Staff views greenways as infrastructure in most cases, and greenway development will not require full compliance with land development-related tree regulations. Park and playground development are only considered development when the scale of the development includes increases to buildings and built-upon area. In addition, park development falls under the purview of Mecklenburg County by interlocal agreement. The UDO team is working with Mecklenburg County staff to encourage greater cooperation between these two interest areas.</p>	No
2/17/2022	29.3 Maintenance and Protection of Trees	I've been the Belmont neighborhood for 15 years. I'd say half the canopy is gone, and it's very rare to see any new plantings.	Updated 03/17/2022: Thank you for your comment	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/12/2021	29.3 Maintenance and Protection of Trees	Permit to remove trees on private property, you have got to be kidding. See NC S.L. 1975-115-304	<p>UDO staff will review these requirements with the City Attorney's Office.</p> <p>Updated 3/17/2022: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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11/15/2021	29.3 Maintenance and Protection of Trees	<p>Trees zoned in residential private property should not be protected by the city through legislation. It is simply too much to oversee and handle: property owners should be allowed to do what is best for the property. Trees and the Charlotte canopy can be protected in other ways. If it was required to fill out a form for trees removed from the property, the city could know how many more trees needed to be planted in new developments and property owners can be given authority to make the best decision for their own property.</p>	<p>UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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11/27/2021	29.3 Maintenance and Protection of Trees	<p>page 29-3 C. is an unprecedented over-reach into citizens back yards. and then you go on to try to protect domestic animals. Back it way down guys</p>	<p>This section is largely carried over from the current ordinance with the exception of the Heritage Tree protection. The intent of this section is to ensure property owners are properly maintaining trees that are protected by approved development plans and trees near city rights of way. With respect to heritage trees UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/17/2022: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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11/27/2021	29.3 Maintenance and Protection of Trees	the Heritage Tree add-on document page 1 appears to conflict with UDO section 29-2B2	<p>UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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1/14/2022	29.3 Maintenance and Protection of Trees	in Article 2 the Change in the definition of Heritage tree by not taking species into account is a problem for most of Article 29. a 30" pine is ready to die, a 30" magnolia has a long life ahead.	<p>UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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1/16/2022	29.3 Maintenance and Protection of Trees	29.3.C Regulating trees on private lots is a slippery slope. As an issue of principle, we should not approve that. Right now it sounds like it affect only a limited number of situations because of the minimum size of trees but putting this in place will allow it to easily be changed to be 24" trees and larger. That would probably increase the number of affected lots by 5 times.	<p>UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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1/16/2022	29.3 Maintenance and Protection of Trees	<p>29.3.C.5 Heritage trees (30" +) are regulated by City. City can determine what is a "reasonable location for your structure or improvement" (29.3.C.5i) and what is an "reasonable use of the property" (29.3.C.5ii). This theoretically allows tree people to tell a person how and where to do things based solely on trees. Huge overreach. Additionally, fees are \$200/inch (minimum of \$6,000) to remove, if City allows it.</p> <p>Suggestion: Allow owners to remove Heritage trees (at their discretion) in exchange for replanting new trees on the same property. Quantity and size to be determined. This allows City to have input on private property but enables owners to have final decision on what to do, in exchange for them spending money on replacements.</p>	<p>UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/11/2022	29.3 Maintenance and Protection of Trees	<p>This is an infringement on property rights and civil liberties. This article increases cost of removals as well as human and property risk. Encourage tree preservation and incentivize it by all means as well as educate the public about tree’s value. Plant trees on city property and you can do whatever you please with them. Don’t legislate what people can do with their own trees. By not issuing a permit for a “heritage” tree removal unless it’s occupying space someone wants to build upon or it is already hazardous, dead or dying increases risk to homeowners as well as exponentially increasing cost of removal. A tree that is not healthy or sound enough to be climbed and rigged out on its own structure requires the use of a crane. Cranes cost more money to use than a crew of two or three. Not all properties have good crane access either. Waiting until that tree is a hazard increases the risk to the workers removing it as well. Waiting until that tree is hazardous or dead decreases the value of that tree for lumber or firewood as well. If a homeowner wants to have a garden but is shaded in by trees then cannot grow food for themselves because of this article.</p> <p>When I have visited the Charlotte city government offices, I noticed all the concrete paved surfaces not trees. Pull up some of that concrete, plant some heritage trees and lead by example.</p>	<p>Updated 02/24/2022: UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/16/2022	29.3 Maintenance and Protection of Trees	Under heritage section 5, I request that if a heritage tree should be removed a tree of equal "value" (size, canopy, native) be planted on the property where it can grow. The language needs to be stronger, otherwise what is to prevent someone from removing a willow oak and planting a red bud instead....which is occurring right now in charlotte.	<p>Updated 02/24/2022: UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/16/2022	29.3 Maintenance and Protection of Trees	<p>29.3 I am very happy to see efforts to restrict/eliminate topping as a practice! I am also glad to see the requirements around protecting of heritage trees being listed here. I did not see (perhaps I overlooked it) the definition of a heritage tree in the document. I have heard that a standard of 30" is planned to be used. I think that standard is a huge improvement from what I understand our definition of heritage trees has been in the past. If we were able to protect smaller trees with a standard of (example) 24" that would be great, but I think an easily understood standard that protects a lot of large canopy trees on residential properties is super beneficial, and a large step in the right direction. I am in full support of the protection of heritage trees! I would love to see a standard of 30" implemented. If anything I would support the standard including smaller trees.</p>	<p>Updated 02/24/2022: UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/18/2022	29.3 Maintenance and Protection of Trees	<p>Seeing numerous new Charlotte area construction of single family and multi- family homes and apartment residential, and even commercial buildings, and the low levels of existing mature, healthy specimen trees that developers allowed to leave standing, it's obvious that UDO codes for ten percent and fifteen percent preservation of healthy, mature specimen trees on the above project categories – are now insufficient to either help act as carbon sinks or provide cooling shade for urban desert neighborhoods. Such low percentages of existing trees left, and those replaced with tiny new trees instead, is harmful to the community's health and Charlotte's beauty!!</p> <p>Developers need to operate with a people , planet, profit approach! And to encourage this, the updated UDO must increase the percentages of mature, healthy trees developers are required to leave intact!</p> <p>Saving more specimen trees</p>	<p>Updated 03/17/2022: The UDO is proposing several concepts to improve the preservation of large, healthy mature trees whether a site is being developed or a property owner is deciding to remove a tree on their lot. We also increased the required green area to be saved from 10% to 15% for all sites that are required to comply with Section 29.5. We have recieved a lot of feedback on this topic and are working with our consultants and staff to reconcile the diverse experiences and opinions that we've heard over this phase of engagement.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	Yes

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>For residential side of things: if there's a homeowner that has a tree on their property that's dead, dying, or diseased, obviously those people can tell when a tree is completely dead or causing a hazard. But if the tree is still alive, is it going to be necessary for the homeowner to hire an arborist/someone who's certified to be able to tell if it's a hazard or not? For commercial side of things: I've witnessed a lot of changes in the last 30 years or so in Charlotte and it's great that we're doing a lot of things to promote a green environment and world for us to live in, it's just, are we going to privatize, are we going to regulate, is it going to be a combination of both? We're losing a lot of canopy and I see it a lot in the commercial setting and studies show it's also on the residential side. What are the requirements, I think it's 15%, for the tree save area? Is there no way to increase that to 25%? It doesn't seem like 15% is quite enough.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p> <p>Updated 04/13/22: Regarding the component of this comment related to tree save (which we call green area in the UDO), the UDO increased residential green area to 15% based on policy established in the Tree Canopy Action Plan and Charlotte Future 2040 Comprehensive Plan. Staff does not believe there is the necessary policy foundation for recommending an increase in green area percentages for commercial and mixed use sites.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>I've already put in several comments. Most of the comments are responded to as TBD and I think it's imperative that you tell the public when the TBDs will be answered. For them to be answered a week before a city council vote would be inappropriate. One question - this happens to be the only section, Article 29, that the chief urban forester has no designee. Seems simple that I would know that by now, but I'm not getting that answer. I can't put in more comments until I know the answers to some of these questions. I also want to comment that, via the printed responses to date that you can be denied a permit to remove a tree on your property and I see no nexus for a denial. Again, I think we the public deserve to know when we can't take out our own private trees. I read the ordinance back section, Article 40 or 39, and it says a \$20,000 fine for taking out a tree without a permit, but I have a response that says it's not \$20,000. We the public deserve to know when it's not \$20,000 or when it is \$20,000. I will continue to submit comments on your portal, and I just ask you to please respond to us something other than TBD. That's not a very helpful response.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p> <p>Updated 03/29/22: The Chief Urban Forester is included as an administrator in Article 36. Section 36.5 specifies that all administrators listed, or their designee, are responsible for the administration and enforcement of the specific articles in this Ordinance. The fine specified in the second half of your comment references a cap on the amount that can be fined for injury or destruction of trees. This is a cap established in the Tree Ordinance today, and is only used in penalizing large violations. This standard will be updated to specify that the formula for the penalty will be set by the Charlotte Tree Manual. Article 40 will continue to include the \$20,000 cap as established in the current standards.</p>	Yes

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>I've lived in Charlotte a long time. My views of the tree canopy have ranged from admiring it for 25 years and taking it for granted a little bit, and then recently being surprised by the laws and maybe disappointed by our collective action to do something about it. I've gotten to the point where I feel like I should take some responsibility. It's occurred on all of our watches, and we need to do something about it. I support the new protection program, I would even go as far as to say if we extended it to trees smaller than 30 inches, maybe 20 or 25, I think that would be reasonable. I appreciate Tim's comments about the mitigation fees, I know we have to do that. But those are not really commensurate with the loss of a 30-50 inch tree. If I understood that right, replacing a 50 inch tree with 5 2-inch trees, that doesn't seem to be a reasonable trade off. I'm the president of the Myers Park HOA, we're a voluntary HOA that fortunately has very strong membership. One of our biggest issues and concerns is the loss of our trees. We're part of the problem - we've had a lot of infill development, a lot of homeowners choosing to take down trees. It's the biggest concern we get from neighbors, why are we allowing this to happen and what can we do about it? I think this is strongly needed and I would encourage you to do as strong of protection as we possibly can. I think it's very important for the city.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 1 of 2) I'm an HOA president in an urban development from about 50 years ago, there's many of them around Charlotte going from 50-70 years ago. So we have quite a few older trees, there's some over 100 years old in my back yard. Some of them are under 30 inches so I concur with the person that said we should consider a smaller diameter as the minimum. I want to give some background on HOAs in general – we do have binding covenants in our community, but our only authority really is our ability to foreclose on a homeowner which we would probably never do for cutting a tree down. So our authority is very limited even in a binding HOA for enforcing cutting trees. We could require homeowners to replant but it's difficult to go through the process that an HOA would need to do for that. So having the city back us up in our tree protections is a positive. I think it's a good idea, I just wouldn't want to shift the burden to individual homeowners. We have a lot of activity buying up residential single-family zoning and redeveloping that, so statistically I think we're seeing that we're losing canopy when there's infill in single family.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) But generally, my feedback with HOAs is that even though there's good intentions, we do need the city's help in expert ways. Another example would be determining when a tree is diseased or dying. We sometimes refer people to city staff and sometimes require that they submit a certified arborist report, but it's not something that's easy to enforce. We unfortunately lose a lot of trees that we don't realize until it's a lot later. Also, we've had a lot of lots cleared, and sometimes city staff have no idea. There's not really a mechanism until someone puts in a permit for new development to know that land was cleared. There's very little we can do as an HOA. I think that should be a consideration, and I appreciate the general idea of this.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>I really think it's important what you're doing and I fully support having the UDO require, for the first time I believe on private property, a regulation. I'm not sure this will do what we want to do but I know it's a first step. If single family is losing 60% of the tree canopy, and I went on our property, we have 9 large trees only one of which is actually 30 inches in diameter. I know you have to start somewhere, but could we go to 24 inches and could we actually require people to plant trees if they take them down? \$1,000 is really not that much money, it costs 4x that to cut the tree down to begin with, it probably costs that much for a driveway permit, it costs a lot more than that for a building permit. It doesn't seem like it is enough of a penalty to encourage people to move whatever they're doing around so as to not take the tree down – given that it's not diseased or a hazard. I would up the value of the penalty and require the trees to be planted on their property to really aggressively go after saving our tree canopy. But I do applaud the efforts, I just wish it could be stronger, and I would support that.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	(Part 1 of 2) As I contemplated the myriad reasons to protection in Charlotte is of the utmost concern, my mind naturally considered environmental reasons – such as the amount of carbon sequestered in our trees, or the pollutants filtered. And the economic reasons such as decreased energy bill for residents and increased home values. But my thoughts kept returning to the mental health impact of our trees, and I want to make sure that’s considered in the assessment of this as well. Surrounding ourselves with trees has physiological impacts such as chemical changes that decrease our anxiety. During a national mental health crisis that’s not sparing our residents in need, it’s time we consider even seemingly simple ways to ameliorate the lives of Charlotte residents.	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) Our hearty and luscious tree canopy provides refuge and hope. In the winter lights twinkle around large trunks and hang from high branches. The flowering dogwood in the front yard of our first home signaled warm weather to come. Magnolias become tree forts in all parts of the city, large oaks give cover to young couples eating in Freedom Park, where we take a moment for solice, mindfulness, peace, or even much needed fun on swings in old trees. The bright burning colors in the fall make everyone slow down and appreciate the city’s beauty. These are more than just trees. They hold more than carbon and pollutants. They hold our memories. They welcome us home to Charlotte. We have environmental, financial, and other important reasons to save and protect our trees. Let us not forget the moments that we’ve been afforded by the great tree canopy of our city. We must push ourselves to do all that’s necessary.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 1 of 2) I am as big a conservationist as anybody in Charlotte. I love trees and I could go on and on about my perspective on that, but I'm going to approach it a little differently. I don't think there's that many people that are desiring to take trees down for random reasons. I think more people love trees, they want them in their yard, the only thing that brings people to even consider it – given the cost – is something that they consider to be a need or a fear. Of course, that could mean it's sick or it's in a position where a storm could take it down or that type of thing. If we start with the premise that people don't want to take trees down, as opposed to their desire to do it, we have a different perspective. A lot of people that are going to be affected by this don't know anything about it. They don't pay attention to UDO things because they think it's just for developers, and this is focused on a big policy change to really go in and regulate individual single-family homes. Most of the loss of the tree canopy that we have in a single-family area is not from individual property owners taking down their trees, it's from infill development, that's the vast majority of it. I don't think there's any way to manage individuals taking down trees in their yards, but that's probably a fairly small number.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) Those numbers must have changed from the initial ones because they are much lower. I was understanding it was \$200 an inch, which in the case of a 30-inch tree would be \$6,000 mitigation cost. If it's only \$1,000 or less maybe the impact to people is less but my comments mostly remain the same. Once we consider that people have carefully considered whether they're going to take a tree down or not, if someone from the city comes in and tells them "we don't feel that this one's as dangerous," the city decides it's a big principal change, the city also decides whether an addition to your house affects a tree, they get to ask if you think a tree should go in a different spot. I just think these are private, personal decisions that people make with great consideration and does the city have the ability to make those decisions? It's a step into people's personal lives that is not necessary at this point. I think dropping requirement to 24 inches covers a lot of the area and will impact a vastly greater volume of people. Data shows that most of those areas where tree canopy has been obliterated are developments. I think it's a slippery slope for the government to step in, it's a role they've never been in making decisions for people's personal property, and I don't think there's a big enough issue for them to step in. I'm all for development, I'm all for replanting. I'm not coming from a non-conservation perspective, I'm coming at this from a freedom perspective.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 1 of 2) I have a number of questions that were not addressed in the short presentation or the draft proposal. The proposal says that a tree-disturbing activity would require a permit. I'm curious how the city defines a tree-disturbing activity for a heritage tree. Would pruning and other routine maintenance by an arborist/someone hired by the homeowner be classified as a tree-disturbing activity and require a permit? How would this permitting process be carried out? Would the homeowner or the tree removal service be responsible for obtaining the permit? I'd also like to disagree that \$1,000 is a trivial fee, it's not a trivial fee for a lot of people especially since we're not out of the pandemic. I think \$1,000 is too much. I'm also concerned about who will make the decision if a heritage tree is sufficiently diseased or dead to warrant removal. If you don't have to have a permit to remove the tree if it's dead or diseased, how is that going to be handled, and how are conflicts of opinion on these matters going to be resolved? My instinct is that it's developers and not homeowners that are threatening Charlotte's tree canopy. I think there are two issues here. There's the value and importance of the tree canopy. Then there's the issue of how to approach protecting the canopy. I think this approach will have a lot of unintended consequences. I also think it's very heavy-handed, the burden should be on private developers not on individuals.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) I live in southeast Charlotte and I can drive around and spot several large areas that have been clear cut either for development that never materialized or where there are development activities, and I really believe that this ought to be the bulk of tree loss in residential areas. If I were the city, I think concentrating on the developers actions would be the preferred course of action. I think educating homeowners on the importance of trees would be a better approach on that side. I can also envision problematic scenarios where you could have a leaning tree near your house that doesn't meet the city's criteria for removal without a permit, but it does pose a threat to your house. How will problematic situations like that be resolved? It seems it's not reasonable for a homeowner to have to pay a \$1,000 fee to protect their home. I don't think anyone wants to unnecessarily remove a tree, but there are scenarios that would test the intent of this proposal. Before long, we will need permits to remove or prune trees of any size on any property. Most people of Charlotte don't even know what's in this proposal, they're busy with their lives and they haven't been informed. Perhaps the city hasn't done enough outreach. The vast majority of people don't know it's in the works.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>I want to express my support for making this heritage tree rule as strong as possible. One of the most striking impressions I've gotten in Charlotte is the rapid tree loss in the periphery and the existing urban boundary. I don't see much in the way of rules, restrictions, or ways of keeping our natural heritage here. I see a tremendous rate of loss. You can literally see the effects of that in terms of the roadkill from animals fleeing when bulldozers arrive. Given the global ecological meltdown that must set the context for this conversation, we really need to exercise the fullest extent of Charlotte's constitutional power to keep as many trees as possible, both on undeveloped land as well as heritage trees on individual lots. I do think that \$1,000 is less than trivial compared to the value of these trees in the times that we are now living in.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 1 of 2) I'm for this ordinance that you guys have got proposed. I would like to see a bit more definition involved. I think having a 30-inch diameter specification is pretty large given the species diversity out here. I think we should look to possibly dial down that number of removal we were looking to do and potentially having a few or half a dozen natural species that we're looking to protect and preserve. Some of these natural species aren't really going to get to 30 inches in diameter, unless they're mature oak or something like that. There's a lot of other species we could preserve for sure with reducing size, 30 inches is a little high for a lot of our species. I think some more look into clarification into size specification would be nice. A few things in there too on who is going to be able to come out and identify trees as being dead, diseased, hazardous – I think you might need more clarification on that as well. I'd love to see at least a minimum level of certification, certified arborists, I think that would be a great minimum qualification to have. I'm an arborist, I run a tree-care company in Charlotte. I've been a certified arborist for 11 years and I'm also tree-risk assessment certified. I have a lot of merit in the industry and I'm a fan of tree preservation.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>(Part 2 of 2) I think it's a harder realm to push into what we want to do with single-family homes, but there are other major cities that are really pushing for preservation - Washington D.C., Atlanta, Austin, Raleigh has some stuff implemented, Savannah – they all are doing a lot to protect their tree canopy and they have ordinances that are very similar to what you have proposed, even more stringent than the ones you have now. I think yours is very lax. I'd love to see more teeth to it, because the amount of people that come out and don't educate the homeowners and clients that we're looking to do work with, they immediately jump to trees being hazardous and don't take time to educate the customer and cut down perfectly healthy trees. The silliest things you see all the time. Having an ordinance in play where cutting down large heritage trees is regulated and protecting what we've got is very important. We've got amazing old trees here and I'm all for protecting it. Copying what other cities have done can be helpful, and would love to see more definition to things, who is allowed to come out and decide if a tree is diseased. I'd love to see more certification involvement, bringing a certified person out is a big thing. There's some things in there that need adjusting and word refinement, but I think this is a good thing. I really think that the city is trying to implement a different change. Removal any more than 5-10% of live foliage of trees should be frowned upon.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	Tree canopy loss is a huge one for me. I watched a 44 acre farm behind me that was all trees get developed and now looks like a barren landscape. With that being said, I've seen some of the new ideas about the tree ordinances, I want to know how that's going to be monitored/enforced going forward? Especially with development.	Updated 05/03/2022: Development of this scale requires permit approval which requires staff review and administration of the ordinance. This process is well established for today's ordinances and will carry over to the UDO. As standards are added to the UDO, we will evaluate the need for additional review staff based on workloads and application intensity.	No
2/17/2022	29.3 Maintenance and Protection of Trees	Many cities in North America have regulated trees for years and we have not, and we've been a little spoiled by that. If we really believe that people want to protect trees, and data shows that 60% of loss is coming from single family lots, it doesn't mean that individuals are doing it – it means that it's coming from clear cutting for development. If we really want to encourage not taking down the tree canopy we have and adding to it, rather than having a penalty, we should have a requirement for replacing removed trees with a certain size requirement. Allow people to build on their own property. A lot of residents aren't aware of this stuff, but the developers that are taking single family homes, taking trees down, and building on them are aware of all of this and build that into their work. Clear cutting should be over.	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>When we talk about replanting, we need to consider that a 1-for-1 planting doesn't have the same environmental impact. When trees are removed, and depending on how they're removed, carbon is released, and this has a detrimental effect. While replanting is a strategy that is definitely needed, we need to take the environmental impact into consideration when coming up with that formula for replanting.</p>	<p>Updated 05/03/2022: While we agree that removing an old tree and replacing with a young tree does not make up for the difference, the ordinance requirements for replanting need to maintain a level of simplicity to be understood and administered.</p>	No
2/17/2022	29.3 Maintenance and Protection of Trees	<p>Regarding carve outs or exceptions for hazardous trees – I've seen in several other municipalities where that this becomes a completely unlimited huge loop hole, especially if the land owner wants to cut first and ask for permission later. Then when a tree is down, determining if it was dead or diseased becomes a difficult matter and difficult to impose sanctions upon. I would like to see a forward-looking prospective assessment of all of our heritage trees so we can know ahead of time if something is protected. The diameter threshold should be as low and as inclusive as possible. As for where the blame lies – development of new lots versus homeowners – I see both as tremendous problems, both types of tree cover have tremendous ecological value. The city shouldn't choose one or the other, we should strongly discourage tree loss in both scenarios.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>What is the definition of “native” for this purpose? Is there more incentive to plant native trees (ie, the replacement tree)?</p> <p>What does the \$1000 fine fund? Can it be towards planting in low canopy neighborhoods or something appropriate?</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	Two questions - first, sometimes trees, planted when small and too close to a house can damage the house either with root growth or size. Is saving the house an acceptable reason to remove a tree. Two - Is there an ordinance against pruning major branches of the tree?	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	Have the mitigation costs decreased? Were they not \$200/ inch initially? Resulting in a \$6,000 minimum fee?	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	<p>Specimen canopy trees are being taken down with an alarming rate in my neighborhood, Plaza-Midwood, for single family houses and townhouses. I highly recommend a stronger cost for removing these treasured trees so that homeowners think twice before removing them. Has the city reviewed other cities tree ordinances? This is a good first step but now is the time to be bold and protect our urban tree canopy.</p>	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	I agree the cost should be higher than \$1000, while this is a substantial amount to an individual this is a trivial amount in the scope of development projects and will just get rolled into cost. Most importantly that replanting be mandatory.	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	Last big tree cost me 6k to remove! I don't know a single homeowner that is actively clearing their lot's. The price makes it almost impossible.	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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2/17/2022	29.3 Maintenance and Protection of Trees	I would encourage people to look at the Polaris historical tree canopy aerials for Charlotte. It is not as bad as we are typically told, in general. Of course there are areas that are worse than others, but overall, I was surprised at how well we have done. I agree replanting is a better requirement than mitigation fees.	<p>Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD
3/11/2022	29.3 Maintenance and Protection of Trees	Article 29.3C. 3. Tree Protection Zone is a defined term and should be capitalized	Updated 03/23/22: The UDO does not capitalize all defined terms. This term will not be capitalized to align with this formatting style.	No
3/11/2022	29.3 Maintenance and Protection of Trees	Article 29.3 C.1. Trees on Private Property says “Any person owning or occupying real property bordering on any street where trees have branches, limbs, trunks, or other parts projecting into the public street or property shall maintain.....” Do you mean ‘public property’ or ‘any property’?	Updated 03/24/22: This provision is intended to cover trees on private property that are causing issues with the public right-of way, or public property (like a fire station). This statement will be revised to provide additional clarity in the next draft of the UDO.	Yes

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3/11/2022	29.3 Maintenance and Protection of Trees	Page 29-4 (article 29.3 C 4) makes topping trees a violation of the UDO subject to civil penalties (page 40-19) but nowhere does it acknowledge that utilities on private property may require owners to have trees trimmed and/or topped because of Utility easement encroachments. If I'm required to maintain trees adjacent to an easement on my property you should not require a tree permit (which can be denied) nor collect a tree fee. If you're going to regulate to this level of over-reach you must include all legal exemptions within this document. Additionally:	Updated 03/24/22: The intent of this provision is not to enforce penalties on property owners for the actions of utility providers. We will provide additional clarity on this in the next draft of the UDO. Updated 04/14/22: Staff will add the following text to clarify: "Property owners will not be held liable for any pruning conducted by utility providers."	Yes
3/11/2022	29.3 Maintenance and Protection of Trees	29.3 B fails to acknowledge that all Rights-of-way in the City are NOT the property of the City. For example the City does not control the freeway corridors or state roads within the City and it's ETJ; and can have no jurisdiction over those trees in or adjacent to the right of way or require planting of trees and shrubs in or adjacent to these rights-of-way- nor can they require a permit, or a fee.	Updated 03/24/22: The perimeter tree requirement in Section 29.7 is a carry over from the current tree ordinance. Updated 04/29/2022: The enforcement of this provision is framed by jurisdictional limitations established outside the UDO and staff does not recommend an adjustment to this language for the next draft of the UDO.	No
3/11/2022	29.3 Maintenance and Protection of Trees	There are no exemptions for bona-fide farms, commercial nurseries, or tree farms, for example. That violates state law.	Updated 03/23/22: Section 29.2.B.3.b maintains an exemption for any activity undertaken on forestland for the production and harvesting of timber and timber products. UDO staff will review this with the City Attorney's Office. Updated 05/03/2022: Farm activities undertaken on bona-fide farms would not generally meet the applicability threshold for this article and thus not be subject to these requirements.	Yes No

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3/11/2022	29.3 Maintenance and Protection of Trees	I currently have a beaver issue on my property, what is the exemption for non-owner tree damage. How do I keep from getting fined when I can't control the large rodents? What about when we have the next hurricane? Can we all be fined \$20,000 per tree without notice for an Act of God?	Updated 03/24/22: Protected trees such as heritage trees or trees in tree save areas that fall in a storm event or due to damage from wildlife can be removed without a permit.	No
3/11/2022	29.3 Maintenance and Protection of Trees	Page 29.3 C. #4 requires trees be allowed to grow to their natural form but Article 20.2 requires a minimum vertical clearance of 14'. And in the previous paragraph 23.3 C. 3 you have to maintain or PRUNE trees to prevent obstructions. A property owner should not have to submit a Plan and pay a permit fee (which can be denied) to comply with another City requirement. Plans, Permit fees and fines should not be required when the same UDO requires the work.	Updated 03/24/22: This statement will be revised to provide additional clarity in the next draft of the UDO. Updated 04/14/22: Staff added the following language: "Pruning of these trees may be allowed where a tree work permit has been issued and another requirement of the UDO or City Code requires pruning of these trees."	Yes
3/11/2022	29.3 Maintenance and Protection of Trees	Article 29 Tree Protection ordinance requiring property owners to permit & seek approval to remove trees from their own property or pay into a tree fund on its' face appears to be an unconstitutional condition on private property rights under the takings clause of the Constitution where the set aside is a minimum 15% of one's private lands (but it could be up to 100% given the Critical Root Zone standards). Please revise the proposed Article 29 to provide for compensation to those property owners you are requiring get a permit, pay a fee (and still risk being denied) to take out their own trees on their own property (not within City ROW)	Updated 03/24/22: Thank you for your comment. The City is authorized to regulate the removal of trees on private property by a local act passed by the NC General Assembly.	No

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3/12/2022	29.3 Maintenance and Protection of Trees	Please add the total protection of "Paper Streets" to Article 29 Tree Protection. "Paper Streets" throughout Charlotte have historically been unclaimed land with a right of way for the City of Charlotte. These areas create invaluable tree canopy corridors that buffer between properties. "Paper Streets" should be designated as "public green space" and developers should be completely prohibited from impacting these areas through buyout options. Many of these "Paper Streets" have large heritage trees and need protection. Protecting, maintaining and preserving "Paper Streets" protects our tree canopy throughout the city, which is facing historic losses in the face of climate change and over development. We need to keep these corridors in tact.	<p>Updated 03/24/22: UDO staff will review these requirements with the City Attorney's Office.</p> <p>Updated 03/29/22: Staff continues to hear and receive feedback in regard to tree protection on "paper streets." We will review possible preservation requirements and/or incentives to target preservation of trees in these rights-of-way.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	No

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3/12/2022	29.3 Maintenance and Protection of Trees	In 29.3.C.5.A.ii, what is the criteria used to determine "unreasonably restrict the use of the property"? Who makes that decision, the property owner or the city?	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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3/12/2022	29.3 Maintenance and Protection of Trees	In 29.3.C.5.a.iii, What is the criteria for determining that is tree is "sufficiently diseased, injured or in danger of falling"? Who makes that decision: the property owner or the city?	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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3/12/2022	29.3 Maintenance and Protection of Trees	When the UDO is finally approved, if it still has regulations of Heritage Trees on private property, what is the proposed mechanism, initially and on going, to ensure that all property owners are notified of the requirement to get a Tree Permit as well as the mechanism on getting such a permit?	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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3/13/2022	29.3 Maintenance and Protection of Trees	<p>Our tree canopy is disappearing, and developers need to take greater care to preserve existing trees, which provide greater benefits than new saplings. I am supportive of requiring a permit to remove larger "heritage" trees (30" diameter plus), and would like to see the city adopt the paper streets' heritage trees to provide upkeep and oversight of these.</p>	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.1 Purpose; 29.8 Tree Mitigation Funds	<p>29.1 - Should also include mitigation of heat island effect and providing services to abutting neighbors such as heat reduction, clean air, and storm water retention.</p> <p>29.3 (B) - No mention of paper streets. Please adopt trees in paper streets as public trees therefore protecting them under this ordinance.</p> <p>29.3 (D) - Tree Work Permits: Doesn't seem to include paper streets or streets on abutting property lines. What happens when someone builds something too close to a tree in a right-of-way, paper street, or neighboring property and does enough damage to kill the tree that's not on their property?</p> <p>29.8 - Suggesting that developers and private contractors must meet with Urban Forestry to determine if further efforts (such as changes to proposed site plan) can be used to save mature trees over 30 DBH. This will hopefully stop unnecessary cutting from happening through the "pay a fee" proposal.</p> <p>General Comments: There needs to be stricter rules regarding damage to trees that are on neighboring parcels of land. There also needs to be a protection of Charlotte's paper streets, which currently are a legal grey zone when it comes to tree protection. Lastly, preservation should come before mitigation. Stricter enforcements from the beginning will hopefully push developers and home owners to use smarter methods of development to work around their existing mature trees instead of figuring how to budget around a tree issue in order to take mature trees down and potentially only have to replace them with smaller trees that do not hold the same benefit.</p>	<p>Updated 03/24/22: The purpose statement in 29.1 will mention that trees serve the function of mitigating heat island effects. If development of a property results in loss of a tree on City property, the City would enforce penalties for the loss of the tree. Loss of a tree on a neighboring property is a civil matter between property owners. This process will carry over to the enforcement of the UDO. The protection of Heritage Trees (healthy, native trees greater than 30 inches diameter) would be discussed between Urban Forestry staff and developers as a part of their development review. This is a process element that will not be specified in the UDO.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	Yes (29.1)

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/9/2022	29.3 Maintenance and Protection of Trees; 29.4 Plan Submittal and Process	Protecting large trees (heritage trees) is important for the canopy (shade), but these trees also provide ecological benefits that cannot be replaced by any number of new replacement trees (small trees). The 30 inch size for heritage trees is too blunt. 25 inches for oaks makes sense, 15 inches DBH for hickory, black gum, and other medium trees. 10 inches for dogwood and redbud. I support the regulation of trees on single family lots because it protects neighboring property values and the local environment, not just the big picture across the whole city. We can't keep letting developers, builders, realtors, and house flippers cut down most of the trees on a lot every time they flip a house. That is short-sighted.	<p>Updated 02/24/2022: UDO staff and consultants are reexamining the conditions for heritage trees for potential modification in the next draft UDO. The UDO team anticipates having a community meeting in the near future about the proposed heritage tree regulations in the draft UDO.</p> <p>Updated 03/11/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.3 The conditions under which a person can remove a heritage tree should be given more substantive description - 'The tree and critical root zone are located within the buildable area where a structure or improvement may be placed and there is no other reasonable location,' and 'Preservation of the tree would unreasonably restrict use of the property,' are fully subjective. They invite an interpretation of 'reasonable' as 'providing equal financial return,' and 'unreasonable' as 'causing any loss of financial return.' The ordinance should clarify that the city may require heritage trees to remain because alternatives are available, even if the alternatives are financially sub-optimal or otherwise not ideal in the view of the owner.	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council’s initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.3 The exemption of trees that are 'sufficiently diseased, injured, dead, in danger of falling, creates unsafe sight distance,' appears to invite the unsubstantiated assertion of the landowner, who is invited to 'cut first and explain later,' when the evidence of such condition will of course be eliminated. This exemption should be replaced with a factual determination by a city-recognized professional (or the city forester) that the tree is, in fact, 'sufficiently diseased, injured, dead, in danger of falling, creates unsafe sight distance,' hired at the expense of the landowner, and making this determination before any cutting happens. In other words, this should be a substantive portion of the tree protection section, not an uncontrollable 'exemption' from it.	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.3 The option of removing a tree if the landowner makes a 'heritage tree mitigation payment,' should require a payment that is sufficiently large to account for the enormous ecological value of such trees, to provide an actual disincentive to their destruction, and to enable the city to make substantial tree protection efforts.	<p>Updated 03/23/22: Staff has heard and received, and continues to hear and receive, a tremendous amount of feedback on the topic of heritage trees. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. Numerous benefits and drawbacks have been identified.</p> <p>A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on February 17. Staff has also presented takeaways from heritage tree comments to City Council and has heard their Council's initial feedback on the topic.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.5 The general 'Green Area' standard of 15% is arbitrarily small. Given the severity of our deforestation problem, and the context of the global crisis of losing the Earth's forest cover, the UDO should set a much higher requirement.	Updated 03/24/22: The 15% requirement is carried over from the current ordinance requirement for commercial development. The green area percentage for single family is increasing from 10% to 15%. There are also additional standards that will address and protect tree canopy through tree planting and preservation in development.	No
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.5 The multipliers toward 'Green Area Credits' should be smaller, and generally less than 1, in recognition of the ecological truth that mature, long-established trees contribute more to biodiversity and the carbon cycle than new trees, even where cumulative width and cross-section measurements are nominally equal.	Updated 03/24/22: Many of these multipliers are carried over and being translated from current ordinance allowances. The only multipliers that are greater than 1 would be green area options with greater ecological value than traditional on-site tree save.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.5 The preservation of high-quality and 'specimen' trees should be an absolute requirement, not 'incentivized' with multipliers to allow more tree destruction elsewhere. The category of 'Preservation of existing on-site tree canopy contiguous with intermittent and perennial streams,' should not require additional multiplier incentives because this is already required by the erosion and drainage sections of the UDO. The city should not have to offer sweeteners for that which is already mandatory.	<p>Updated 03/24/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 03/28/22: The preservation of specimen trees will not be required in the next draft of the UDO. Since these trees provide additional ecological benefits, the proposed UDO will maintain the incentive multiplier to encourage saving these trees in the development process.</p> <p>To clarify, stormwater standards do protect some trees located along streams, however there are some disturbances allowed per the buffer standards specified in the articles where these standards live. The incentive for tree save along buffers is an important step toward discouraging disturbance of these buffers and saving trees in these ecologically significant areas.</p>	No
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.5 Payments to the city in lieu of preservation should be eliminated. If a developer can buy his way out of a city ordinance, then the ordinance does not exist.	Updated 03/24/22: The intent of the payment-in-lieu option is to provide the City with funds to protect canopy elsewhere in the City that can be better controlled, preserved, and leveraged.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.5 Green Area	29.5 Off-site mitigation through land conservation should be carefully scrutinized, and only accepted if the conserved land would otherwise be in danger of being developed. These exchanges of land or land rights have a history of developers gifting land they don't want, in exchange for the permit to destroy the land they actually want to destroy. Where the land is remote and not in such danger, the city should only accept it at a reduced multiplier, with an eye toward establishment of large protected areas with potential as future parks.	Updated 03/29/22: The process for allowing off-site mitigation to be used to meet green area requirements will include a careful review by Urban Forestry staff to ensure the sites used for this credit are within the guidelines. These guidelines are linked in the Supporting Documents page under Stormwater and Natural Resources (publicinput.com/cltudo_supportingdocuments). As drafted, these standards specify that off-site mitigation areas must meet the same requirements of on-site tree save, and be located within .5 miles of the development applying to use off-site mitigation as a green area credit. There are additional criteria for where off-site tree save may be located in these guidelines as well.	No
3/18/2022	29.3 Maintenance and Protection of Trees; 29.8 Tree Mitigation Funds; 29.1 Purpose	29.1 - Should also include mitigation of heat island effect and providing services to abutting neighbors such as heat reduction, clean air, and storm water retention.	Updated 03/24/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 04/22/22: Item 10 in the purpose statement will be revised to include "mitigate heat island effects" as a component of the purpose statement.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.8 Tree Mitigation Funds; 29.1 Purpose	29.3 (B) - No mention of paper streets. Please adopt trees in paper streets as public trees therefore protecting them under this ordinance.	<p>Updated 03/29/22: Staff continues to hear and receive feedback in regard to tree protection on "paper streets." We will review possible preservation requirements and/or incentives to target preservation of trees in these rights-of-way.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.8 Tree Mitigation Funds; 29.1 Purpose	29.3 (D) - Tree Work Permits: Doesn't seem to include paper streets or streets on abutting property lines. What happens when someone builds something too close to a tree in a right-of-way, paper street, or neighboring property and does enough damage to kill the tree that's not on their property?	<p>Updated 03/29/22: Staff continues to hear and receive feedback in regard to tree protection on "paper streets." We will review possible preservation requirements and/or incentives to target preservation of trees in these rights-of-way.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	No
3/18/2022	29.3 Maintenance and Protection of Trees; 29.8 Tree Mitigation Funds; 29.1 Purpose	29.8 - Suggesting that developers and private contractors must meet with Urban Forestry to determine if further efforts (such as changes to proposed site plan) can be used to save mature trees over 30 DBH. This will hopefully stop unnecessary cutting from happening through the "pay a fee" proposal.	Updated 03/24/22: Urban Forestry is connected with developers and owners during the process to find solutions and alternative options.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.3 Maintenance and Protection of Trees; 29.8 Tree Mitigation Funds; 29.1 Purpose	<p>General Comments: There needs to be stricter rules regarding damage to trees that are on neighboring parcels of land. There also needs to be a protection of Charlotte's paper streets, which currently are a legal grey zone when it comes to tree protection. Lastly, preservation should come before mitigation. Stricter enforcements from the beginning will hopefully push developers and home owners to use smarter methods of development to work around their existing mature trees instead of figuring how to budget around a tree issue in order to take mature trees down and potentially only have to replace them with smaller trees that do not hold the same benefit.</p>	<p>Updated 03/29/22: Staff continues to hear and receive feedback in regard to damage to trees on neighboring parcels and tree protection on "paper streets." We will review possible preservation requirements and/or incentives to target preservation of trees in these rights-of-way. There are legal and enforcement considerations regarding damage to trees on neighboring parcels that will take time to analyze and consider.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way. In addition, encroachments over property lines is a civil issue to be resolved between neighbors</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/12/2021	29.4 Plan Submittal and Process	Tree surveys are very costly.	Tree surveys are currently required by the Tree Ordinance. Tree surveys will continue to only be required for conditional zoning map amendments (previously called conditional rezonings), and a tree compliance plans submitted for development or redevelopment. Importantly, tree surveys will be limited to include only those trees and protected areas listed in 29.4.A and 29.4.B.1	No
11/27/2021	29.4 Plan Submittal and Process	29.4 A and B.1-- a tree survey is an unnecessary expenditure of money. the aerials used now adequately show the tree line. the tree save areas are shown by metes & bounds on the final plat. And further protected with orange tree fence until inspection release. requiring that level of survey provides no additional data to the City, in addition the definition of Canopy on page 2-10 say s aerial	Tree surveys are a current requirement and important for identifying and tracking compliance with tree preservation standards. Importantly, tree surveys will be limited to include only those trees and protected areas listed in 29.4.A and 29.4.B.1.	No
11/27/2021	29.4 Plan Submittal and Process	29.4 B.2. a. should e 8" trees not 3" trees	Current City policy considers all trees ≥ 3 " occurring in public street right-of-way to be protected per Tree Ordinance Guidelines. Current tree survey provision only requires trees ≥ 8 " DBH occurring in public street right-of-way to be depicted in survey and protected during development. The UDO is recommending a change from 8" to 3" to align with current City policy.	No
11/27/2021	29.4 Plan Submittal and Process	Charlotte Tree Manual is not defined	The Charlotte Tree Manual is the updated version of the current Tree Ordinance Guidelines supplemental document required by the current Tree Ordinance. The UDO will be revised to include a statement on the authority of the City to prepare and publish guidelines.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.4 Plan Submittal and Process	29.4 C tree As-builts are not needed as the city already gets the metes & bounds location on all record plats	<p>Updated 02/07/2022: The UDO is requiring tree as-built plans to better track and manage compliance. Tree save areas are required to be recorded on the site's final plat, however, green area credits allow for other forms of tree canopy and preservation to count toward a site's green area. In addition, perimeter trees and internal trees will also be required on tree-as-built plans. Tree as-built plans ensure that all elements used to comply with this requirement are recorded accurately.</p> <p>Updated 04/14/22: This term will be updated in the next draft to be called a Spatial Tree Arrangement Plan to clarify that these are different from other code-required as-built plans.</p>	No
11/27/2021	29.4 Plan Submittal and Process	29.4 D. do you mean Green Area when you say tree save?	<p>Updated 02/07/2022: This language will be revised to provide clarity in the next draft UDO.</p> <p>Updated 04/22/22: Staff will revise the second draft to require platting of tree save, amenitized tree area, replanted tree save, and any off-site mitigation area used to meet green area requirements.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
1/6/2022	29.4 Plan Submittal and Process	<p>(Part 1 of 2) Hi UDO Team, my name is Andy Lucas and I'm participating in the UDO developer engagement sessions. I was reviewing the tree ordinance portion this evening and have two comments from a development perspective. The first relates to the tree as-builts. You probably have heard this from others, but the idea of adding yet another survey scope of work to our plates has a meaningful impact. It adds several thousand dollars to our total project costs, ties up a very thin pool of already overwhelmed surveyors in the community, and the idea that it is tied to our C/O puts us at significant risk. A walk with our Urban Forestry inspector along with a printed copy of the approved plan should suffice, and it makes practical sense given the field changes we encounter throughout a particular development. Please consider removing this requirement.</p>	<p>Updated 02/07/2022: As stated in a separate response to a similar comment above, the UDO is requiring tree as-built plans to better track and manage compliance. Tree save areas are required to be recorded on the site's final plat, however, green area credits allow for other forms of tree canopy and preservation to count toward a site's required green area. In addition, tree-as-built plans will record internal and perimeter trees required by this article. As a key community priority, tree canopy will be better preserved through this requirement by ensuring required trees are mapped and captured through project completion.</p> <p>Updated 04/29/2022: The UDO will change the terminology for this plan so as to clarify that this required plan will not be as technical as other "as-built" plans required by the UDO. These will be called Spatial Tree Arrangement Plans.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
1/6/2022	29.4 Plan Submittal and Process	(Part 2 of 2) The second comment I have relates to tree needing to be 10 feet from all underground utilities. We develop a lot of urban infill townhome projects, and with the proliferation of these types of communities in the city, I can tell you that it's nearly impossible to maintain this distance considering how busy the utility plan must be. The same is true of dense apartment projects. We have gas, water, sewer, telecom, irrigation, and power that all need to fit underground, and then water meters, sewer cleanouts, irrigation meters, power pedestals and transformers, and telecom vaults and pedestals that are placed aboveground. I would suggest considering 5' or 7' of spacing as an alternative, or providing us with the option to place any trees in conflict elsewhere on the site instead of relying on the sole discretion of the Chief Forester. Thank you for your consideration of these comments. I will continue to send as I review. Best, Andy	UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 04/13/22: The next draft UDO will allow more flexibility where sites have challenging constraints that make this infeasible.	Yes
3/11/2022	29.4 Plan Submittal and Process	29.4B.1 (page 29-5) should not require a tree survey. If an area FKA Tree Save has the required tree protect fence during development then it's been saved. That boundary is recorded on a final plat at the County with metes and bounds. It is not important at plan approval nor at development completion if the trees are 8" or 2" or oaks or willows. An aerial survey is currently sufficient and should remain sufficient. Orange tree protect fence is currently sufficient and should remain sufficient. AND the definition of Existing Tree Canopy correctly uses the word Aerial as sufficient evidence of tree canopy so the Tree Survey is just a waste of money.	Updated 03/29/22: The requirement for a tree survey is a current standard in the Charlotte Tree Ordinance. There is a new requirement to include a survey of all heritage trees on-site that was added in conjunction with the updated requirement to protect all heritage trees over 30 inches diameter. However, the remainder of this standard is a current requirement that will be carried forward to the UDO. To clarify, a tree survey would not need to be conducted for trees within green area or tree save areas. Green area or tree save is only required to marked by the boundaries of these areas on the plan.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.4 Plan Submittal and Process	<p>(Part 1 of 5) The Charlotte Public Tree Fund, Inc. hereby provides input and recommendations for UDO, Article 29 Trees. We agree with and applaud the removal of the exemption within the uptown area and transit station areas from tree save requirements.</p> <p>We suggest that the exemptions per section 29.2.B.3.a be removed and that some level of tree planting be required for all new development regardless of zoning designation. Tree planting on properties zoned single family residential represents a huge opportunity to increase tree canopy in Charlotte. Language contained in section 29.3.B.5, requiring planting, replacement and maintenance of should apply to all development.</p> <p>The effort to protect heritage trees on private property is laudable however we believe that more of these trees would be saved if the heritage tree designation is applied to trees beginning at 20 DBH as opposed to 30 DBH.</p>	<p>Updated 03/28/2022: The exemption specified in section 29.2.B.3 exempts these properties from larger scale preservation and planting but does require these sites to comply with Section 29.6 when they redevelop which requires tree planting or preservation.</p> <p>Section 29.3 does apply to all sites as your comment recommends. Trees protected by previously approved development plans are protected in perpetuity, regardless of the lot or zoning.</p> <p>Regarding the comment on heritage trees, staff is studying and considering the feedback received on this issue.</p>	TBD

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.4 Plan Submittal and Process	<p>(Part 2 of 5) To improve the accuracy and effectiveness of Tree Compliance Plans, Section 29.4.B.1. should be changed to read: "A tree survey required by this section shall include identification and location of the following:" B.2. should read "...identification of, location of, and protection plan for". B3 should read "...requirements of this Article, including the location of each";</p> <p>Section 29.5 B. We would like to see the required green area increased to 20%.</p> <p>Section 29.5 D. Tree Save Standards:</p> <p>Item 4. The concept of tree save, as originally written in the tree ordinance, was area set aside that contained trees or where trees would be planted. Tree save excluded impervious pavement or built upon area or vacant area. Tree save area is critical to healthy tree canopy in areas of our city that are more densely developed. The provision allowing a ten-foot area along buildings to be counted as tree save even though it contains no trees should be removed. Only actual tree save area should be counted as tree save, meaning only pervious area with planted or saved trees should count.</p> <p>Item 6. Allowing land dedicated to the county or the city for greenways and trails to be counted as tree save is generally a good idea. However, credit should only be given for areas that will contain trees and will be pervious.</p>	<p>Updated 03/28/22: Regarding the comments on 29.4. Staff will adjust this requirement to specify that the location of the required elements must be on the plan.</p> <p>The UDO is already proposing a 5% increase in single-family residential subdivision green area.</p> <p>The 10-foot no build zone being counted toward tree save was adopted in 2019. The idea is to count this area as a critical area for the health of the tree as it includes the root zone that should be protected. The idea of tree save has evolved over time to meet all the needs of the Charlotte community.</p> <p>The language allowing greenways to count toward green area/tree save is a current standard that will not be adjusted.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.4 Plan Submittal and Process	<p>(Part 3 of 5) Item 10.b and c. Given the realities of average tree canopy spread and to plant more trees, we would like to see each tree count for 1,600 square feet of save area vs. 2,500 square feet. We would like to see the sizes on new trees in this section be a minimum of 1-inch caliper in common area spaces and 2-inch caliper for those planted on lots.</p> <p>Section 29.5.E. The current tree ordinance states that payment in lieu will not exceed 90% of the average tax value for an acre of land. Given the strong need for additional funds to protect and enhance our tree canopy, we recommend that this be increased to 100% of the average tax value.</p> <p>Section 29.5.G. The amount of impervious, paved areas allowed within the amenitized tree area should not exceed 10%.</p> <p>Section 29.6. The frontage tree spacing requirement of 40' should be shorter for small and medium trees. This will increase canopy at a small cost and improve the walkability of sidewalks.</p> <p>Section 29.7</p> <p>A.3. We would like to have at least 75% of new required trees be native species (versus the proposed 50%).</p> <p>B.3.b. There is a typo in the first sentence.</p> <p>C.1.a.i. We recommend increasing the planting area to 12% of the total built upon area when BUA exceeds 10,000 square feet.</p> <p>C.1.a.i.(A) Only allow reduction of the planting area to 10%.</p> <p>C.1.a. ii. Require the planting of large maturing trees at one per 6,400 feet of BUA.</p>	<p>Updated 03/28/22: Upon review, the proposed canopy coverage approach you present is redundant with a green area credit option in Table 29-2 Green Area Credits where we allow trees to be replanted at 36 trees per acre. This equates to each tree counting for 1,210 sq ft. This is a current ordinance allowance and will be carried over to the next draft UDO.</p> <p>Although we are not looking at any changes to this formula, we are changing the capped value for this fee from \$80,100 to \$192,626. Additionally, the UDO is proposing to remove all exemptions from green area/tree save (with the exception of single-family, duplex, triplex and quadraplex development not subject to a subdivision approval).</p> <p>The impervious amount allowed in amenitized tree areas was adopted in 2019. Regarding 29.6, we will adjust this language in the next draft UDO.</p> <p>We will require 75% of new plantings to be native species for the tree planting standard instead of the current requirement of 50%. The typo you reference will be adjusted. However, the recommendation for more planting area does not align with City Council adopted policy and will not likely be increased in the next draft.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.4 Plan Submittal and Process	<p>(Part 4 of 5) C.2.a.i. and ii. Change the size of the planting area to 12% of BUA and the tree planting rate to one per 6,400 feet of BUA.</p> <p>Section 29.8.A.1. Tree Mitigation Funds. We support the creation and maintenance of the funds for the purpose of collecting and spending mitigation fees. However, section A.1.e. is both too broad and too vague and seems to envision use of funds too far removed from those directly related to tree planting and preservation. Mitigation fees used for “design services, site preparation services, installation services and other tree-themed program development items for an urban trail seem to be mission creep. As such, this section should be either removed or modified. Please keep the use of funds narrowly focused on our tree canopy. We would also like to see a requirement for regular, publicly accessible financial reports that detail the amount of mitigation funds collected, allocated, distributed and how such funds are actually used annually for each fund suggested in this section.</p>	<p>Updated 03/28/22: The UDO staff will not be increasing the internal tree planting standard beyond the required 10% of BUA and one tree per every 10,000 sq ft of BUA that is carried over from current requirements. Staff does not feel there is adequate policy foundation for altering this standard in this draft of the UDO.</p> <p>The statement in the ordinance establishing the use of mitigation funds is written in a way to support existing and future programs that provide tree canopy to urban areas where tree canopy may be declining or removed entirely. There are many ancillary costs associated with planting and protecting trees in an urban context that should continue to be included in this standard to allow for creative canopy solutions that serve our community. These programs support many Comprehensive Plan goals and this language will not be adjusted in the next draft of the UDO. Staff will consider your comment regarding annual reports on the expenditures of these funds, however this process adjustment would come outside of the UDO.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.4 Plan Submittal and Process	<p>(Part 5 of 5) Additional Recommendations: Parking Lots. Trees in parking lots are vital to combating climate change and heat island effects. The number of trees required in parking lots should be increased, the planting areas within the parking lots made larger and a requirement established that 20' of pervious paving surfaces be used around the planting islands to provide better root growth and water infiltration. It would also be helpful if the city would require large retail shopping stores and mall areas to create smaller parking lots (not sized for the busiest shopping day of the year). It has recently come to our attention trees existing in alleys and paths are not protected or maintained by the city even though the city owns the land. Please add provisions to protect and maintain these trees. Thank you for the opportunity to provide input to the UDO process. We really appreciate that. Sincerely and on behalf of the Charlotte Public Tree Fund Inc., Rick Roti President 704-957-8660</p>	<p>Updated 03/29/22: Staff does not feel there is adequate policy foundation for increasing the number of required trees in parking lots as a part of the next draft of the UDO.</p> <p>The UDO does include parking standards in Article 19 that reduce parking standards for some developments as your statement recommends. However, parking is a topic that has garnered lots of community conversation. Your comment will be considered in the changes to that article coming in the next draft of the UDO.</p> <p>Staff continues to hear and receive feedback in regard to tree protection on "paper streets." We will review possible preservation requirements and/or incentives to target preservation of trees in these rights-of-way.</p> <p>Updated 04/04/22: City regulation protecting trees on paper rights-of-way that are not accepted by the City bring numerous legal and resource issues. These legal and resource issues outweigh the minimal amount of land across the City dedicated as paper right-of-way to warrant City acceptance and protection. The City will continue to pursue tree preservation through its programs and policies, including the Tree Canopy Preservation Program (TCPP). Abandoned areas of paper rights-of-way that become private property may become or be used as required green area. The UDO will not require heritage tree protection or allow required green area to be located in paper rights-of-way.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
10/27/2021	29.5 Green Area	29.5(B) How does this work?	Updated 02/07/2022: The requirement for a site to save 15% of its area for green area is similar to the requirement in today's Tree Ordinance to save a set percentage of a site for tree save. Table 29-2 Green Area Credits, specifies the green area credits available for each site, as well as the multiplier that is applied to each option. If a site in a Tier 1 site would like to use a green roof to provide 15% green area. They would need to take the area of their green roof, multiply it by the multiplier and ensure that number equals 15% of the sites overall area.	No
10/27/2021	29.5 Green Area	29.5(D): No structure is very rigid outside the tree save area. A bench? A sign?	Updated 02/08/2022: While tree save areas must maintain 10-ft separation from structures, the draft UDO is allowing additional amenity elements including, but not limited to, benches, trails, gazebos, sheds, fences, to be permitted by the Chief Urban Forester (see Section 29.5.D.5). This is a new measure of flexibility that will allow tree save areas to include some amenities.	No
10/27/2021	29.5 Green Area	29.5(D)(10)(c): these are VERY small trees - is this all that the City wants to require?	Updated 02/08/2022: This is a current standard that we do not intend on increasing at this time.	No
11/27/2021	29.5 Green Area	table 29-2 would require that an inspector visit every single building permit in the city & dispute the location of a structure. Structure locations are set within a building pad. this added City step is ABSURD	Updated 02/08/2022: This is an existing flexibility provision. Sites are only required to save 15% of the site for green area; trees outside of this 15% are not protected by this requirement. Staff would only be required to inspect and approve removal of trees that would reduce the preserved tree save area below this 15%. Say for example a development was proposing to save 10% of existing tree canopy to meet the tree save requirement and replant the remaining 5%. This example would require inspection and approval from City staff.	No

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11/27/2021	29.5 Green Area	how do you amenitize a tree area (a good idea) and not disturb it? I know its possible but this document alludes that it isn't	Updated 02/08/2022: Staff does not understand this comment. Please provide additional information. There are a few ways to amenitize green area and we would like clarity on which type you are referring to.	No
12/12/2021	29.5 Green Area	<p>In section 29.5 B, it states that 15% or more of a site is subject to Article 29. Will the minimum level of 15% help the city reach the possible tree canopy levels identified in the 2014 report conducted by the Spatial Analysis Laboratory (found on TreesCharlotte's website)? If not, then what are the steps that the UDO and/or the Charlotte Future 2040 Comprehensive Plan will take to work towards making this opportunity a reality?</p> <p>Furthermore, will the required levels of green area credits be tiered for different parts of the city? Given that some areas have been historically excluded from receiving the benefits of tree canopy (e.g., higher home values, slower driving speeds, reduced energy bills), will the development or redevelopment be held to a higher standard in those neighborhoods?</p>	<p>Updated 02/17/2022: The 15% Green Area requirement in the UDO will help to preserve tree canopy. However, tree save trees are not the only trees that will help Charlotte achieve its canopy goals. The UDO also requires planting and preservation of internal trees and street trees. The UDO proposes to protect heritage trees (native, healthy trees greater than 30 in DBH) and requires infill development to plant or preserve trees; both of these are new requirements proposed in the first draft.</p> <p>The majority of the standards in this article will be based on the site's Place Type designation. In general, Neighborhood 1 Place Types will be required to preserve more trees on site whereas Place Types with a greater intensity of uses and activity, such as Regional Activity Centers, will be allowed to use more green area credit options to meet the 15% green area requirement.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/12/2021	29.5 Green Area	Open space / tree save is a land government taking on remodel homes and teardowns.	<p>Updated 02/25/2022: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 04/14/22: To clarify, the next draft UDO will continue to exempt single-family, duplex, triplex and quadraplex developmet from green area (includes tree save) when they are not proposed as a new subdivision. However, these projects will need to meet other requirements to preserve or plant trees.</p>	Yes
12/16/2021	29.5 Green Area	<p>Just an idea: Could developers be asked to increase their tree save for new residential developments? Or provide new tree plantings for yards after the houses are complete? Restrict the species to native southeastern trees. Nothing invasive, or foreign. It seems like there are many neighborhoods without trees, only houses.</p> <p>Furthermore, a community garden requirement per neighborhood would be beneficial. You could even offer housing assistance program to homeless who maintain the garden part-time.</p> <p>Just some thoughts. thanks for your time & have a happy holiday season.</p>	<p>Updated 02/25/2022: The UDO proposes a 15% green area requirement for residential subdivisions and multifamily development. This is a 5% increase from the current standard for single-family residential developments. The UDO is also requiring new street tree planting or preservation for residential subdivision development and smaller in-fill residential re-development. Programs targeting community gardening and housing assistance will not be included in the UDO.</p> <p>Updated 05/03/2022: Upon reviewing this comment further, staff would like to add that native species will be required for 75% of all new plantings required by the Tree Planting section of the article. Also, invasive species are prohibited as new plantings.</p>	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
1/16/2022	29.5 Green Area	Green Area - Off Site Mitigation supplemental documentation why is off-site mitigation not allowed for single family?	<p>Updated 02/25/2022: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 03/17/2022: Off-site mitigation will not be added for single-family subdivision development as these areas generally have more space for tree save and green area on site than other more dense forms of development that are permitted to use off-site mitigation per this article.</p>	No
2/16/2022	29.5 Green Area	29.5 Section D. Charlotte used to NOT count the buffer areas of 10ft from a building as tree save; sadly this changed a couple years ago. I ask that that the buffer zones surrounding the building are not considered part of the tree save area. What type of trees grown in this area anyways? Not, shrubs and small trees. Please consider not counting this area as part of the tree save.	Updated 03/10/22: This update was made in 2019 and the UDO will carry forward this allowance.	No
2/16/2022	29.5 Green Area	Section G, trees in planters, and rooftops should not be counted since these are small trees and not much value and not equal at all to trees in the ground (this was another recent addition to our current ordinance a couple years ago and I believe should be removed).	Updated 03/10/22: Trees in planters and rooftops were allowed by the 2019 text amendment to allow flexibility for urban sites. These trees still meet code required minimums and provide benefits. The UDO will carry forward this allowance.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/18/2022	29.5 Green Area; 29.3 Maintenance and Protection of Trees	<p>Many trees are being lost in office, commercial, and industrial areas (Tier 1 and Tier 2). Trees are just as necessary in Tier 1 and 2 as in Tier 3 and 4 areas, even more so given the impervious surfaces. Developers should be required to save the same types of green area, and not get out of it by paying in lieu or putting up a green wall, as private citizens. There is far too much promotion of development. It isn't needed, as the economy is good and development has enough incentives.</p> <p>Heritage trees should be smaller than 30 inches DBH. That is a very large tree. I suggest greater than 25 inches to match forestry practice. Planting a new tree should not be a mitigation option for removal of a heritage tree, particularly given the lax conditions for permission to remove the tree.</p> <p>Thank you for your service to the City.</p>	<p>Updated 03/29/22: These allowances are translated from the current Charlotte Tree Ordinance which was last updated in 2019. Staff will not be adjusting these allowances in the next draft of the UDO. Sites included in Tier 1 and Tier 2 will be afforded more options for meeting green area, however the multipliers applied to these green area credits will ensure that development on these sites will need to include more land area or payment-in-lieu money to meet the requirements than if they had simply saved trees on-site. In addition, sites in Tier 1 and Tier 2 will often be required to plant or save more trees due to the amount of impervious surface on these lots.</p> <p>Regarding your comments on heritage trees, staff continues to hear and receive a tremendous amount of feedback on this topic. Perspectives have spanned the spectrum generating both positive and negative comments about the draft standards. A topic of this significance warrants additional discussion and consideration beyond staff. Staff held two listening sessions on this topic and presented takeaways from heritage tree comments to City Council.</p> <p>Staff will work with the UDO consultant to update the draft proposed standards and the updated standards will be included in the second draft of the UDO to be published released in May.</p>	TBD

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3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	Section B: Based on personal experience, there should be a mechanism for abnormally dense ROW tree stands, so that the developer can work with Urban Forestry to come up with a reasonable and mutually beneficial solution.	Updated 03/28/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 04/14/22: Wooded ROW mitigation will have more flexibility in the Charlotte Tree Manual. Staff does not feel there is a need to specify this in the ordinance beyond how this provision is currently written.	Yes (Charlotte Tree Manual)
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	Heritage trees: What does "sufficiently diseased" mean? Heritage tree removal should seriously be able to be linked to the health of the tree. Need to make sure that's included explicitly.	Updated 03/24/22: The UDO will not provide more detail on this in the ordinance but staff will provide additional clarity on this in the Charlotte Tree Manual guidelines.	Yes (Charlotte Tree Manual)

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3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	29.4 A2: Is this going to tie to paying a heritage tree mitigation for site development?	Updated 03/25/22: The section you reference here is specifies the required tree survey for conditional zoning map amendments. Currently as drafted, the heritage tree mitigation payment would only be required if the development was applying for a permit for removal at this phase of the project.	No
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	29.4 B1, c: What about on redevelopment sites where existing pavement and/or structures might affect the root zone?	Updated 03/25/22: A tree survey for land development approval would only be required for redevelopment subject to the applicability section of the article (Section 29.2 Applicability). This would include some redevelopment sites but not all as there are specific exemptions and applicability thresholds specified in 29.2. Existing root location will be taken into consideration.	No

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3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	29.4 B2, b: Critical root zone protection is overbroad. There are usually are a host of reasons why critical root zone can be impacted without damage to the tree. How is nuance handled here? Work it out with the urban forester? The process should be identified in this document.	<p>Updated 03/28/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 04/14/22: Upon review of this standard, staff will be making an update the the Charlotte Tree Manual to clarify allowable impacts to critical root zones.</p>	Yes (Charlotte Tree Manual)
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	Tree as built plan: This is new. May run afoul of bonding requirements. How do you get the first CO without an as-built? Do you wait 5 years to do the as-built to correspond to the last CO?	<p>Updated 03/29/22: This will look more like an finalized landscaping plan than it will look like an "as-built" related to BMPs. This language will be revised to provide clarity in the next draft UDO.</p> <p>Updated 04/14/22: This term will be updated in the next draft to be called a Spatial Tree Arrangement Plan to clarify that these are different from other code-required as-built plans.</p>	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	29-2 table: replanting trees at 36 trees per acre: In practice, I foresee this being very difficult. Cross-reference the redevelopment infill areas in Charlotte where Planning wants density vs. locations where a few very large trees exist. What's the plan?	Updated 03/25/22: The current tree ordinance requires replanting at 36 trees per acre where trees are being replaced or planted to meet ordinance requirements. Replanting at this rate would only be required for projects that are subject to Green Area requirements that can not save trees on site or use another Green Area credit available to the site per Table 29-2. This does not include development of single-family residential, duplex, triplex, or quadraplex development (that is not subject to a subdivision approval), per the exemptions in Section 29.2.	No
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	Table 29-2: Payment in lieu is eliminated for residential place types altogether? I'm sure one of the goals of this section is to improve the quality of tree save. I'm not sure what I'm seeing here is going to achieve that.	<p>Updated 03/23/22: The current Tree Ordinance only allows tree save payment in lieu for multi-family residential and only in certain instances, depending on the location of the site. Single-family detached development has never been permitted to use payment in lieu to meet tree save. Mixed-use sites with a Place Type listed in Tier 1 and Tier 2 (Table 29-1) would be permitted to use payment in lieu for green area requirements, carrying over the current allowances. UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 04/23/2022: Upon review, staff will not be expanding the Place Type tiers that can use payment-in-lieu to meet green area requirements.</p>	<p>Yes</p> <p>No</p>

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	29.7 A, 6: Can there be a provision for conduit in lieu of the clearance requirements?	Updated 03/25/22: The reason for the 10 ft separation is to allow maintenance of the utility without damaging the tree. This requirement applies even if conduit is used to house the lines.	No
3/17/2022	29.5 Green Area; 29.4 Plan Submittal and Process; 29.7 Tree Planting Requirements; 29.10 Administration; 29.11 Charlotte Tree Advisory Commission; 29.3 Maintenance and Protection of Trees	Page 29-11 (3b) - typo: "trees shall plant trees"	Updated 03/25/22: This language will be revised to provide clarity in the next draft UDO.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/17/2022	29.5 Green Area; 29.8 Tree Mitigation Funds	A treesave of 15 % is not enough to stabilize tree loss, or sustain a canopy capable of mitigating urban heat island effects. Trees need to be in the hottest UHI spots in the city, and these proposals make off site mitigation too easy, and will result in exporting cooling shade and higher air quality away from where we live and work to the city outskirts. The USACE has a 4x multiplier when mitigating wetlands, and we should do at least that (e.g. 1 acre loss = 4 acres replant offsite). The fee in lieu policy is hard to work-out in practice, but it seems too cheap on the surface. Enforcement is currently done very poorly, with less than 5% of sites being revisited to check compliance. Sections 29 and 40 of proposed UDO does not spell out how quickly or how many sites are revisited for compliance. With limited budgets and personnel, we should use widely available and inexpensive aerial photography to check compliance in-house. This is easily done, and would expend effort in efficient ways.	Updated 03/10/22: The UDO is making updates to some standards that will address your concerns. The payment in lieu amount will be updated and there will be improvements to the off-site mitigation standard to ensure off-site mitigation is within a reasonable distance from the site being developed. In addition, we are evaluating staffing needs as a part of the UDO process. Thank you for your comments on increasing tree save.	No
2/16/2022	29.6 Frontage Tree Planting Requirement	29.6 A, these building need more trees. More frontage trees should be required.	03/10/22: Thank you for your input. We do not anticipate a change to this standard at this time.	No
11/27/2021	29.7 Tree Planting Requirements	29.7 A. 6 is impossible to meet with utilities running parallel with the street. if you mean those running to service the structure, its still hard in Urban zones which is why it was previously exempted & should be now	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO. Updated 04/29/2022: This language will specify that the 10-foot separation requirement from underground utilities shall be maintained "where feasible." The next draft UDO will allow trees to be planted within this 10-foot distance as approved by the Chief Urban Forester.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.7 Tree Planting Requirements	page 29-11 c. removed the allowance to count existing trees as perimeter requirement. Why?	Updated 02/25/2022: We intend to allow preservation of existing trees to count as perimeter trees in all scenarios when conditions permit. This language will be revised to provide clarity in the next draft UDO.	Yes
11/27/2021	29.7 Tree Planting Requirements	#3 b. how to trees plant trees. fix the sentence	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO. Updated 05/03/2022: This sentence will read: "Trees shall be planted"	Yes
11/27/2021	29.7 Tree Planting Requirements	And why is article 29 the only article that the Administrator doesn't say ' or his assigns'?	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO. Updated 05/03/2022: The next draft UDO will clarify that the Chief Urban Forester or their designee shall be charged with the assigned duties.	Yes
11/27/2021	29.7 Tree Planting Requirements	page 29-12 C. 1. b. it is impossible to have parking spots 40' away from a tree trunk without halving your # of parking spaces	Updated 02/25/2022: This is a current requirement in the Charlotte Tree Ordinance. The UDO isn't proposing to change this standard.	No
11/27/2021	29.7 Tree Planting Requirements	page 29-132.b.ii is in error as buses & tractor trailers aren't allowed in Tier 4	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO.	Yes
11/27/2021	29.7 Tree Planting Requirements	pg 29-13 SF homes don't have parking lots. how does this apply	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO. Updated 04/13/22: This language will be updated to exempt individual detached homes within residential subdivisions in an N1 Place Type.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
11/27/2021	29.7 Tree Planting Requirements	29.9 C. i find it interesting that THE Chief Urban Forester has no ' assigns' but when it comes to Emergencies "The City' can waive a requirement	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO. Updated 05/03/2022: The next draft UDO will clarify that the Chief Urban Forester or their designee shall be charged with the assigned duties.	Yes
11/27/2021	29.7 Tree Planting Requirements	Urban Forestry dept inspectors insconsistently treat townhomes as commercial properties. TH are Single-Family attached and are considered One- and Two-Family Units per state law. the inspectors need instruction	Updated 03/03/2022: This is an issue with the existing ordinance and Urban Forestry will look into this concern.	No
12/16/2021	29.7 Tree Planting Requirements	I appreciate the one mention of native tree species. The city should raise the bar by planting 70% native species. Also, how about a bounty on Bradford Pears and other invasive species like they have in the Triangle? For any BP removed, the city provides a native tree? More dogwoods?	Updated 02/25/2022: City tree planting program policy and other non-regulatory related program policy will not be included in the UDO. Updated 05/03/2022: To clarify the Urban Forest Master Plan and Charlotte Future 2040 Comprehensive Plan maintain guidance for developing an updated tree planting strategy for city trees.	No
2/16/2022	29.7 Tree Planting Requirements	I think charlotte should steer developers away from planting crepe myrtles, red buds. There are so many of these trees and crepe myrtles do not have significant environmental value. Redbuds grow just by looking at them:) We need more native trees that have more value in charlotte, sycamores, oaks, maples, sassafras, etc. Please limit use of insignificant trees and give non-natives less value to plant. I am hoping the ordinance will encourage developers to plant trees of more environmental value.	03/10/22: The UDO addresses this consideration in our guidelines and standards. Smaller trees such as red buds are allowed in places where overhead issues exist such as powerlines. Crepe myrtles are not included on the approved species list. The UDO does require 75% of code required trees to be large maturing trees and 50% native species. There are also additional requirements to encourage species diversity.	No
2/16/2022	29.7 Tree Planting Requirements	29.7 B 3b (maybe a typo) "Trees shall plant trees"	Updated 02/25/2022: This language will be revised to provide clarity in the next draft UDO.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/16/2022	29.7 Tree Planting Requirements	29.7 C I think there needs to be an increase for number of trees for parking lots.	Updated 03/10/22: As more sites develop, they will be required to comply with the UDO requirement for each parking space to be within 40 ft of a tree. We do not anticipate an increase to this standard at this time.	No
3/17/2022	29.7 Tree Planting Requirements	Section 29.7.A.6 - Achieving 10' separation between trees and public waterlines and storm drains is not achievable for most developments since City-maintained stormwater infrastructure will be located under the curb and Charlotte Water waterlines are most commonly installed under the public sidewalk. A standard 8' planting strip would typically allow for only a few feet of separation from the outside of pipe, at most.	UDO staff and consultants are reexamining this language for potential modification in the next draft UDO. Updated 05/03/2022: This language will specify that the 10-foot separation requirement from underground utilities shall be maintained "where feasible." The next draft UDO will allow trees to be planted within this 10-foot distance as approved by the Chief Urban Forester.	Yes
10/27/2021	3.2 Zoning Districts	WHY DOES THIS FORM NOT PERMIT COMMENTS ON ARTICLE 29 AND BEYOND?!; 29.1: Is there no longer a mechanism for alternative compliance with the tree ordinance? Why remove that flexibility?	The online comment portal does allow comments on all articles of the draft UDO. Please contact a UDO staff member for help in submitting online comments. The alternative compliance options are now included in the Green Area Table in Table 29-2 Green Area Credits.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
2/16/2022	No comments	<p>29-8 section C (Criteria for New Trees). What types of trees are being referred to as "shade trees"? Technically, don't all trees provide shade? Additionally, .75 inch caliper replacements seem a bit small (especially when considering the fact that we are losing the mature established native trees). This seems very vague and could be better defined to include more than readily available (cheap) crape myrtle trees and loblolly pines. ; 29.5 (Green Area), Section D (Tree Save Standards), Line C (Criteria for New Trees).</p> <p>Question: What types of trees are being referred to as "shade trees"? Technically, don't all trees provide shade? Additionally, .75 inch caliper replacements seem a bit small (especially when considering the fact that we are losing the mature established native trees). This seems very vague and could be better defined to include more than readily available (cheap) crape myrtle trees and loblolly pines that offer low environmental benefits.</p>	<p>Updated 03/10/22: We will revisit the definition of "shade tree" to include a crown spread minimum. The UDO will only allow .75 inch caliper trees to be planted for single-family subdivisions and only in specific instances. Generally internal trees must be no smaller than 2 inches diameter at breast height (DBH).</p>	Yes