

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
12/16/2021	1.2 Authority	I think the whole thing is great and as a property owner I thank the Council for doing this	Thank you for your comment.	No
12/17/2021	1.2 Authority	In general, being that this document is 608 pages and features so many over arching details, this is a gross attempt by the City Of Charlotte to "deny personal property ownership by continuing to act in ways that benefits multimillion dollar operations while completely screwing over "the average homeowner", added to that, the County Stormwater Authority which has already shown its heavy handed behavior, this is an insult to "property owners"!	The intent of the Unified Development Ordinance is to promote orderly development in accordance with the 2040 Comprehensive Plan and other City Council adopted development policies. The development regulations are designed to balance the needs of the current and future economy with a high quality of life standard.	No
10/8/2021	1.3 Purpose and Intent	1.3.G should read "Promote principles of sustainability and resiliency to climate change."	This language will be revised to provide clarity in the next draft UDO. Section 1.3.G will be modified to "Promote principles of sustainability and resiliency to climate change."	Yes
10/8/2021	1.3 Purpose and Intent	1.3.I should read "Provide for the protection of public investment in transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, public schools, recreation, public facilities, open space, and other public requirements."	In North Carolina, state funding for education doesn't only flow to public schools.	No
10/20/2021	1.3 Purpose and Intent	1.3 A does not align with NCG160D (vital services);	UDO staff will review these requirements with the City Attorney's Office.  Updated 03/01/22: Section 1.3.A will be updated to align with 160D-701 and read, "Promote the public health, safety, and general welfare of the community."	Yes
10/20/2021	1.3 Purpose and Intent	1.3 I - the City had NO impact on schools which are a County function	The UDO regulates the development of schools and other public facilities within Charlotte and the extra-territorial jurisdiction (ETJ).	No
10/20/2021	1.3 Purpose and Intent	1.3 J- Smart Growth is not defined in UDO or by Statute	Updated 02/28/22: Section 1.3.J will be replace the term, "smart growth" with "City Council adopted Comprehensive Plan".	Yes

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10/20/2021	1.3 Purpose and Intent	1.3 L- What does the sentence mean. needs better clarity;	The language will be revised to provide clarity in the next draft UDO.  Updated 03/01/22: Staff doesn't recommend a change.  Updated 04/11/2022: To clarify the previous update - In rereviewing the comment and draft language staff doesn't recommend a change due to the UDO goal of making a more navigable and efficient development process.	No
11/9/2021	1.3 Purpose and Intent	As a member of the community, I want to express support for CBAs. It is vital to the character of a community that its residents feel informed and empowered as it develops.	CBA's are currently under consideration through a separate process which will determine whether changes to the draft UDO are recommended.	Yes  Updated 04/12/2022: TBD
12/17/2021	1.3 Purpose and Intent	I do not support duplex or other multi-family housing development to be intermixed with single family housing developments.	The allowance for duplexes and triplexes is based on the policies of the City Council adopted Comprehensive Plan.	No
12/17/2021	1.3 Purpose and Intent	I disagree with the with the premise and purpose of this document. Neither the city, the county, nor the state own my property. As the property owner, my rights to do what I wish with my property is my primary concern. This purpose of this ordinance should not be to limit what I can do with my property; rather, its entire scope should be to limit what the city can force me to do or not do with my property. This ordinance, combined with the many that have come before it, make me less an property owner and more of a lessee whose lease/land may be forfeited at any moment for nonconformity to the whim of the council. is my decision to build or not build, to cut down a tree (regardless of its circumference) or plant one, or to rent my property for an hour, a day, a week, or a year. Do as you like with your property and I will do as I like with mine.	The North Carolina General Assembly has enacted statutes that give cities the authority to regulate development. The UDO consolidates and updates current development regulations.	No

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12/16/2021	1.3 Purpose and Intent; 1.4 Jurisdiction and Applicability; 1.5 Transition Rules; 1.6 Relationship to Other Regulations; 1.7 Current Versions and Citations; 1.8 State of Emergency; 1.9 Severability; 1.10 Effective Date	As a charlotte home owner. I do not agree with the proposal to require a permit for tree removal, renovation projects on my property including building decks or pools, or permits for using my residence as a short term rental or airbnb. As a homeowner and tax payer I do not believe the city should infringe on my rights as a homeowner. The city already receives revenue from the collection of taxes and additional fees would create more burden on homeowners. Will there be vote on these changes? And if so when will it be held? The council should allow homeowners an opportunity to vote in regards to such sweeping changes.	The UDO is tentatively scheduled to have a public hearing in June 2022, with a Planning Commission recommendation in June, and adoption as early as July 2022. The public is invited to speak at the public hearing. You may sign up to speak with the City Clerk.	No
11/27/2021	1.3 Purpose and Intent; 1.5 Transition Rules	Building Height definition incorrectly measures height in the middle of the structure (highest point). Height is measured at the setback since that is where you have the concerns of overpowering an adjacent use (presumed reason that staff made up the math)	The definition is located in Section 2.3, not 1.3 or 1.5.  Updated 02/23/22: UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.  Updated 03/28/2022: UDO staff and consultants examined the proposed approach for measuring building height and believe it is an adequate approach.	No
10/20/2021	1.5 Transition Rules	1.5 intro sentence incorrectly includes "Pending' - thus indicating that all submissions, not approved, as Subject to the new rules. this violates 160D-108 and conflicts with the correct Applicability sentence on page 38-19 (section 38.7)	UDO staff will review these provisions with the City Attorney's Office.  Updated 03/01/22: Section 1.5 addresses transition rules, not vested rights and permit choice found in 160D-108, and Section 38.7.A of the UDO. The use of the word, "pending" in Section 1.5 clarifies that 1) any violation of any development ordinances incorporated into the UDO will continue when the UDO is adopted, and b) any projects for which a permit was issued or development approval was granted, may be completed in conformance with the issued permit or development approval.	No

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12/13/2021	1.6 Relationship to Other Regulations	<p>What do you think about this verbiage for 1.6 C?</p> <p>This Ordinance does not nullify any private easements, restrictions, covenants, or other agreements between parties. However, where this Ordinance is more restrictive than such private easements, restrictions, covenants, or other agreements, this Ordinance controls. In the event that recorded restrictions or covenants are more restrictive than matters contained in this Ordinance, the restrictions or covenants shall control. The City will not enforce any private agreement or covenant,</p> <p>Restrictions and Covenants are pretty much the same thing, but I think both terms should be mentioned as that are both used in deeds.</p>	<p>UDO staff will review these provisions with the City Attorney's Office.</p> <p>Updated 03/07/22: Restrictions are already covered in "or other agreements".</p>	No
11/6/2021	2.1 Rules of Construction	<p>In 2.1D Please allow the fractional requirements to provide for an extra unit if the fraction is .5 or higher instead of going down to the next lower number. Minor increase in density.</p>	<p>UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Updated 2.11.2022: This language will be revised to provide clarity in the next draft UDO.</p>	Yes
12/16/2021	2.1 Rules of Construction	<p>I am concerned that construction permits would put an undue burden and additional costs on homeowners and slow down projects.</p>	<p>Nothing in the proposed UDO changes the requirements for construction permits.</p>	No
10/8/2021	2.3 Definitions of General Terms	<p>2.3 doesn't define the Planning Commission as the Charlotte Mecklenburg Planning Commission and/or its constituent groups.;</p>	<p>Staff will incorporate a general definition for Planning Commission the next draft UDO.</p>	Yes
10/8/2021	2.3 Definitions of General Terms	<p>2.3 defines a Drive-Through Establishment as "A business where transactions only occur directly with customers via a service window, kiosk, or other configuration where customers remain in their vehicle" and a Drive-Through Lane as "An on-site driveway approach to a building opening, including windows or mechanical devices, where customers initiate and complete their transaction." Hopefully these will be further described as legal nonconforming uses grandfathered in by current zoning.</p>	<p>If existing drive-through establishments do not meet all of the standards of the UDO, but they were established under previous standards, they will be considered nonconforming.</p>	No

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11/17/2021	2.3 Definitions of General Terms	As formatted, the definitions take up nearly 40 continuous pages. I submit that the "normalization" of definitions across Articles is the improvement here though, and think the whole ordinance would be more usable if definitions were moved to their applicable Articles again (WITH the normalized definitions). Even if some definitions may be used across several articles. In this manner the component articles could be easily referenced as single files or printouts with a focused set of attached definitions.	The intent of the singular general definitions section is to streamline language and standards around re-occurring terms throughout the UDO.	No
11/27/2021	2.3 General Definitions	missing definitions of: Accessory Dwelling Unit, XCLT (page 2-9), Chief Urban Forester; Tree Canopy Preservation Program in the definition of Conservation Area Agreement; Bone Fide Farm per NCGS 160D-903(c); Public Property is not defined (see Section 29-2)	UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.  Updated 2/08/2022: Accessory Dwelling Unit is defined in the use definitions section in Article 15. Clarity surrounding XCLT will be added to the Charlotte Streets Map general definition. A definition for Chief Urban Forester will be included in the next draft UDO. Based on staff and consultant review, the other terms mentioned in this comment do not warrant an addition in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Breakwater is defined & not used. obviously copied from another town as we have no ocean shoreline	Staff will delete this term from the general definitions in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	typo in City Tree page 2-10 line 2- remove the phrase 'occurring naturally'	UDO staff and consultants are reexamining this language for potential modification in the next draft UDO.  Updated 2/11/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	typo in Connectivity: it is Or walkways not and walkways	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Courtyard definition starts off saying unobstructed but the the last sentence lists things that are allowed obstructions	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	a cul-de-sac in no a 'street that will not reasonably be extended in the future' that is the definition of a stub street	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Density is the number of units per GROSS acres (missing word Gross)	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes

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11/27/2021	2.3 General Definitions	Discharge Point is the point at which concentrated flow OF DISCHARGE leaves (not of runoff)	This language used in this definition matches the Discharge Point definition in the existing Soil Erosion and Sedimentation Control Ordinance.	No
11/27/2021	2.3 General Definitions	a Deck can be roofed or unroofed (lattice or otherwise)	The UDO defines deck as not having a roof while the porch does have a roof.	No
11/27/2021	2.3 General Definitions	Fenestration has typo: it is the Arrangement of opening not openings	This language will be revised to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	per the definition of Commercial flags an Easter Flag promoting the holiday is commercial. fix that definition	UDO staff will review this definition with the City Attorney's office.  Updated 3/2/2022: Holiday flags are interpreted as noncommercial flags.	No
11/27/2021	2.3 General Definitions	Floor Area doesn't match the normal definition of heated living area. it needs clarity	The language in this definition matches the Floor Area definition in existing Zoning Ordinance.	No
11/27/2021	2.3 General Definitions	Garage should say ....portion of a principal building DESIGNED OR BUILT TO BE used for the storage...	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Greenway definition says it is undeveloped land yet it meets the definition of development on page 2-12	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Groundcover definition doesn't match page 28-9 should be ....stable against accelerated erosion...	The definitions outlined in Article 28 are only applicable to that article of the UDO and take precedent over the general definitions.	No
11/27/2021	2.3 General Definitions	Impervious should say COMPACTED gravel areas on line 2	The UDO deems all forms of gravel as impervious under the impervious surface definition to align with stormwater regulations.	No
11/27/2021	2.3 General Definitions	Loading Area sould be Loading Space (see pg 20-1)	Updated 2/8/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Flag lot definition on page 2-19 conflicts with pg 16-1	Updated 2/8/2022: 16.1 will be revised to remove the B.2 reference language in the next draft UDO.  Updated 04/28/2022: To clarify the prior update - 16.1.C, not just 16.1, will be revised to remove the B.2 reference language in the next draft UDO.	Yes

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11/27/2021	2.3 General Definitions	remove the last 4 words in definition of Lot Area (incorporated within the property isn't needed for the definition)	Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Pier definition incorrect for pages 18-4; 27-9, 27-15, 27-19, 27-24	UDO staff and consultants are reexamining this definition for potential modification, or additional definitions, in the next draft UDO.  Updated 2/8/2022: Staff will delete this term from the general definitions in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	A Porch is NOT covered. should be Might be covered by a roof	The UDO defines a porch as having a roof.	No
11/27/2021	2.3 General Definitions	Right-of-way is land publicly owned OR DEDICATED....	UDO staff will review this definition with the City Attorney's office.  Updated 04/12/2022: Staff has amended the right-of-way definition for the second draft of the UDO.	Yes
11/27/2021	2.3 General Definitions	Steep Slope definition is inadequate. What % = steep? page 29-7 says 33%. page 32-4 has no%; page 33-5 says <15%.	Updated 2/8/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Under Street: the definition would include horses, golf carts & utility vehicles ..... is that the intent?	The definition does not determine how streets are used.	No
11/27/2021	2.3 General Definitions	Sub Lot & Sub Plot need to say for Sale OR RENT to comply with state law	UDO staff will review these definitions with the City Attorney's office.  Updated 3/3/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
11/27/2021	2.3 General Definitions	Sunshades are not all horizontal (aka 90%)	Updated 2/8/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes

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11/27/2021	2.3 General Definitions	why are tasting rooms only for micro-facilities. where are the non-micro facilities?	<p>Staff and consultants will revisit this to determine if this definition is needed in the next draft UDO.</p> <p>Update 2/8/2022: Staff will delete this term from the general definitions in the next draft UDO.</p> <p>Updated 4/11/2022: To clarify the previous update - the general definition for the term "tasting room" will be removed from the second draft of the UDO. The reference, as needed, to tasting rooms is captured in the appropriate zoning use definition(s) as part of Ch. 15. Tasting rooms are an important component of more small-scale production facilities which are typically neighborhood-based.</p>	No
11/27/2021	2.3 General Definitions	definition of tree disturbing area #3 is too broad. Should only apply to heritage trees to match article 29	<p>Staff and consultants will revisit this to determine allowable impacts to critical root zones.</p> <p>Updated 3/25/2022: Staff and consultants will revisit this to determine allowable impacts to critical root zones within the tree protection standards.</p> <p>Updated 04/13/2022: To clarify the previous update - Assuming this is in reference to the definition of tree disturbing activity - Staff will amend the language in the second draft UDO to be more flexible with the critical root zones around trees.</p>	Yes
11/27/2021	2.3 General Definitions	The definition of waste is not correct. just look at the next word 'wastewater' to see that waste as used in that wastewater definition doesn't work. Doesn't work in Yard Waste either	<p>Staff and consultants are reexamining this language for potential modification in the next draft UDO.</p> <p>Update 2/8/2022: Staff will delete this term from the general definitions in the next draft UDO.</p>	Yes

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11/27/2021	2.3 General Definitions	Retail & Shipping Service Lockers definition needs to change to EXCLUDE Cluster Mail Box Units (CBU's) so that all of the location & design regulations further in the document are not in conflict with federal & state laws that prohibit regulation of Mailboxes	UDO staff will review this definition with the City Attorney's office.  Updated 2/25/22: This language will be revised to provide clarity in the next draft UDO.  Updated 04/12/2022: To clarify the previous update - the second draft UDO language has been revised to reflect this language and definition does not apply to units regulated by the United States Postal Service.	Yes
11/27/2021	2.3 General Definitions	definitions are also found in the backs of some sections. this is too confusing. all definitions should be in Article 2	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.	Yes
11/27/2021	2.3 General Definitions	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.	The definition of heritage tree will include all native species in North Carolina. Tree standards will speak to the health of the heritage tree.	Yes
1/12/2022	2.3 Definitions of General Terms	"Setback - 3. On a corner lot, the location of side and rear setbacks shall be determined by the property owner." Rerword to eliminate the rear setback and consider all interior lot lines side setbacks. Corner lots are typically smaller or feel smaller. Front setbacks are typically largest. Side setbacks are typically shorter than the rear. This would give owners more buildable area, particularly residential. Plus no one has to keep track of what owner decided what their setback was.	Staff and UDO consultants will reconsider determination of the side and rear setbacks. Staff does not support classifying all setbacks on interior lots as side setbacks, as this would eliminate open space in the rear of a building.  Updated 2/11/22: This language will be revised to provide clarity in the next draft UDO.	Yes
1/11/2022	2.3 General Definitions	CANOPY- must they alway have columns to the ground? ( If yes, then without columns is it an AWNING?)	Canopies include supports to the ground. Awnings are entirely supported by the structure.	No

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1/11/2022	2.3 General Definitions	SETBACK- Do the definitions fully cover that the 'side setback' extends from front property line to rear property line, running through the 'rear setback' area? This was the subject of a zoning committee hearing on subdivision that went to several courts. In other words, the adjacent perpendicular property is not abutting a "rear yard", as the "side yard" separates that property from the other.	Updated 2/11/22: This language will be revised to provide clarity in the next draft UDO.  Updated 5/17/22: After reexamination of this comment, and consultation across several City departments, staff feels the definition in the first draft UDO is sufficient. However, staff will work with consultants to ensure the associated graphic is updated to provide greater clarity.	Yes
1/19/2022	2.3 General Definitions	Section 2-4: Long Term Bicycle Parking definition: Bicycle Spaces, Long-Term. Bicycle parking spaces where bicycles will be stored for longer periods of time within a safe and weatherproof storage area. Comment: Add to the definition... "safe, secure, and weatherproof storage area."	Update 2/8/2022: Staff and consultants are reexamining this lanugage for potential modification in the next draft UDO.  Updated 04/12/2022: After reexamination staff feels the draft language speaks adequately to the intent of long term bicycle parking spaces.	No
2/2/2022	2.3 General Definitions	Pg 2-9 Chimney definition – 'approved material'. City has not mechanism or authority to approve chimney materials. Delete those words	Updated 2/10/2022: Staff will delete this term from the general definitions in the next draft UDO.	Yes
2/2/2022	2.3 General Definitions	Pg 2-10 you listed TBD on my comment that City Tree needs the phrase 'occurring naturally' to be deleted. I asked for that because it's in the sentence twice. Bad sentence structure not a discussion about the definition.	Updated 2/11/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes
2/2/2022	2.3 General Definitions	Pg 2-11 Deck says no roof. Reply from staff says add a roof & it becomes a 'porch' (page 2-24)—but Porch has to 'have direct access to the street level of the building.' SO – that thing off the 2 <sup>nd</sup> story bedroom above that thing off the living room (e.g. a screen porch or morning room) are not Decks because they have roofs but they are not porches either. Deck definition needs to remove the word 'roofless'	Updated 2/10/2022: Staff will revise this general definition to provide clarity on the next draft UDO.	Yes
2/2/2022	2.3 General Definitions	And under 'porch'-pg 2-24- if you insist that porches be covered what are those things on the front of homes at the front door without a roof, but two steps up?	Updated 2/8/2022: The UDO sets forth a definition for stoop, which encompasses the buiding element described in your comment.	No

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2/2/2022	2.3 General Definitions	Pg 2-17 gravel is impervious by STATE LAW if it isn't compacted. Definition should change and stormwater section should change to say 'uncompacted' gravel. Quoting state law 143-214.7: (b2) For purposes of implementing stormwater programs, "built-upon area" means impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. "Built-upon area" does not include a slatted deck; the water area of a swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; a trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour); or landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.	Updated 3/2/2022: We will continue to consider several of these forms of gravel as Built-Upon Area (BUA) but will not consider uncompacted gravel/stone used as landscaping material as BUA as further defined in BUA guidelines. This guideline will be shared on the UDO Supporting Documents webpage and will be incorporated in to the Post Construction Stormwater Administrative Manual.	No
2/2/2022	2.3 General Definitions	Security gate(pg 2-26) it should be defined as "Gate(s)" since there are singular gates as well as multiple/ double	Updated 2/8/2022: Staff will revise this general definition to provide clarity in the next draft UDO.	Yes

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2/16/2022	1.3 Purpose and Intent	There are a lot of goals here. Unfortunately, often promoting economic development seems to always supersede promoting public health, preservation, protection and conservation of our natural resources. Charlotte speaks of environmental equity, public health etc but driving around charlotte, I don't see that. I hope that the UDO will actually serve the other purposes besides \$\$ ; I hope that we can strengthen the cities ability to preserve, protect and conserve our natural and historic resources. So far I don't think this city council has been focused on that but it needs to and to have a UDO that can protect its resources. Otherwise we will soon look like Houston. <a href="https://www.theguardian.com/us-news/2021/jun/28/houston-trees-shade-heat-temperatures-race-class">https://www.theguardian.com/us-news/2021/jun/28/houston-trees-shade-heat-temperatures-race-class</a>	Updated 2/22/22: Thank you for your comment.	No
3/11/2022	2.3 General Definitions	Functionally Dependent Facility is defined as having to do with a port or shipping facility. It's defined on page 2-16 and again on 27-21 (Again NO REASON to list the same thing in two locations unless the intent is to confound and confuse) but the definition is so board as to not correctly portray the types of uses that would be eligible for a variance in the 'floodplain' adjacent to a lake (not ocean) shoreline (on page 38-24). We have no 'ports'-shoreline is a more appropriate term, boat and boat building are more appropriate than 'ship', fish is correct and seafood sounds inappropriate, etc.	Staff will delete this term from the general definitions in the next draft UDO.	Yes
3/11/2022	2.3 General Definitions	Limiting the increased setback to 30' (page 2-20 definition of Lot width) ignores environmental factors that would likely play a role in that need for an increased setback. There is no reason to limit the additional setback in the definition. Please remove that restriction and drawing	This language will be revised to provide clarity in the next draft UDO.  Updated 04/12/2022: Staff will amend the second draft UDO language to remove that restriction and drawing.	Yes

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3/15/2022	2.1 Rules of Construction	This is a very difficult survey to navigate. Regarding the UDO's proposed heritage tree protection, why not lower the minimum to 20 inches instead of 30 inches? Charlotte's tree canopy is in a precipitous decline and the City should take appropriate measures to minimize healthy tree destruction on private property. Many other cities protect trees that are 20-25 inches.	Updated May 31, 2022: The second draft UDO will propose two major changes to the heritage tree regulation. Heritage tree protection will be significantly relaxed to allow heritage tree removal with specified mitigation.  1) Heritage tree removal during land development requires applicants to demonstrate a conflict with development allowances established in the UDO. In these instances, heritage tree removal will be subject to mitigation replanting and a fee. The UDO will include this regulation in the second draft.  2) Heritage tree removal in non-land development scenarios will not be required to demonstrate a conflict but will be subject to a mitigation fee and replanting. The fee for this type of removal will be less than the fee for heritage tree removal during land development. This standard will be included in a proposed text amendment to the Charlotte Tree Ordinance in Chapter 21 of the City Code of Ordinances	Yes
3/16/2022	2.3 General Definitions	Bicycle facilities: Add bicycle lockers either as own item or to be part of facilities section?	Standards for bicycle lockers are set forth in Article 19.	No
3/16/2022	2.3 General Definitions	BTZ needs more definition with respect to bounding open space (conditioned vs not conditioned), and offer flexibility to administer interpretation.  This needs a better definition with the issues in TOD about 'bounding by a building'. What is the issue with public open space qualifying for build to on irregular shaped sites, sites with building length issues, overhead power lines, site triangles, etc.	Staff and consultants are reexamining this lanugage for potential modification in the next draft UDO.  Updated 4/7/2022: This language will be revised to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Building height is Currently calculated face by face, rather than all the way around. Will this continue?  What about buildings with stepped floors (e.g. townhomes)? Any credit for reducing floor height along with roof height?	Building height is calculated based on average grade. Building height is based on roof height and not floor height. Staff will add language related to stepped building heights in the zoning district standards.	Yes

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3/16/2022	2.3 General Definitions	Is natural grass fields = BUA a new policy for Charlotte?	Thank you for your comment. Please provide staff with additional context for your question to charlotteudo@charlottenc.gov  Updated 3/28/2022: Grass field is not used in the UDO draft and will be stricken from the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	City Tree: This text is confusing and a bit redundant. Any tree, or any tree over 3"?	This language will be revised to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Existing tree canopy: 1" trees are really, really small for a tree survey.	This language will be revised to provide clarity in the next draft UDO.  Updated 3.30.2022: The definition for existing tree canopy is in the current tree regulations. The definition allows applicants to show existing tree canopy through an aerial photo OR a survey; it does not require a survey. In addition, the plan submittal standards in Article 29 do not require a tree survey of existing tree canopy but only for the boundary of areas of the site proposed to be used for green area or tree save. These 1" trees would not be required to be surveyed.	No
3/16/2022	2.3 General Definitions	Frontage, secondary: Why do we need 8 frontages? Too complicated. Suggest 2-4 lane avenues, then 4+ lane avenue.	Frontages in the UDO correlate to the Charlotte Streets Map.	No
3/16/2022	2.3 General Definitions	Grade Average: Does this measure height around all 4 sides and average together, or face by face, each with its own height measurement? Is this calculated by facade or total building? Only facade face r/w or frontage?	Average grade is a measure for the entire building.	No
3/16/2022	2.3 General Definitions	Green Wall: Why only live plants?	Green walls may be used to achieve green area credits. In order for this provision to meet its intended purpose, green walls must include only live plants, as live plants have higher ecological value.	No
3/16/2022	2.3 General Definitions	Gross Floor Structure: Does this include parking decks/ Non-occupied spaces?	Structure parking is not included in gross floor area calculations.  Updated 3/28/2022: Staff will clarify this definition in the next draft UDO.	Yes

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/16/2022	2.3 General Definitions	Gross Floor Area: This duplicates Floor Area. Suggest saying "see Floor Area".	Staff will revise the floor area and gross floor area definitions to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Groundcover: Shrubs too? Trees aren't usually considered groundcover.	Staff will revisit this definition to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Heritage tree definition has completely changed	<p>Updated 5/31/2022: The second draft UDO will propose two major changes to the heritage tree regulation. Heritage tree protection will be significantly relaxed to allow heritage tree removal with specified mitigation.</p> <p>1) Heritage tree removal during land development requires applicants to demonstrate a conflict with development allowances established in the UDO. In these instances, heritage tree removal will be subject to mitigation replanting and a fee. The UDO will include this regulation in the second draft.</p> <p>2) Heritage tree removal in non-land development scenarios will not be required to demonstrate a conflict but will be subject to a mitigation fee and replanting. The fee for this type of removal will be less than the fee for heritage tree removal during land development. This standard will be included in a proposed text amendment to the Charlotte Tree Ordinance in Chapter 21 of the City Code of Ordinances</p>	Yes
3/16/2022	2.3 General Definitions	Land disturbing activity: Why define uses?	Adjusting this term could cause unintended consequences, as this is a long-standing, tested definition that is widely accepted across multiple City departments.	No
3/16/2022	2.3 General Definitions	Open Space/Common: Clarification needed for these sub-categories, open space common -- fenced in or internal areas to the building (such as dog parks, courtyards - i.e. reiterate inaccessible to the public). Public is public, private only refers to individual patios/balconies...	Staff believes the draft language is adequate to provide the differentiation between the open space areas. There are also additional open space standards in Article 16.	No
3/16/2022	2.3 General Definitions	Rapid Transit Corridor: How is this defined by CRPTO? Adopted LPA?	CRPTO does not define transit corridors or rapid transit corridors. This definition is carried forward from previously adopted TOD, and is utilized by CATS.	No

Date	UDO Section	Public Comment	Staff Response	Recommend Change to Draft UDO?
3/16/2022	2.3 General Definitions	Reservation: Dedication occurs in future? Does City still purchase land?	Reservation is a potential step in the process to acquire land for the City.	No
3/16/2022	2.3 General Definitions	site: Contiguous, or developed together? If you have multiple land being developed together that is not contiguous, is that considered NOT a site?	This language will be revised to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Steep slope is undefined - what percentage?	This language will be revised to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Subdivision had exclusions before - does it still?	This language will be revised to provide clarity in the next draft UDO.	Yes
3/16/2022	2.3 General Definitions	Transit Corridor: Elevated vs. at grade when considering relationship of building to corridor, design requirements. Who defines transit corridors (what document)?	Transit corridor definitions were developed as part TOD, which was initially by City Council in 2019. The definitions are carried forward into the draft UDO.	No
3/16/2022	2.3 General Definitions	Tree disturbing activity: This appears to apply to private property and private, non-regulated trees. Are ALL trees in Charlotte now regulated?	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.  Updated 04/12/2022: The city currently has tree regulations and is proposing, in the draft UDO, additional tree protections and regulations heritage trees.	No
3/16/2022	2.3 General Definitions	Waste: Is excess fill dirt considered "waste"?	Staff will delete this term from the general definitions in the next draft UDO.	Yes
3/22/2022	2.3 General Definitions	In Article 2 section 2.3 Definitions, I would recommend adding in parenthetical note that 30" diameter equals a 94" circumference. If the UDO continues to have regulations impacting Heritage trees on private property few if any of owners would have tree calipers but all could measure the circumference.	The UDO will require heritage trees to be verified by diameter, which is an industry standard unit of measurement.	No