

Date	UDO Section	Public Comment
6/3/2022	Table 20-3: Required Landscape Yard by Zoning District	On page 20-11, Table 20-3 does not require any landscape yards for TOD districts (and many others) unless abutting Neighborhood 1 or 2 Place Types. This should be changed to require at least some kind of landscape yard when abutting ANY residential use. My existing townhouse community (which was built before the 2040 policy map was approved) is not in a Neighborhood 1 or 2 Place Type but abuts a TOD-UC parcel and the current draft of the UDO affords us no protection from a developer building a tower right on their property line with zero buffering between it and our community.
6/3/2022	15.6 Accessory Uses: Prescribed Conditions	<p>Page 15-54 "C. Dwelling Accessory (ADU) 7. An ADU located within an accessory structure shall comply with the following additional requirements:</p> <p>a. The ADU shall have a total floor area no greater than 50% of the total floor area of the principal residential use."</p> <p>Comment: I would like to see this changed to allow owners of principal dwellings with less than 1000 square feet to be able to build a 500 square foot ADU. For example, say a resident owns a home with 730 square feet and would like to build an ADU. The current language would only allow for the ADU to be a maximum of 365 square feet. With such little square feet, that ADU would not be able to have a dedicated bedroom. At 365 square feet, the ADU may be better served as an AIRBNB/short-term rental. Allowing up to a 500 square feet detached ADU for owners with less than 1000 square feet in their principal dwelling would make room for a one bedroom dwelling which, in turn, can be more likely utilized as a long-term rental serving Charlotte residents.</p>
6/3/2022	15.3 Use Definitions	In Article 15.3 under definitions it states under Marina, Commercial that by definition a yacht club is considered a commercial marina. In the case of Catawba Yacht Club, that is not true. There are no commercial activities occurring at the Catawba Yacht Club. There are no sales of fuel. Repairs are done by individuals for themselves or helping others in the club. Catawba Yacht Club fits better under the definition of Private Recreation Club. That being said there is no restaurant or bar or other type of commercial activity.

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6/4/2022	15.4 Principal Uses: Prescribed Conditions	<p>15.4.XXX Restaurant/Bar (p 15-44) In your staff response to restaurant questions during the first comment period of the UDO it was stated that "we do not believe restaurants need to be separated from residential areas" and "the current draft UDO language does have some provisions to protect residential areas."</p> <p>I believe that restaurants need some separation from residential zoning. As a 25+ year resident of Dilworth, there are many restaurants along East Boulevard that back up directly to single family residential areas. Adjacent property owners have to not only contend with the noise from entertainment and patrons but also the noise from garbage being put out after close, dumpsters being emptied at 5am, restaurant patrons blocking driveways, vermin on the property due to poor cleanliness, delivery trucks blocking small neighborhood streets, etc. Of course, there are city ordinances to limit this "bad behavior" by restaurants but we have had neighbors fight to have these ordinances enforced for years without improvement. I believe that some minimal separation requirements will prevent these two potentially conflicting zoning uses from having to exist in such close proximity and encourage restaurants to utilize other better suited existing properties in our neighborhood.</p> <p>While there are very limited restrictions in the current UDO for "live/recorded music" outside of the restaurant/bar between the hours of 11p and 6a there is nothing to prevent an outdoor serving of food and alcohol on a patio or rooftop directly adjacent to a Neighborhood 1 Zoning with no separation requirements at any hour of the day. At least the current zoning has a 100' separation distance from the nearest point of an outdoor seating area of a Type II EDEE (Bar) to the nearest property line of a residential use lot or a class A buffer. I guess that I am failing to see the staff logic that a group of people eating and drinking outside after 11pm would not require any separation from a residential property. It seems to me that they would provide the same amount of noise as "recorded music" - if not more. Please consider adding a separation requirement for "outdoor seating" to the UDO to prevent this noise directly adjacent to a neighborhood zoning during the hours of 11p-6a.</p>
6/6/2022	Table 16-1: Bonus Menu	<p>16-4 For affordable housing, relax the heritage tree ordinance so that fees are not charged for LIHTC projects serving families/seniors with AMI averaging 60% or less. Instead of fees, it would be helpful to have a replanting requirement on-site or even in another agreed upon location.</p> <p>For ease of understanding, separate the bonus calculation for LIHTC projects and/or projects supported by Housing Trust Fund from those with smaller percentages of sq. ft. devoted to affordable units or higher AMI and offer these the most bonuses in all categories: trees, setbacks, open space, etc. Allow a height bonus of 1 floor in N2B neighborhoods for these projects.</p>

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6/7/2022	15.4 Principal Uses: Prescribed Conditions	<p>"Section 15 .4.L.4 & 5 - Bed and Breakfast restrictions. Why would you not allow B & B's to use detached structures (ADU's) as available rooms to rent also?</p> <p>Section 15.C Maximum height for ADU's are limited to the height of the principle structure. This is very limiting if you currently have an older one story ranch with a low pitch roof and 8' ceilings. The peak of the ridge may be only 12' off the ground. A new ADU with a minimum crawl, 9' ceiling and 6/12 pitch roof will be taller than that. I suggest a maximum of 15' - 16' in height or no taller than the principle residence, whichever is greater. Otherwise, you effectively prevent it from working for some people.</p> <p>Section 15 limits ADU SF to 50% of the principle structure first floor. If you have a small principle structure, say 1,000 SF, you should still be able to build a reasonably sized ADU. Why not make it a maximum of 50% of the principle structure or 800 SF, whichever is greater?"</p>
6/10/2022	Table 19-1 Vehicle Parking Requirements	<p>I strongly disagree with allowing developments with no parking requirements. our town is not set up for a no car future and we travel and go shopping with cars. I live in the South End area and the parking lots at brewery's or the grocery store are always very full. Yes a few may be able to ride the light rail to work if your office is close to the line. That's the only reason for no parking requirements. what about the 10 reasons why they should have parking, shopping, travel, visitors, emergencies, kids, doctor visits, dinners out, work, Ect. Only a very small percentage can live without a car. Every unit should be required at least 1 parking space.</p> <p>What I have found so far is that the few building without any parking are using all of the street parking. This leaves no parking for other visitors or guess.</p>
6/8/2022	20.14 Heritage Trees	<p>20.14 Heritage Trees</p> <p>The original writing of this section intended to preserve Charlotte's treasured trees as they provide a greater benefit to the community over the smaller caliper trees. Larger, more mature trees offset carbon production more efficiently and effectively than the smaller, commonly planted trees from development. It is disappointing to see the large tree canopy that once covered Charlotte be graded and destroyed by each new development. When reviewing construction documents, building a site plan should be designed around tree save areas, heritage trees, and natural areas. The removal of heritage trees should be met with force from City staff, city council, and the taxpayers of this City.</p>
6/8/2022	20.17 Tree Planting Requirements	<p>The internal planting areas for each tier are minimal and should far exceed the required 10% of the total built upon area.</p>

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6/9/2022	20.14 Heritage Trees	The change to article 20.14 on Heritage trees must be reverted back to the original requirements stated in Draft 1 OR the fee associated with removing a healthy heritage tree must be significantly higher in order to deter people from removing these trees. Removal and replacement does not have nearly the same ecological, health, economic, and communal benefits that preserving large trees has. This change is simply an "easy way out" for developers and homeowners to wipe out historic trees piece by piece. Some may say the \$1500 fee associated with the permit will deter people from removing these trees. However, the removal cost alone for a large tree is thousands of dollars. If a homeowner/developer can pay to remove a healthy heritage tree, the "fee" is a drop in the bucket for them. There is NOT tree protection legislation when there is no "protection" component.
6/11/2022	20.2 Landscape Plantings	Section 20.2 mentions only planting plants on the "approved species list," which sounds great except that there are invasive species on this approved list. Lacebark elm, Chinese pistache, and more are incredibly invasive (see the wall of lacebark that has taken over the floodplain on the midtown greenway). Same for the shrubs, and the approved species list doesn't even mention flowers, ferns, grasses, sedges, or vines. There are several wonderfully hearty native species not even mentioned on the list, yet it's about half non-natives or nursery varieties. I would love to see a complete ban on species not native to the North American continent. We've seen what invasive species can do to our environment (kudzu, Bradford pear, English ivy, etc). Why continue to roll the dice with nonnative plants when there are SO many gorgeous natives. What about American wild olive, long leaf pine, gray dogwood, red chokeberry, big leaf magnolia, catalpas, dwarf sabals, yaupon, sweet bay magnolia, pond cypress, green hawthorn, parsley hawthorn, box elder, hackberry, cottonwood, the list goes on). I do know that some of our natives have been plagued by disease (introduced from nonnative sources ironically), but I would love to see a serious priority on reintroducing natives to the landscape as much as possible.
6/13/2022	15.6	<p>I am writing to request a change to the sections on height requirements for auxiliary buildings in the R-4 / N1-B residential zones. We would like to build a 2 story garage with a small apartment over it, but are currently prevented because we have a short, one story 1956 brick ranch. It creates a situation where we can't build the 2 story garage unless we add a 2nd story to our house and if we add a second story to the house, we can't afford the 2 story garage. Being able to build a 2nd story on the garage would allow us space for an office or guest space.</p> <p>This would be allowed if some of the original recommendations from Oct 2020 were adopted. The recommendation indicated that the UDO should be simplified when referencing auxiliary building size and height. The recommendation suggested: "Align Accessory Structure and ADU code by reducing rear lot setback from 15 feet to 5 feet and providing a set height limit of 24 feet (except in historic districts)"</p>
6/13/2022	16.5.A.4	Is the reference to "dedicated street rights of way" intended to refer only to "dedicated public streets" or is it intended to refer also to "private 'streets' required to meet the subdivision ordinance pursuant to a rezoning"?

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6/13/2022	Table 16-2	Open space shall abut a frontage -- is it fair to interpret this to mean that open space cannot abut an internal/private street required under a rezoning?
6/13/2022	20.15.K	Does the second sentence mean that no pruning of these trees is allowed except where City Code requires pruning of the trees? Trees need to be pruned to stay healthy, so what are the circumstances under which Code requires trees to be pruned? ""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."
6/16/2022	Article 15	<p>Article 15, Use Regulations, Part VII RRR.Quarry Item #6, page 15-42 as written: "6. Except in cases of emergency involving safety on the site, quarries may not be operated on Sunday, and may not operate earlier than 7:00 a.m. or later than 6:00 p.m. on any other day. This restriction does not apply to maintenance operations conducted within an enclosed building. "</p> <p>Comment 1: Maintenance should be allowed after operating hours if the operation is in an industrially zoned district or in the case of non-conforming operations, if the decibel level is reasonable at the property line to adjacent residentially zoned parcels.</p>
6/16/2022	Article 15	<p>Article 15, Use Regulations, Part VII RRR.Quarry Item #6, page 15-42 as written: "6. Except in cases of emergency involving safety on the site, quarries may not be operated on Sunday, and may not operate earlier than 7:00 a.m. or later than 6:00 p.m. on any other day. This restriction does not apply to maintenance operations conducted within an enclosed building. "</p> <p>Comment 2: Operating hours should be allowed to change should DOT projects require shipment for night work or emergencies.</p>
6/16/2022	Article 15	Currently Quarries are allowed in I-2 zoning districts provided site conditions are met with Engineering & Property Management. The proposed UDO requires a conditional use permit. It seems that the current process is sufficient and adding another layer of the same information in a quasi-judicial manner does not add any more protection, but instead, creates more expense on the applicant and city staff.
6/16/2022	Article 20	Require developers to keep 25% of the EXISTING trees on property they plan to build on
6/16/2022	20.14	We must protect our heritage trees. Developers and homeowners tear them down because it is quicker/easier/cheaper for construction. However, we destroy the environment, remove shade and increase energy usage for air conditioning. I believe this makes it far too easy for a developer or homeowner to spend a small amount of money to destroy a 50 year old mature tree and replace it with a small twig that won't provide shade for 30+ years. Developers and homeowners need to work around heritage trees, otherwise our tree canopy and environment will be placed at risk. In addition, I think every developer should work towards a net increase in tree canopy as part of the design to make Charlotte a livable, walkable city.

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6/16/2022	Article 20	<p>Preserving the tree canopy, specifically mature hardwoods and pine is an environmental justice issue, and this UDO does not go far enough to protecting Charlotte tree canopy. East Charlotte and the Belmont neighborhood are good examples of areas that are negatively impacted by the lack of tree canopy. Summer temperatures in lower income neighborhoods are unmitigated due to the lack of shade. Mature oaks are consistently cut down and replaced by useless crepe myrtle trees, and maybe, but debatably, worse, nothing. The UDO should protect the Charlotte Canopy by:</p> <ol style="list-style-type: none"> 1) Requiring any tree replacement to be with North Carolina Native trees. 2) Imposing steeper fines for mature trees being cut down. 3) Disallowing any tree cutting or clearing in a designated tree save area to cover at least 20% of the lot.
6/17/2022	Article 20	<p>I received an email from Trees Charlotte about section 20. In it, it showed mitigation for champion trees that might be removed. I would like to comment that the second draft showing \$1500 is not enough. Developers could easily pay \$1500 per tree probably amounting to very little in regards to the return they would get for the lots and go ahead and remove the trees. We need to have a much higher minimum per tree and a much stronger requirement ideally to not remove the trees.</p>
6/17/2022	Article 20	<p>I would also like to comment on the rail trail because in reading this UDO, I realized that there is a requirement to maintain and replace trees that have died. I walk daily along the path from Carson to Bland St. Along the trail beside the huge Apartment building along the corner of Carson and the rail trail has a high proportion of the trees removed. It is approximately 1/3 of the way of that block along the rail trail. Dogwood trees are planted in this 100 foot walkway and six at least are dead and have been removed and not replaced. In the afternoons when the sun is beating down the few dogwoods remaining provide much needed shade. Can those dogwoods please be replaced that have been dead for over three years? The plantings along here are regularly maintained and I'm not sure why it hasn't been noticed that these trees are missing but it's a great distraction from the beauty of the area to have big gaping holes where the trees used to be.</p>